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Research Essay

THE AFTERMATH OF THE SOMALIA AFFAIR

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THE AFTERMATH OF THE SOMALIA AFFAIR

"Maintaining effective discipline remains a critical element for any military force. Without discipline, a military force cannot function effectively and can become a danger not only to itself but to others. For the CF, effective discipline reflects a fundamental value of society, namely the supremacy of the rule of law."¹

INTRODUCTION

In December 1992, the Canadian Airborne Regiment deployed to Somalia as part of a United Nations sanctioned, United States of America led Combined and Joint Task Force (Unified Task Force -UNITAF)² to restore order to a country that was self-destructing. On 16 March 1993 members of 2 Commando, The Canadian Airborne Regiment had in their custody a young Somali teenager suspected of trying to steal from the Airborne compound. Later that night Master Corporal Clayton Matchee, a member of 2 Commando, who was responsible for ensuring the well-being of the young Somali, tortured and beat to death Shidane Arone. Matchee was never tried, convicted, or punished for this terrible deed. He tried to commit suicide, suffered brain damage, and was deemed unfit to stand trial for his actions. Other members of the Regiment, both Officers and Non-Commissioned Members, were tried and convicted for their actions, or lack thereof, leading up to and following the death of Arone.³

¹ The Honourable Arthur C. Eggleton, P.C., M.P. A Commitment to Change - Report on the Recommend

When it became public knowledge, the brutal slaying of Shidane Arone horrified the Canadian public. Members of Parliament, military watchers, and many others attacked the Department of National Defence (DND)⁴ for their actions in Somalia and the subsequent handling of that matter. What came to be known as the Somalia Affair⁵ pushed into the bright glare of public scrutiny some of the problems that had been building in DND over a number of years. It also raised specific criticisms as to how DND was led and controlled, and how DND had reacted to the Somalia Affair. This negative public reaction forced the government of the day to launch a public inquiry (The Commission of Inquiry into the Deployment of Canadian Forces to Somalia - [Somalia Inquiry]) into the events surrounding the death of Shidane Arone and other perceived wrongdoings surrounding the UNITAF mission.⁶

The Somalia Inquiry published their findings on 30 June 1997. During this same timeframe (1993 -1997) a number of other reports and recommendations were also published,⁷ however the findings of the Somalia Inquiry were the harshest. As was stated in the Executive Summary:

From its earliest moments the operation went awry. The soldiers, with some notable exceptions, did their best. But ill-prepared and rudderless, they fell

⁴ I will use the term DND to include the DND and the Canadian Forces (CF) unless it is specifically required to state otherwise.

⁵ I use the term Somalia Affair generically to include the events leading up to the death of Shidane Arone and the subsequent proceedings up to the issuance of the Commissioners' report.

⁶ A number of years earlier, the United States Marine Corps dealt differently and quickly where the chain of command was held responsible for a death. On the night of 30 August 1988, LCpl Jason Rother, a young United States Marine was posted as a road guide in the desert near Twentynine Palms, California. Accidentally left behind in the desert by his chain of command, he subsequently died from the elements. The Marines dealt quickly with this situation. "His squad leader and platoon sergeant were court-martialed. The officer in charge of the road guides was court-martialed and sentenced to dismissal from the service. The platoon commander, company commander, battall

inevitably into the mire that became the Somalia debacle. As a result, a proud legacy was dishonoured.

