

This article was downloaded by: [University of Alberta]

On: 31 January 2012, At: 14:22

Publisher: Routledge

Informa Ltd Registered in England and Wales Registered Number: 1072954

Registered office: Mortimer House, 37-41 Mortimer Street, London W1T 3JH, UK



Review of International Political Economy

Publication details, including instructions for authors and subscription information:

<http://www.tandfonline.com/loi/rrip20>

Securitization and sovereignty in post-9/11 North America

Greg Anderson ^a

^a Department of Political Science, Alberta Institute for American Studies, 11-21 H. M. Tory Building, University of Alberta, Edmonton, Alberta, Canada, T6G 2H4

Available online: 31 Jan 2012

To cite this article: Greg Anderson (2012): Securitization and sovereignty in post-9/11 North America, Review of International Political Economy, DOI:10.1080/09692290.2011.600239

To link to this article: <http://dx.doi.org/10.1080/09692290.2011.600239>



PLEASE SCROLL DOWN FOR ARTICLE

Full terms and conditions of use: <http://www.tandfonline.com/page/terms-and-conditions>

This article may be used for research, teaching, and private study purposes. Any substantial or systematic reproduction, redistribution, reselling, loan, sub-licensing, systematic supply, or distribution in any form to anyone is expressly forbidden.

The publisher does not give any warranty express or implied or make any representation that the contents will be complete or accurate or up to date. The accuracy of any instructions, formulae, and drug doses should be independently verified with primary sources. The publisher shall not be liable for any loss, actions, claims, proceedings, demand, or costs or damages

whatsoever or howsoever caused arising directly or indirectly in connection with or arising out of the use of this material.

Securitization and sovereignty in post-9/11 North America

Greg Anderson

*Department of Political Science, Fellow and Research Director, Alberta Institute
for American Studies, 11-21 H. M. Tory Building, University of Alberta,
Edmonton, Alberta, Canada T6G 2H4*

ABSTRACT

This paper traces the recent evolution of North American economic and security relations within the context of broader debates in international political economy (IPE) concerning globalization and its effects on the state in the international system. Borrowing from David Lake's discussion of hierarchical sovereignty, this paper argues that efforts to meld security to economics in an integrated North American market devoid of institutions have made sovereignty more hierarchical. It presents an approach to looking at North American integration, which can assist in understanding recent developments that are suggestive of new areas of research and policy development for both practitioners and theoreticians.

KEYWORDS

North America; sovereignty; asymmetry; Department of Homeland Security; NAFTA.

INTRODUCTION

Sovereignty has been the subject of scholarly debate for many decades, but has been taken up with renewed vigour in the aftermath of the Cold War. Among the many events in that period that sparked renewed interest in the dimensions of sovereignty was the 1994 North American Free Trade Agreement (NAFTA) and the reordering of trilateral economic governance. The NAFTA debate also took place in the midst of a rapidly growing and increasingly globalized economic system that renewed scholarly focus on the nature of the international system and, particularly, the state of the nation-state as one of the system's units of analysis. In many ways,

Review of International Political Economy

ISSN 0969-2290 print/ISSN 1466-4526 online © 2012, *iFirst* Taylor & Francis

<http://www.tandfonline.com>

<http://dx.doi.org/10.1080/09692290.2011.600239>

NAFTA became emblematic of the factors driving debates about the utility of globalization and its impact on traditional conceptions of sovereignty. Indeed, the greater integration of markets seemed increasingly at odds with the policy sovereignty of the state.

In contrast to the European integration, the reordering of economic governance in North America has entailed far less supranational institutionalization. NAFTA studiously avoided significant tri-national institution building. For some, NAFTA's comparatively limited ambition as a preferences agreement left much undone. The rules of NAFTA have reordered power relations in North American economic governance, reducing the importance of asymmetries, with salutary effects on the arbitrary exercise of power. Yet, most efforts to 're-invigorate' the NAFTA agenda or fix those areas of the Agreement in need of repair came to naught. The futility of efforts to kick-start trilateral activity on a range of economic issues endured until 11 September 2001, when security almost immediately became irrevocably intertwined with economic governance as it had been reconfigured by NAFTA.

NAFTA was one episode in a much longer history of the near constant reordering of governance that has existed as long as humans have inhabited the continent. As governance has shifted, the boundaries dividing the continents have become contestable sites of complex political and philosophical problems.

This essay is about some of those problems as they have arisen from the economic governance of NAFTA and the securitization of North America since September 2001. It adopts the concept of 'hierarchical sovereignty', which was put forward by David Lake (2003), as a lens through which to understand and interpret the evolution of the North American economic and political space. Shifting governance patterns cast in hierarchical terms may augment the explanatory power of our theoretical propositions about the direction of North American governance. Improved theorizing about the specific policy areas in which sovereignty has become more hierarchical may contribute to policy proposals more explicitly in sync with the contestable nature of sovereignty.

As its point of departure, this paper begins by anchoring recent developments in North America in broader scholarly and public policy debates about sovereignty and the particular role globalization has played in shaping that debate. By rooting the paper in a broader set of literature in international political economy, this paper self-consciously sidesteps the vast literature on North American integration that has become trapped in respective echo chambers 'for' or 'against' integration (Pastor, 2001; Clarkson, 2008). Part Two will briefly detail the creation and expansion of the Department of Homeland Security (DHS) in the context of Lake's formulation of 'hierarchical sovereignty', followed by Part Three, which will describe the asymmetrical nature of North America in the NAFTA

era. Part Four will examine asymmetry and sovereignty set against the awkward post-9/11 melding of economics and security, and Part Five will describe the responses of Canada and Mexico to the growth of the DHS as a major US policy entity in North America.

Few close observers in Canada, Mexico or the US would quibble with the assertion that security, and perhaps the DHS itself, has complicated trilateral policy making. The principal argument of this paper is that North American governance in the past two decades, altered most dramatically by NAFTA and the securitization of economic relations, has made sovereignty and power more hierarchical than pooled in several policy domains, possibly exacerbating the asymmetries already endemic to trilateral relations.

PART I: THE NEW SOVEREIGNTY?

Sovereignty has been the subject of scholarly debate for most of the post-war period, but was engaged in with renewed vigour after the dissolution of the Soviet Union in 1991. While interdependence theorists began highlighting the role of non-state actors in the international system long before that (Keohane and Nye, 1977), the end of the Cold War seemed to mark the decline of interstate conflict, the rising prominence of institutions and the ascendancy of market capitalism and democracy as dominant forms of global governance. It is a significant debate for this paper since it suggests these shifts are being felt unevenly and points to the conceptual utility of 'hierarchical sovereignty' as a framework for understanding them.

Sovereignty is a term that often defies careful definition, but it is, at the bottom, the product of authority relationships among actors (Lake, 2003: 304). Yet, authority itself is seldom absolute, relying as it does on a unique mix of coercion, volunteerism (consent) and legitimacy (*ibid.*). As a result, scholars have long noted that sovereignty is more inherently social than juridical (Bull, 1977; Krasner, 1999).

Four conflicting views of the 'state of the state', flowing from literature in international relations, international political economy, comparative politics and law, are noteworthy in this context.

1. Sad about the state

The apparent decline of the state as the main actor in international relations brought with it conflicting pressures such as intrastate and regional conflict, resistance to the pressures of market capitalism and the growing influence of non-state actors as direct challengers to the authority of the state itself (Kahler and Lake, 2004: 409–414; Jackson, 2003: 786–789; Wolf, 2004: 249–277). As public officials struggled with these challenges, scholars coined new sets of terminology in an effort to describe and understand the

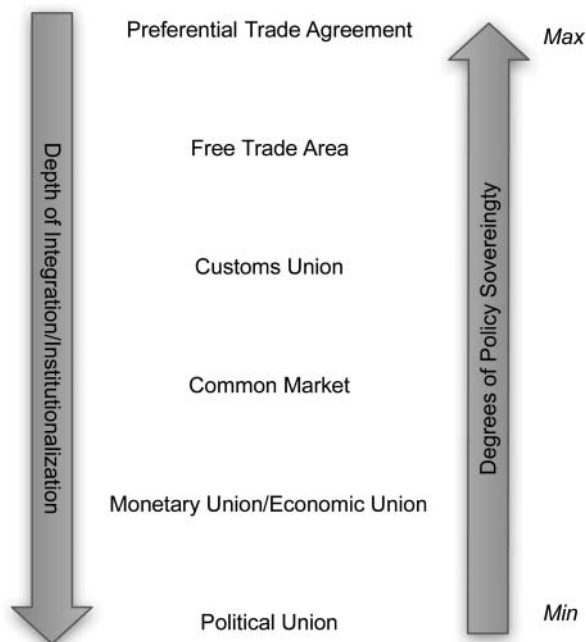


Figure 1 Neo-classical stages of integration.

shifting sands of the post-Cold War international architecture – awkward terminology such as ‘intermestic’ (Manning, 1977: 306–324), splicing international with domestic; ‘glocalization’ (Robertson, 1992; Wellman and Hampton, 1999: 648–654), describing the global impact of many localized actions; and ‘fraggmentation’ (Rosenau, 1997), mixing the contradictory impulses of fragmentation and integration (see also, Anderson and Sands, 2010).

The politics swirling around the increased openness and integration of the global economy are, in part, predicted by the neoclassical stages of integration (Figure 1). With ever deepening stages of economic integration come greater degrees of supranational institutionalization and the consequent loss of policy autonomy (some say sovereignty) for individual governments.

One view of the impact of globalization has traditionally been found in literature emanating from the nationalist left in many countries, including Canada and Mexico. Here the impersonal forces of global capitalism driving globalization (with the US as the preeminent example) are contributing to the homogenization of global culture (a global consumer culture), a regulatory race to the bottom and the evisceration of the state’s ability to protect the most vulnerable of its populations from the harshest winds of

capitalism (Hurtig, 1996; Klein, 2008; Ralston Saul, 2008; Clarkson, 2002; Kymlicka, 2003). Increasingly, this group of left nationalists has been joined by the nationalist/nativist right in both Europe and the US. This particular brand of xenophobia was highlighted in the 2005 EU Constitutional debate by the menacing “Polish Plumber” as a scapegoat for the problems of technological change and an under-skilled labour force (Buchanan, 2002; Corsi, 2007).

