

## Two myths about Canada-U.S. integration

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After the terrorist attacks on the United States of September 11, 2001, conservatives in this country were almost unanimous in their conviction that it was time for Canada to throw in the towel as an independent nation. Historian Michael Bliss was first out of the blocks, arguing that “although we may still chant the camp songs of Canadian sovereignty, there is probably no turning back. We are heading toward some kind of greater North American union.”<sup>1</sup> Others were quick to chime in, barely able to conceal their satisfaction at the thought that Canada would finally get its comeuppance for having, on so many occasions, defied the regional hegemon.<sup>2</sup> Yet less than two years later, with Canada-U.S. relations at an all-time low, not only did the prospects for regional integration seem dimmer than ever, but existing arrangements like NAFTA even began to show signs of strain in the face of renewed American unilateralism.

Of course, while the choir may have changed, the hymn-book that these commentators were singing from was a familiar one. More than a decade previous, during the “free trade election” of 1988, the liberal-left in Canada was almost equally unanimous in its conviction that the country could not survive increased economic integration with the United States. Margaret Atwood suggested at the time that “this issue has the potential to fragment and destroy the country in a way that nothing else has succeeded in doing.”<sup>3</sup> Yet even this was hardly new. In 1970, Kari Levitt had raised the alarm about American investment in Canada, suggesting that

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<sup>1</sup> Michael Bliss, “Sept. 11: The End of Canadian Nationalism,” *National Post*, 29 September, p. A1.

<sup>2</sup> See Emily Gilbert, “The Inevitability of Integration? Neoliberal Discourse and the Proposals for a New North American Economic Space after September 11,” *Annals of the Association of American Geographers*, 95 (2005): 202-222.

<sup>3</sup> Margaret Atwood, “The only position they’ve every adopted...” in Laurier Lapierre, ed. *If You Love This Country* (Toronto: McLelland and Stewart, 1987), p. 17.

this “silent takeover,” raised serious questions about Canada’s “chances of survival as an independent sovereign country.”<sup>4</sup> George Grant reacted to the defeat of the Diefenbaker government much the same way in 1963, arguing that “the impossibility of conservatism in our era is the impossibility of Canada.”<sup>5</sup> Of course, none of these fears were ever realized. How are we to understand, then, the unexpected persistence of Canada?

Unfortunately, any answer to this question is bound to remain quite speculative, simply because the social sciences do not provide us with any single, generally accepted theory of political or social integration. There is something quite mysterious about the way that nations develop and change, the way that institutions are legitimated, and the way that political identities are formed. Thus there is no simple conceptual template that can be applied to help us understand why Canada remains a nation largely independent from the U.S., and why it exhibits a different trajectory of development in several different dimensions. Yet while there is no single accepted theoretical account of these processes, there are a lot of theoretical models that we know to be incorrect. Furthermore, it can easily be observed that the public debate in Canada over continental integration has been dominated by two such theories, and that the prevalence of these theories is largely responsible for the number of false alarms about “the impossibility of Canada” that have been sounded over the past few decades.

The first of these theories I refer to, following philosopher Wayne Norman, as the myth of “shared values.”<sup>6</sup> It is a view that rests upon a dramatic overestimation of the role that culture

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<sup>4</sup> Kari Levitt, *Silent Surrender* (Toronto: Macmillan, 1970), p. 1.

<sup>5</sup> See George Grant, *Lament for a Nation*, 2<sup>nd</sup> edn. (Montreal: McGill-Queen’s University Press, 2005). For an illuminating discussion of the influence of Grant’s work on the reaction to Sept. 11, 2001, see Andrew Potter’s introduction to this volume.

<sup>6</sup> For a more complete discussion, see Wayne Norman, “The Ideology of Shared Values,” in Joseph Carens, ed., *Is Quebec Nationalism Just?*, (Montreal: McGill-Queen’s University Press, 1995), also Wayne Norman, “Shared Values Do Not a Country Make”, *National Post* (24 June 2000).

plays in securing social – and national – unity. It therefore results in a tendency to regard any increase in cultural homogeneity as having integrative political consequences. The second theory is more familiar, and can be referred to simply as “economic determinism.” According to this view, political institutions are merely elements of the “superstructure,” whereas it is the “base” of economic relations that truly dictate the direction of social and political development. Formerly the exclusive province of Marxists, this theory migrated over to the right-wing of the political spectrum during the 80’s, and now informs much of the so-called “neoconservative” or “neoliberal” discourse on continental integration.