Systems broke down and organizational discipline crumbled. Such systemic or institutional faults cannot be divorced from leadership responsibility, and the leadership errors in the Somalia mission were manifold and fundamental: the systems in place were inadequate and deeply flawed. Practices that fuelled rampant careerism and placed individual ambition ahead of the needs of the mission had become entrenched; the oversight and supervision of crucial areas of responsibility were deeply flawed and characterized by the most superficial of assessments; even when troubling events and disturbing accounts of indiscipline and thuggery were known, there was disturbing inaction or the actions that were taken exacerbated and deepened the problems; planning, training and overall preparations fell far short of what was required; subordinates were held to standards of accountability by which many of those above were not prepared to abide. Our soldiers searched, often in vain, for leadership and inspiration.⁸

The Commissioners of the Somalia Inquiry, the national media, and military watchers⁹ all criticized DND for their lack of professionalism, leadership, and ethics. The common threads in these criticisms were the failings of the civilian leaders,¹⁰ their lack of control of the military, and the failings of the leaders¹¹ of the CF. However, the many reports published between 1993 and 1997 time seemed to establish a strong course of action for the improvement of DND. Yet today DND continues to be criticized by the national media, politicians, and military watchers. Are these criticisms valid for today or are they a holdover from the Somalia Inquiry? The questions to be answered are: has

⁸ Dishonoured Legacy. Executive Summary, ES1. Italics are those of the original authors.

⁹ Specifically, Douglas L. Bland. Chiefs of Defence. Toronto, Ontario: The Canadian Institute of Strategic Studies, 1995; John A. English. Lament for an Army: The Decline of Canadian Military Professionalism. Contemporary Affairs Number 3. Canadian Institute of International Affairs Toronto, Canada: Irwin Publishing, 1998. Scott Taylor and Brian Nolan. Tarnished Brass. Toronto: Lester Publishing Limited, 1996, are all books or articles criticizing the DND and the CF. Bland's Chiefs of Defence is quite critical about the unified organization of the Department of National Defence and the Canadian Forces. English's Lament for an Army discusses the decline of professionalism within the Canadian Military and specifically the Canadian Army. Taylor's Tarnished Brass is both critical of the DND and the CF hierarchy.

¹⁰ Taylor is especially critical of the then Deputy Minister (DM) of National Defence, Robert Fowler. For more information on Fowler, see Tarnished Brass, Chapter 2.

¹¹ English provides some elaboration on failings in leaders in Lament for an Army, specifically Chapters 1, 5, and 6.

DND learned from the specific criticisms leveled at them before, during and after the Somalia Inquiry; are the continuing concerns expressed in the public venue valid; or, alternatively, are the criticisms still those that were raised during the era of the Somalia Inquiry; and has DND taken the necessary steps to action the recommendations of the reports?

This paper will demonstrate that DND has taken the necessary steps and has taken action on all the key recommendations to ensure that the CF continues to be a viable and combat capable force. I propose to examine the areas of concern, raised by the Somalia Inquiry and other interested parties, within DND. I will examine what steps DND has taken to address these concerns and whether or not the continuing concerns are valid. Finally, I will discuss what other steps, if any are required.

I do not propose to examine in minute detail all that was perceived to be wrong in the DND and the CF. I will only use some illustrative examples that I have chosen from a vast array of possible selections. Footnotes will direct the reader to areas that provide more information. As well, I will not examine the relationship between the DM and the CDS as this is a paper in itself and is an area that is ably addressed by Douglas Bland's Chiefs of Defence.

WHAT HAD GONE WRONG

The Somalia Affair and the subsequent Somalia Inquiry brought a number of problems within DND into the public venue. The Commissioners of the Somalia Inquiry expressed a large number of concerns in their report and provided the Government with a total of 160 recommendations¹² for improving the DND. The recommendations made by the Commissioners of the Somalia Inquiry dealt with a variety of areas. These were leadership, accountability, the chain of command, discipline, personnel selection and screening, training, rules of engagement, operational readiness, Canada's mission in Somalia, the military planning system, openness and disclosure, and military justice.¹³ In addressing their concerns the commissioners stated in part:

It is time for a new leadership to emerge in the Department of National Defence and the Canadian Forces, and it is time for that new leadership to move the forces in a new direction. Our dedicated and long-suffering soldiers deserve at least this much.

