

2024

Introduction, Awards, and Keynote Address

Michael P. Scharf

Stephen J. Petras

Christopher Sands

David C. Jacobson
false

Follow this and additional works at: <https://scholarlycommons.law.case.edu/cuslj>

 Part of the [Transnational Law Commons](#)

Recommended Citation

Michael P. Scharf, Stephen J. Petras, Christopher Sands, and David C. Jacobson, *Introduction, Awards, and Keynote Address*, 48 Can.-U.S. L.J. 17 (2024)

Available at: <https://scholarlycommons.law.case.edu/cuslj/vol48/iss1/4>

This Speech is brought to you for free and open access by the Student Journals at Case Western Reserve University School of Law Scholarly Commons. It has been accepted for inclusion in Canada-United States Law Journal by an authorized administrator of Case Western Reserve University School of Law Scholarly Commons.

INTRODUCTION, AWARDS, AND KEYNOTE ADDRESS

STEPHEN PETRAS: We're going to officially start the Canada-United States Law Institute annual meeting, our 47th, in 2023, and we're going to ring the Henry King Bell. Welcome everyone. Dean Michael Scharf of Case Western Reserve University School of Law is going to welcome us all here. I'm Steve Petras, I'm the US National Director of the Canada-United States Law Institute (CUSLI). It's a pleasure to have everyone here. We're going to have an outstanding conference. You're going to find it fascinating, and I think you're going to find these remarks very interesting tonight from our very special guests. To welcome us all today is our Dean, Michael Scharf.

MICHAEL SCHARF: All right. Hello everybody, as Steve said, I am Michael Scharf. I'm the co-dean of the law school. I've been privileged for the last ten years to have that position, which comes along with being the co-president of the Canada-US Law Institute, and it has been a wonderful ten years to get to know our board and so many supporters and all of you who have come year after year to these great conferences.

CUSLI plays an incredibly important part in our international law program here at the law school, which is now ranked among the top ten in the nation. Our Jessup International Law moot court team was competing in the international rounds, as was our sister school, Western Ontario. Our team, we're thrilled to report our team had the number one oralist in the world, and the number three brief in the world. This is all part of celebrating international law. And for those of you who don't know, our alumni include Francois-Philippe Champagne, who is the former Minister of Foreign Affairs of Canada. He's currently Minister of Innovation Science and Industry. I'm happy to announce that just two weeks ago, one of our alumni Austin Fragomen gave us \$1 million to support our Immigration Law Clinic, so the program continues to grow.

Tonight, it is my pleasure to welcome you to the 47th Annual Conference, which is titled *Stronger Together: Leadership for New Security & Economic Challenges*. Canada and the United States face significant security challenges. This is the first major conference since the Biden-Trudeau summit a few weeks ago to bring together government officials, distinguished academics, practitioners, and business leaders to examine these challenges, and to discuss the potential pathways for being stronger together in today's volatile world.

This evening we will present the Henry King and Sydney Picker Awards. We are going to hear a dinner speech presented by David Jacobson, the vice-chair of BMO Financial Group and former US Ambassador to Canada. Before we begin, I'd like to take a moment to recognize the organizations and individuals who made this conference possible.

First, I'd like to recognize this year's sponsors. Our platinum sponsor is DLA Piper. Our gold sponsor is Cleveland Cliffs and the Government of Canada through its Consulate General of Canada in Detroit. Our bronze sponsors are Formica

Corporation, Barrington America, Ontario Power Generation, the Government of Quebec through its representative office in Chicago, and the law firm of Taft, Stettinius & Hollister LLP. Our community partners are the Greater Cleveland International Lawyers Group, the Cleveland Council on World Affairs, the Council of the Great Lakes Region, and the Wilson Center through its Canada Institute, and the Northern District Export Council and also the Ohio Aerospace Institute. That's actually more of a variety of sponsors than I think we've ever had. And it's very exciting to have all of you being part of this. But none of this happens without the members of our Executive Committee, who together help us decide what the conference topic will be. They help solicit and obtain these amazing speakers that you'll be seeing tonight and tomorrow.

