

**We Care What They Think:
Prestige and Canadian Foreign Policy**

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ABSTRACT

International Relations theory has difficulty accounting for states that act in ways that are contrary to their material interests. Despite what the major theories of International Relations (IR) would tell us to expect, states make these choices because they are seeking more abstract goals. International prestige is one of those goals. Though Realists have recognized the role of prestige in international relations, they focus on the use of prestige by great powers to demonstrate the state's military power and neglect the role of prestige in the foreign policy calculations of less powerful states. This paper examines the relevance of prestige for Canadian foreign policy. Foreign policies that correspond to the Canadian self-image as a good international citizen are reinforced by the drive for prestige. This paper demonstrates that Canada's self image as a model international citizen and the desire to use policies related to that image to garner international prestige has played a crucial role in Canada's support for the International Criminal Court.

INTRODUCTION

States do act in ways that are contrary to their material interests. Despite what the major theories of International Relations would tell us to expect, these states make these choices because they are sometimes seeking nonmaterial ends. Prestige is one of these goals of foreign policy. Although many theories of international relations recognize that prestige exists in world politics, they do not credit prestige with much power to motivate the actions of states. Some states place a premium on international prestige and will engage in potentially costly international action in order to bolster their reputation and increase their prestige.¹ This paper examines the relevance of prestige for Canadian foreign policy. In doing so, it challenges the traditional understanding of prestige in international relations theory.

Canadians and Canadian policymakers care about their country's international reputation and are motivated by the desire for prestige. Canadian actions are influenced by their self-identity as a good international citizen and the desire to be recognized as a moral authority in these "citizenship" categories. Ottawa's decision to enthusiastically support the creation of an international criminal court demonstrates how the interaction of self-identity and the prestige motive translates into overwhelming support for one policy option.

PRESTIGE AND INTERNATIONAL RELATIONS THEORY

The drive for prestige is a well-accepted motive for an actor's behaviour in domestic society. All types of individuals, firms, and groups desire prestige and seek it for a variety of reasons. Business firms might desire prestige because being a valued brand name translates into more profits, and an individual might want a prestigious career because they believe it will ensure economic success or boost their self-esteem.

This paper addresses the role of prestige in international relations. Surprisingly, the majority of writing on prestige in International Relations has come from the Realist tradition.² Though realist theories recognized the role of prestige in international relations, their models do not address the full significance of prestige. Realists focus on the use of prestige by great powers to demonstrate the state's military power. Robert Gilpin writes: "prestige is the reputation for power, and military power in particular."³ Dean Acheson, described prestige as "the shadow cast by power."⁴ Hans Morgenthau argued that prestige is used primarily to reflect power. Prestige according to Moregnethau is the "reputation for power."⁵ By focusing on this limited understanding of prestige, these scholars are missing important dynamics in international relations.

A Constructivist understanding of international relations allows for a more inclusive role of prestige. Constructivists emphasize the social meaning attached to

¹ L. Wylie. (2005) "The International Criminal Court: American Bilateral Immunity Agreements and Latin American and Caribbean States," Prepared for delivery at the 2005 Annual Meeting of the International Studies Association, March 1-5, 2005.

² Non-realist works on prestige include: Busby, J. "Good States: Prestige and Reputational Concerns of Major Powers under Unipolarity," American Political Science Association, Washington, DC (2005); O. Lowenheim, "Do Ourselves Credit and Render a Lasting Service to Mankind"; British Moral Prestige, Humanitarian Intervention, and the Barbary Pirates," (2003) *International Studies Quarterly* 47, 23-48.

³ Robert Gilpin, *War and Change* (Cambridge: Cambridge University Press, 1981), 31.

⁴ Acheson, Dean, *Present at the Creation: My Years in the State Department*. (New York: W.W. Norton and Co., 1969), 405.

⁵ Hans J. Morgenthau, *Politics Among Nations* 6th edition (New York: Alfred A. Knopf, 1985), 93.

material things and maintain that many of the “facts” of international relations are socially constructed. States are social actors. Social actors care about what others think about them and they thus strive for recognition and prestige. Prestige itself is socially constructed since it can only exist when a group of actors share similar beliefs about another actor.

Prestige can be an amorphous concept and has been defined many ways. It is important to distinguish prestige from reputation. Gregory Miller has defined reputation as “a judgment about an actor’s past behavior that is used to predict future behavior.”⁶ I would add that reputation is a collective judgment since a reputation is not based on the judgment of a single actor but requires that multiple actors believe that another actor possesses these qualities. States can have a negative or a positive reputation. Prestige is gained from having a positive reputation. Prestige refers to the high level of respect accorded to states by the other actors in the international system. States with prestige are recognized by the other actors as having a high standing either generally or with regard to a particular issue area, which means they will receive respect or esteem from other actors.

