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## Like it or not, the truth will come out

By Michel W. Drapeau

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I genuinely like and respect Peter MacKay, who, in my opinion, has given an excellent account of himself as minister of national defence. Normally very urbane and well-expressed, Mr. MacKay was unaccustomedly virulent last Thursday in his riposte to Richard Colvin's sworn testimony before the House of Commons Special Committee on Afghanistan.

As if consumed by anger, the minister was, at times, unintelligible. This was in stark contrast with the poised, articulate, credible presentation of facts and allegations in front of the nation by his antagonist. The end result is that Mr. MacKay's various commentaries served more to bolster Colvin's credibility than to weaken it because, as Shakespeare said, "The [minister] doth protest too much, methinks."

What Mr. Colvin said during his testimony should not have taken Minister MacKay or any of his Cabinet colleagues by surprise. Contrary to the rest of us, Cabinet enjoyed ready and unhindered access to all of Colvin's field reports on the events which took place in Afghanistan during his tour of duty in 2006 and 2007. The repudiation of his allegations via cross-examination or the preparation of rebuttal evidence did not have to wait until Colvin's appearance at the committee. Mr. Colvin works for government; he is but a phone call away.

The government as a whole, and the minister in particular, could also have ensured that the Military Police Complaints Commission (MPCC) was allowed to exercise the very function for which it was established in 1998. That would have ensured a full and proper investigation of all allegations within a quasi-judicial context.

Alternatively, assuming for the purpose of this article only that the MPCC lacked the jurisdiction to investigate such complaints, Mr. Colvin could have been forced to testify under oath months ago and produce documents before a board of inquiry convened by the minister. This is done all the time at National Defence Headquarters. For instance, at this very moment there is probably a board of inquiry or two taking place at NDHQ on some other sensitive Afghanistan issue.

Moreover, as the convening authority, the minister could also have ordered that such a board of inquiry not be open to the public for the purpose of examining any number of sensitive concerns which, for national security, diplomatic or privacy reasons, should be not be divulged to the public. That would have been the prudent and wise course of action to take.

Like other Canadians, I watched with some annoyance as Mr. MacKay and several of his colleagues acted with vitriol last week. Somehow I expected more restraint and savoir-faire from the political class trusted with the affairs of the nation and of representing Canada abroad. Much more.

Through its over-reaction, the government has now painted itself into a corner. Why? Because very serious allegations have been made not against individuals but against the governance of the Afghan detainees by key federal institutions.

Despite its sovereignty in such matters, and my deep respect for Parliament, the truth is that a committee of the House is not properly equipped or structured to investigate allegations of criminal behaviour. In my opinion, the only sane and honourable avenue is to go through a probing public inquiry.

The problem is, this can only come about through an executive order from Cabinet. Obviously, such a course of action would not be an attractive option for the government, particularly when the governing party is reaping the benefits of an all-out incessant political campaign to attract a majority of Canadians the next time we go to the polls.

Undoubtedly, a public inquiry would lay bare, warts and all, the behind-the-scenes type of governance of managing Canada's participation in this war in which, allegedly, the Privy Council Office plays a central role. More significantly, it will show Canadians the extent of the control over the sharing and disclosing of information coming from the warfront (as all governments have probably done since time immemorial).

However, against such an uninviting proposition for the government, one must ask two hard questions. First, would the denial or refusal to convene a public inquiry raise doubt in the minds of fair-thinking Canadians about this government's ability to govern? The answer is probably yes. At least for some.

Second, under such circumstances, would the same part of the Canadian electorate then be leery of trusting it with the levers of power in a majority government? I do not know the answer to that, but one can only speculate that once a part of the public begins to believe some form of "cover-up" is at play, the damage might become significant and irreparable in electoral terms.

There is a sort of déjà vu in all of this. Following the brutal beating death of a teenager in 1993 at the hands of two members of the Canadian Airborne Regiment deployed in Somalia—a crime that was documented by grisly photos—a public inquiry was called in 1995.

During the inquiry it was discovered that then-defence minister Kim Campbell had been kept out of the loop; so were all other government departments. The Somalia Commission of Inquiry concluded that responsibility for the debacle rested with a number of senior Canadian Forces officers whose behaviour was severely criticized for its lack of leadership. Also, the military, as an institution, came into sharp rebuke for the alteration and falsification of documents and the manipulation of access to information processes.

Contrary to the Somalia Inquiry—where the key players were restricted to a small coterie of civilian executives and military officials at National Defence Headquarters as well as frontline junior ranks and officers—in the case at hand the dominant players are, it seems, all senior officials serving in the highest offices of government: the Privy Council Office, National Defence, and Foreign Affairs.

According to Mr. Colvin, these individuals played a role in the management of the detainee issue, including Margaret Bloodworth, the national security adviser to Prime Minister Harper. As a result, the House of Commons committee (or a public inquiry) should now hear from quite a roster of luminaries from the PCO, DND and DFAIT.

In the absence of an independent public inquiry, only the House of Commons has the power and breadth required to get to the bottom of things. That body is therefore now duty-bound to pursue an inquiry in search of the truth. (Ironically, that committee is only able to pursue such an inquiry because, in a minority government, opposition parties have a majority of the votes in the committee.)

Furthermore, the committee must act with unrelenting vigour and swiftness, if for no other reason than to show the world and our allies that Canada lives by a system of democratic values and takes these allegations very, very seriously.

Instead of being concerned with Canada's reputation among the community of nations, the government appears to be more interested in displaying unbridled partisanship than statesmanship. However, whether a public inquiry is called by government over the next weeks or so, one thing is certain: This issue will not go away.

What is also certain is that both the parliamentary committee and the media will chip away at the story, a story which ministers of the Crown seem to be attempting to paper over. However, I am a believer in the inevitability of the truth surfacing sooner or later and in the rule of law.

The whole kernel might as well come out in a judicial manner, where partisanship will recede to the world of twitters. That would be best for Canada and its government, our armed forces and, of course, our gallant, valiant and brave men and women serving in the military. This is crucial so that they may complete their difficult and perilous mission in peace, honour, respect and affection of the nation, for they and their families, having served through blood, sweat and tears, have made enough sacrifices for the good of the nation.

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