First, James Peterson, the Canada co-chair of our board and James Blanchard, the USA co-chair. And Erika Chamberlain, the Canadian President, Richard Newcomb, Lawrence Herman, Peter MacKay, Diane Francis, Martha Hall Findlay, Selma Lussenburg, James Graham, Raul Rosado, and Christopher Sands. Finally, the officers of the Institute: Chios Carmody, the Canadian National Director, Steve Petras, the USA National Director, Ted Parran, the Managing Director, Steve Paille, our Program Director, and Eric Siler, the Program Coordinator. One last thing. We have a fun audio-visual treat for you this evening. Our Executive Committee wanted us to create a two-minute video to promote the Institute on our website and with potential funders. Steve, Steven, and Ted drafted a wonderful script. I suggested to them that we should get James Earl Jones or Morgan Freeman to do the voiceover. And they said, Michael, you've got a radio show on NPR, just use your radio voice and we can save a ton of money, which is always a good idea. So, here's the result.

AUDIO-VIDEO PRESENTATION: Founded in 1976, the Canada-United States Law Institute (CUSLI) was the first academic organization designed to explore legal and policy issues affecting the Canada-US relationship. CUSLI is jointly administered by Case Western Reserve University School of Law and the Faculty of Law at the University of Western Ontario. For over forty-five years, CUSLI has supported the mission of addressing law and policy issues confronting the Canada-United States relationship via student and faculty exchange programs, publishing the Canada-United States Law Journal, sponsoring student competitions, promoting bilateral academic inquiry, and serving as a venue for the exchange of ideas. CUSLI is proud to have hosted numerous prestigious academics, government officials, private practitioners, and business leaders at its annual conferences and experts' meetings. CUSLI was the first organization to feature Supreme Court justices from both the United States and Canada at a conference. Other distinguished speakers have included United States and Canadian ambassadors, trade representatives, congressional representatives, and Ministers of Parliament. Our events serve as unparalleled learning and networking opportunities. US President John F. Kennedy once said of the Canada-United States relationship, "Geography has made us neighbors. History has made us friends. Economics has made us partners. And necessity has made us allies." CUSLI was established with the importance of this relationship in mind and will remain committed to furthering it in the years to come.

MICHAEL SCHARF: Yeah, that was a lot of fun. Steve, do you want to say a few other last words? Again, welcome, everybody. Unfortunately, you're going to

have to hear my welcome speech again tomorrow morning—pretty much unchanged. Thank you for putting up with it.

STEPHEN PETRAS: Thank you, Michael. That was an awe-inspiring video. I think maybe everybody needs a moment to relax and calm down from the excitement. What we'll do now is enjoy our dinner. Then we will start our program probably in about fifteen to twenty minutes. So, enjoy your dinner, and we'll be back soon. Thanks.

I hope you had a chance to enjoy your dinner and some conversation. It's a tradition of the Canada-US Law Institute to present two awards each year to specific deserving people. The two awards are the Sidney Picker Award and the Henry King Award. Many of us knew Henry King, who ran this conference for many, many years. Henry was the youngest prosecutor at Nuremberg. He served as the General Counsel of what is now USAID. He then came to Cleveland and was the International Council at TRW. He joined Squire, Sanders and Dempsey, then became a professor at this law school, and got involved in the operations of the Canada-United States Law Institute.

The Henry King Award is presented to a person who has shown consistent dedication to the promotion of this Institute. This year's award goes to Joseph Comartin. Many of you probably know Joe. Joe was the Consul General of Canada in Detroit. Unfortunately, Joe could not be here tonight because he has a prior travel commitment. He expressed his regrets, but during his service as Consul General, Joe was a dedicated supporter of our conference. He always made sure that the Government of Canada was a sponsor of our Institute. He had an amazing career. He was an outstanding lawyer in Windsor, Ontario. He became a Member of Parliament representing his constituency for many years. And then when he retired, he went into public service for the Government of Canada and eventually became the Consul General of Canada in Detroit. In recognition for all that he has done, we present him the Henry King Award. Joe, in your absence, congratulations.