This paper argues, prestige is not just a reflection of power or state military strength but instead it can also be a reflection of other assets such as moral resolve. The currency of international relations is not limited to military power. States and the individuals that govern them care about their international reputation. Reputation can certainly be based on military power but it can also be based on nonmaterial “strengths.” Barry O’Neill reveals that countries can possess normative prestige and thus become “moral authorities.”⁷

Realist writings understand prestige to be almost exclusively the purview of major powers. However, a state does not need to be known as a “military power” or alternatively as a moral authority in order for prestige to influence their foreign policy decisions. Prestige can be a means for less powerful states to achieve international influence. Prestige is one means to gain international influence and is thus not just important to those states that already have a great deal of power (military or otherwise). In fact, prestige is often more important to states that lack established power. Less powerful states may indeed place a greater premium on prestige.⁸

Realist understandings of prestige do not normally include prestige as an end of foreign policy. Morgenthau writes: “While in national societies prestige is frequently sought for its own sake, it is rarely the primary objective of foreign policy. Prestige is at most the pleasant by-product of foreign policies whose ultimate objectives are not the reputation for power but the substance of power.”⁹ He recognizes that leaders sometimes do pursue prestige “for its own sake” but dismisses these leaders as “foolhardy egocentrics.”¹⁰ I argue prestige is not simply a means to obtain greater power but it can also be an end of state behaviour. A state may engage in a policy of prestige if not for “its

⁶ Gregory Miller, “Hypotheses on Reputation: Alliance Choices and the Shadow of the Past,” *Security Studies* 12, no 3 (spring 2003); 40-78.

⁷ Barry O’Neill, *Honor, Symbols, and War* (Ann Arbor: The University of Michigan Press, 1999), 196.

⁸ See L. Wylie. (2005) “The International Criminal Court: American Bilateral Immunity Agreements and Latin American and Caribbean States,” Prepared for delivery at the 2005 Annual Meeting of the International Studies Association, March 1-5, 2005 for a discussion of the role of prestige in the foreign policy decisions of small states.

⁹ Morgenthau, 94.

¹⁰ *Ibid.*

own sake” then often for vague undefined future gains or influence. Consequently, prestige itself becomes essentially an end rather than a means of foreign policy. For example, states pour large sums of money into training and sending their athletes to the Olympic games often for prestige reasons alone. The material payoff of a state’s athletics placing in an international competition are negligible.¹¹ Other international contests like putting the first person on the moon are even more costly endeavors that are undertaken by states primarily for prestige reasons.

This paper will demonstrate that prestige can play an important role in foreign policy. It will show that Canada does care about its international reputation and is motivated by the desire for prestige. Canadian actions are influenced by their self-identity as a good international citizen and the desire to be recognized as a moral authority in these “citizenship” categories. The desire for prestige reinforces the policies that flow out of the good citizen identity.

PRESTIGE AND CANADIAN FOREIGN POLICY

There are numerous avenues to international prestige. Prestige certainly comes from the display of military power. For example, Barry O’Neill argues that possessing nuclear weapons translates into to a certain degree of prestige. Yet, Canadians had the capability to be a nuclear power as early as 1945 and refused. In fact, Canada was the first nuclear capable state that refused to develop nuclear weapons.¹² Does this mean Canadians did not care about international prestige?

Barry O’Neill allows that states may want to achieve different types of prestige. He explains that a degree of normative prestige can be gained by rejecting nuclear weapons.¹³ This paper argues that the combination of a country’s self-identity and the desire for international prestige can explain foreign policy decisions that appear to gain their state little material reward or in fact may be costly in terms of immediate or long term national interests. Canadian foreign policy is informed by their self-identity as a “good international citizen” and the strong desire to garner international prestige.

Canadians have developed an international self- image that has been referred to as “helpful fixers,” good international citizens, international activists, or more traditionally, peacekeepers.¹⁴ David Kilgour, former Secretary of State for Asia-Pacific and Latin America and Africa, called peacekeeping “an integral part of our national identity or “national DNA”.”¹⁵

Whether first motivated by realist- based necessities, cosmopolitan values, or both, Canadians believe their country is a good international citizen. The most recent

¹¹ For a discussion of the relationship between international prestige and sports competitions see: Lincoln Allison and Terry Monnington, “Sport, Prestige and International Relations,” *Government and Opposition* (July 2002) 106-134.

¹² Lloyd Axworthy, *Navigating a New World* (Toronto: Alfred A. Knopf, 2003), 358.

¹³ O’Neill 1999, 196.

¹⁴ It is highly debatable whether Canada has lived up to this self-image. For example, Canada’s image of a country that cares for the less fortunate does not live up to the reality. In 2002, Canada’s Official Developmental Assistance (ODA) was 0.28% of gross national income (GNI). The average among OECD countries was 0.40%.