In this view, the state’s ability to regulate in the public interest or respond to public preferences is being undermined by the holders of footloose, hot capital flows (Strange, 1996; Stiglitz, 2002). Hedge funds, sovereign wealth funds and investment banks, aided by ratings services such as Moody’s and Standard & Poor’s, have increasingly become the effective arbiters of public policy decisions. Their power over global finance is putting serious constraints on the state’s ability to finance the provision of social welfare. Ireland and Greece in 2010, Argentina in 2002, Southeast Asia in 1997–98, Britain in 1992 and Canada in the early 1990s, all discovered the dark side of openness and integration in the global economy.

Large fiscal deficits were judged out of step with the interests of the holders of capital, making borrowing costs unacceptably high and forcing governments to reign in spending, the burden of which fell most heavily upon those that could least afford to cope with it – the unskilled and the place-bound.

2. Rumours of my demise have been greatly exaggerated

Others stand willing to offer a full-throated defence of the state. The state, these defenders argue, is still the indispensable unit of analysis and by far the most powerful political and economic actor in the international system. Non-governmental organizations (NGOs), international institutions (such as the United Nations/UN, International Monetary Fund/IMF and the World Bank/WB), the strictures brought about by international agreements in areas such as trade and finance (NAFTA, World Trade Organization/WTO and Basel) or other international conventions, including human rights law (International Criminal Court), have all seemingly put significant limits on the latitude of states to exercise their sovereignty.

Yet, there are many who point to all these agreements and argue that they are happening only at the behest or pleasure of states (Krasner, 1976). States are the main agents of these agreements, fostering the very interdependence that is supposedly undermining their sovereignty. The flipside of this is that the state can also take away the bodies it creates (Goldsmith and Posner, 2005; Rivkin and Cosey, 2000). In many instances, the structure of these agreements is heavily infused with a need for preserving as much state latitude as possible. NAFTA is one example of a shallow preferences arrangement that brings obligations,

but does little to alter the role of basic national institutions in governance (the so-called negative integration) (Anderson, 2006a). Similarly, the WTO is full of obligations that are contingent on a state's willingness to adhere to its rulings. In sum, growing interdependence among states, but strongly rooted in traditional state sovereignty.

Moreover, as Martin Wolf (2004) and Jagdish Bhagwati (2004) have argued, there is much evidence that the state is actually alive and well. Tax receipts, government spending and debt have all increased in lock-step with increasing degrees of openness and integration in the post-war period (Rodrik, 1997a). The correlation between the two suggests that the state is responding to globalization with increases in the size of the state and the provision of welfare (Ruggie, 1982). Moreover, the impact of trade liberalization on labour varies considerably (Rodrik, 1997b: 11–27), some even say exaggerated (Freeman, 1995), and depends significantly on the precise mixture of liberalization and welfare provisions (Sapir, 2005; Burgoon, 2001; Rodrik, 1997b.)

Liberalization has had some concentrated adjustment effects in the form of layoffs in some sectors. However, the degree of economic activity tied to tradables, particularly in the US, is relatively small. Moreover, there are all sorts of domestic reasons for labour to be suffering, namely technological change (Freeman, 2004). Lastly, political borders still matter a great deal in a range of policy domains beyond flows of goods and services (Alesina and Spolaore, 1997; Scott, 2001; Rodrik, 2000) and, by some measures, it was 1970 before the global economy returned to the levels of integration seen prior to World War I (Nye and Donahue, 2000: 48). In short, the state is not dead yet.

3. Requiem for a relic

Debates about the modern character of sovereignty as rooted in the state nearly always make reference to the Treaty of Westphalia in 1648 as the origin of the modern interstate system of international relations. Yet, as many scholars have pointed out, the Treaty of Westphalia did not create the interstate system, nor did it define what sovereignty was to become (Croxtton, 1999). The modern conception of state sovereignty in the form of a decision-making authority within territorial boundaries is the by-product of generations of norm development and was initially confined to Europe. Yet, with the end of colonialism, shifting borders and changes to the regimes supporting them, we increasingly understand borders and sovereignty as contestable locations of complex political and philosophical problems (Neal, 2004; Ruggie, 1993, 1997). Much as we understand the dynamics of social relations among individuals, international relations is the by-product of a series of 'social facts' underwritten by the collective intentionality of two or more agents (Searl, 1995). Seminal work by Alexander

Wendt (1992, 1999) and Susan Strange (1996) suggested that much of the architecture upon which international relations has been built relies upon the scaffolding (North, 2005) of subjective interpretation of information and identity formation among actors about its function and purpose.

A range of non-state and sub-state actors are engaged in horizontal and vertical integrative activities that transcend borders, create new cooperative networks (Slaughter, 2003) and are dramatically reshaping the international governance landscape in ways traditional Westphalian sovereignty no longer captures. Rather than an international system characterized by relations among states, the entire notion of sovereignty as defined and practised by states has evolved into a broader social web, wherein the state is merely one of many actors with legitimacy, influence and identity.

Moreover, there is a strongly 'emancipatory' quality to this literature as it seeks to broaden significantly the debate about the proper units of analysis in international relations, particularly around the contestable nature of sovereignty (Dotty, 2007; Bartelson, 2006; Weber, 1992). The statist traditions in scholarship and conduct of international affairs have seriously limited the range of possibilities in our thinking about solutions to some of the most complex global problems. Recognizing the state as one of many actors in the system is long overdue.

4. The utility of the post-statist state?

Traditional international law has always been the law governing the practice among states. Yet, international law has contributed greatly to the rising importance of non-state actors in international affairs, particularly in the areas of human rights and private commercial law, by giving such entities 'standing' in a growing range of international fora (Goldsmith and Posner, 2005; Salacuse, 1990). Still, some scholars, even those critical of the dominance of the state in international affairs, fear that the emancipation of global politics from the grip of state sovereignty undermines many of the reforms being sought in the global order (Cohen, 2004, 2008; Slaughter, 2003).

A global governance rooted in nothing but transnational networks and governance structures comprised of non-state actors (Slaughter, 2003) runs the risk of becoming an imperial project wherein the international legal norms generated by these networks are used as the basis for intervention, which, in turn, may not be carried out in the service of emancipatory politics as many hope (Cohen, 2004, 2008).

A globalized and constitutionalized commons that purports to be interested in the defence of the individual is fraught with the danger that it will actually play into the wrong hands, be used as justification interventions, and actually support a project of empire (Cohen, 2008).

From this perspective, governance, soft law, self-regulation, societal constitutionalism, trans-governmental networks, human rights and the very concept of ‘humanitarian intervention’ are simply the discourses and deformalized mechanisms by which empire aims to rule (and to legitimate its rule), rather than ways to limit and orient power by law (Cohen, 2008: 2). Hence, traditional, state-centric, Westphalian sovereignty retains a utility alongside the proliferation of non-state actors and causes in that sovereignty both restrains and enables the exercise of power.

Other scholars are worried about the unaccountable, non-democratic nature of some forms of trans-governmental and non-governmental networks (Slaughter, 2003). As networks of decision-making proliferate and supplant the state in some areas as the locus of decision-making, where will authority (and accountability) reside (*ibid.*)? In the European Union (EU), the concept of ‘subsidiarity’ is often deployed in an effort to manage public concerns over the loss of sovereignty. Somewhat akin to federalism as practised in many states, subsidiarity suggests localized input and control over decision-making relative to that carried out in Brussels (Marquardt, 1995: 617). Yet, as practised, subsidiarity has not evolved into a mix of shared and exclusive areas of authority as we see in federal systems. Instead, subsidiarity has suffered from definitional ambiguity and may be further undermining the nation-state as the locus of authority by encouraging further decentralization of the state in favour of networks of decision-makers accountable only to Brussels (Marquardt, 1995: 635–637). In short, the end of the sovereign equality of states as it has evolved since Westphalia, and been codified by the UN Charter, is an objective fraught with danger.

PART II: HIERARCHICAL SOVEREIGNTY AND NORTH AMERICA

Where does this entire discussion of sovereignty leave us in thinking about recent transformations in North America? David Lake (2003) usefully posits a framework for thinking about sovereignty in much the same way we think about domestic political hierarchies. Just as we think about levels of authority domestically – state and local, shared or exclusive – we can usefully think about different levels of sovereignty internationally, particularly given the evolving mix of state and non-state actors in global governance. These hierarchies of sovereignty can be readily coupled with longstanding disaggregations of power starting, for example, with the intuitive

A has power over *B* to the extent that he can get *B* to do something that *B* would not otherwise do (Dahl, 1957: 202–203).

Yet, this simple relation doesn't tell us much about power's utility or dynamics. Power, Dahl argued, is a relation between *A* over *B*, but also that it is a social relation containing four dynamic elements:

1. *A base*: the source or domain of one's power. It is normally an inert entity and something that needs to be actively exploited.
2. *The means*: instruments of power. How does one actually employ the base to exercise power?
3. *The amount*: the probability that an action by *A* will elicit a particular response by *B*.
4. *The range or scope*: the kinds of response of *B* to actions by *A* (Dahl, 1957: 202–203).

Dahl's classic formulation suggested, among other things, that power is much less objective than casual observation dictates and it involves a range of processes, dynamics and outcomes. Lake begins similarly by asserting that sovereignty is an authority relationship in which '*A* wills *B* to follow *A* and *B* voluntarily complies' (Lake, 2003: 304). However, the response of *B* to *A*'s commands depends mightily on many of the elements of power highlighted by Dahl. Hence, if power, upon which sovereignty is rooted, depends on a series of variable social constructions, sovereignty itself might reasonably be thought of in the same way. As John Jackson (2003: 790) notes, 'Most (but not all) of the time that "sovereignty" is used in current policy debates, it actually refers to questions about the allocation of power; normally "government decision-making power".'