The next award is the Sidney J. Picker Award. Sidney J. Picker was for years the sole international law professor here at Case Law School. In 1976 he founded the Canada-United States Law Institute because he thought that it was important to have an institute dedicated to legal policy government relations issues between our two countries. He was the first to organize a conference. And, as you saw in the video, he got Justices from the two Supreme Courts to attend—the first time ever that Justices of the two countries' Supreme Courts attended a conference together. Sidney was a dedicated member of this institution for many, many years, and he passed away several years ago.

This year's award winner is Peter MacKay. Peter MacKay is a member of our Executive Committee. And many of you probably know Peter MacKay because Peter is a very well-known politician in Canada. He is a member of the Conservative Party and has held various esteemed leadership positions in that party. He practiced law, became a Member of Parliament, and he actually served as the Attorney General of Canada and the Minister of Defense of Canada. Peter is supposed to be here and he thought he would be here. Unfortunately, he had to attend a funeral service today for a dear friend. He could not attend, but he will be here tomorrow. In fact, he is going to be the moderator for our North American security panel. In honor of Peter's tireless

work for this institution, his service, finding us speakers promoting our cause, giving us his sage advice and insights, we present to him the Sidney J. Picker award. Congratulations, Peter.

Now it's time for our keynote presentation. To introduce our speaker, is our own Chris Sands, a member of our Executive Committee. Chris is a recognized expert in Canada-US relations. In fact, he has testified before the US Congress as well as the Canadian Parliament on these issues. He is a professor at Johns Hopkins, Paul H. Nitze School of Advanced International Studies, and he is also the Director of the Canada Institute at the Wilson Center. Chris.

CHRISTOPHER SANDS: Well, thank you very much, Steve. It is a great honor to be able to introduce Ambassador Jacobson to you. I can tell you that Ambassador Jacobson and I have this connection. I teach at Johns Hopkins; I went there for grad school. He was at Johns Hopkins for his undergrad. I studied Canada, he became an ambassador to Canada. I got involved in a law institute with no law degree. He actually has a law degree from Georgetown. In many ways, he's the man I always wanted to be. To give you a sense of his career, he is, as we earlier said, the Vice Chairman of BMO Financial. BMO, for those of you who are not Canadian, is the Bank of Montreal, which owns Harris Bank of Chicago. It has a very significant presence in the United States.

This is a role that he [Ambassador Jacobson] performs extremely well. He was a member of the Woodrow Wilson Center's board, which is presidentially appointed. We are really lucky to have his leadership at the Wilson Center. He remains today a member of the Advisory Board for the Canada Institute. I remember when my predecessor, Laura Dawson, (who has been at many of these meetings and is a really terrific person) chose to move on, one of the first calls I got was from David Jacobson saying, "Would you consider coming over and keeping the Canada Institute going?" I have to say he had me at hello, because if he asked me to do anything, I was pretty much ready to do it.

And to give you a sense of that, I taught for a while at a business school in Bellingham, Washington. Ambassador Jacobson was the U.S. Ambassador in Ottawa at the time. Because I was in Washington State, I was close to the Consul General of the U.S. in Vancouver. I knew some of the people in Vancouver, who represent the United States there.

And I got a call, and the call was "help."

I said, "What do you need?"

"Well, Ambassador Jacobson is coming out to see us. And we've got a big event for him."

And I said, "right."

They said, "well, we're having it at the Simon Fraser University campus in Surrey, BC, which is relatively new and shiny."

And they said, "you know, we didn't realize that they don't do much Canada-US relations in Surrey, and so we don't have a lot of people."

And I said, "okay, fine, I'll get you a crowd."

I went out there. I found out I could rent a bus. Not just a bus, but a motor coach with wi-fi and air conditioning, for four hundred dollars. I rented the bus and the driver for eight hours and advertised on campus: "I'll take any student who wants to

go, but you ‘have to bring to your’ passport.” We went up and we were late because I’m always late. However, we arrived and came into the auditorium like a flood. We filled all the chairs; it was a great event. Of course, Ambassador Jacobson charmed everybody, because I have to say a lot of the kids there were so excited, not just because he was “*the*” David Jacobson. And not just because he was ambassador, but because he was a personal friend of Barack Obama (who was a cool president). This was the highlight of their careers. We heard a great speech, it all went well, and I will never forget what Ambassador Jacobson said to me afterwards. “I know you’re a Republican, so don’t ever do this insta-crowd stuff for any of your Republican friends, ‘okay?’ just for me.” And I’ve kept that rule. I only do big crowds for David Jacobson. David was Barack Obama’s ambassador in Ottawa. He brought forward one of the most—I think Golden Age is too much to say but one of the more—positive periods of cooperation between Canada and the United States.