¹⁵ Canada, Department of Foreign Affairs. David Kilgour “Canada’s Peacekeeping Role: Then and Now Remarks made at the University of Alberta’s International Week 2004, “Picking Up the Peaces” Shell Canada Lecture Theatre, Edmonton, 26 January 2004 <http://www.david-kilgour.com/mp/Peacekeeping%20U%20of%20A.htm> (February 21, 2006).

foreign policy review stated, “Canadians are already busy global citizens.... Their expertise is well respected in many fields, particularly those related to human rights, governance and development.”¹⁶ The 2003 Dialogue on Foreign Policy reported “Canadians, in orientation, as well as increasingly in demographics, are internationalists. ... it is essential that Canada work with others to enhance multilateral frameworks and institutions, both contributing energetically to the further development of global norms and investing in renewed institutions...”¹⁷ Canada’s reputation as a good citizen is accepted as fact by Canadians. Nigel Fisher, president and CEO of UNICEF, echoed this widespread belief when he remarked, “Canadians have shown that they continue to value Canada's reputation for being a caring, compassionate global citizen.”¹⁸ A 2005 Ipsos-Reid Public Policy Poll reported that ninety-one percent of Canadians surveyed believe Canada should take an "active role" in world affairs. Forty percent responded that Canada should be "very active".¹⁹ Canadians clearly see themselves as a good citizen of the wider international community and its institutions.

This identity embodies a broad notion of sovereignty. In 2004, Paul Martin told the United Nations that modern-day sovereignty includes responsibility to the wider international community.²⁰ Ottawa’s 2005 foreign policy statement, *A Role of Pride and Influence in the World* states: “In a world of independent states, governments carry an obligation to look after their own people. However, this presents a fundamental dilemma. Unless we act collectively on the basis of our common humanity, the rich will become richer, the poor will become poorer and hundreds of millions of people will be at risk. We have to think beyond our own national borders and take responsibility for one another. Canada will advocate reforms that put our common humanity at the centre of our agenda.”²¹

The desire for international prestige works hand in hand with this identity to reinforce foreign policies that correspond to this self-image. Canadians and their government care deeply about what the wider global community thinks about Canada. They want others to see Canada as a moral authority in international relations. “How are we perceived by others?” is an important factor influencing Canada’s external actions. Canadians want their country to be seen as a model international citizen and thus achieve a prominent place in the society of states. They believe that their country can secure this place by taking a leading role in international humanitarian efforts. A 2005 poll showed that eighty-seven percent of Canadians think their country is "a world leader" in peace

¹⁶ Canada, Department of Foreign Affairs, *Overview Canada’s International Policy Statement, A Role of Pride and Influence in the World* <http://www.dfait-maeci.gc.ca/cip-pic/ips/ips-overview2-en.asp> (October 17, 2005).

¹⁷ Canada, Department of Foreign Affairs, “A Dialogue on Foreign Policy: Report to Canadians A Message from the Honourable Bill Graham, Minister of Foreign Affairs,” June 6, 2003 <http://www.dfait-maeci.gc.ca/cip-pic/participate/dialoguereport-en.asp> (October 21, 2005).

¹⁸ “UNICEF Canada appeals to newly-elected government for strong commitment to international aid,” January 23, 2006 <http://www.unicef.ca/news/displayNewsItem.php?id=151> (May 12, 2006).

¹⁹ University of Ottawa Media Room. Hot Topics “uOttawa Ipsos-Reid Public Policy Poll” <http://www.media.uottawa.ca/mediaroom> (October 21, 2005).

²⁰ Canada, Office of the Prime Minister. “Address by Prime Minister Paul Martin at the United Nations,” September 22, 2004 New York, New York. <http://www.pm.gc.ca> (October 17, 2005).

²¹ Canada, Department of Foreign Affairs, *Overview Canada’s International Policy Statement, A Role of Pride and Influence in the World* <http://www.dfait-maeci.gc.ca/cip-pic/ips/ips-overview2-en.asp> (October 17, 2005).

and human rights issues and forty-seven percent of those surveyed strongly believed that Canada holds a leadership position in these areas.²² On the first page of his 2003 tome, *Navigating a New World: Canada's Global Future*, Lloyd Axworthy states "Canadians take pride in what we do in the world. Our sense of identity is often tied up in such achievements as peacekeeping, placing in the top rung of the United Nations Human Development Index..."²³ The most recent foreign policy review, *A Role of Pride and Influence in the World* is telling in its very title. In contrast to American foreign policy, which is most often understood as a reflection of American opinions and self-interests and gives very little emphasis to opinions beyond its borders, Canadian foreign policy is often conceptualized in terms of the Canadian reputation abroad. The first two sentences of Prime Minister Paul Martin's introduction to the foreign policy review document reveal the emphasis Ottawa places on how others see Canada. Martin began *Canada's International Policy Statement* with: "Foreign policy is how a nation best expresses itself to the world. Our policies as a government, reflecting our beliefs as Canadians, are articulated through the words we speak, the decisions we make and the actions we implement in the name of Canada."²⁴

Although they often work hand in hand, in some cases, the drive for international prestige may be more important than identity in explaining Canadian foreign policy. Neil MacFarlane raises the possibility that Canada's human security policy is more about projecting a Canadian image than actually helping others abroad.²⁵ T.S. Hataley and Kim Richard Nossal point out that Canadian forces were dispatched to East Timor in 1999 not because Ottawa was concerned about protecting individuals at risk but because doing so would "boost the country's international image."²⁶ Canadian rhetoric and action are frequently at odds. For example, Canadians want to be known as generous but give very little foreign aid.²⁷ For Canadian foreign policy, image seems more important in some cases than substance.