My goal in this paper is to examine the problems with these two theories, as a way of explaining why they predict a tendency toward increased social and political convergence in the North American continent that has consistently failed to materialize. In this context, it is helpful to compare our case to that of the European Union, where a far more conscious attempt to secure “ever-greater union” has also hit the shoals. In both cases, a tendency to underestimate the barriers to integration arose from a failure to acknowledge the *sui generis* role that social institutions play in securing political order. While shared culture and economic interests are no doubt important, it is social institutions that provide the framework of mutually accepted rules to govern interactions that in turn serves as the basis for collective action.

## **Social Integration**

It may come as a surprise for some to learn that there is no generally accepted scientific understanding of the nature of social order among humans. Of course, there is a long history of speculation on the subject. In political philosophy there is an influential tradition, dating back to

Plato's *Republic*, that compares human society to a bee hive or an ant hill. Yet while human beings share with bees and ants the characteristic of being an "ultrasocial" species, there are a number of key differences between ourselves and the other ultrasocial species with whom we share the planet. The most important is that we have no obvious biological adaptations that enable us to sustain such high levels of cooperation and interdependence.<sup>7</sup> Thus there is something mysterious about social order among human beings, something that makes it more of an achievement and less of a given. (One must also note the absence of complex social structure throughout most of the history of the species.) Hence the central problematic of sociological theory: what is the "glue" that holds complex human societies together, and that sometimes fails to hold them together?<sup>8</sup>

Of course, there have always been thinkers who are prepared to deny that any such glue is required. At the end of the 19<sup>th</sup> century especially, the influence of economic modes of thought had popularized the idea that unbridled self-interest, when reconciled through the invisible hand of the market, would be sufficient to guarantee both order and prosperity. Most notable in this respect was the theory of "spontaneous order" mooted by Herbert Spencer and developed by Friedrich von Hayek.<sup>9</sup> The thought was that, given a basic set of rights to property and personal liberty, people could be expected to establish their own stable set of cooperative relations, without external guidance. The problem with this theory, however, is that as an explanation for social order it begs all of the important questions. Given a set of rights, order may be possible. But how do we get these rights, or more importantly, how do we persuade people to respect the

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<sup>7</sup> Peter Richerson and Robert Boyd, "The Evolution of Human Ultrasociality" in Irenaus Eibl-Eibesfeldt and Frank Kemp Salter, eds., *Indoctrinability, Ideology, and Warfare: Evolutionary Perspectives*, (New York: Berghahn, 1998): 71–95.

<sup>8</sup> For general discussion, see Jon Elster, *The Cement of Society* (Cambridge: Cambridge University Press, 1989).

<sup>9</sup> Friedrich von Hayek, *The Counter-Revolution of Science* (Indianapolis: Liberty Books, 1979).

rights of others? Self-interest alone is manifestly insufficient, given the individual incentives that exist to engage in the use of force or fraud.<sup>10</sup> Thus the “invisible hand” fails to provide a non-regressive answer to the problem of order, and so the question returns: what is the glue that makes a society hang together?

The answer that acquired increasing popularity in the early 20<sup>th</sup> century takes as its point of departure the observation that a key component of the orderliness of social interactions is our willingness to abide by a set of shared rules of conduct, even in cases where these rules impose some personal sacrifice or hardship. The question then is how a society can succeed in motivating people to act in a way that is contrary to their narrow self-interest. If everyone sat down and did a cost-benefit analysis before deciding whether to pursue a life of crime, the consequence would be a breakdown in social order. The actual rates of apprehension and punishment are simply too low to serve as an effective deterrent. What we rely upon, as a society, is simply the willingness of the vast majority of the population to “play along” with the rules, regardless of the fact that each could derive some personal benefit from crime or deviance.