He has been dedicated to good, strong, Canada-US relations ever since, and I think his presence here, not just because he’s the guest speaker, but because he has been here year-on-year to support our work here in the Canada-US Law Institute. I will remember that when he came some years ago, while he was still ambassador, he was encouraging us to host a meeting to help found the Council of the Great Lakes Region, a group that Steve Petras is still involved in. We gave birth to it here. It was because Ambassador Jacobson saw the value of regional groups to bring people into the Canada-US relationship. This is not a relationship between Washington and Ottawa. Canada-US relations are strong because of the relationships between people who have everyday business across the border. He’s never forgotten that. From the heights of the ambassadorial ranks, from the White House, to working here in the Midwest to make sure that our Canada-US relations are strong, Ambassador Jacobson has an outstanding record. I always listen to what he has to say. With that, I encourage you to listen to what he has to say now. Ambassador Jacobson.

AMBASSADOR JACOBSON: Thank you, Chris. I remember that event at Simon Fraser. I thought all those people were there because I was going to be there, but it was great. It is great to be back here. As Chris said, I have been here several times, but I haven’t been here in a few years. I look around, and I see an awful lot of friends. And it’s great to be back.

When we had the awards that were given out, I was reminded that a few years ago, I got the King Award. And, not unlike Chris’s nice things that he said, a couple of which might have been true, there were all these nice things that were said about me when I got that Award. I remember distinctly what I said when I accepted that award. I said that I was reminded of Larry King when he received a I think it was an Emmy Award. He got up there and they’d said all these wonderful things about him. And he said that’s all well and good, but I’m still bald. And that’s kind of the way I felt then and it’s kind of the way I feel now. I haven’t grown any hair since then.

The other thing I want to say before I get started in my remarks, and this I truly mean, not only do I like coming here, but I think the reason that I like coming here the most is not all the big shots that are here. It’s the students who are here. That means a lot to me, partly because they are our future, and it gives me hope. But we’re here at a law school, and they’re not here to study civil procedure, torts, or contracts,

or something. They're here to learn about policy, and the policy that impacts people on both sides of our border.

There are a whole lot of lawyers in this room, who have had distinguished legal practices. Many of them, I number myself among them, have left and at one point or another have gone to work for the government because they care about policy. The thing that I just am uplifted by when I see all these students is their interest in policy. My hope is that as their legal careers blossom, whether it's in private practice, or going to work for government or in a not-for-profit, that they maintain that interest. I think it's fair to say on behalf of all the people in this room who at one point or another have served in some governmental or public policy way, it's probably the most rewarding thing that we have ever done. I know I can say that about myself, and I really encourage you to keep it up.

With those words, I wanted to talk about three things.

I was motivated as I was thinking about what it was that I wanted to say, by a couple of events that have taken place over the last couple of weeks. The first one was the visit by President Biden to see Prime Minister Trudeau and the second was a conference in Toronto about ten days later, called the Canada-US Summit. Both of those [events] Governor Blanchard and I and Chris Sands were there. Probably, a few others in this room were there. They were great events.

The three things that sort of came out of it that I wanted to talk to you about, the first: a little bit of the behind-the-scenes of a summit meeting between heads of state, in this case, Presidents and Prime Ministers, and kind of what takes place in the room, and how does this all come about. Which is very different from what, at least I thought, was the way it worked before I was involved in it.

The second, not surprisingly, is the state of the Canada-US relationship, where it is. Then, the third and probably the most important is: where do we go from here? How do we make a good relationship even better?