There is concern in Canada that the Canadian image and prestige abroad might be suffering. In order to investigate this possibility the Canadian Institute of International Affairs conducted a survey of world opinions of Canada. They found that Canada's reputation as a good citizen had suffered since 1989. This concerns Canadians. According to Robert Wolfe, Canada is going through "status anxiety."²⁸ Ottawa's 2003 survey of Canadian opinions on foreign policy entitled, *A Dialogue on Foreign Policy*, found that Canadians believed that "While Canada's international image is largely positive, many respondents are concerned about low or outdated public knowledge of Canada abroad, arguing that we need to update our image and define more clearly what we want to

²²Michael Den Tandt, "Canadians losing faith in aid policy, poll shows," *The Globe and Mail* (October 11, 2005) A10.

²³ Lloyd Axworthy, *Navigating a New World* (Toronto: Alfred A Knopf Canada, 2003), 1.

²⁴ Canada, Department of Foreign Affairs, "Foreword from the Prime Minister: Making a Difference," *Overview Canada's International Policy Statement, A Role of Pride and Influence in the World* <http://www.dfait-maeci.gc.ca/cip-pic/ips/ips-overview2-en.asp> (October 17, 2005).

²⁵ Neil MacFarlane, "A Cheer and a half for Axworthy-ism," *Policy Options* (January-February 2001).

²⁶ T.S. Hataley and Kim Richard Nossal, "The Limits of the Human Security Agenda: The Case of Canada's Response to the Timor Crisis," *Global Change, Peace and Security* 16, no. 1 (February 2004), 15.

²⁷ Canada's ranked 12th among OECD countries with respect to ODA as a percentage of GNI in 2002.

²⁸ Robert Wolfe, "Most Safely on the Fence? A Roundtable on the possibility of a 'Canadian' Foreign Policy after 9-11," *Canadian Foreign Policy* (Fall 2004), 97-118.

project.”²⁹ “Strengthening Canada’s International Voice” was listed as a priority in the Dialogue and the Minister of Foreign Affairs, Bill Graham, said he was “struck by the strong desire among Canadians to make our country better known abroad.”³⁰ International prestige remains an important goal of Canadian foreign policy.

The following case study will demonstrate that prestige is an important variable explaining Canada’s stance on the International Criminal Court (ICC). Canada attempts to achieve prestige not through military might but by being a “good international citizen.” The self-identity as a good international citizen and the desire to become respected as such has motivated Canadian exuberance for the ICC. Being recognized as a good international citizen is not just important because this will gain Canadians more international influence but for its own sake as well.

CANADA AND THE INTERNATIONAL CRIMINAL COURT

In 1998, officials from 160 states negotiated the creation of a permanent International Criminal Court. This court holds individuals accountable for some of the most serious crimes including genocide, crimes against humanity, and war crimes. The ICC addresses crimes committed in internal armed conflicts as well as crimes committed in international wars. When put to a vote, 120 of the states in attendance voted in favor of adopting the Rome Statute that would create the Court. The United States was one of the seven states that voted against the ICC. The United States engaged in intense and often threatening tactics to convince other states in Rome not to vote for the ICC.³¹ Despite American opposition in Rome, the International Criminal Court entered into force on July 1, 2002. As of November 2005, 100 states have ratified the treaty and become parties to the Court. Since its founding the Court has addressed reported crimes in the Democratic Republic of Congo, the Republic of Uganda and in the Darfur, Sudan.

Canada has been extremely supportive of the establishment of an international criminal court. Representatives from Ottawa chaired a coalition of states that advocated for the creation of the Court. This “Like-Minded Group” pushed for the Court and maintained common positions during the negotiation phase, effectively increasing their influence over the eventual design of this institution. Lloyd Axworthy, then Canada’s Minister of Foreign Affairs, was one of the most dedicated advocates of the creation of the Court. He declared at the Rome Conference,

An independent and effective international criminal court will help to deter some of the most serious violations of international humanitarian law. It will help give new meaning and global reach to protecting the vulnerable and innocent. By isolating and stigmatizing those who commit war crimes or genocide, and removing them from the community, it will help to end cycles of impunity and

²⁹ Canada, Department of Foreign Affairs, “A Dialogue on Foreign Policy: Report to Canadians A Message from the Honourable Bill Graham, Minister of Foreign Affairs, June 6, 2003,” <http://www.dfait-maeci.gc.ca/cip-pic/participate/dialoguereport-en.asp> (October 21, 2005).

³⁰ Canada, Department of Foreign Affairs. “A Dialogue on Foreign Policy: Report to Canadians: A Message from the Honourable Bill Graham, Minister of Foreign Affairs, June 6, 2003,” <http://www.dfait-maeci.gc.ca/cip-pic/participate/dialoguereport-en.asp> (October 21, 2005).

