Strategic Analysis of the Appointment Requirements for the Minister of National Defence: Should he wear the uniform as well?

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November 4, 2015 marked the day that Canadian Armed Forces veteran, Harjit Singh Sajjan, was sworn in as Minister of National Defence. The Canadian population applauded the appointment made by Justin Trudeau because it appeared natural to have a Minister of National Defence who had previously worn the Canadian Armed Forces uniform. The support was an unexplained phenomenon; for some reason, the Canadian public was excited, curious and confident in the ministry’s new leader because of his close ties to the department. Though many veterans have held the position of Minister of National Defence, it has never been a requirement to be a veteran to hold the position. Many scholars believe that a Minister of National Defence who has prior military experience is more of an asset in this role. Despite this belief, there remains no military prerequisites for the Minister of National Defence position. This paper will analyze the role of the Minister of National Defence and discuss why having a member of parliament who is also a veteran is not a practical policy to continue implementing in future governments.

**History**

Dating back to the World Wars, the appointment which is currently known as the Minister of National Defence was referred to as the Minister of Militia and Defence (Canada). This Minister was responsible for volunteer army units in addition to the Canadian Militia. However, the Minister was not responsible for the British Army which was also stationed in Canada at the time. There was also a short period from 1906 to 1923 when the Minister was also in command of the Department of Militia and Defence (Canada). In this position, the Minister was responsible for making large decisions regarding the movements of troops, in addition to overseeing the defence of Canada. Come 1923, the position merged with the Minister of the Naval Service and the Minister of Aviation to form the new role of Minister of National Defence. Under its first
title, Minister of Militia and Defence (Canada), five Ministers had previous military experience before holding this position.\textsuperscript{v} Thus, only 20 percent of the Ministers who served this position also served their country in uniform. Under the new title of Minister of National Defence, 13 of the 42 Ministers have served their country in the Canadian Armed Forces.\textsuperscript{vi} Therefore, just under 31 percent of Ministers have worn the shoes of the men they command every day. However, never in the history of either position has there been a military service requirement.

**Role**

The primary role of the Minister of National Defence has always been to ensure the defence of Canada, despite the name having previously not eluded to such a role. Even with the evolution of threats and the advancement of weapon systems, the primary objective has always been to keep the Canadian people and the country safe and protected from both internal and external threats. As the role currently stands, the Minister is responsible for the Defence Portfolio, which consists of multiple branches, including the Judge Advocate General as well as the Defence Team. That Defence Team consists of the Canadian Armed Forces and the Department of National Defence. More specifically, in the mandate letter addressed to the current Minister of National Defence, Harjit Singh Sajjan, the Right Honourable Justin Trudeau specifically requested that he make it his goal “to ensure that the Canadian Armed Forces are equipped and prepared, if called upon, to protect Canadian sovereignty, defend North America, provide disaster relief, conduct search and rescue, support United Nations peace operations, and contribute to the security of our allies and to allied and coalition operations abroad”.\textsuperscript{vii} This goal will not be achieved unless the Minister of National Defence practices a degree of collaboration with other departments and their Ministers to ensure that it is a collective effort to defend Canada and all the other points addressed in the
mandate letter. For instance, the Minister of National Defence often works closely with the Minister of Finance to “maintain National Defence spending levels, including planned increases”. This collaboration facilitates a healthy relationship between departments which ensures the Canadian Armed Forces and the Department of National Defence, have the resources they require to achieve the tasks demanded of them. In this case, if the Minister of National Defence fails to advocate appropriately for the Canadian Armed Forces and the other branches under his command, it is the troops on the ground that feel the effects.

**Appointment Requirements**

The only requirement to become the Minister of National Defence is that the individual is a current serving Member of Parliament. Traditionally, the Prime Minister appoints a Member of Parliament who is familiar with security issues or at the very least familiar with a Minister position. This is due to the fact that the Minister of National Defence is in a position where his or her actions can jeopardize the security of Canada in an instant. There has been much debate surrounding the issue of having a Minister of National Defence who could be someone with no military experience or knowledge of defence or security. At a minimum, the Member of Parliament who holds this position should be aware of what it feels like to defend Canada from the front line before he or she orders people to do the same.