The complex set of trade-offs between autarky and integration that inform the 'state of the state' debate are familiar to students of the evolution of the post-war global economy. Figure 1 lists the well-known neoclassical stages of integration in descending order of depth and degrees of pooled sovereignty, supranational institutionalization and the attendant loss of policy autonomy – in essence, the reallocation of power and decision-making. Lake extends this approach by suggesting that sovereignty is seldom a social relation exercised by partners of equal standing, thereby implicitly introducing asymmetry (weak versus dominant powers) to the analysis. Lake posits that sovereignty exists in degrees rather than absolutes and varies by policy domain between two poles along a continuum – the purely anarchic and the purely hierarchical.

According to Lake, relationships between polities vary along the continuum defined by the degree of hierarchy between two or more polities.

The degree of hierarchy, in turn, is defined by the locus of rights or residual control; the decision-making authority possessed by each polity. In what policy areas is the subordinate polity the ultimate authority? The greater the number of areas of domestic sovereignty, the less hierarchic its relationship with the dominant state is; the fewer

the number of areas of domestic sovereignty, the more hierarchic its relationship is. In purely anarchic relationships, each party possesses full authority to make its own decisions under all circumstances – formally it possesses full residual rights of control. In purely hierarchical relationships, one party – the dominant member – possesses full authority to make all decisions, whereas the other party – the subordinate member – lacks this right (Lake, 2003: 311–312).

As the 2010 US National Security Strategy makes clear, more than 20 years after the end of the Cold War, the US remains intellectually divided about the ‘state of the state’.

We live in a time of sweeping change. The success of free nations, open markets, and social progress in recent decades has accelerated globalization on an unprecedented scale. This has opened the doors of opportunity around the globe, extended democracy to hundreds of millions of people, and made peace possible among the major powers. Yet globalization has also intensified the dangers we face – from international terrorism and the spread of deadly technologies, to economic upheaval and a changing climate (National Security Strategy of the United States, May 2010).

While scholars had been pointing to the importance of a range of non-state actors for many decades, the end of the Cold War ushered in an era in which they proliferated in number and importance. Concepts such as ‘nation building’, ‘human security’, ‘humanitarian intervention’ and ‘responsibility to protect’ increasingly entered the scholarly and policy lexicon of international relations (Oliver and Hampson, 1997: 379–407; Donaghy, 2003: 90–107; Bernard Jr, 2006: 231–261; Henibecker, 1999: 19–26; Jockel and Sokolsky, 2001: 1–18; Riddel-Dixon, 2005: 1067–1092; Taylor, 2006: 146–158; *The Economist*, 15 May 2008; Caudle, 2009: 2–9).

As the reigning hegemonic power in the international system, the US has been relatively slow to internalize the importance of non-state actors. The terrorist attacks of 11 September 2001 changed this, precipitating the creation of the DHS in late 2002 (Newman, 2002: 126–137; Kettl, 2004: 1–13, 15–16). Yet, until the Obama administration ended the distinction between ‘national security’ and ‘homeland security’, overall national security strategy remained trapped in a cognitive dissonance between the two (Presidential Study Directive, 2009; Homeland Security Policy Institute, Taskforce Report, 2009; *Washington Post*, 27 February 2009). A state-level response to the sudden importance of non-state actors, the DHS now resides awkwardly in the space between traditional Westphalian-style sovereignty and its conceptual offspring.

Put differently, the creation of the DHS through the reorganization of the federal government represents the reallocation of power and decision-making within the US, creating new hierarchies in domestic governance. However, the advent of the DHS has also reallocated power and decision-making internationally, and particularly in an integrated North American marketplace, making sovereignty on the continent more hierarchical in character.

PART III: ASYMMETRY AND HIERARCHY IN NORTH AMERICA?

North America has always been in the process of integration. Cross-border economic, social and political relationships, in part driven by proximity and simple necessity, have always transcended the arbitrary divisions of political borders, in a sense constantly reallocating power and sovereignty. In 1994, NAFTA provided a significant boost to all of these impulses through shallow institutionalization, which reallocated power and shifted the continent towards a more hierarchical form of sovereignty. Yet, rather than mitigating the effects of asymmetry as liberal institutionalism would suggest, NAFTA preserved and exacerbated North America as a tale of two highly asymmetrical relationships.

Nowhere are these asymmetries starker than in economic relations, or more important, particularly as the continent's economic relations have become more securitized since September 2001. In 1975, North American GDP totalled roughly US \$1.9 trillion, of which the US alone accounted for \$1.6 trillion, or 86 per cent, of the total (Table 1). Nearly a decade later in 1994, the year NAFTA began its implementation phase and the year before Mexico's peso crisis hit hardest, the total North American GDP had risen to nearly \$8 trillion, of which the US accounted for more than \$7 trillion, or

Table 1 NAFTA asymmetries (in billion US\$)

	1975	1987	1994	2000	2006
Canada GDP	170	420	560	770	1,274
% of North American GDP	9%	7.9%	7.0%	6.5%	8.2%
Exports + imports as %GDP	47%	53%	67%	85%	70%
Mexico GDP	88	140	420	581	948
% of North American GDP	4.7%	2.6%	5.9%	5.2%	6.1%
Exports + imports as %GDP	17%	33%	38%	64%	58%
United States GDP	1,600	4,700	7,017	9,764	13,132
% of North American GDP	86%	89.3%	87.7%	88.2%	85.5%
Exports + imports as %GDP	16%	19%	22%	26%	28%

Source: World Bank.

88 per cent. In 2006, little had changed, with the US accounting for more than \$13 trillion, or 85 per cent, of a total North American economy of \$15.4 trillion.

Another measure of the asymmetrical economic relationships in North America entails looking at each country's relative dependence on (and openness to) international trade as a percentage of their overall GDP and the share of that trade dependent on the NAFTA partners. Table 1 also lists World Bank data for select years, showing levels of exports and imports as a percentage of GDP ($X+M/GDP$) for each of the three NAFTA countries for select years. In 1975, only 16 per cent of the US economy was tied to international trade (exports + imports), in part due to the US' enormous consumer marketplace. For quite different reasons (import substitution policies), in 1975, Mexico was similarly configured towards international trade, accounting for only 16.5 per cent of the GDP. By contrast, Canada was heavily dependent on trade patterns for its economic activity, accounting for nearly 47 per cent of the GDP in 1975. Fast-forward to 2006 and the US' exposure to international trade had grown to roughly 28 per cent of the GDP. Yet, both Canada and Mexico have become dramatically more open to (some would say dependent on) trade, now accounting respectively for 70 and 60 per cent of each country's GDP.

However, the stark contrasts in openness to international trade in North America are only part of the economic asymmetry. Table 2 lists each NAFTA country's main trading partners and the percentage of their overall trade destined for each. Canada and Mexico are the US' top two export markets at 20 and 12 per cent, respectively. However, the US' trading partners (exports and imports) are more diverse and evenly distributed. In contrast, both Canada and Mexico are heavily dependent on the US as an export market and only slightly less so in terms of the source of imports. In 2008, nearly 80 per cent of Canada's exports (nearly 40 per cent of its GDP)

Table 2 NAFTA export partners 2008 (rank order and percentage of total)

	Canada	Mexico	United States
Exports to	United States (77.7%) UK (2.7%) Japan (2.3%)	United States (80.5%) Canada (3.6%) Germany (1.4%)	Canada (20.1%) Mexico (11.7%) China (5.5%) Japan (5.1%) Germany (4.2%)
Imports from	United States (52.4%) China (9.8%) Mexico (4.1%)	United States (48%) China (13.5%) Japan (4.8%) South Korea (4.6%)	China (16.1%) Canada (15.7%) Mexico (10.1%) Japan (6.6%)

Source: CIA World Factbook.

was dependent on access to the US market. Similarly, more than 80 per cent of Mexico's exports, or nearly 30 per cent of the GDP, were tied to US market access. North America's asymmetrical trade dependence has only grown with time. In 1970, 70 per cent of Mexico's exports were destined for the US; today, it is more than 80 per cent (Dominguez and Fernandez, 2009: 68) (Table 2). Similarly, in 1970, 62 per cent of Canada's exports went to the US, peaked in 2000 at more than 85 per cent, and has fallen only slightly since to 80 per cent (Statistics Canada, *Historical Statistics of Canada*, 1983: Section G: 'Balance of International Payments, International Investment Position, and Foreign Trade', Series G401-407) (Table 2). Moreover, the degrees of integration in North America have been unequal. Since NAFTA began its implementation phase in 1994, North-South commercial linkages between Canada and the US have grown at a much faster pace than those flowing from South to North (Sydor, 2008: 10). In other words, Canada has become far more integrated into the American economy than the US has become integrated into the Canadian.

NAFTA contributed significantly to making North American sovereignty more hierarchical by instilling new rules of economic governance in trade and investment relations, which have drawn Canada and Mexico deeper into the American economic orbit. Politically, the symbolism of both Canada and Mexico abandoning decades of nationalist economic policies and integrating themselves into the US sphere was considerable and not without controversy. NAFTA softened some of the effects of this asymmetrical power by entrenching much of the trade and investment relationship in a set of rules. However, because NAFTA was limited to just trade and investment, and never contemplated supranational institutions, the Agreement deepened integration without the pooling of sovereignty that would have mitigated the asymmetry's other effects.

Anxiety over enhanced asymmetry in North America has been an ever-present theme in both Canada and Mexico. Much of Canadian economic history, for example, is a tale of spasmodic episodes of alternatively walling itself off from the US through various forms of industrial policy in the pursuit of both national unity and economic independence or ensnaring the US in economic arrangements that secured market access for Canadian goods (Norrie and Owsram, 1996; Barnett, 1976: 389-407; Den Otter, 1982: 151-178; Cuff and Granatstein, 1977: 459-482; Hart, 1989: 25-28). Moreover, these debates have frequently shaped the politics of both countries, at times transforming national elections into referenda on relations with the US (see Granatstein, 1996; Royal Commission, 1985). Mexico has confronted a similar set of tensions with the US, albeit framed by the additional legacy of invasion, warfare and the loss of territory. Such is the potency of nationalism vis-à-vis the US in both countries that it has frequently altered electoral outcomes and generated a paradigm of dependency and

dominance through which relations with the US are viewed (Granatstein, 1996; Weintraub, 2010; Bartra and Casal-Sanchez, 1989: 61–69; Morris and Passe-Smith, 2001: 124–149).