For those of you who think that at one of these summit meetings the President and the Prime Minister or any two heads of state, they sit down in a conference room, and they look across at each other, and they say, "well, what are we going to talk about?" And they start negotiating, and "oh, I want this and no, you can't have that." And then they ultimately come to some conclusions. And then they go out and have a press conference. And they say, "hey, we solved this, we solved that." That would be wrong, that's not how it works. Not surprisingly, these things are put together over the course of months. They are done, at least on the US side, by something, I always thought the two or three scariest words in Washington, the interagency process. It's a nightmare.

The interagency process involves the National Security Advisor, the Ambassador, who will be here tomorrow and his staff, members of the National Security Council, representatives from the State Department, the Assistant Secretary of State for the Western Hemisphere, the Deputy Assistant Secretary of State for North America, and the person, the director of the Canada desk, and representatives of all of the executive branch agencies that are impacted in an important way by Canada, not just the State Department, but Homeland Security and Treasury and Defense and Justice and on and on and on.

There is a similar process that takes place on the Canadian side. They talk about what is possible for the two leaders to discuss. I know Governor Blanchard understands this from his days when he was governor – you don't want to have your boss have to say no. There are some things you just don't want to raise. There may be exceptions to this, but you want them to get along; you want to have an agenda that can be positive.

After that entire process, they ultimately go to the President and to the Prime Minister, saying "here's the agenda, here's what we want to talk about. Here are some things that we think we can work out." They're the guys who've got to say it and have to be comfortable with it.

And then they go into a meeting.

At the meeting, there are a bunch of people in the room. There are always people who take notes. I remember one time this was actually with then Vice President Biden, we were only allowed to take two people into the room. I was the other guy, so I had to take the notes—something I'm not very good at. But at the meeting, it is not a free-for-all. It is a very organized, quite frankly, scripted process. Everybody knows going in what's going to happen coming out.

But that is not to say that the meeting is unimportant. It's very important. It's very important for a bunch of reasons. One of them, and this is very true in the relationship between President Biden and Prime Minister Trudeau, is just the personal relationship between the two. It is very important. It is no different from any other negotiation, any other business dealing, legal dealing, that if the person, if you like the person, if you trust the person, you're just much more likely to get stuff done.

The second thing is, and I'm reminded of Woody Allen, who once said that 80% of life is showing up, that it's probably about 90% when you're dealing with the President and the Prime Minister. It underscores the importance of the relationship between the two countries. It underscores it to the governments of the two countries and it underscores it to the people of the two countries. I think what we saw with President Biden when he came to Ottawa a couple of weeks ago very much proved that out.

But most importantly, and again, this is one that will probably ring true to most of you – it is a pacing item. I didn't prepare my income taxes. Last Tuesday was our income tax deadline in the United States. I didn't start doing my taxes in December. You do them [taxes] as the day starts to approach, and you do them because there's a deadline. This is the single most important thing that comes out of a summit meeting, is that for the whole of government, on both sides of the border, senior people are focused on the nature of the relationship.

They've got a lot of things to worry about. They are worried about global affairs, worried about the domestic economy, and worried about their own politics. If there isn't a deadline, then these things tend to slide.

But as we saw, they were focused a couple of weeks ago. And what were those focused minds focused on? And what was the state of the relationship that they talked about?

President Biden said it very well, in his speech to the Canadian Parliament. He said that "Americans and Canadians are two people, two countries, in my view,

sharing one heart. It's a personal connection. No two nations on Earth are bound by such close ties—friendship, family, commerce, culture.”

Now, I've known President Biden for a long time. I have heard him say, at least expressed the same sentiment, whether it's the same words or not, over and over. That is what he truly believes. He is extremely fond of Canada and the relationship in Canada. He came to Canada several times when I was the Ambassador. He invariably waxed eloquent about it.

Is the relationship perfect? No, it's not. It never has been, and it never will be. Why? Because the interests of Canada and the United States are sometimes not the same. Therefore, the relationship should not be perfect. There will be disagreements from time to time. But as I've often said, and I know Chris has heard me say this before, there are no two neighbors anywhere in the world who would not trade their problems for our problems. It's a pretty darn good relationship. Now, at this point, I was going to read the quote from President Kennedy that you saw up there, and I was much distraught when I saw that I was beaten to the punch. But I will say two things about it.