In our report we make hundreds of findings, both large and small, and offer 160 recommendations. While what we propose is not a blueprint for rectifying all that ails the military, if the reforms we suggest are conscientiously considered and acted upon with dispatch, we believe that the healing process can begin.¹⁴

Leadership and accountability within DND was one of the areas of major concern for the Somalia Inquiry. The Commissioners concluded that 11 Senior Officers in the chain of command from the Commanding Officer of 2 Commando to two Chiefs of the Defence Staff (CDS) failed in or did not adequately execute their duties as leaders. As an example Major Seward, the Commanding Officer of 2 Commando, was found to have failed to address the problem of discipline within his unit, failed to recommend that

¹² [A Commitment to Change - Report on the Recommendations of the Somalia Commission of Inquiry](#), 1.

¹³ [Dishonoured Legacy](#). To see a full account of the concerns and recommendations, see Chapters 15 to 18, 20 to 25, and 39 and 40.

individuals with discipline problems be excluded from the mission and failed to adequately train his troops. Major General MacKenzie, then the commander of Land Force Central Area, was cited by the Inquiry for failure to monitor the training of the Canadian Airborne Regiment, to make provisions for the troops to be trained or tested in the newly developed Rules of Engagement, and to take adequate steps to ensure the Regiment was operationally ready for deployment.¹⁵ Recommendations to deal with these concerns ranged from criteria for selection, training, and development and assessment of leaders to improvement in the quality of leaders at all levels.¹⁶ Taylor, Bland, and English also addressed these areas of concern in their written works.

The Somalia Inquiry made 20 recommendations for the improvement of discipline and proper selection and screening of personnel for operations and command. Recommendations ranged from ensuring that guidelines were in place to prohibit racist and extremist conduct to emphasizing that "...the importance, function and application of discipline be taught in all officer leaders training...."¹⁷

The Somalia Inquiry also made 35 recommendations for improvements to operational readiness. Recommendations ranged from improving training for

¹⁴ Dishonoured Legacy. Executive Summary, ES-51.

¹⁵ Dishonoured Legacy. The officers named were General Boyle, General de Chastelain, Lieutenant General Addy, Lieutenant General Gervais, Lieutenant General Reay, Major General MacKenzie, Brigadier General Beno, Colonel Labbe, Lieutenant Colonel Mathieu, Lieutenant Colonel Morneault, and Major Seward. To see a full account of the Inquiry's concerns on the Senior Leaders, see Chapters 26 to 37.

¹⁶ Dishonoured Legacy. For a full text of the concerns and recommendations in these areas, see Chapters 15 and 16 of the Executive Summary and/or Chapters 15 and 16.

¹⁷ Dishonoured Legacy. Executive Summary, ES-57. For more information on this area, see Chapters 18 and 20 of the Executive Summary and/or Chapters 18 and 20 of the full report.

peacekeeping operations to improving the means for declaring CF units operationally ready for overseas deployments. In this latter area they stated;

The Chief of the Defence Staff [must] ensure that standards for evaluating individuals, units and elements of the Canadian Forces for operational tasks call for the assessment of two necessary elements, operational effectiveness and operational preparedness, and that both criteria be satisfied before a unit is declared operationally ready for any mission.¹⁸

The military justice system was also put under the magnifying glass by the Somalia Inquiry. The Commissioners made 45 recommendations for improvement to the system. These recommendations included such things as: changing the National Defence Act; amending regulations dealing with summary investigations and boards of inquiry; making the military police more independent and accountable from the chain of command; changes to improve the laying of charges and the right to legal council; and improving the training of legal officers.¹⁹ The MND eventually established a committee to report to the Prime Minister on military justice and military police investigation methods.²⁰

The concerns mentioned above are not exhaustive, nor were they meant to be. They do however, provide a flavour of the issues raised by the Commissioners that DND needed to address. The Inquiry had provided the leaders of DND with 160

¹⁸ Dishonoured Legacy. Executive Summary, ES-61. For more information on this area, see Chapters 21, 22, and 23 of the Executive Summary and/or Chapters 21, 22, and 23 of the full report.