International relations theorists, neo-functionalists in particular, have for years been making the case that one way to reduce the effects of this asymmetry is to foster increased interdependence and institutionalization among states (Hass, 2004; Sandholtz and Sweet, 2010). It is through this basic liberal institutional framework that we can view the post-war integration of Europe and understand the elements of the interdependence fostered by the rapid expansion of the global economy (Fransen, 2001; Cooper, 1968; Eichengreen, 1996: 1–40; Zeiler, 1999). The same rationale underpinning the integration of post-war Germany into the broader European economy can also be thought of as enmeshing, or restraining, German policy latitude such that it is more in line with the interests of its European neighbours. Similarly, as Canada contemplated free trade with the US and the likely consequence of deepening dependence on the US market through trade liberalization with a single country, restraining the arbitrary use of trade remedy law against Canadian exports was a matter of economic necessity. So important was this objective for Canada that the issue of trade remedy laws threatened to derail the talks several times (Hart, Dymond and Robertson, 1994: 318–342). When Mexican President Carlos Salinas subsequently proposed free trade with the US in 1990, immunity from US trade remedy laws was also high on the list of Mexican priorities, and for many of the same reasons (Cameron and Tomlin, 2000: 88–89, 117; De Gortari, 2002: 99–103).

While both the Canada-US Free Trade Agreement (1988) and NAFTA (1994) went some distance towards regularizing the flow of goods, services and capital across North America's borders, both were shallow forms of integration that did not create the kind of binding institutional arrangements Canada and Mexico sought (Anderson, 2006a: 585–610; Anderson, 2009a: 91–107). NAFTA liberalized economic activity, but did so by avoiding the kind of Europe-like supranational institutions in which pooled sovereignty is thought to be effective in rebalancing power asymmetries (Studer, 2007: 64–65; Pastor, 2001).

Nevertheless, NAFTA did provide a set of rules by which trade and investment relations have become more predictable. Indeed, even the dispute settlement mechanisms designed to deal with trade remedy laws, imperfect as they are, have been broadly successful in smoothing the incidence of trade disputes among the three countries (Anderson, 2006a: 585–610; Macrory, 2003). All of this has been in line with both liberal institutional scholarship and real-world experience (Europe) in terms of the salutary effects of integration and institutionalization on the arbitrary exercise of power. However, as far as NAFTA advanced North America down

this road, the Agreement also left much unfinished business. In January 2008, the final phase-ins of NAFTA were completed, but little had been done to advance it beyond its limited ambition as a free trade agreement, one of the shallowest stages of integration (Figure 1).

North America stalled

North America's major trade initiatives in the late 1980s and early 1990s generated controversies that reverberate till today. Canada's 1988 federal election turned into a bitter referendum on the Canada-US Free Trade Agreement. Similarly, the NAFTA debate exploded onto the 1992 US presidential election campaign, initiating a damaging political debate over trade liberalization that reverberates even today. In fact, President Clinton spent almost all his trade policy capital winning passage for NAFTA in the US Congress and rarely mentioned the Agreement again during the remainder of his two terms in office (Destler, 1997: 16–27; Wise, 2007: 27–52; Hufbauer and Schott, 2005: 5–8). While President Clinton also went on to complete and implement the Uruguay Round of GATT and initiate the Free Trade Area of the Americas, all of these initiatives gave way to a malaise in US trade policy that persists till today.

As the politics of trade in the US deteriorated throughout the 1990s, perhaps typified by the disastrous November 1999 WTO Ministerial Meeting in Seattle, Washington, the political will to advance NAFTA's unfinished business waned as well. Indeed, from the moment NAFTA began its implementation phase, those calling for a halt to further liberalization increasingly overwhelmed the voices calling for action on the 'next steps' in North America. As a result, progress towards the 'next steps' is littered with the policy recommendation wreckage of numerous blue ribbon panels, 'eminent person's groups' and government reports. Nearly all of them recommended picking up where NAFTA left off and moving towards deeper stages of economic integration and political coordination in North America, but none generated significant results (Pastor, 2008: 2004, 2001; Manley *et al.*, 2005; Dobson, 2002).

NAFTA, limited though it is, did largely what it was designed to do, but advancing it towards something deeper has been a political non-starter (Hufbauer and Schott, 2005: 61–63). NAFTA recognized the extent of the unfinished business by leaving a host of built-in agenda items to some 30 committees and working groups formed by the Agreement (Anderson and Sands, 2007: 11–12). But neither the built-in agenda nor the efforts to initiate separate processes to deal with leftovers, irritations or new issues arising within the NAFTA area has ever met with much success (Anderson and Sands, 2007: 11–12; Studer, 2007: 53–75).

Agenda buried, asymmetry intensified?

The irony behind the pursuit of greater institutionalization of North America by Canada and Mexico is that what was achieved may have exacerbated, rather than mitigated, the role of asymmetry. These shortcomings were, in part, the product of anxieties surrounding pooled sovereignty in areas such as trade remedy laws or immigration (US), trade in cultural items and subsidies (Canada), oil and gas (mainly *Petróleos Mexicanos*) and agriculture (Mexico), which limited or delayed coverage under NAFTA (negative integration). Instead of creating trilateral governance mechanisms (positive integration), NAFTA left the management of the Agreement almost entirely in the hands of the existing national bureaucracies. Where dispute settlement mechanisms were created (Chapter 11, 19 and 20 in particular), they were ad hoc in nature and, in important ways, not designed to be the final word on disputes (Anderson, 2006a: 585–610). Some credit has been given to NAFTA's labour and environmental side-agreements for creating trilateral fora for discussion (Hufbauer and Schott, 2005: 79–136, 153–182). But connecting the activities in these fora to trilateral decision-making has proven difficult. More significantly, the NAFTA negotiations of the early 1990s have proven to be the high point of trilateral statesmanship among the three countries. Strangely, NAFTA did not establish regular meetings for the three heads of state, leaving that task instead to each country's trade ministers.

NAFTA created the shallowest forms of institutionalization, forms that largely preserved many traditional patterns of Westphalian sovereignty while simultaneously dismantling others, particularly for Canada and Mexico. NAFTA entrenched decision-making in the respective national bureaucracies, making elements of the relationship not covered by the Agreement (the built-in agenda) difficult to elevate onto the political agenda. Bunched together, these outstanding agenda items created a 'tyranny of small differences' that were a serious drain on North America's competitiveness, but were not politically significant enough in the US to address (Hart, 2004: 603–619; Pastor, 2008: 84–98). Moreover, NAFTA re-allocated decision-making power by creating a series of ad hoc dispute settlement mechanisms with limited scope to arbitrate disputes (Martin, 2008: 376–379; Weintraub, 2010: 121–126; Kotschwar, 2009, at www.iie.com; Anderson, 2006a: 585–610).

Hence, NAFTA went some distance towards mitigating the effects of asymmetry by restricting policy latitude (negative integration) in a limited number of areas. However, with no real institutional teeth to forcibly govern economic conflict in North America, the weaker partners to NAFTA effectively deepened their economic dependence on the US without winning the kind of institutional depth (positive integration) that would have augmented their decision-making power, thereby moving the continent

towards a more hierarchical form of sovereignty, arguably exacerbating the asymmetrical distribution of decision-making power in the process.

One key area NAFTA left aside was labour mobility. Except for the creation of a new visa category for certain professionals,¹ the Agreement did nothing to broadly liberalize the labour markets. So, when, in 1996, US immigration legislation proposed 'entry-exit' provisions² to account for all non-citizens entering the country (the origins of today's US-VISIT Program)³, Canada and Mexico had few mechanisms of leverage to mitigate the impact on the tens of thousands of their citizens that cross into the US every day (Sands, 2002: 49–73). Between 1996 and 2000, the Canadian government started a number of initiatives designed to pick up where NAFTA left off, encouraging a series of bilateral discussions on border management and security between 1996 and 2000, including the Shared Border Accord, the Border Vision Initiative, the Cross-Border Crime Forum, the Canada-US Anti-Smuggling Working Group and the Canada-US Partnership (Anderson and Sands, 2007: 12; Canada, *The Canada-United States Accord on Our Shared Border*, 2000). Yet, none of these got significant traction in the US until September 2001.

PART IV: ASYMMETRY, SOVEREIGNTY AND AN AWKWARD MARRIAGE OF SECURITY AND ECONOMICS

The closure of US airspace and border access in the days after 11 September 2001 laid bare the Canadian and Mexican dependence on US market access. The closure of several auto assembly plants in the US in the days following the attacks revealed the extent of cross-border integration among the three countries as just-in-time assembly broke down amidst parts shortages in all three countries ('11 lives, manning the bridge', *Time*, 1 September 2002; Bonner, 2004). However, the dependence of Canada and Mexico on the US market for their economic survival put the political and economic stakes in sharp relief for policy makers (Molot, 2003: 27–62).

At Canada's suggestion, a number of ideas from the failed or incomplete 'next steps' processes from the 1990s were pulled off the shelf and presented to the Bush administration as a means of handling the new imperatives of security in an integrated North American marketplace (Martin, 2008: 93–100). The Bush administration agreed and the result was the December 2001 US-Canada Smart Border Declaration and the 30-point Action Plan (Martin, 2008: 12–14). In early 2002, the US and Mexico agreed to a similar list of 22 proposals known as the US-Mexico Border Partnership Action Plan.

Between 2001 and approximately 2005, the blending of security and economics re-stimulated significant thinking and debate about what North America could be (Manley *et al.*, 2005; Dobson, 2002; Canada, House of Commons, 2005). For some, the insertion of security made it logical that

the next steps in North American integration would entail the initiation of a common security perimeter, perhaps including a customs union and the attendant supranational, pooled sovereignty that went along with it (Pastor, 2008; Courchene *et al.*, 2005). Yet, the securitization of the stagnant post-NAFTA economic agenda failed to pool sovereign decision-making, furthering the continent's progress towards the kind of hierarchical sovereignty described by Lake.