**Going to War**

Currently in the House of Commons there are 18 of 334 Members of Parliament who are veterans of the CAF or other allied forces. That means just over five percent of the voting Members of the House have worn the uniform. Yet, when it comes time to debate the deployment of military troops to support another nation, all Members of Parliament have something to add to
the conversation. In the House of Commons, the focus of debate has traditionally been “on the ability of Canada and the [Canadian] Armed Forces – given the current environment of limited human, material and financial resources – to take on new commitments”.

Thus, a majority of the questions revolve around “whether the Canadian Armed Forces should be deployed if/when they [do] not have the proper resources to do the job safety”.

**Legal and Procedural Requirements**

Under sections 15 and 19 of *Constitution Act, 1867*, command of the Canadian Armed Forces is “vested in the Queen and exercised in her name by the federal Cabinet acting under the leadership of the Prime Minister”. Therefore, the federal Cabinet can make decisions to commit the Canadian Armed Forces to international commitments without the approval or even the consultation of the Parliament. There is only an indirect role that Parliament plays when it comes to the Canadian Armed Forces, like “withholding funds and by retaining or withdrawing confidence in the government of the day”.

Thus, when a deployment is tabled in the House of Commons, the discussion typically stems around issues of readiness and support of the Canadian Armed Forces and less on whether or not the Canadian Armed Forces should deploy. This point amplifies the tradition that is rooted in Canadian foreign policy that Parliament should decide to commit Canadian Armed Forces to active service overseas. There is no legal role of the Canadian Parliament in approving participation in military operations. However, a recent trend has suggested an increase in the frequency of parliamentary debate on deployments. This increase in discussion is not harmful to the decision-making process, but rather it allows for a discussion of the different views of Canadians. In the end, despite the opposition’s debate against a deployment, the ruling government is still able to deploy troops without the approval of Parliament.
Section 32 of the *National Defence Act*, only “requires that Parliament (unless it is dissolved at the time) be sitting whenever any element of the Canadian [Armed] Forces is placed on ‘active’ service by the Governor in Council, or within ten days thereafter”. Active service can be applied by the Governor in Council “when it appears advisable to do so by reason of emergency, for the defence of Canada; (b) in consequence of any action undertaken by Canada under the United Nations Charter; (c) in consequence of any action undertaken by Canada under the North Atlantic Treaty, the North American Aerospace Defence Command Agreement or any other similar instrument to which Canada is a party”. The *National Defence Act* reinforces the Cabinet’s accountability to Parliament because it demands that parliamentarians, more specifically Members of Parliament, are accessible to question and hold the government to account when these issues arise. There are loopholes which exists in this because the Cabinet has issued what are known as ‘blanket’ active service orders which prevent the House of Commons from having to sit for certain instances like NATO commitments. They employ these blanket active service orders because since 1950 the Canadian Armed Forces have been on active service with the goal of furthering NATO commitments. Therefore, the “Cabinet has adopted the practice of issuing specific active service orders for major UN deployments”.

On top of the legal restrictions on Canadian parliamentarians, much of the agenda is outside of Canada’s control. When a decision is made to commit troops to alliances such as NATO or to multilateral institutions, essentially Canada has “written off its right to act independently and has become just another ‘troop contributing nation’ participating under a common policy adopted by the UN”. Thus, parliamentarians are excluded from the organizational process where details pertaining to the operation are discussed. Secondly, the calendar of Parliament is another constraint which restricts the government’s ability to engage effectively with Parliament before making a decision.
decision. xxi Since Members of Parliament do not sit in the House of Commons on a daily basis, it becomes difficult to arrange an educated debate on issues that require immediate action. There is also the issue that Members of Parliament often travel back to their ridings which for some are thousands of kilometers away and require many hours on planes to reach. When there is a pressing issue in regards to national defence, it is unrealistic to call the House back to session to debate the situation at hand. Instead, Canada relies on the “ministers in cabinet, or, more properly, their officials” to “deal with the unpredictable rhythms of world politics”. xxii

Analysis

Question

In the current political atmosphere there has been discussions about Canada potentially deploying on multiple peace keeping operations overseas in the coming years. xxiii This begs the question as to whether or not having a military veteran serving in the position of Minister of National Defence will benefit the Canadian Armed Forces?