So how do we explain the voluntary dimension of social order? The key theoretical breakthrough arose from the suggestion that the system of external sanctions need not provide full deterrence, simply because the vast majority of individuals will have *already internalized these sanctions through a process of socialization*. To understand social order, according to this view, one need only look at the process through which children are transformed into adults. Of course, socialization is not simply a matter of conditioning. Unlike Pavlov’s dog, the dispositions that children acquire through socialization tend to be extremely generalized, and symbolically structured. Thus it was concluded that what people acquire through early-childhood socialization

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<sup>10</sup> Michael Taylor, *The Possibility of Cooperation* (Cambridge: Cambridge University Press, 1987).

is not a set of conditioned responses, but rather a *personality structure* that gives them a stake in the preservation and reproduction of a certain social order. They are willing to respect this order, and even to defend it at great personal cost, because some element of their personal identity is tied up with its stability.

One can find early versions of this theory implicit in the work of both Sigmund Freud, among psychologists, and Emile Durkheim, among sociologists. But the great synthesis of the two traditions was achieved in the early 20<sup>th</sup> century by the American sociologist Talcott Parsons.<sup>11</sup> It was Parsons who began to use the term *value* to describe elements of the personality structure that are, on the one hand, essential to the agent's personal identity, but on the other hand, functional for the reproduction of social institutions. In Parsons's view, each social institution is associated with some set of values. Social integration is achieved when agents internalize these values, since it is this process of internalization that gives them the incentive to fulfill the obligations that the institution imposes upon them. Thus a culture, in Parsons's view, is essentially a set of shared values. These shared values are reproduced over generations by becoming, in Parsons's classic phrase, "institutionalized in society and internalized in personality."

### **The Myth of Shared Values**

The implications of this theory of social integration for our understanding of the political realm are quite immediate. According to this view, the "glue" that holds together a social order is a set of shared values, transmitted through a shared culture. This suggests that the division of the

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<sup>11</sup> Talcott Parsons, *The Structure of Social Action*, (New York: McGraw Hill, 1937), also Talcott Parsons, *Social Structure and Personality* (New York: Free Press, 1964).

world into separate political units reflects differences in the core set of values shared within different population groups. Thus what holds Canada together as a nation-state (again, according to this view) is the fact that its citizens share a certain set of values. This is what motivates, among other things, respect for the law of the land. Yet the reason that Canada is an independent and distinct nation-state is that the values shared by its citizens differ in essential respects from the values shared by citizens of other nation-states. This is why political integration (into a set of shared institutions and laws) extends up to the national level, but not further. The picture, roughly, is one of a world where different groups of people have different values, and so create their own nation-states in order to protect and promote those values.

One can see this theory playing a powerful role in the way that Canadians think about questions of national unity. For example, in the eternal quest for the Canadian identity, there is a widespread assumption that the discovery of such an identity depends upon the identification of some set of uniquely Canadian values.<sup>12</sup> The background thought is that, in order to justify our existence as a nation separate from the United States, it is essential that our values be somehow different from theirs. Shared values are what make us cohesive as a group, but they are also what provide the rationale for our political sovereignty. We as Canadians need our own state, it is argued, because we have our own distinct set of values. If we didn't, then there would be no reason to maintain our political independence, we could just as well join the United States.<sup>13</sup>

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<sup>12</sup> See Government of Canada, *Shared Values: The Canadian Identity* (Ottawa: Supply and Services, 1991). See also, the "Spicer report," *Citizen's Forum on Canada's Future* (Ottawa: Supply and Services Canada, 1991): CP32-57/1991.

<sup>13</sup> With respect to free trade, for instance, Rick Salutin wrote: "Culture is not about culture, or literature, or art; it is about the way a people lives, in social and national groupings. What is the point of being a writer or artist in Canada, when Canada is no longer distinctive and in control of its destiny? The fight was never to save Canadian culture; it could only be to save Canada," in *If You Love This Country*, p. 209.