In March 2005, at Waco, Texas, a mature, but shallow economic agenda rooted in NAFTA was linked formally to an evolving security agenda with the launch of the North American Security and Prosperity Partnership (SPP). The SPP's 300+ agenda items, divided into distinct agendas (security and prosperity), looked like an ambitious, pragmatic programme to deal at once with NAFTA's leftovers and emerging security imperatives. Yet, the SPP generated no new institutional mechanisms, involved no legislative oversight of activities, and did not formally incorporate private sector or civil society input (Anderson and Sands, 2007; Ackelson and Kastner, 2006). As importantly, responsibility for management of the SPP was left in the hands of the respective national bureaucracies; in the US, this meant security would be handled by the DHS and prosperity by the Department of Commerce, neither of which is a paragon of cooperative internationalism.

As a process, the SPP suffered from numerous faults that effectively doomed it after just two years. In 2010, even the annual trilateral leaders' summits initiated by the SPP were discontinued. In addition, the SPP firmly entrenched the securitization of cross-border economic relations as a new North American governance paradigm. Yet, it remains a paradigm devoid of pooled decision-making and one that is heavily characterized by a hierarchical sovereignty that posits the exchange of Mexican and Canadian concessions on security cooperation for continued US market access. It is a paradigm that persists, as demonstrated by the most recent bilateral summits between President Obama and his continental counterparts (*Beyond the Border: A Shared Vision for Perimeter Security and Economic Competitiveness*, 4 February 2011).

PART V: DHS FOREIGN POLICY AND THE NEIGHBOURS' RESPONSES

All the changes to North American governance have taken place against the post-Cold War reinvigoration of scholarly attention to sovereignty or, as reformulated here, the 'state of the state'. Yet, Robert Dahl's classic (1957) disaggregation of power and its implications for shifting decision-making resonates here. As Dahl noted then, power, much like sovereignty, is not exogenously given. Power is also very much a constructed concept,

requiring that the *base* of that power be exploited (the *means*) and its extent measured by the reactions of others (*range* and *scope* of power) (Dahl, 1957).

The US' preference for shallow economic integration in North America preserved the *base* of US power in the form of maintenance of sovereign borders and control over everything that crosses them. The absence of virtually any pooled sovereignty arising out NAFTA accentuated the dependence of Canada and Mexico on US market access without creating institutional mechanisms that could have mitigated the border effects of US action. Broadly, the decision-making loci of post-NAFTA governance in North America remained with the national governments, except in those areas of negative integration brought about by NAFTA, where all three countries agreed to restrain their policy latitude. But in a North American governance space characterized by strong asymmetries, these limitations have tracked the continent towards a more hierarchical form of sovereignty. Policy latitude (sovereignty) has been restricted without the pooling of decision-making power.

Examining the recent evolution of asymmetry and power in North America through the lens of hierarchical sovereignty can help us understand how, where and in what policy domains decision-making is shifting. Several indicators of the reallocation of decision-making power flow from the responses (*range* and *scope*) of Canada and Mexico to the rise of the DHS as a major decision-making body within US governance. One conclusion to be drawn from all of this is that sovereignty has become more hierarchical as decision-making power in North America's political economy has moved strongly towards the US, and the DHS in particular.

Creating the DHS in late 2002 was a mammoth undertaking and it remains a work in progress. Integrating the institutional cultures of 22 agencies, bureaux and centres under a single departmental roof has not been easy and this is perhaps symbolized by the fact that a permanent DHS headquarters building is only now under construction in Washington, DC. The growing pains of the DHS since its creation are well known and these, in turn, undermined the DHS' efforts to get its working relationships with a range of sub-federal actors off to a constructive start, including states and the private sector (Kettl, 2004; *Washington Post*, 22 December 2005; Flynn, 2009: 20–21). Internal organizational challenges are further complicated by the unique and, until recently, ambiguous role of the DHS in the US national security apparatus (Homeland Security Policy Institute, 2009; Foley and Rudman, 2004; Heyman and Carafano, 2008; *Washington Post*, 27 February 2009).

Prior to the creation of the DHS, many of its component entities had regular interactions with their counterparts in Canada and Mexico. The Immigration and Naturalization Service, Border Patrol, Customs Service and the US Department of Agriculture all had significant roles to play in US policy towards Canada and Mexico. For instance, the US Customs and

Immigration officials were in place at pre-clearance facilities in eight Canadian airports and the US Border Patrol has been instrumental for decades in policing the porous southern border with Mexico. Hence, individually, institutions such as the Immigration and Naturalization Service (INS) could be said to have had a 'foreign policy' component as part of their mandate (Manns, 2002: 145–152). The concentration of decision-making authority within the DHS has altered some patterns of bureaucratic interaction among the three countries and exacerbated the asymmetries of power by centralizing most modes of policy formulation and implementation in a single, still dysfunctional, bureaucracy, the position and role of which is still evolving in America's foreign and national security policy-making (Kettl, 2004: 33–75; Newmann, 2002; Manns, 2002; Flynn, 2009: 19–26; Pescarelli, 2009: 27–31; GAO, 2002, 2009).

More interesting, however, has been the reaction of the US' neighbours to all these changes. Canada and Mexico reacted quickly to address US security concerns after 9/11, including proposing and adopting the so-called Smart Border Accords.⁴ In December 2003, Paul Martin succeeded Jean Chrétien as Canadian Prime Minister and almost immediately set out to improve relations with Washington (Roussel, 2003: 584). A major objective of the Martin government was to counter the persistent belief that Canada was 'soft on security', a belief driven in part by unfounded claims that the 9/11 hijackers had taken advantage of Canada's immigration and asylum system and then slipped into the US (Sokolsky, 2004: 35–2; *Canadian Press*, 19 May 2009; *Washington Post*, 9 April 2005; Macdonald, 2009). The Martin government almost immediately created the new position of National Security Advisor and began to use provisions within existing immigration law more robustly, allowing officials to arrest and indefinitely detain terrorism suspects – so-called security certificates (Bell, 2006: 63–83; see also Government of Canada, 2004). Yet, the most important changes came with the setting up of Canada's own version of the DHS.

While there are significant differences between Canada's Department of Public Safety and the DHS (Belelieu, 2004), both significantly concentrated powers over domestic security (Sokolsky, 2004: 47). In all of this, we can recall Dahl and assess the *amount* of US power over its neighbours by observing the *range* and *scope* of their response (Dahl, 1957: 202–203). More pointedly, the *amount* of power employed by the US in utilizing the *base* and *means* of that power can be expressed as a probability that Canada and Mexico would respond and to what degree (*range* and *scope*). For both countries after 9/11, but possibly more so for Canada, the probabilities of a strong response were significant.

As Patrick Lennox has detailed, Canada's reaction to the rise of the DHS was essentially to mimic it by reorganizing its own federal security bureaucracy to more closely mirror the one in the US (Lennox, 2007). Moreover, Lennox argues that while the transformation of Canada's national security

structure was prompted by concerns over the country's 'economic and sovereign survival' (Lennox, 2007: 1018), the changes had little to do with terrorism and nearly everything to do with mollifying US concerns that Canada was an indirect threat to US security (Sokolsky, 2004: 37). Moreover, Canadian actions entrenched a paradigm of securitization in economic relations, which endures till today.

The creation of the Department of Public Safety in 2004 was simply another component of that effort and flowed into the initiation of the SPP in March 2005 noted earlier. However, the efforts to harmonize a range of border management policies were not limited to the responsible civilian bureaucracies. As Solkosky (2004) points out, a long history of military cooperation on North American security issues between Canada and the US were also enhanced after 2001, largely at the initiative of Washington (35–52). In all of this, we see the effects of the stark asymmetries in bilateral power revealed by the terrorist attacks of 9/11. Canada's economic vulnerability to disruptions along the border and its inability to get political traction on these issues as relations with Washington deteriorated, prompted acquiescence to American security demands and the bulk of Canada's bureaucratic changes. In reacting so dramatically, Canada significantly strengthened its internal sovereignty, while simultaneously weakening its external sovereignty vis-à-vis the US.

Interestingly, Mexico did not follow Canada's road. Although scholars have acknowledged that the creation of the DHS has complicated US-Mexican relations, the impact of the 9/11 terrorist attacks, and the border closures in particular, was felt differently in Mexico (Dominguez and De Castro, 2009: 171). An important, but overlooked, casualty of 9/11 was the amity in US-Mexican relations that built up between Vicente Fox and George Bush during their tenures as governor and then flowed into their respective presidencies after Bush's inauguration in January 2001. In fact, Vicente Fox was in Washington just days before the 9/11 attacks to address one of Mexico's most important bilateral issues, immigration reforms (*ibid.*: 2009: 163–65, 185–194). Unfortunately, immigration reforms were put on indefinite hold after 9/11 and US-Mexican relations began to decline, much as Canada-US relations, in the run-up to the US invasion of Iraq (*ibid.*: 186–189).

Yet, the fallout from 9/11 affected Mexico somewhat differently than it did Canada. Much to the frustration of many Mexicans, the continental integration fostered by NAFTA was seemingly applied unevenly, particularly in terms of Mexican access to TN visas and the liberalization of cross-border trucking services.⁵ Moreover, in security terms, the US-Mexican border region resembles a militarized zone in some regions relative to the Canada-US border as efforts to combat cross-border crime and human trafficking have intensified. Mexican nationals and commercial activity have also historically been subject to greater scrutiny and delays when

crossing into the US relative to Canadians doing the same (Weintraub, 2010: 117–118). Post-9/11 border disruptions were not a significant threat to just-in-time production since border crossing times already necessitated higher inventory stockpiling by firms operating on either side of the US-Mexico border (Webber, 2005).