One is that it is actually carved into the granite in the wall of the U.S. Embassy in Ottawa. It's one of the things you see when you walk in there. And the other thing is, there is a line at the end of it that was not in what was up there. That wasn't the whole quote. The quote was – and it's the last line that's my favorite. He [Kennedy] said “geography has made us neighbors, history has made us friends, economics has made us partners, and necessity has made us allies.” Then he [Kennedy] said, “those whom nature hath so joined together, let no man put asunder.” And those words are as true today as they were in 1961 when President Kennedy said them to the Canadian Parliament. The relationship is strong. No question about that. It's not perfect. No question about that either. How do we make it better?

There are two kinds of issues in my mind, and to me, I always want to keep them separate in dealing with the relationship between the United States and Canada. There are the, let's call them the geopolitical issues, which tend to be win-win. If we win the war in Ukraine, it's probably good for both countries. Then, there are the bilateral issues. These bilateral issues tend to be zero sum issues. Somebody wins, somebody loses.

Because we share so many values so deeply whether our belief in democracy human rights, equality of opportunity, or so many others, focusing on those win-win geopolitical issues are the way to further cement the relationship. The issues, and you all know them, obviously Ukraine and Russia, China, modernizing NORAD, working together in the Western Hemisphere, Iran, and the Middle East, and so many others.

[Then there are] these zero sum, somebody wins, somebody loses, issues.

Many of these are the same issues today that existed ten, twelve, fourteen years ago when I was back in is the ‘Golden Age’ of Canada-US relations. Not sure that's true, but I liked it. There are Buy America provisions. These days they're in the Inflation Reduction Act and the Bilateral Infrastructure Bill. Back in my day, there were the Obama economic rescue plans that had Buy America provisions. There are others. Softwood Lumber, I remember as I was headed off to Ottawa, somebody, I think it might have been Governor Blanchard even, but somebody said to me, “you know, there will be softwood lumber problems between the United States and Canada

for as long as there's softwood lumber." And so far, that's been proven true. The Columbia River Treaty. It was a problem then, it's a problem now. The US access to the Canadian dairy market, I remember fighting that one out ten/twelve years ago. Various tariffs, there's just so much more. These all need to be addressed. And this is really my point about that.

The way to get those bilateral issues resolved, or at least some of them, or ameliorate them, is to work together on these bigger issues. On what I refer to as the geopolitical issues. the reason is that working together on these win-wins creates goodwill. I will tell you back when I was the Ambassador, and I suspect that Ambassador Cohen tomorrow will say this same thing, I know Peter MacKay would say the same thing because he and I have discussed it. Oftentimes when I was the Ambassador, Canada wanted something, whatever it was. As long as it wasn't inconsistent with our values in the United States, it wasn't something that was horrible for us, but we didn't really want to do it, we'd do it. The reason we'd do it is because we cooperated on all these other things. It worked the other way as well. Obviously, it's a back and forth; which kind of brings me to an article that I read this morning in *The Washington Post*, some of you may have seen this.

I begin by saying, I don't know anything about this other than what was in the newspaper. It may be true; it may not be true. But, in *The Post* this morning, they talked about one of the things that was leaked in the gaming site, leaked documents. One of the things that was leaked, was that not only has Canada not met it's 2% of GDP budget for defense, which was committed to in NATO fifteen years ago, and it's now a little bit under 1.4%. Not only that, but that according to this leaked document, that Prime Minister Trudeau told his NATO counterparts that Canada would never meet the 2%.

The reason that I raise this is, again, I don't know if it's true or it's not true, but to me, it's a perfect example of what not to do in order to help solve some of the bilateral issues in both directions that are very important, and legitimately very important to segment of the Canadian public or the American public. That it's one of those things that causes governments to lose confidence. I'm sure that there are things elsewhere in those leaked documents that are not so good for my side. But the fact is that when we cooperate in those big things, the smaller things just get worked out.