It should be noted that this line of reasoning is not one that is confined to Canadian nationalists. The myth of shared values dominates the sovereignty movement in Quebec as well.<sup>14</sup> Among sovereignists the suggestion is that, because Canadians as a group lack shared values, it is not a “real” nation and therefore has no claim to the allegiance of its members. For example, former Quebec Premier Bernard Landry cited the strong opposition to the American attack on Iraq in his province as evidence that the values of Quebecers were fundamentally different from those of other Canadians. This was proof, he suggested, that we are two different nations, and should therefore become two independent states. Here Landry was repeating the same view that generations of Canadian nationalists have advanced: that nations are defined by shared values, that the state exists to promote these values, and that the absence of shared values creates a barrier to political integration. His disagreement with Canadian nationalists was simply empirical: he claimed that we have two sets of shared values, rather than just one.

The underlying theory, however, is not without its difficulties. The most basic problem is that in liberal-democratic societies like Canada or the U.S. people do not actually share values, under any plausible definition of the term.<sup>15</sup> As a result, the only way to find “shared values” in a population is to define the values at an extraordinarily high level of abstraction. However, once this is done, then the values are so general that they turn out to be shared by pretty much every citizens of every liberal democracy.<sup>16</sup> As a result, one can no longer use adherence to these

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<sup>14</sup> This is largely due to the influence of sociologist Fernand Dumont. For an overview of the debate that this has engendered, especially as the development of multiculturalism has made shared-values talk more problematic, see Geneviève Mathieu, *Qui est Québécois?* (Montréal: VLB Éditeur, 2001).

<sup>15</sup> Michael Mann, “The Social Cohesion of Liberal Democracy,” *American Sociological Review*, 35, (1970): 423-439. What typically get referred to as “shared values” are in fact merely redescriptions of liberal principles – principles that are in fact neutral with respect to various conflicting values. One can see this very clearly in the Spicer Report. For more extensive discussion, see Joseph Heath, *The Myth of Shared Value in Canada* (Ottawa: Canadian Centre for Management Development, 2003) SC91-4/2003, pp. 19-24.

<sup>16</sup> See Michael Ignatieff, “Postscript,” in Rudyard Griffiths, ed. *Great Questions of Canada* (Toronto: Stoddart, 2000).

values to explain why people form particular national or political communities, or why some social groups are better integrated than others. To take just one obvious example, any value sufficiently general to be shared by *all* Canadians will inevitably be shared by all Americans as well.

In fact, what one typically finds in any pluralistic society is a distribution of attitudes, with many people holding views that are completely antagonistic to one another, and a mean found somewhere between these extremes. The type of differences one finds between national groups (so often touted as differences in “values” by influential analysts like Michael Adams<sup>17</sup>) are not really fundamental disagreements so much as differences in where the mean is located. For any given “value” held by a subpopulation of Americans, one can easily find a subpopulation of Canadians that adheres to the exact same value, it’s just that the Canadian group may constitute a different percentage of the larger population than the American one. It is misleading, therefore, to describe the difference as one between “fire” and “ice,” when in fact it is more like the difference between 10° and 14° water. In any case, the difference that one finds *between* national groups with respect to the mean typically pales in comparison to the variance that one finds around the mean *within* national groups.

Even if one takes this qualification into account, it should also be noted that processes of social change that generate increased convergence in the ‘values’ subscribed to by different population groups do not necessarily generate increased social integration. This is especially obvious in the case of Canada. If it made sense to talk about shared values, then one would have to say that there were significant value differences between Quebec and the rest of Canada prior

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<sup>17</sup> See Michael Adams, *Fire and Ice* (Toronto: Penguin, 2003).

to the Quiet Revolution. Even setting aside the role the Catholic Church, it would not be unreasonable to say that liberal values had a much more tenuous hold in the public culture of Quebec at the time than they did elsewhere in Canada. In this context, the Quiet Revolution was essentially a modernization process. As a result, Quebec and the rest of Canada now resemble each other much more than they did 50 years ago.

