

diminished by the unauthorized activities that might be detected by the surveillance of our territories and coastlines. However, a neglect of basic "policing" functions would only stand as an invitation for others to utilize Canadian territory in their interests, wherever and whenever possible. The temptation would be there for friend and foe alike. As noted by Alex Morrison, Executive Director of the Canadian Institute for Strategic Studies, "...it is our allies who at this very time are abusing the national interests of Canada in the area of the fisheries. To rely on our allies is to be sure that they will in the first instance act in their own best interests, as do all states..."⁽¹²⁾

Insofar as our laws must be both administered and enforced, the question which arises is what role should be undertaken by the Canadian Armed Forces in this regard. The administrative function, barring an emergency situation, is a civil one whereas enforcement could require military assistance.

While some may be inclined to argue that, given the easing of East-West tensions, the military could perhaps be effectively employed in a law enforcement capacity, especially in regard to matters such as illegal fishing and drug smuggling, there are those who counsel caution. Law enforcement, it is argued, is a civil responsibility and when defining new roles for our military, "...there should be no assumption that, if military security requirements are deemed to be diminishing, that the military should therefore become extensively involved in civilian law enforcement." As Mr. Ernie Regehr, of Project Ploughshares, went on to argue:

When Canadian laws are violated, it is not a challenge to sovereignty — rather it is a challenge to law and order within Canada... If people are fishing in violation of Canadian law, if drugs are being transported contrary to Canadian law, if toxic wastes are being dumped illegally, that is not a question of threatened or fragile sovereignty — that is a question of the administration of justice.⁽¹³⁾

The caution is not meant to suggest that the military does not have a legitimate role to play in providing assistance to the civil authority. It does, however, remind us that a society based upon civil liberty needs to maintain clearly the primacy of civilian authority.

D. The Arctic

When dealing with questions of sovereignty, the attention of Canadians is immediately focused on the Arctic. Because the area is "...scarcely populated and largely undeveloped, many Canadians appear to believe that Canada's sovereignty is fragile, not well founded, and thus threatened. Any foreign presence is, at best, regarded as suspect or, at worst, as a

(12) Written presentation to the SCONDVA by Alex Morrison, Executive Director, Canadian Institute for Strategic Studies, 25 January 1990, p. 6.

(13) Proceedings, 16:9.