How do we make a really good relationship better? The way to do it is to work together on the big things and let the smaller things sort themselves out. With that, I'm happy if we've got a couple of minutes to answer any questions that any of you have.

AUDIENCE MEMBER: Probably the only thing I've ever agreed with Donald Trump on was requiring that the EU countries to devote to 2% of the GDP to defense, and they weren't standing up to plate. You make some of them do it, and I didn't realize that Canada had not. I find it interesting that you point that out.

AMBASSADOR JACOBSON: That commitment was made during the George W. Bush administration. It has been around for a while. Various presidents have emphasized it more vocally.

Clearly, President Trump, who did not always observe some of the diplomatic niceties, to put it mildly . . . he made it clearer. I just saw something the other day of the NATO countries, there are seven or eight that have met the requirement and a

whole lot that have not. Canada is one of them. If you just asked Americans, which ones should, Canada would probably be at the top of the list.

AUDIENCE MEMBER: We did. More power to us. Other European countries did not. That was the one thing, probably the only thing I ever agreed about with Donald Trump on.

AMBASSADOR JACOBSON: Like I say, you are one up on me. Again, as I said, that is something that undermines confidence among countries. The other thing that it does, and this one, I think is a very real fear on my part is at some point, it will make the consensus in the United States, where we spend 4% of our GDP [on defence], and our GDP is ten times the Canadian GDP.

If you look at percentage, we are double what anybody else is. If you look at actual dollars on a chart, we are out here, and the next guy is here. But what will happen is that the American public is going to decide: why should we do this? Why should we defend the whole world? Now, I believe it is in the interest of the American public to do that, [and] the American people, and our country. But at some point, people are going to say, “look, we have got all these freeloaders” hate to use that term. We have all these freeloaders, and we are not going to do it anymore. So hopefully, the article was wrong, and that Canadians are going to step up to the plate. It is not just Canada, there are several others.

AUDIENCE MEMBER: Is it your stance that Canada shares the same distrust with China that the U.S. does?

AMBASSADOR JACOBSON: Well, I probably should leave it to Canadians to specifically answer that. Let me say a couple of things. First of all, concerning the United States, and this is not any great insight, there are very, very few issues that Republicans and Democrats agree to. It is very unfortunate, but there are very few issues. One of those very few issues is that we have to be tougher on China. It seems as though with every passing day that concern ratchets up a little bit for one reason or another. I think it is fair to say are they as distrustful of the relationship with China as the United States in Canada? Are they more? Are they less? They’re plenty.

As Chris said, I am the Vice Chairman of the Bank of Montreal. I spend a lot of time in Canada. I meet with people from Canada; I meet with Canadian government officials all the time. If you asked me that question five years ago, I would have said that there was a real difference in the way that Canada looked at China and the way that the United States looked at China. Even then, when it was much better between the United States and China. I think the gap has certainly closed over the last several years.

AUDIENCE MEMBER: Going forward do you think that the differences between the ideals of Canada and the US are going to converge or separate further?

AMBASSADOR JACOBSON: Like I said, I love it when students are here.

AMBASSADOR JACOBSON: I think, first of all, obviously, no one knows the answer to that. I have long believed that the United States is a leading indicator of Canadian sentiment in almost everything. For better or for worse. I think that Canadian politics is trending toward the mess that we have in the United States, quite frankly. But it is not there yet, fortunately, for Canadians. As a general matter, for a lot of reasons, one of them is we do have this core of values that we share. It is easier

for Canadians and vice versa, to adopt some of the views that Americans have. They watch American media all the time; they read American newspapers.

I remember when, literally the first day that I was in Ottawa, I was invited over to see the Prime Minister. I had never met the Canadian Prime Minister. One of the things that I remember him saying to me was that Canadians pay more attention to American politics than they do to Canadian politics. I thought he was just being nice to me. But over time, I came to believe that that was true. To answer your question, there are a million values. There are a million things, and because of historical experience, that are harder to come together on. I think that they tend to be trending closer and closer together. Again, for better or for worse. Sometimes it is good, and sometimes not so good.