Yet if the theory of shared values were correct, one would expect this convergence to have increased the level of social integration. Its consequences, as we all know, have been quite the opposite.<sup>18</sup> The Quiet Revolution spawned several decades of crisis, a brief bout of domestic political violence, and a credible, longstanding secessionist threat to the political order. Thus increasingly shared values, far from promoting integration, seem to have had the opposite effect. Canada and Quebec are hardly an exception in this respect. Modernization processes throughout the world have had a tendency to generate nationalism (to the extent that some theorists, like Stéphane Dion, have suggested that it is precisely the convergence in values that generates the threat to identity, and thus provokes the nationalist backlash, as people strive to hold on to the few things that still make them unique in an increasingly homogenous world).<sup>19</sup>

The general problem with the “shared values” theory is that it assigns much too great a role to culture. It suggests that the sort of abstract commitments people express when they respond to pollsters, and which have come to be known as “values,” are powerful determinants of social and political behaviour. Evidence for this hypothesis, however, ranges from slim to non-existent. As a result, it is deeply implausible to suggest that social institutions are merely the “expression” of such values. Furthermore, it simply does not follow that a group of people who

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<sup>18</sup> See Will Kymlicka, *Politics in the Vernacular* (Oxford: Oxford University Press, 2001), pp. 261-262.

<sup>19</sup> Stéphane Dion, “Le nationalisme dans la convergence culturelle: le Québec contemporain et le paradoxe de Tocqueville,” in Raymond Hudon and Réjean Pelletier, eds. *L’engagement intellectuel : Mélange en l’honneur de Léon Dion*, (Québec: Presses de l’Université Laval, 1991).

share some set of values should also share the same set of political institutions. Typically, people who genuinely share values form voluntary associations – like churches, clubs, or perhaps charter schools – in order to promote those values, they do not seek political sovereignty.

The rather hypertrophied concern exhibited in some quarters about the independence of Canadian culture – expressed most often as a fear that American dominance of television, movies, and so forth, will lead to the gradual assimilation of Canada – is often motivated by the “myth of shared values,” along with the view that cultural production is the carrier stratum for these values. Once we all share a homogenous North American culture, it is reasoned, what grounds could there be for maintaining our own independent political institutions? In the conclusion of *Silent Surrender*, for instance, Levitt wrote: “In English Canada there exists the possibility that the cultural integration into continental American life has proceeded to the point where Canada no longer is a meaningful national community... Only the emergence of a new value system within English Canada can ensure the continued existence of a nation here.”<sup>20</sup>

Yet empirically, things turn out to be not quite so simple. Shared culture simply does not translate directly into increased political integration – consider the case of Norway and Denmark. Thus there is no reason to expect that Americanization of the culture or the values held by Canadians should lead to increased political integration with the United States. On the contrary, increased cultural convergence between Canada and the United States could just as easily give rise to increased nationalism, in the same way that has between Quebec and the rest of Canada. It is not merely that the “narcissism of minor differences”<sup>21</sup> can be a powerful force for collective

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<sup>20</sup> Levitt, *Silent Surrender*, p. 153.

<sup>21</sup> See Michael Ignatieff, *The Warrior's Honor* (Toronto: Penguin, 1998).

identity, it is also that differences in culture and value are not necessarily the differences that *matter* when it comes to determining the destiny of nations.

### **Economic Determinism**

If proponents of the myth of shared values assign too great a role to culture, others have made to opposite error of assuming that culture is just window-dressing, and that what really drives people is their self-interest. According to this view, it is economic interests, first and foremost, that determine the configuration of social and political institutions. The economy therefore provides the explanatory “base” for a theory of social order, since our positions in the economy define our essential interests. Social and political institutions develop as a “superstructure,” the characteristics of which are essentially imposed by the underlying economic order. This is often accompanied by a sceptical attitude toward talk of “values,” along with a tendency to regard these sorts of differences are merely rationalizations of different interest positions.

Of course, what we are dealing with here is nothing other than the familiar theory of historical materialism, which formed the bedrock of Marxist historicism in the 20<sup>th</sup> century. However, in an ironic twist of intellectual history, the view seems to have migrated from the Left over to the Right, so that it now forms the cornerstone of most right-wing thinking about globalization and economic integration.<sup>22</sup> The central claim is that economic integration will necessarily generate increased social and political integration. Margaret Thatcher helped to make this view influential in England (one can see the role that it played in her thinking about Hong

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<sup>22</sup> This observation has been made most influentially by Larry Seidentop, *Democracy in Europe* (London: Penguin, 2000).