¹⁹ Dishonoured Legacy. Executive Summary, ES-74 to ES-81. For more information on this area, see Chapter 40 of the Executive Summary or Chapter 40 of the full report.

²⁰ On 17 January 1997, the MND, The Honourable Douglas Young issued a Ministerial Directive that established a Special Advisory Group on Military Justice and Military Police Investigation Services. The full directive can be found in Report of the Special Advisory Group on Military Justice and Military Police Investigation Services. Ottawa, Canada: Department of National Defence, 1997. Annex A.

recommendations for improvement. It was now incumbent upon these same leaders to address the failings raised by the Inquiry. However, this was not the end of the concerns.

While the commissioners were conducting their inquiry, other issues regarding DND were being raised. Major concerns were coming from the members of the CF. There were many complaints from members of the military and their families about standard of living, working conditions, and pay and benefits to name just a few. These complaints were subsequently grouped under the acronym QOL or Quality of Life. The Standing Committee on National Defence and Veterans Affairs (SCONDVA)²¹ eventually toured a large number of bases listening to the concerns of the military members and their families. They found that members and their families were unhappy and felt neglected by the government. After extensive visits and hearings, SCONDVA eventually released a report that made 89 suggestions in a 123-page report dealing with compensation and benefits, accommodation, care of the injured, family support and work expectations.²²

Between the recommendations of the Somalia Inquiry and SCONDVA, DND had 249 recommendations to examine and act upon. In the next section, I will examine the

²¹ CANFORGEN 025/97, CDS 020, 111815Z MAR 97, SCONDVA REVIEW OF SOCIAL AND ECONOMIC SITUATION OF ALL CF MEMBERS. This CANFORGEN announced that at the request of the MND, the commons SCONDVA would conduct a review covering a wide range of social and economic issues in the CF. It would travel to a number of bases and hear concerns from CF members and their families.

²² A very good overview of the SCONDVA recommendations was published in the Canadian Forces newspaper, the Maple Leaf. See "Quality of Life report released." Maple Leaf 15 November 1998, Volume 1, Number 13, centre page.

reaction of DND to these reports and recommendations. I will also examine some of the other reports that were produced in this same era.

ACTIONS UNDERTAKEN BY DND

The Somalia Inquiry delivered their report to the Government in June 1997. While the Commissioners were conducting their inquiry and preparing their report, DND had begun to take steps to address many areas of concern. A number of reports were produced by or for DND. Some of these reports, released before the Somalia Inquiry Report, also addressed some of the recommendations that were to be stated by the Somalia Inquiry. Other areas requiring changes were addressed later. I will introduce some of these reports in a chronological order.²³

In May 1993, just after the events in Somalia, Mr. Pierre Martin and a distinguished panel²⁴ presented a report to the Prime Minister dealing with the Canadian Military Colleges. Although not directly related to the Somalia Affair or its fall out, this report was the first of many to address concerns within DND. The Report of the Ministerial Committee on the Canadian Military Colleges²⁵ made 32 recommendations to improve the Canadian Military College system. Although the MND did not accept all the recommendations, the report did provide a starting point for reforming the Colleges. However, Mr. Martin and his panel may have been disappointed by DND's decision to

²³ I do not intend to examine these reports in detail, but just introduce them and highlight some of their germane recommendations. The reader will be directed to the full reports for more information.

²⁴ The other panel members were Dr. W. Harriet Critchley, Mr. Norman A. Ross, and Dr. Ronald J. Baker.

²⁵ Report of the Ministerial Committee on the Canadian Military Colleges. Ottawa: Department of National Defence. 1993. 35.

close two of the three military colleges a few years later contrary to their recommendation to retain all three.²⁶ The Somalia Inquiry also made a number of recommendations for improving the quality of officers graduating from the Canadian Military Colleges. Although Mr. Martin and his panel could not have foreseen these recommendations, their report foreshadowed some of the recommendations made by the Somalia Inquiry. In A Commitment to Change - Report on the Recommendations of the Somalia Commission of Inquiry,²⁷ the majority of the concerns raised by the Somalia Inquiry, concerning the training at the Military Colleges, were addressed.