AUDIENCE MEMBER: I know you mentioned and kind of emphasized working together, as well as the differences in bipartisanship. I know that the former [U.S.] president has undermined the agreements between the two nations. So, going forward, how do you recommend people get involved to uplift the relationship between the two countries?

AMBASSADOR JACOBSON: You should come to the Canada-US Law Institute meetings. As the President would say, "That is no joke!" I mean it!

As Chris said, I worked for President Obama. I worked on President Obama's campaign, which I was telling some of you was one of the great experiences of my life. Every presidential campaign, by definition, is one for the history books. That was a campaign for the ages.

One of the things that the President, then Senator, but then President Obama, would always say is "It is not up to me to change the world, it is up to you. Together, if we work together, we can change things." I think, quite frankly, that was the core of his message that really resonated.

I think that that applies to your question. That it is not up to me, it is not up to Governor Blanchard, and it is not up to Chris Sands. It is up to all of us to do what we can to focus on the relationship, to raise the profile of the relationship, to speak out when we disagree with things. That's the way things get better. It's not always easy. It's not always a straight line. But, in my mind, that is what young people, old people, and everybody in between ought to be doing.

AUDIENCE MEMBER: Do you think Canada and the US are going to stay solidly together in the face of Russian aggression?

AMBASSADOR JACOBSON: Absolutely. That one, I'm confident about. If what you mean is, will they both continue to support Ukraine in response to the Russian invasion, unlawful and horrible invasion of Ukraine? I think the answer is, for a while, at least.

I know that everybody says no matter what, come hell or high water, forever. I think one of the real misconceptions about what's likely to happen in Ukraine is that it is going to end. It is going to end with a ceremony on an aircraft carrier with the Russians surrendering. That is going to be a clean distinct win for either side. That is not likely to happen. It is going to be messy. The question is, how long is it going to be messy for? At what point do people say, enough is enough?

The way that that is likely to manifest itself is maybe not public but at least private pressure on the Ukrainian government to be a little more flexible in terms of

what the parameters of a deal would be. Right now, the public response, at least of the government of the United States, but of the Western governments, for the most part, is that is a question for the Ukrainian government and the Ukrainian people. It's not up to us to decide whether they should give up these parts of their country or not worry about war crimes, or God knows what else. It is up to them. What I fear is if this thing drags on for a long time, and I do not know how long a long time is, but for a while, that the resolve of the West may falter a little bit.

AUDIENCE MEMBER: We know that you have a very interesting binational background. You wear an American suit, presumably but also a Canadian hat from time to time. One of the issues that divides the United States from Canada, at the moment, is the possibility of intervention and reintervention [in Haiti]. The Biden administration seems to be trying to coax Canada to undertake further action, more action, in a jurisdiction that has had a lot of historic difficulties and problems with France and the United States. Canada seems to be stepping back. From a US position and even from a Canadian position, what is your advice?

AMBASSADOR JACOBSON: You alluded to this, but I think a little bit of context.

There are places in the world, Haiti being one of them, where Canada is more welcome than the United States, because of our historical experience. Canada never overthrew governments in Latin America; we [US] did. There is a role for Canada in places because of the goodwill that Canada has. [There are] places where they can do a better job than the United States. Haiti is probably one of them. I don't think, and I could be wrong, but my sense is that the difference between the United States and Canada on Haiti is not a disagreement as to, it's a terrible situation and we have to do something to stop the lawlessness that has overtaken the country. It's a country that has a terrible history, but it seems to be kind of at the low point right now or one of the low points.

The difference is—*is Canada willing or capable?* This goes back to the 1.4%—*can they do it?* One of the things about the military, one of the things that I have learned about military engagement is that you can't do everything. You never have enough bullets, you never have enough tanks, and you never have enough soldiers to do all the things that you want to do. You would have even fewer tanks, soldiers, and bullets if you are spending 1.4% of your GDP. So, I think the difference between Canada and the United States is less on what ought to be done, than whether Canada can do it. It is a horrible situation. It is just a horrible situation. I don't think that the Canadians are likely to start sending troops in. Thank you very much!

STEPHEN PETRAS: Yes, well, thank you, Ambassador Jacobson. So, everyone we are adjourned for tonight. Thank you!