³¹ Human Rights First, “Human Rights First Condemns US Tactics” (July 14, 1998) http://www.humanrightsfirst.org/media/2001_1996/rome714.htm (October 8, 2005).

retribution. Without justice, there is no reconciliation, and without reconciliation, no peace.³²

Canada also lobbied other states to support the ICC and provided financial support to non-governmental advocates of the Court. A Canadian, Philippe Kirsch was selected as chair of the Committee of the Whole at the Rome Diplomatic Conference. Canada was among the first group of states to sign the Rome Statute of the ICC on December 18, 1998. Then, in June 2000, Canada was the first state to implement wide-ranging domestic legislation in accordance with the ICC. The Crimes Against Humanity and War Crimes Act ensured Canadian law was in compliance with the Rome Statute. Once Canadian law was in conformity with the Rome Statute, Canadian representatives ratified the statute in July of 2000. Ottawa continued its lobbying efforts, encouraging other states to ratify the statute and even creating a technical manual designed to assist other governments in implementing the Rome Statute. Canada has remained highly involved in the functioning of the Court. In 2004 Canada became the tenth state to ratify the ICC Agreement on Privileges and Immunities (APIC) prompting its entry into force. In 2005 Ottawa gave \$500,000 to the ICC investigations in Darfur.³³

RISKS INVOLVED WITH CANADIAN SUPPORT

In his paper that examines the role of prestige and reputation in the international conduct of major powers, Joshua Busby correctly recognizes that much of foreign policy can be motivated by domestic political concerns. He argues that a “willingness to accept costs” “distinguishes committed, ideational behavior from opportunistic attempts to appeal to the home crowd.”³⁴ Thus, he believes that it “was easy for Canada” to “be all for” the ICC because the costs for Canadians are low.³⁵ Busby maintains that we cannot tell whether the Canadians were engaged in “moral grandstanding” over the ICC for the domestic political audience or whether they really care about the underlying moral issues because they do not have many troops deployed overseas.

Busby has adopted a very limited definition of cost. However, even in his model, only a country with no troops abroad would be able to support the establishment of the ICC without incurring any cost. Canada does not fall in that category. Even a country with very few troops is putting their soldiers at risk of being accused of war crimes. Although in comparison to many other countries the actual number of Canadian troops deployed overseas is not high, there are significant numbers of Canadian troops involved in missions around the globe. Since 2000, Canadian troops have been deployed in 28 overseas missions.³⁶ Since 2001, Canada has contributed over 14,000 Canadian soldiers

³² United Nations, Press Release, “Diplomatic Conference Begins Four Days of General Statements,” 15 June 1998 <http://www.un.org/icc/pressrel/lrom7.htm> (October 4, 2005).

³³ Canada, Department of Foreign Affairs. News Release “Canada Contributes \$500,000 to International Criminal Court for Darfur Investigations,” April 4, 2005.

³⁴ Ibid.

³⁵ Joshua Busby, “Good States: Prestige and Reputational Concerns of Major Powers under Unipolarity,” Prepared for delivery at the Annual Meeting of the American Political Science Association, Washington, September 2005.

³⁶ Canada, Department of National Defence. Past Operations (April 7, 2006) http://www.forces.gc.ca/site/operations/past_ops_e.asp (May 5, 2006).

and military officials to the War on Terror.³⁷ There are currently over 2000 Canadian troops deployed in Afghanistan.³⁸ Canadian soldiers, just as soldiers from other countries, are at risk of being accused of war crimes.

Furthermore, risk in this case goes beyond the number of troops that might be brought before the Court. The existence of prior charges or current speculation about a country's soldiers would certainly increase the perception of risk and thus the cost. The actions of Canadian troops in Somalia in 1993 demonstrate that Canadians are not immune from possible accusation. In the early 1990s Canadian troops stationed in Somalia shot two Somalis under questionable circumstances and also engaged in the torture and murder of a sixteen year old Somali. These incidents lead to a public outcry, inquiry, and murder charges. The revelations and accompanying photographs greatly distressed Canadians and are firmly lodged in the collective Canadian memory.

Furthermore, in April 2006 Amnesty International and an Ottawa think-tank, the Polaris Institute, released a report that revealed that Canadian soldiers in Afghanistan could be charged with war crimes under the ICC because of issues regarding the treatment of Afghanistan detainees. According to Michael Byers, a Canadian international law expert writing for the Polaris Institute, the detainee arrangement "fails to guard against possible violations of the 1998 Rome Statute of the International Criminal Court and, therefore, Canadian soldiers transferring detainees to Afghan custody could—one day—face trial in The Hague for war crimes."³⁹ Thus, despite the greater numbers of troops deployed by many other countries Canadians realize that their troops are potentially liable before the Court.

However, risk for Canada involves more than the potential vulnerability to charges. The United States has been adamant in its opposition to the Court and has employed a full range of diplomatic and economic pressure to coerce other states into opposing the ICC.⁴⁰ Canada has not relented to American pressure and in fact has attempted to exert counter-pressure on the Americans. Canadian representatives have repeatedly and publicly criticized the United States over the Court, including urging the United Nations to convene an open meeting where diplomats from all over the globe criticized the US position.