Biography of Harjit Singh Sajjan

The Honourable Harjit Singh Sajjan previously served in both the Canadian Armed Forces and the Vancouver Police Force before focusing on politics. xxiv He wore the uniform for over a decade and served in multiple operational theatres including several tours in Afghanistan and a tour in Bosnia- Herzegovina. xxv Now armed with a pen and paper, the Minister of National Defence is responsible to serve Canadians by managing all matters pertaining to the national defence of Canada. Sajjan retired at the rank of Lieutenant Colonel and was incumbent of a position that would have him face an array of project management and operational design, both at home and abroad. He has been described by Brigadier-General David Fraser as being the “best single
Canadian intelligence asset in theatre”. Fraser further complimented his hard work, personal bravery and dogged determination as being responsible for saving multiple coalition lives. 

Unfortunately during his time deployed, Sajjan did lose four men under his command. Although he has not officially released a statement regarding the effects of these deaths on his decisions as the Minister of National Defence, in a private conservation on October 22, 2017, it was tabled that the deaths these soldiers are always in his heart and mind. With every decision he makes today to send troops to a location which puts their lives in jeopardy, the Minister of National Defence is always certain that it is the right decision because he understands the value of human life and the impact that taking life and loosing life has on an individual and the nation as a whole.

Advantages

In 2007 a survey was conducted by CanWest News Service, it was discovered that very few parliamentarians understood the meaning of military sacrifice in personal terms. This sacrifice is something that the current Minister of National Defence understands all too well with the loss of his comrades in Afghanistan and Bosnia. However, a death in the Canadian Armed Forces is not just mourned solely by the loosing unit. Rather a death is felt across the entire military community regardless of how many people knew the member. A large part of that is due to the fact that military members are part of a larger community regardless of rank, unit, or element. All Canadian Armed Forces members affirm that they will risk their life if called upon to do, thus they are all painfully reminded with the passing of every Canadian Armed Forces member that it could be them in the coffin next. This reality is what forms a strong bond between Canadian Armed Forces members and it can only truly be understood by experiencing it first-hand. Therefore,
results of the survey were not surprising because it is very difficult to sympathize and comprehend the challenges faced by military members on deployments, when one has never served. Ultimately, this survey reflected the disconnect which exists in the House of Commons from the Canadian Armed Forces. Despite having 18 Members of Parliament with military experience, the disconnect still exists. It has already been identified that Members of Parliament have little input and influence when it comes to the deployment of troops, thus their lack of military service is acceptable. However, the same cannot be said for the Minister of National Defence, because he is the head of the Defence Team, a lack of military service means that he would be missing the pride that comes from serving. There is also the fact that the way in which wars or some peacekeeping missions are portrayed in the media is very different then the way it plays out in theatre. This creates various pressures when decisions are required to deploy troops around the world. By showing empathy and sympathy towards the lives of the soldiers, a minister with previous service can make the decision making process harder. Previously being one of those boots on the ground has a large advantage and allows the Canadian population to put their trust in the Minister of National Defence in that he is willing to go to anyplace he sends people’s children.

The social cleavage that exists between Members of Parliament who have served in uniform and those who have not is prevalent when it comes time to debate a potential deployment in the House of Commons. Having a Minister of National Defence who is able to minimize the cleavage is one of the greatest assets which one can provide to the House of Commons. Sajjan currently has this ability because of his dual life he lived before entering the political world. Since Sajjan experienced both civilian and military life, it allows him to see different perspectives on issues of defence. He understands what it is like to take life, how it feels to be responsible for the death of a mother’s son, and how important it is to take issues of defence seriously. While some
Members of Parliament are of the belief that the Canadian Armed Forces should only be employed strictly in a peacekeeping roles, the Minister of National Defence is aware that Canada needs to maintain an international presence and be viewed as an allied force who has the ability to pull the trigger when called to do so.