Hence, while Mexico has participated in a number of changes to North American governance, which address the tensions between security and economics, notably the Smart Border Accords and the SPP, there have only been subtle moves on the part of Mexico to reorganize itself in response to the DHS. Most notable here is the growing role Mexico's Interior Ministry (*Gobernación Federal*) has played in becoming a key interlocutor with the DHS (Dominguez and De Castro, 2009: 171–172). As the US-Mexico relationship has, in recent years, focused heavily on narco-violence and border security driven in the US by the DHS, the *Gobernación's* focus on domestic security has made it among the most important points of interface between the two countries (Weintraub, 2010: 64–81; Dominguez and De Castro, 2009: 167–68).

Much as economists describe those without the market power to influence price as 'price takers', Canada and Mexico might reasonably be described as 'policy takers' due to their relative inability to influence US policy making on security issues. Immigration, a long-time priority for Mexico in bilateral relations with the US, neared a breakthrough just prior to 9/11. Efforts by President Fox and his Foreign Minister, Jorge Casteneda, to separate immigration reform proposals from border security issues were fruitless (*ibid.*: 186–189). A brief revival of US immigration proposals by the Bush administration in 2007 suffered an embarrassing defeat in the US Senate.⁶ The same basic set of reform proposals favoured by the Obama administration faces a similar battle as the debate over immigration in the US has taken on an increasingly bitter tone.⁷ While there is widespread agreement in the US on the challenges posed by immigration and the need to change the status quo, it is a difficult issue over which Mexico would have little influence even in the best of circumstances (Weintraub, 2010: 98–115). Yet, as a security and law-enforcement paradigm for border management has taken hold at the DHS, Mexico, like Canada, has become, even more dramatically, a 'policy-taker'.

The secretary of hierarchical sovereignty?

As the securitization of North American economic activity has been shaped by a series of law enforcement measures driven by the US Congress and then implemented under the rule-making and implementation authority of the DHS, the agency and the position of the Secretary of Homeland Security have become key points of decision-making power (Gotlieb, 2006).

Among the measures being put in place are the dozens of trusted traveller and cargo programmes, inspection procedures and reporting requirements overseen by the DHS, most of which have become conditions of entry into the US (Anderson, 2006b; Anderson, 2009a). Moreover, the DHS' mandate has increasingly taken on significant foreign policy and extraterritorial dimensions. For example, under the Container Security Initiative, US Customs and Border Patrol agents are now stationed in foreign ports to pre-inspect cargo. These activities now include more than 58 foreign ports, covering more than 80 per cent of US-bound container traffic (Have-man, Shatz and Vilchis, 2005). Similarly, the immigration provisions of the USA Patriot Act of October 2001 mandated that the administration finally implement the entry-exit provisions of the 1996 Illegal Immigration Reform and Immigrant Responsibility Act, which generated such consternation among Canadian officials then (Sands, 2002: 49–73). Designed by the DHS to monitor the legal status of visitors to the US more effectively, the US-VISIT programme has required US immigration officials to collect fingerprints and photographs from nearly everyone entering the US, raising significant civil liberties concerns (Martin, 2004). As of June 2011, Canadians remain exempt from the US-VISIT provisions, but the congressional mandate that all foreign nationals be accounted for while in the US suggests that Canadians will be included eventually (Federal Register, 2008; DHS, Fact Sheet, 2 October 2009; DHS, Fact Sheet, 2 October 2008a; DHS, Fact Sheet, 2 October 2008b). A step in this direction occurred in February 2011 with the announcement that Canada would be providing data to the US-VISIT system ('Beyond the Border: A Shared Vision for Perimeter Security and Economic Competitiveness', 4 February 2011).

Other US programmes with significant implications include the Western Hemisphere Travel Initiative, which requires passports or other biometrically secure identification from travellers entering the US from countries in the Western Hemisphere.⁸ This is important, particularly for tourism, since only a small percentage of Canadians and Americans actually hold passports.⁹

The US has also instituted programmes and procedures such as the Advance Passenger Information System (eAPIS), the Electronic System for Travel Authorization (ESTA) for US Visa Waiver Program Countries,¹⁰ the Global Entry Program,¹¹ and the Secure Flight Program¹² to collect advance information on all airline passengers entering US airspace, even if the aircraft does not actually land in the US. The failed bombing attempt on a Detroit-bound airliner on Christmas Day 2009 and the aftermath of the failed car bomb in Times Square in May 2010 have resulted in additional pressure on airlines to scrutinize passenger manifests against government 'no-fly' lists (*Washington Post*, 6 May 2010). US actions have again elicited a Canadian response in the form of Bill C-42, which allows Canadian

airlines to transfer passenger information to the DHS (*Montreal Gazette*, 29 June 2010).

In all of this, the foreign policy significance of the DHS within the US and its implications for Canada and Mexico has grown. More importantly, as US security initiatives have increasingly overwhelmed those designed to maintain the porosity of North America's borders for commercial activity, the locus of decision-making authority has been increasingly concentrated in the US, and the DHS in particular. This, in turn, has contributed to the significant shift away from autarkic sovereignty begun in the 1990s with shallow economic integration towards a more hierarchical, asymmetrical sovereignty in North America. Much as NAFTA did with trade issues in the 1990s, many security issues in North America are now buried in the technocratic and law enforcement structures of the DHS.

As a result, issues related to the 'thickening' of the border and its negative impact on flows of goods, services and people (Globerman and Storer, 2007) became increasingly difficult to push up the list of political priorities, entrenched as they are in the mixed bag of initiatives that have been melded together under the banners of security and prosperity since 11 September 2001. In the absence of institutions pooling sovereignty and limiting unilateral policy action, policy will continue to be driven by US security imperatives reflecting – and exacerbating – the relative power and asymmetry characteristic of North America.

CONCLUSION

The post-9/11 securitization of North American economic relations is part of a longer trend towards increasingly hierarchical forms of sovereignty among the US, Canada and Mexico. This paper has sought to cast these developments within the broad scholarly debate about the 'state of the state' in international political economy since the end of the Cold War. It has also tapped into debates about the changing nature of sovereignty and how decision-making authority has been reallocated since NAFTA was completed in 1994. NAFTA reallocated power by restricting the policy latitude of all three countries, but it did so unevenly, due in part to the absence of any supranational institutionalization.

Following Lake (2003), this paper has highlighted areas in which North American sovereignty has become more heavily hierarchical, particularly since 11 September 2001 and the securitization of economic relations. As the imperatives of the US' security concerns overwhelmed the nominal trade-off of security measures for market access, Canada and Mexico have increasingly become 'policy-takers' as new US security measures are implemented.

The distribution of power in North America has always been asymmetrical, historically prompting fears from all three countries, but especially

Canada and Mexico, about the erosion of policy latitude in an incompletely integrated North American economic space.

In partial response to these worries, NAFTA limited the creation of supranational institutions in the hope that shallow rules alone would suffice in curbing the effects of asymmetrical power. The advent of a dynamic and robust security agenda, again without the attendant institutionalization to curb the effects of asymmetrical power, has only exacerbated those concerns as the allocation of power over border issues critical to the economies of Canada and Mexico has accrued to the US and to the DHS as principal steward of the security agenda now animating the continent's political economy. This essay could be read as a cautionary tale regarding the challenges of power and asymmetry in the context of shallow stages of integration. However, understanding where hierarchies of sovereignty exist, and where power and decision-making are being reallocated in different policy domains, could provide useful guideposts for policy makers as they probe the limits of trilateral cooperation. For theoreticians, considering sovereignty in more explicitly hierarchical terms may help us differentiate our theorizing about where and how cross-border social relationships are evolving in North American governance.

NOTES

- 1 Trade NAFTA Visas, NAFTA Chapter 16.
- 2 Section 110, Illegal Immigration Reform and Immigrant Responsibility Act.
- 3 United States Visitor and Immigrant Status Indicator Technology.
- 4 Formally, the *US-Canada Smart Border Declaration and Action Plan*, December 2001, and the *U.S.-Mexico Border Partnership Action Plan*, March 2002.
- 5 NAFTA actually created an entirely new visa category, the TN Visa, for business professionals. However, that limited liberalization of labour mobility has been circumscribed by variance in access to them. Canadians can typically apply and obtain them at US ports of entry. Mexicans have had to apply through the US consular services in Mexico.
- 6 Senate Resolution 1348, Secure Borders, Economic Opportunity and Immigration Reform Act of 2007, died in a cloture vote (31-64) on 7 June 2007, effectively ending the debate.
- 7 In early 2010, a series of events in Arizona, including the shooting death of an Arizona rancher and controversial state immigration legislation, coupled with a weak economy, have likely tipped the balance against comprehensive reforms in the near term.
- 8 2004 Intelligence Reform and Terrorism Prevention Act (USA 2004, Public Law 108-458).
- 9 Canada's Department of Foreign Affairs and International Trade estimated that roughly 22 per cent of Canadians and 29 per cent of Americans travelling between the two countries by sea and air did not hold a passport.
- 10 There are currently 36, mainly European, countries whose nationals do not require a formal visa for entry to the US of less than 90 days.

- 11 The Global Entry Program is mainly for US citizens and residents to expedite customs and immigration checks upon re-entry to the US.
 12 (See http://www.tsa.gov/what_we_do/layers/secureflight/).

NOTES ON CONTRIBUTOR

Greg Anderson is Assistant Professor in the Department of Political Science at the University of Alberta. He is also a Fellow of and Research Director at the Alberta Institute for American Studies at the University of Alberta. He holds a BA in History from Brigham Young University and an MA, also in History, from the University of Alberta. He earned his PhD from the Paul H. Nitze School of Advanced International Studies of the Johns Hopkins University (Johns Hopkins/SAIS) in Washington, DC.