Kong in particular – the decision to negotiate for protection of property rights, while essentially ignoring questions of governance – and the European Union more generally).<sup>23</sup>

Proponents of this theory typically assume that the market economy is the social institution that does all the heavy lifting when it comes to securing social integration. The state, according to this view, is primarily a vehicle for “rent-seeking” behaviour among economic actors.<sup>24</sup> Trade barriers, subsidies, and other forms of protectionist legislation are all just different mechanisms for extracting economic rent. Thus once markets are integrated through binding international agreements, the attractions of having one’s own state are significantly diminished. At this point, the best way to extract economic rent is to influence the behaviour of the trade bloc. Thus market integration tends to generate political integration, because it shifts the primary locus of “political” activity from the national to the supranational level.

According to this economic view, tender-minded romantics who want to hold on to the distinctive character of Canadian political institutions are simply fighting against the inevitable movement of history; they might as well surrender to the forces of “progress” sooner rather than later. Shared economic interests, along with the north-south realignment of North American trade promoted by NAFTA, have eliminated both the motivation and the need for distinct political institutions in Canada. (Or in the more pessimistic version, economic integration has involved such an extensive abdication of Canadian sovereignty that there is no longer any point carry on with the illusion of Canadian independence.)

There are a number of things wrong with this line of thinking, some of them more obvious than others. Anyone familiar with the fate of Marxism knows how foolish it is to derive

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<sup>23</sup> Seidentop, *Democracy in Europe*, p. 70.

<sup>24</sup> See Gordon Tullock, *Private Wants, Public Means* (New York: Basic Books, 1970), or Anthony Downs, *An Economic Theory of Democracy* (New York: Harper & Row, 1957).

claims about the overall movement of history from the study of economics, much less to base social policy prescriptions upon such prognostications. If a concrete example is required, one need look no further than the European Union. There was a widely shared hope that increased economic integration in the European community would automatically lead to the emergence of a shared European identity, a common foreign policy, etc. Not only did this outcome fail to materialize, there has even been some tendency toward increased regional particularism (most notably in Scotland, Brittany, and Catalonia). The failure of economic integration to secure greater social and political unity is one of the major reasons that the partisans of a united Europe have invested such energy in their constitution-building process.

In the North American context, Richard Gwyn has suggested that NAFTA may well serve as a *barrier* to the increased political integration, rather than a catalyst.<sup>25</sup> Through free trade, the United States has obtained the one major thing that it wants from Canada, viz. access to Canadian markets and resources. This leaves Canada with very little to offer the United States, as an enticement to join a more extensive political union (other than, perhaps, some movement on security issues – concessions that we appear willing to make unilaterally regardless). Thus the “paradoxical consequence” of the free trade agreement is that it may have removed from the table, once and for all, the option of Canada being absorbed politically into the United States. Most Americans simply would not want Canada, under any reasonable set of conditions: “too many additional northerners, far too many extra Democrats.”<sup>26</sup>

The other major problem with the sort of economic determinism that predicts the “inevitability” of continental integration is that it rests upon a misunderstanding of the relevant

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<sup>25</sup> Richard Gwyn, *Nationalism Without Walls* (Toronto: McClelland & Stewart, 1995), p. 64.

<sup>26</sup> Gwyn, *Nationalism Without Walls*, p. 64.

economic forces.<sup>27</sup> Contrary to much of the rhetoric surrounding globalization, international trade is not something that nation-states are *forced* to engage in. On the contrary, trade occurs only where there is the potential for mutually beneficial exchange. The potential for mutual benefit, in turn, arises only where there are significant *differences* between nations. Two nations with approximately the same resources, technology, expertise, education levels, and consumer preferences, could derive almost no benefit from trade. The gains from trade arise out of complementarities that exist with respect to these endowments, and such complementarities occur only where there are differences. This is, of course, the point that David Ricardo made long ago about comparative advantage. Yet all of the talk about increased global competitiveness has tended to obscure the underlying economic logic. Fundamentally, trade is about comparative advantage, not competitive advantage.<sup>28</sup>