Every policy that irks the United States involves a certain degree of risk since the United States is Canada's largest trading partner and ultimately the guarantor of Canadian security. Canada's ardent support for the ICC has added to tension in the US-Canadian relationship. The US Embassy in Ottawa notes that "Canada's leadership in the creation of and on-going support for the UN-created International Criminal Court (ICC) for war

³⁷Canada, Department of National Defence. Backgrounder: Canadian Forces Operations in Afghanistan BG-06.003a - April 18, 2006 http://www.forces.gc.ca/site/newsroom/view_news_e.asp?id=1703 (May 5, 2006).

³⁸ Ibid.

³⁹ Michael Byers, "Legal Opinion on the December 18, 2005 —Arrangement for the Transfer of Detainees between the Canadian Forces and the Ministry of Defence of the Islamic Republic of Afghanistan" April 7, 2006 http://www.polarisinstitute.org/pdf/Michael_Byers_Opinion_Canada-Afghanistan_Arrangement_7_April_2006.pdf. (May 8, 2006).

⁴⁰ Washington has used the threat and actual withdrawal of aid to coerce compliance. In 2002, the US Congress passed the American Servicemembers' Protection Act (ASPA) that prohibits the US from granting military aid to the states that are members of the Court. In December 2004, President Bush signed the Nethercutt Amendment which imposes additional penalties on countries that refuse to tow the US line over the Court.

crimes--which the U.S. opposes due to fundamental flaws in the treaty that leave the ICC vulnerable to exploitation and politically motivated prosecutions” has been one of the recent examples of Canadian policies that are “at odds with the United States.”⁴¹ Scholars such as Michael Hart argue Canadian policies that challenge American foreign policy goals are dangerous and will ultimately lead to Canadian decline.⁴² Canadian support for the International Criminal Court carries a considerable degree of risk and is thus not a case of “cheap moral action.” In a benefits-risk national interest based calculation, Canada’s enthusiastic support for the International Criminal Court does not make much sense.

CANADIAN IDENTITY, PRESTIGE, AND THE ICC

Why did Canada become the Court’s strongest advocate? Other states were happy to simply support the ICC and still others opposed it entirely. Clearly, support for the International Criminal Court was not Canada’s only option and as the previous section demonstrated, the decision to become the Court’s main advocate was not without risk.

Canada became an activist for the Court because of the Canadian self-identity as a model international citizen and the prestige they believe is attached to that role. Support for the International Criminal Court is a consequence of the Canadian self-image as a good international citizen. This Canadian identity is closely intertwined with perceptions of law and order. First enunciated in the British North America Act, “peace, order and good governance” has continued to be prioritized by Canadians. Ottawa has thus consistently supported international institutions that strive to foster international order and law. Foreign Affairs explains: “Our objective is to build a world where universal humanitarian standards and the rule of law protect all people; where those who violate these standards are held accountable; and where our international institutions are equipped to defend and enforce those standards. In short, a world where people can live in freedom from fear.”⁴³

However, Canada’s ardent support for the Court seems to stretch the identity explanation. Canada is the world’s strongest backer of the International Criminal Court. Canada wants to be a leader, if not “the leader” in the effort behind the Court. Axworthy writes “The new court will be located in The Hague, but Canada should become its intellectual and political home...”⁴⁴ Canadians have taken a leadership role at every stage that lead to the creation of the Court and has since continued to be the world’s most outspoken advocate for the ICC.

The Canadian government frequently emphasizes Canada’s role in establishing the Court and the prestige gained for Canada from these efforts. Jean Chrétien stated “I am especially pleased to note that the ICC statute will enter into force on July 1, 2002- Canada Day. Canada was the first country to adopt comprehensive implementing legislation, and ratified the ICC Statute in July 2000. And we played a leadership role in

⁴¹United States, Department of State, “Background Notes: Canada - United States Relations,” March 2006 http://canada.usembassy.gov/content/textonly.asp?section=can_usa&document=canusarelations (May 5, 2006).

⁴²Bill Dymond and Michael Hart, “Canada and the Global Challenge,” C.D. Howe Border Papers, March 2003 http://www.cdhowe.org/pdf/commentary_180.pdf (May 13, 2006).

⁴³Canada, Department of Foreign Affairs, “Human Security Program,” <http://www.humansecurity.gc.ca/psh-en.asp> (February 23, 2006).

⁴⁴Axworthy, 2003, 209.

chairing International Criminal Court negotiations, and in promoting the ratification and implementation of the ICC Statute.”⁴⁵ Lloyd Axworthy explained, “I am proud that Canada is the first country to introduce such comprehensive implementation legislation. In doing so, we are building on the momentum that started with the negotiations on the ICC Statute in Rome last year and ensuring that Canada is at the forefront of making the International Criminal Court a vital, functioning entity.”⁴⁶ Foreign Affairs announced that “Canadians can be proud of Canada's role at the forefront of the effort to establish the International Criminal Court.”⁴⁷ Citizenship and Immigration Canada writes:

Canada's reputation as a society governed by the rule of law is cherished by Canadians and respected throughout the world. We pride ourselves on global leadership in the protection of human rights. Consequently we have been actively involved in international fora in support of the international tribunals on war crimes in Rwanda and the former Yugoslavia, the establishment of the International Criminal Court mandated to prosecute war criminals, and the ratification of the Rome Statute of the International Criminal Court.⁴⁸

The Canadian government proudly reports “Other countries and organizations look to Canada for continued leadership on this issue and how to ratify and implement the Rome Statute.”⁴⁹

This is echoed in the Canadian media. Headlines such as the one in *Canadian Business* that heralded “Canada touted as leader in efforts to establish International Criminal Court,” are common.⁵⁰ A 2005 *Toronto Star* article celebrated Canada’s contribution to the Court. They quoted Stephen Lewis, a Canadian UN envoy, “Canada did play a significant role in the court’s formation. It has made a tremendous contribution to civilized standards in the international community.”⁵¹ Canadians are proud of their government’s role in creating the Court.