REFERENCES

- Ackelson, Jason and Kastner, Justin (2006) 'The Security and Prosperity Partnership of North America', *American Review of Canadian Studies*, 36(2): 207–32.
- Alesina, A. and Spolaore, E. (1997) 'On the Number and Size of Nations', *The Quarterly Journal of Economics*, 112(4): 1027–56.
- Anderson, G. (2006a) 'Can Someone Please Settle this Dispute: Canadian Softwood Lumber and the Dispute Settlement Mechanisms of the NAFTA and the WTO', *The World Economy*, 29(5): 585–610.
- Anderson, G. (2006b) 'North American Economic Integration and the Challenges Wrought by 9/11', *Journal of Homeland Security and Emergency Management*, 3(2): 1–30.
- Anderson, G. (2009a) 'The Reluctance of Hegemons: Comparing the Regionalization Strategies of a Crouching Cowboy and a Hidden Dragon', in E. Kavalski (ed.) *China and the Politics of Regionalization*, Surrey, UK: Ashgate Publishing, pp. 91–107.
- Anderson, G. (2009b) 'North America and the Three Noes', *The Esty Centre Journal of International Law and Trade Policy*, 11(1): 1–23.
- Anderson, G. and Sands, C. (2007) 'Negotiating North America: The Security and Prosperity Partnership', Hudson Institute White Paper, Washington, DC: Hudson Institute.
- Anderson, G. and Sands, C. (2010) 'Fragmegration, Federalism, and Canada-U.S. Relations', in M. Gattinger and G. Hale (eds) *Borders and Bridges: Canada's Policy Relations in North America*, Toronto: Oxford University Press, pp. 41–58.
- Barnett, D. F. (1976) 'The Galt Tariff: Incidental or Effective Protection', *Canadian Journal of Economics*, 9(3): 389–407.
- Bartelson, J. (2006) 'The Concept of Sovereignty Revisited', *The European Journal of International Law*, 17(2): 463–74.
- Bartra, R. and Casal-Sanchez, S. (1989) 'Culture and Political Power in Mexico', *Latin American Perspectives*, 16(2): 61–69.
- Bell, C. (2006) 'Subject to Exception: Security Certificates, National Security, and Canada's Role in the War on Terror', *Canadian Journal of Law and Society*, 21(1): 63–83.
- Belelieu, A. (2004) 'Canada Alert: The Recent Evolution in Canadian Security Policy', *Center for Strategic and International Studies, Hemisphere Highlights*, 12(10): 1–8.

- Bernard Jr, P. (2006) 'Canada and Human Security: From Axworthy Doctrine to Middle Power Internationalism', *The American Review of Canadian Studies*, 36(2): 231–61.
- Bhagwati, J. (2004) *In Defense of Globalization*, New York: Oxford University Press.
- Bonner, R. C. (2004) 'Testimony before the Seventh Public Hearing', National Commission on Terrorist Attacks on the United States, 26 January.
- Buchanan, P. (2002) *The Death of the West: How Dying Populations and New Immigrant Invasions Imperil Our Country and Civilization*, New York: St Martin's Press.
- Bull, H. (1977) *The Anarchical Society: A Study of Order in World Politics*, New York: Columbia University Press.
- Burgoon, B. (2001) 'Globalization and Welfare Compensation: Untangling the Ties that Bind', *International Organization*, 55(3): 509–51.
- Cameron, M. A. and Tomlin, B. W. (2000) *The Making of the NAFTA: How the Deal Was Done*, Ithaca, NY: Cornell University Press.
- Canada, House of Commons, Standing Committee on Foreign Affairs and International Trade (2005) *Partners in North America: Advancing Canada's Relations with the United States and Mexico*, Ottawa: Supply Services.
- Canada (2000) *The Canada-United States Accord on Our Shared Border*, Ottawa: Minister of Public Works and Government Services.
- Caudle, S. L. (2009) 'National Security Strategies: Security from What, for Whom, and by What Means', *Journal of Homeland Security and Emergency Management*, 6(1): Article 22, 2–9.
- Clarkson, S. (2002) *Uncle Sam and Us: Globalization, Neoconservatism, and the Canadian State*, Toronto: University of Toronto Press.
- Clarkson, S. (2008) *Does North America Exist?: Governing the Continent after NAFTA and 9/11*, Toronto: University of Toronto Press.
- Cohen, J. (2004) 'Whose Sovereignty? Empire Versus International Law', *Ethics and International Affairs*, 18(3): 1–24.
- Cohen, J. (2008) 'Rethinking Human Rights, Democracy, and Sovereignty in the Age of Globalization', *Political Theory*, 36 (May): 578–606.
- Cooper, R. (1968) *The Economics of Interdependence: Economic Policy in the Atlantic Community*, New York: McGraw Hill.
- Corsi, J. (2007) *The Late Great USA: The Coming Merger with Mexico and Canada*, New York: WND Books.
- Courchene, T. J., Savoie, D. J. and Schwanen, D. (2005) 'Thinking North America', *The Art of the State, Vol. II*, Montreal: Institute for Research in Public Policy.
- Croxton, D. (1999) 'The Peace of Westphalia of 1648 and the Origins of Sovereignty', *The International History Review*, 21(3): 569–90.
- Cuff, R. and Granatstein, J. L. (1977) 'The Rise and Fall of Canadian-American Free Trade, 1947–48', *The Canadian Historical Review*, 58(4): 459–82.
- Dahl, R. (1957) 'The Concept of Power', *Behavioral Science*, 2(3): 201–15.
- De Gortari, C. S. (2002) *Mexico: The Policy and Politics of Modernization*, Barcelona: Plaza & Janes Editores.
- Den Otter, A. A. (1982) 'Alexander Galt, the 1859 Tariff, and Canadian Economic Nationalism', *The Canadian Historical Review*, 63(2): 151–78.
- Destler, I. M. (1997) *Renewing Fast-Track Legislation*, Washington, DC: Institute for International Economics.
- Dobson, W. (2002) 'Shaping the Future of the North American Economic Space', *C. D. Howe Institute Commentary* 162, Toronto: C. D. Howe Institute.
- Dominguez, J. and De Castro, R. F. (2009) *The United States and Mexico: Between Partnership and Conflict*, 2nd edn, New York: Routledge.

- Donaghy, G. (2003) 'All God's Children: Lloyd Axworthy: Human Security and Canadian Foreign Policy 1996–2000', *Canadian Foreign Policy*, 10: 90–107.
- Dotty, R. (2007) 'States of Exception on the Mexico-U.S. Border: Security, 'Decisions,' and Civilian Border Patrols', *International Political Sociology*, 1(2): 113–37.
- Eichengreen, B. (1996) 'Toward a More Perfect Union: The Logic of Economic Integration', *Essays in International Finance*, 198: 1–40.
- Federal Register (2008) Vol. 73(245), December 19, 2008, pp. 77473–91.
- Flynn, S. (2009) 'Homeland Insecurity: Disaster at DHS', *American Interest*, 4(5): 19–26.
- Foley, T. and Rudman, W. (co-chairs) (2004) *Untangling the Web: Congressional Oversight and the Department of Homeland Security*, Washington, DC: Center for Strategic and International Studies.
- Fransen, F. J. (2001) *The Supranational Politics of Jean Monnet: Ideas and Origins of the European Community*, Freeport, CT: Greenwood Press.
- Freeman, R. (2004) 'Trade Wars: The Exaggerated Impact of Trade in Economic Debate', *The World Economy*, 27(1): 1–23.
- Globerman, S. and Storer, P. (2007) *The Impacts of 9/11 on Canada-U.S. Trade*, Bellingham: Border Policy Research Institute, Western Washington University.
- Goldfarb, D. (2007) *Reaching a Tipping Point? Effects of Post-9/11 Border Security on Canada's Trade and Investment*, Ottawa: Conference Board of Canada.
- Goldsmith, J. L. and Posner, E. A. (2005) *The Limits of International Law*, New York: Oxford University Press.
- Gotlieb, A. (2006) *The Washington Diaries, 1981–89*, Toronto: McClelland & Stewart.
- Government of Canada (2004) *Securing an Open Society: Canada's National Security Policy*, Ottawa: Privy Council Office.
- Granatstein, J. L. (1996) *Yankee Go Home? Canadians and Anti-Americanism*, Toronto: Harper Collins.
- Hart, M. (1989) 'Almost but Not Quite: The 1947–48 Bilateral Canada-U.S. Negotiations', *American Review of Canadian Studies*, 19(1): 25–28.
- Hart, M. (2004) 'Canada-U.S. Relations after Free Trade: Lessons Learned and Unmet Challenges', *American Review of Canadian Studies*, 34(4): 603–19.
- Hart, M., Dymond, B. and Robertson, C. (1994) *Decision at Midnight: Inside the Canada-U.S. Free-Trade Negotiations*, Vancouver: UBC Press.
- Haas, Ernst (2004) *The Uniting of Europe: Political, Social, and Economic Forces, 1950–1957*, Stanford: University of California Press, 1968; Reprint: South Bend, IN: University of Notre Dame Press, 2004.
- Haveman, J. D., Shatz, H. J. and Vilchis, E. A. (2005) 'U.S. Port Security Policy after 9/11: Overview and Evaluation', *Journal of Homeland Security and Emergency Management*, 2(4): 1–26.
- Henibecker, P. (1999) 'Human Security', *Canadian Foreign Policy*, 7(1): 19–26.
- Heyman, D. and Carafano, J. (2008) *Homeland Security 3.0: Building a National Enterprise to Keep America Free, Safe, and Prosperous*, Washington, DC: Heritage Foundation and Center for Strategic and International Studies.
- Homeland Security Policy Institute (2009) *The Homeland Security Council: Considerations for the Future*, Washington, DC: George Washington University.
- Hufbauer, G. and Schott, J. (2005) *NAFTA Revisited: Achievements and Challenges*, Washington, DC: Institute for International Economics.
- Hurtig, Mel (1996) *At Twilight in the Country: Memoirs of a Canadian Nationalist*, Toronto: Stoddard.
- Jackson, J. H. (2003) 'Sovereignty-Modern: A New Approach to an Outdated Concept', *American Journal of International Law*, 97(4): 782–802.