What does this mean in practice? It means that the way for Canada to get the most out of its international trade relations is by striving to be as different as possible from its major trading partners. We gain by creating complementarities, not rivalries. Thus free trade enthusiasts in Canada gets things exactly backwards when they claim that we must increase our international competitiveness by *imitating* our neighbour to the South (e.g. by lowering taxes, or eroding labour-protection standards). Free trade opponents are equally mistaken when they claim that increased continental integration will necessarily have a levelling influence upon the Canadian welfare state, or create a race to the bottom in environmental standards. Again, as the experience of the European Union shows, there is no reason that states with a wide range of different institutional arrangements cannot happily coexist in relations of economic interdependence.

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<sup>27</sup> Not to mention an *overestimation* of these forces. See John F. Helliwell and John McCallum, "National Borders Still Matter for Trade," *Policy Options* (July/August, 1995); also John F. Helliwell, *Globalization and Well-Being* (Vancouver: University of British Columbia Press, 2002).

<sup>28</sup> See Paul Krugman, "Competitiveness: A Dangerous Obsession," *Foreign Affairs*, 73:2 (2001): 28-44.

## **Institutions**

One way of specifying the problems with these two theoretical approaches is to say that they both assign insufficient weight to the role of institutions, which specify the *rules* under which our interactions are conducted. Social institutions are not merely expressions of our values. In many cases, our institutions are structured by rules whose precise function is to provide the basis for mutually advantageous cooperation in the *absence* of shared values. The principle of majority rule, for example, exercises its greatest appeal in pluralistic societies, where it is impossible to obtain consensus on fundamental political questions. The principle of freedom of expression is of value only to people who fundamentally disagree with one another about what is true. It is misleading to identify these rules with some set of abstract values, because the force of the rules stems from their ability to secure cooperation in the face of intractable conflict over values. Thus institutions do not merely reflect shared values, or some set of economic interests, they constitute a *sui generis* level of social organization.

The most important feature of social institutions is that they put into place the systems of reciprocity required for mutually advantageous cooperation over time. It is the existence of long-standing ties of cooperation that is essential to building collective solidarity, shared history, and ultimately a common political identity, over time. When looked at from this perspective, the prospects for North American integration look exceedingly slim (especially when compared to the case of European integration, which appears to have stalled despite the existence of far more propitious circumstances). To see this, one only need consider the role that a *constitution* plays in a political order.

The highest articulation of these shared rules of conduct of a society is to be found in the constitutions and rights schedules that the majority of democratic nations have adopted. It is therefore no surprise to find political identity coalescing around the principles entrenched in such documents, especially in culturally plural societies. The “charter patriotism” that has become an increasingly important force in Canadian public life is just one version of what Europeans call “constitutional patriotism” (and which many Euro-enthusiasts have been trying to cultivate for over a decade). Building this more modern form of shared identity – modern because it is compatible with the conditions of cultural and linguistic pluralism – has been the primary impetus for the development of a European constitution. This is why the French “no” vote was an enormous set-back, not just to the specific set of constitutional proposals that were voted on, but to the entire project of constructing a larger European political identity. It may indeed have tipped the European Union once and for all in the direction of being merely a free-trade zone, rather than a platform for the development of a “United States of Europe.”

Constitutions are also important because they symbolize the willingness on the part of individuals to have their relations with one another governed by the rule of law. (This is why many people find secessionist movements within liberal states inherently suspicious – because they are based upon the desire on the part of one ethnic, linguistic, or religious group to advance their interests outside the framework of a shared rule of law.) To be politically sovereign, on the other hand, is to acknowledge no higher legal constraints upon one’s actions, other than those that one chooses to accept. Thus political integration necessarily requires a loss of sovereignty, which typically states are only willing to accept under conditions of reciprocity. This reciprocity

is embodied in the emergence of a shared legal framework – ideally, a constitution – that articulates the rights and responsibilities of members.