**Disadvantages**

Although there are many advantages to having minister who understands what it means to serve, there are an equal number of issues which would be required to be addressed before this could become a requirement. The first major issue is that the Prime Minister must choose his/her Minister of National Defence from the Members of Parliament in the House of Commons. However, since the Members of Parliament in the House of Commons are elected by riding, there is no guarantee that a veteran will be elected into the House of Commons. By implementing this requirement to have prior military service for the Minister of National Defence, the same requirement would have to apply to every Member of Parliament to thus ensure that there was a veteran amongst the members of the House. This would then ensure that there is a veteran in the House of Commons to then be selected to be the Minister of National Defence. This is however, very impractical.

The second issue that arises with this implantation of mandatory service is that a veteran may not be the most qualified for the position of Minister of National Defence. Like the current minister, a Member of Parliament might be serving their first term in the House of Commons. MPs have a steep learning curve when they are first elected and taking on additional roles is always daunting. Though it can be argued that military experience trumps political experience, in a
position of this nature it is critical a balance exists. However, at the end of the day, this is a position which belongs to the people and not the military.

The third issue presents if there is only one Member of Parliament in the House of Commons with military experience, but is not part of the ruling government. In this case, is it even practical for the Prime Minister to breech his party lines and appoint an MP of a different political party to satisfy this requirement? No, it is very unlikely that a Prime Minister would choose to bring someone into his cabinet who is not from his party. If this did happen, it would be awkward for this MP to sit in cabinet meeting as the only minister who is not from the parties preferred caucus. It also presents a challenge for the Government when attempting to advance their political agenda. Defence is a highly controversial topic in politics and having a minister who does not align with the government’s opinions would be very challenging and would resist anything opposing his party’s views.

Furthermore, as seen last spring, having a minister who has served in an operational role makes it hard for them to walk the thin line between elected official and soldier with the media. While speaking at a summit for peacekeeping, he suggested he was the mastermind behind the operation which was the topic of discussion⁹⁹. This can create publicity issues for the political party, the federal government and the ministry. For the political party because while having an in-depth knowledge is good for optics, it leads voters to question his ability to remain impartial while in his role and to best reflect the values and interests of Canadians. It creates a problem for the federal government as it causes confusion nationally about how these operations are planned. For the average citizen who does not know the background, it may appear that Sajjan himself is planning these operations from Ottawa and is meddling with defence operations. Last, it creates a
problem for the ministry as it causes dissent between Sajjan and his generals and the deputy minister. This can lead to personal conflict later on when trying to conduct day-to-day and domestic operations; this will be developed further in the next segment. Therefore, while Trudeau spun the positives of having a minister who understands the department from within, it can also create significant problems due to the how he is scrutinized through the media.

The last potential problem would be the conflict of interest between Canada’s top generals and the veteran minister. In Sajjan’s instance, he likely knows the majority of generals who work for him in Ottawa today. However, the relationship which previously existed was opposite to which is present today. This creates a situation where if the minister had personal conflicts with certain generals, there would be personal conflict within the department. Likewise, if there was a favourable relationship between the minister and certain generals, it could create an opportunity where incompetent individuals could get promoted to positions where they are not qualified or suited for.

**Conclusion**

Despite the tempting positive publicity by having a Minister of National Defence who has served, the disadvantages outweigh the advantages. To implement this policy change would take away the right that Canadian citizens have to run for federal office without having prior military service. It also takes away the autonomy from the voting body because they are limited in their selection of candidates. Also, there is already a position within the Ministry which requires active military service and that is the Chief of Defence Staff. The CDS is supposed to serve as an aid to the electoral system by ensuring the information is being interpreted accurately. The intention of this check and balance system is to ensure the Ministry responds appropriately to issues of national
defence and does so in an effective way. Therefore, it can be determined that despite the many benefits, the obstacles are far greater and the current system is well-designed and works well to ensure the military members are well-represented to their elected official.
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A Veteran for Minister of National Defence

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