Canada has achieved increased prestige from its work on the ICC. Other governments and NGOs have recognized the pivotal role played by Canadian diplomats. For example, when the first arrest warrants were issued by the ICC a Director with Human Rights Watch stated “I think Canadian taxpayers can take heart that a project their government was instrumental in supporting has taken a very important step in asserting the rule of law...”⁵² The diplomatic community also accorded Canada prestige from its work on the ICC. The Ukrainian ambassador to Canada explained that he

⁴⁵ Canada, Prime Minister’s Office. “Statement by the Canadian Prime Minister Jean Chrétien on the occasion of the 60 ratifications of the Rome Statute,” (Ottawa, Ontario, Canada) April 11, 2002 <http://www.iccnw.org/documents/statements/governments2002.html> (October 22, 2005).

⁴⁶ Canada, Department of Justice, “Canada Introduces New Act the Implement International Criminal Court,” December 10, 1999 http://www.justice.gc.ca/en/news/nr/1999/doc_24326.html (May 13, 2006).

⁴⁷ Canada, Department of Foreign Affairs, “Canada and the ICC,” http://www.dfait-maeci.gc.ca/foreign_policy/icc/canada_icc-en.asp October 22, 2005.

⁴⁸ Canada, Citizenship and Immigration, Canada’s War Crimes Program Annual Report 1999-2000 June 2000 <http://www.cic.gc.ca/english/pub/war2000.html> (May 4, 2006).

⁴⁹ Canada, Department of Foreign Affairs, “Canada’s Human Security Website,” <http://www.humansecurity.gc.ca/govaccount-en.asp> (October 17, 2005).

⁵⁰ Greg Joyce, “Canada touted as leader in efforts to establish International Criminal Court,” *Canadian Business and Current Affairs* November 4, 2001.

⁵¹ “A victory for justice,” *Toronto Star* (October 15, 2005) A3.

⁵² Ibid.

thought that Canada's "impressive international initiatives that address such core issues as child soldiers, cultural sovereignty, small arms proliferation, and non-first use of nuclear weapons, reveal a great deal of good will and leadership. Such multilateral success stories as the global ban on land-mines and the establishment of International Criminal Court have demonstrated Canada's determination to bring about a more secure world."⁵³

Increased influence over the Court has certainly resulted from Canada's advocacy. Canadians have been given considerable influence over the operation of the Court. Canadians played a pivotal role in the development of the "cornerstone positions" that helped define the Court's structure. A Canadian, Ambassador Philippe Kirsch, was chosen as the Chair of the Committee of the Whole and then selected to be the Chair of the Preparatory Commission. He was then elected by the Assembly of States parties as a judge and subsequently was chosen by the other judges to become President of the ICC.

Canadians also believe that their government's work on the ICC and resulting prestige can gain them international influence apart from the ICC. Lloyd Axworthy attributed Canada's election to the Security Council in 1998 to Canada's prestige gained from work in human security. He stated

This is a tremendous recognition of Canada's international stature by member states of the UN,...By electing Canada to the Security Council, they have acknowledged Canada's solid international peace and security credentials. Canada's leadership on such initiatives as the anti-personnel mine ban, our work on the International Criminal Court, and our extensive history of participation in UN peacekeeping operations puts Canada in an excellent position to play an effective and constructive role on the Council and help prepare it to meet the challenges of the coming century.⁵⁴

Axworthy stressed that "a country's image is key to the use of soft power. An attractive set of values and an image as a trustworthy partner encourage other countries to consider and weigh our views."⁵⁵ Prestige is important for Canadians because of the influence it might generate for Canada in international relations. Yet, this is not the only reason Canadians desire international prestige.

Canadians also want prestige for its own sake as well as for the influence it generates for Canada. Canadians seem to need this recognition beyond any material payoff it generates for Canadians. Costas Melakopides puts it plainly. "For if Canada is perceived by non-Canadians as one of the most honourable, enlightened, and civilized international actors, which comes mainly from the record and the motives of Canadian foreign policy, we may indeed endorse this perception as objective and even true."⁵⁶

⁵³ Ukraine, Embassy of Ukraine in Canada, "Speech by H.E. Volodymyr Khandogiy, Ambassador of Ukraine to Canada at the Dinner hosted by the Ukrainian Canadian Professional and Business Association of Manitoba Winnipeg," April 13, 1999 <http://www.infoukes.com/ukremb/sp990413.shtml> (May 13, 2006).