So what are the implications of this for North American integration? It seems to me that if we factor out the two mistaken theories – and therefore set aside both the concern about creeping assimilation through American dominance of the culture industries, along with the idea that impersonal economic forces are going to impose integration upon us – there is very little reason to expect increased social integration in the North American context, or the emergence of a shared political identity. This is because the United States is one of the nations in the world most virulently opposed to the emergence of any supranational legal structures. This has been widely remarked upon in international affairs, but its implications for North American integration are just as important. There is simply no partner there for Canada to engage with, should there for some reason emerge within this country a desire to seek closer political union.

Furthermore, it is not clear that the American political system is even structurally capable of generating the sort of process that would be required to secure closer institutional integration with its neighbours. Setting aside American opposition to the International Criminal Court, where there is at least some plausible grounds for opposition, it is worth noting that the United States has not ratified even such anodyne agreements as the United Nations Convention on the Rights of the Child or the Convention on the Elimination of All Forms of Discrimination against Women (the latter was even ratified by Afghanistan, subsequent to its becoming an American client state). Furthermore, even when there is an international treaty or convention in place, the combination of a weak legislative branch and the absence of party discipline means that the American political system generates a relatively steady stream of frankly aberrant decisions,

often in violation of these commitments. Canadians are acutely aware, for example, that the ratification of NAFTA has not prevented the adoption of the occasional piece of protectionist legislation. This serves not only as a constant source of irritation to its neighbours, but also injects an element of risk into the development of any long-term cooperation with the United States.

American opposition to these various international treaties is usually based upon a jealous rejection of anything that even appears to encroach upon national sovereignty. This stems from a number of very deep-seated features of American political culture, including the peculiarity of American attitudes toward their own constitution, and the even more long-standing tradition of moral exceptionalism. Yet if the United States reacts with intense hostility even to such far-fetched threats to its sovereignty, imagine the reaction to any proposed form of North American integration that would generate genuine curtailment of its powers. For example, in order to make the euro currency zone work, European states have all had to accept certain constraints on their fiscal policy (in particular, limitations on the size of admissible deficits). Yet such an arrangement would be an absolute non-starter in North America, simply because the United States would never even contemplate it. This means that unless Canada wants to unilaterally surrender all control over monetary policy, even such modest forms of economic integration are highly unlikely to emerge.

The examples could be multiplied. After Sept. 11, 2001, it was often suggested that Canada would have no choice but to join the United States in forming a North American security perimeter. Yet those who advanced such claims ignored the fact that, setting aside the rather abstract concern about terrorists entering the United States through Canada, Canadians have far

more concrete security concerns about handguns entering the country from the United States – an issue that because *politically* quite important during the 2006 federal election. The proliferation of guns south of the border in fact places serious constraints on Canada’s ability to relax its border controls, and thus to “integrate” with the United States in this regard. Yet it is inconceivable that the United States would ever contemplate negotiations on this issue, or treat it as a legitimate security concern on the part of Canadians. In this context, it is worth recalling that the United States was the only nation in the world that opposed the 2001 United Nations Agreement to Curb the International Flow of Illicit Small Arms, again, because of the hypothetical threat to its sovereignty. In this context, the thought that the United States might be willing to enter into a real, binding agreement to control the proliferation of guns outside its borders is otherworldly.

To summarize: integration is impossible without cooperation, and cooperation is impossible without binding institutions, and in long run, without shared law. Yet the possibility of any significant legal integration between Canada and the United States is slim to non-existent. The various scenarios that are in circulation all rely upon indirect mechanisms, such as cultural assimilation or economic integration, to achieve this result. Yet neither of these two forces is sufficiently determinative, separately or jointly. Thus barring a unilateral abdication of sovereignty on the part of Canada, a gesture that would be unprecedented in the history of human political affairs, there is simply no basis for the development of close political integration between the two countries. What seems more likely is simply that the future will resemble the past – that the two countries will remain close allies and major trading partners, yet retain very distinct political institutions and identities. Furthermore, there is no reason to think that the

overwhelming majority of citizens in both countries will not remain happy with things as they are.