- Jockel, J. and Sokolsky, J. (2001) 'Lloyd Axworthy's Legacy: Human Security and the Rescue of Canadian Defense Policy', *International Journal*, 56(1): 1–18.
- Kahler, M. and Lake, D. (2004) 'Governance in a Global Economy: Political Authority in Transition', *Political Science and Politics*, 37(3): 409–14.
- Keohane, R. O. and Nye, J. S. (1977) *Power and Interdependence: World Politics in Transition*, Boston: Little, Brown and Co.
- Kettl, D. F. (2004) *System Under Stress: Homeland Security and American Politics*, Washington, DC: CQ Press.
- Klein, N. (2008) *The Shock Doctrine*, Toronto: Vintage Press.
- Kotschwar, B. (2009) 'Trade Rift Deepens with Mexico', *Peterson Perspectives*, 19 March, www.iie.com (accessed 6 April 2010).
- Krasner, S. (1976) 'State Power and the Structure of International Trade', *World Politics*, 28(3): 317–47.
- Krasner, S. (1999) *Sovereignty: Organized Hypocrisy*, Princeton: Princeton University Press.
- Kymlicka, W. (2003) 'On Being Canadian', *Government and Opposition*, 38(3): 357–85.
- Lake, D. A. (2003) 'The New Sovereignty in International Relations', *International Studies Review*, 5(3): 303–23.
- Lennox, P. (2007) 'From Golden Straight Jacket to Kevlar Vest: Canada's Transformation to a Security State', *Canadian Journal of Political Science*, 40(4): 1017–38.
- Lindsey, B. and Ikenson, D. (2001) *Coming Home to Roost: Proliferating Antidumping Laws and the Growing Threat to U.S. Exports*, Washington, DC: Cato Institute Center for Trade Policy Analysis.
- Macdonald, N. (2009) 'Interview with U.S. Homeland Security Secretary Janet Napolitano', Canadian Broadcasting Corporation, 20 April.
- Macrory, P. (2003) 'NAFTA Chapter 19: A Successful Experiment in International Dispute Resolution', Commentary No. 168, Toronto: C. D. Howe Institute.
- Manning, B. (1977) 'The Congress, the Executive and Intermestic Affairs: Three Proposals', *Foreign Affairs*, 55(2): 306–24.
- Manley, J., Aspe, P. and Weld, W. (2005) *Building a North American Community*, New York: Council on Foreign Relations.
- Manns, J. (2002) 'Reorganization as a Substitute for Reform: The Abolition of the INS', *The Yale Law Journal*, 112(1): 145–52.
- Marquardt, P. (1995) 'Subsidiarity and Sovereignty in the European Union', *Fordham International Law Journal*, 18(2): 616–40.
- Martin, K. (2004) 'Domestic Intelligence and Civil Liberties', *SAIS Review*, 24(1): 7–21.
- Martin, P. (2008) *Hell or High Water: My Life in and out of Politics*, Toronto: McLelland & Stewart.
- Molot, M. (2003) 'The Trade-Security Nexus: The New Reality in Canada-U.S. Economic Integration', *American Review of Canadian Studies*, 33(1): 27–62.
- Morris, S. and Passe-Smith, J. (2001) 'What a Difference a Crisis Makes: NAFTA, Mexico, and the United States', *Latin American Perspectives*, 28(3): 124–49.
- Neal, A. (2004) 'Cutting off the King's Head: Foucault's Society must be Defended and the Problem of Sovereignty', *Alternatives* 29(4): 373–98.
- Newman, N. (2002) 'Reorganization for National Security and Homeland Security', *Public Administration Review*, 62: (Special Issue: Democratic Governance in the Aftermath of September 11, 2001): 126–37.
- Norrie, K. and Owram, D. (1996) *A History of the Canadian Economy*, 2nd edn, Toronto: Harcourt Brace & Co.
- North, D. (2005) *Understanding the Process of Economic Change*, Princeton: Princeton University Press.

- Nye, J. and Donahue, J. (2000) *Governance in a Globalizing World*, Washington, D.C.: Brookings Institution Press.
- Oliver, D. and Hampson, F. O. (1997) 'Pulpit Diplomacy: A Critical Assessment of Axworthy Doctrine', *International Journal*, 53(3): 379–407.
- Pastor, R. (2001) *Toward a North American Community: Lessons from the Old World for the New*, Washington, DC: Institute for International Economics.
- Pastor, R. (2004) 'North America's Second Decade', *Foreign Affairs*, 83(1): 124–35.
- Pastor, R. (2008) 'The Future of North America: Replacing a Bad Neighbor Policy', *Foreign Affairs*, 87(4): 84–98.
- Pescarelli, S. (2009) 'Staff Infection: Inside the Department of Homeland Security's Contracting Mess', *American Interest*, 4(5): 27–31.
- Raulston Saul, J. (2008) *A Fair Country*, Toronto: Viking Canada.
- Riddell-Dixon, E. (2005) 'Canada's Human Security Agenda: Walking the Talk', *International Journal*, 60(4): 1067–92.
- Rivkin, D. B. and Casey, L. A. (2000) 'The Rocky Shoals of International Law', *The National Interest*, 62: 35–45.
- Robertson, R. (1992) *Globalization: Social Theory and Global Culture*, London: Sage.
- Rodrik, D. (1997a) 'Sense and Nonsense in the Globalization Debate', *Foreign Policy* 107(Summer 1997): 19–37.
- Rodrik, D. (1997b) *Has Globalization Gone Too Far?* Washington, DC: Institute for International Economics.
- Rodrik, D. (2000) 'How Far Will International Economic Integration Go', *Journal of Economic Perspectives*, 14(1): 177–86.
- Rosenau, James, N. (1997) *Along the Domestic-Foreign Frontier: Exploring Governance in a turbulent world*, Cambridge: Cambridge University Press.
- Rosenau, J. (2000) 'The Governance of Frangmentation: Neither a World Republic nor a Global Interstate System', Unpublished paper presented at the Congress of the International Political Science Association, Quebec City.
- Roussel, S. (2003) 'Honey, Are You Still Mad at Me? I've Changed You Know . . .', *International Journal*, 58(4): 571–90.
- Royal Commission on the Economic Union and Development Prospects for Canada (1985) *Report, Vol. I, II and III*, Ottawa: Minister of Supply and Services Canada.
- Ruggie, J. (1993) 'Territoriality and Beyond: Problematizing Modernity in International Relations', *International Organization*, 47(1): 139–74.
- Ruggie, J. G. (1982) 'International Regimes, Transactions, and Change: Embedded Liberalism in the Postwar Economic Order', *International Organization*, 36(2): 379–415.
- Ruggie, J. G. (1997) *Along the Domestic-Foreign Frontier: Exploring Governance in a Turbulent World*, New York: Cambridge University Press.
- Salacuse, J. (1990) 'BIT by BIT: The Growth of Bilateral Investment Treaties and Their Impact on Foreign Investment in Developing Countries', *International Lawyer*, 24(3): 655–75.
- Sandholtz, Wayne and Stone Sweet, Alec (2010) 'Neo-functionalism and Supranational Governance' Working paper, Available at SSRN: <http://ssrn.com/abstract=1585123> (accessed on 26 July, 2011).
- Sands, C. (2002) 'Fading Power or Rising Power: 11 September and Lessons From the Section 110 Experience', in N. Hillmer and M. A. Molot (ed.) *Canada among Nations: A Fading Power*, Toronto: Oxford University Press, pp. 49–73.
- Sapir, A. (2005) 'Globalization and the Reform of European Social Models', Bruegel Policy Brief No. 1 (November).
- Scott, G. (2001) 'The Great Divide in the Global Village', *Foreign Affairs*, 80(1): 160–77.

- Searle, J. (1995) *The Construction of Social Reality*, New York: Free Press.
- Slaughter, A. M. (2003) 'Global Government Networks, Global Information Agencies, and Disaggregated Democracy', *Michigan Journal of International Law*, 24: 1041–75.
- Sokolsky, J. (2004) 'Northern Exposure?', *International Journal*, 60(1): 35–52.
- Stiglitz, J. (2002) *Globalization and its Discontents*, New York: W. W. Norton.
- Strange, S. (1996) *The Retreat of the State*, Cambridge: Cambridge University Press.
- Studer, I. (2007) 'Obstacles to Integration: NAFTA's Institutional Weakness', in I. Studer and C. Wise (eds) *Requiem or Revival: The Promise of North American Integration*, Washington, DC: Brookings Institution Press, pp. 64–65.
- Sydor, A. (2008) 'An Index of Canada-U.S. Economic Integration', Analytical Paper Series No. 5, Ottawa: Foreign Affairs and International Trade Canada, Office of the Chief Economist.
- Taylor, M. B. (2006) 'Humanitarianism or Counterinsurgency: R2P at the Crossroads', *International Journal*, 61(1): 146–58.
- United States Government Accountability Office, Statement of Jay Etta Hecker, Director of Physical Infrastructure, Testimony Before the Subcommittee on Government Efficiency, Financial Management, and Intergovernmental Relations, Committee on Government Reform, House of Representatives, July 3, 2002.
- United States Government Accountability Office (2009) 'Homeland Security: DHS's Progress and Challenges in Key Areas', GAO-10-106, 2 December.
- Weber, C. (1992) 'Reconsidering Statehood: Examining the Sovereignty/Intervention Boundary', *Review of International Studies*, 18(3): 199–216.
- Webber, J. (2005) *Network-Centric Security for Canada-U.S. Supply Chains*, Vancouver and Washington, DC: Fraser Institute and Center for Strategic and International Studies.
- Weintraub, S. (2010) *Un-Equal Partners: The United States and Mexico*, Pittsburgh: University of Pittsburgh Press.
- Wellman, B. and Hampton, K. (1999) 'Living Networked On and Offline', *Contemporary Sociology*, 28(6): 648–54.
- Wendt, A. (1992) 'Anarchy is What States Make of it: The Social Construction of Power Politics', *International Organization*, 46(2): 391–425.
- Wendt, A. (1999) *Social Theory of International Relations*, New York: Cambridge University Press.
- Wise, C. (2007) 'Unfulfilled Promise: Economic Convergence under NAFTA', in I. Studer and C. Wise (eds) *Requiem or Revival: The Promise of North American Integration*, Washington, DC: Brookings Institution Press, pp. 27–52.
- Wolf, M. (2004) *Why Globalization Works*, New Haven: Yale University Press, pp. 249–77.