⁵⁴ Canada, Foreign Affairs, "In Brief," *Canada World View* Issue 1 Fall 1998 <http://www.international.gc.ca/canada-magazine/issue01/1t11-en.asp> (May 13, 2006).

⁵⁵ Lloyd Axworthy, "Canada and human security: the need for leadership," *International Journal* Vol. 52, no. 2 (Spring 1997), 183-196.

⁵⁶ Costas Melakopides, *Pragmatic Idealism: Canadian Foreign Policy 1945-1995* (Montreal and Kingston: McGill-Queen's University Press, 1998).

If Canadians were simply concerned with greater influence, they would likely align themselves very closely with the US on most major international issues. Regaining Canada's status as the most trusted American ally would likely garner more influence over world events than they have achieved from opposing the United States over issues such as the ICC, the landmines treaty, the Kyoto protocol, and Iraq, among others. For a long time Canada acted as the trusted interpreter between the United States and other states and received considerable prestige and influence both within the United States and globally from that role. Many are concerned that Canadians will lose international influence if they continue to distance themselves from the US. Norman Hillmer, David Carment, and Fen Osler Hampson ask whether a Canada that distances itself from the United States in the current post 9-11 environment will become "irrelevant." They argue that it is not

inevitable that Canada will weaken or lose its international influence if it embraces a continental agenda and develops a new relationship with Washington. It is at least arguable that the Mulroney government's close alignment to the US from 1984-93 gave Canada unparalleled weight in Washington, translating into economic benefits and global significance. In a unipolar world, access to the most powerful state could elevate international standing, especially if others perceive that Canada has credibility and clout where it counts.⁵⁷

Allan Gotlieb similarly argues that distancing Canadian policies from the United States is "a successful recipe for Canadian marginalization on the world stage. With declining influence in Washington, neglect of the military, and emphasis on projecting our virtues and values, Canadians at the end of the Chrétien decade, had little reason to believe their country any longer influenced the major issues of the time."⁵⁸ Thus, Canadians are not after prestige simply for the international influence since influence over world events would likely come more easily from revisiting their old role as "most trusted ally."

Canadians no longer look to their relationship with the United States for international prestige or as a source of international influence and given the values now inherent in the Canadian self-image it is unlikely Canada will return to this role. As Canadian and American concerns and favored solutions to the world's problems have diverged, Canadians needed to look elsewhere for that prestige. Normative prestige is hard to achieve from being close to the United States. In fact, the dangers of revisiting this role and losing the prestige and resulting influence associated with Canada's good citizen image are significant. For example, Marshall Beier suggests that had the Canadian government agreed to support US ballistic missile defence in 2005 it would have threatened the Canadian identity abroad and consequently had a negative impact on Canada's international influence.⁵⁹ Canada now derives prestige from its global citizenship role and from being distinct from the United States. Thus, Canada's old self-image as a trusted ally has evolved into that of a model international citizen. National

⁵⁷ Norman Hillmer, David Carment, and Fen Osler Hampson, "Introduction: Is Canada Now Irrelevant?" In *Coping with the American Colossus: Canada Among Nations 2003*. Edited by David Carment, Norman Hillmer, and Fen Osler Hampson (London: Oxford University Press, 2003).

⁵⁸ Allan Gotlieb, "Romanticism and Realism in Canada's Foreign Policy," CD Howe Benefactor's Lecture, 2004 http://www.cdhowe.org/pdf/benefactors_lecture_2004.pdf (May 16, 2006).

⁵⁹ Marshall Beier, "Canada: Doubting Hephaestus," *Contemporary Security Policy*, Vol. 26, no. 3 (December 2005), 442.

self-identity and the prestige motive work in tandem to focus Canadian foreign policy in a direction that seems most consistent with international “good citizenship.”

CONCLUSIONS

Canadian foreign policy is a complex reflection of many variables. Without a doubt, Canadian leaders have manipulated the Canadian public and have used “good citizen” policies to hide other more self-interest based policy objectives such as furthering trade. Though popular among the Canadian public (due in a large part to promotion by the government itself) Canada’s support for the International Criminal Court is not simply “playing to the domestic audience.” Canada’s self image as a model international citizen and the desire to use policies related to that image to garner international prestige has played a crucial role in Canada’s support for the International Criminal Court.

Prestige is not just the purview of the major powers or for states with large militaries and related symbolic hardware. Although it is easier to gain prestige from aircraft carriers and nuclear weapons, international prestige is attainable for countries that demonstrate “strength” on other fronts. Policies that gain normative prestige are in the end less costly than most military hardware and thus are certainly within the grasp of most countries. Lesser powers like Canada are concerned with their international reputations and desire prestige both for the influence it might translate into and for “its own sake.” In the Canadian case, self-image and the prestige motive work together to reinforce policies such as support for the International Criminal Court. Canadians do believe in the rule of law, global governance, and human rights and these values do appear in our foreign policy but in some cases, it is debatable whether we care even more that others see us promoting these values. It would be dangerous to let the prestige motive become more important than other determinants of foreign policy, whether they be national-interest based calculations or identity driven values. In that case, Morgenthau would be correct in calling us “foolhardy egocentrics.”