In 1994, the Minister of National Defence, the Honourable David Collenette, P.C., M.P., released the Governments' 1994 Defence White Paper. This new White Paper replaced the 1987 White Paper which was predicated on a Soviet Union and Warsaw Pact threat and could not have foreseen the fall of the Berlin Wall in 1989, the demise of the Warsaw Treaty Organization, and by extension, Russian influence in the world. In his introductory remarks the Minister stated in part:

The past year has marked a significant turning point in the history of the Department of National Defence and the Canadian Forces. Responding to a fundamental reordering of international affairs and the need to confront important economic realities at home, the Prime Minister [Jean Chretien] announced in November 1993 a comprehensive review of Canadian Defence policy.²⁸

²⁶ Report of the Ministerial Committee on the Canadian Military Colleges, 39. Recommendation 1.

²⁷ The Honourable Arthur C. Eggleton, P.C., M.P. A Commitment to Change - Report on the Recommendations of the Somalia Commission of Inquiry. Canada. Department of National Defence, October 1997.

²⁸ The Honourable David Collenette, P.C., M.P. 1994 Defence White Paper. Canada. Department of National Defence, 1994. 1.

The 1994 White Paper laid the foundation for future defence planning and spending. It also set the framework for dealing with some changes in the area of personnel such as revisions to the code of Service discipline, terms of service, lengths and frequencies of postings, and women in the CF.²⁹ The MND summed up the direction for the White Paper when he stated:

The consensus achieved on the way ahead – an effective, realistic and affordable policy, one that calls for multi-purpose, combat capable armed forces able to meet the challenges to Canada’s security policy both at home and abroad – will serve to guide the work of the Department and the Forces into the next century.³⁰

In March 1997, some months before the release of the findings of the Somalia Inquiry, the Minister of National Defence, The Honourable M. Douglas Young, P.C., M.P., presented a number of reports to the Prime Minister. I will examine only the following reports: Leadership and Management of the Canadian Forces; Authority, Responsibility and Accountability; Report of the Special Advisory Group on Military Justice and Military Police Investigation Services; and Compendium of Changes in the Canadian Forces and the Department of National Defence.

The report on Leadership and Management of the Canadian Forces³¹ was the keystone or overarching strategic report produced and was the result of a review announced by the MND in December 1996.³² In the introduction to the report, the MND

²⁹ 1994 Defence White Paper, 42 - 43. For more information about the specifics in these areas, the reader is directed to the White Paper.

³⁰ 1994 Defence White Paper, 2.

³¹ The Honourable M. Douglas Young, P.C., M.P. Report to the Prime Minister on the Leaders and Management of the Canadian Forces. Canada. Department of National Defence, 1997.

³² Report to the Prime Minister on the Leaders and Management of the Canadian Forces, 1. The MND was assisted in preparing the paper by D.J. Bercuson, PhD, FRSC, University of Calgary; Dr. J.L. Granatstein,

mentioned the number of places where the CF had recently served with distinction. He went on to state that:

In recent years, unfortunately, this record of distinction and service has been marred by sad, disturbing and intolerable events. There has been but a handful of these highly objectionable incidents, but they have called into question the Canadian military, its leaders, its discipline, its command and management, and even its honour. The confidence of Canadians in the Forces has been shaken. To make matters worse, our response to these events has been less than adequate.³³

This report dealt with the role of the CF, military discipline, values and ethics, military leaders, command and rank structure, operational missions, terms and conditions of service, the integrated civilian-military headquarters, and informing Canadians.³⁴ The report contained 65 recommendations for improving the leaders and management of the CF. The recommendations ranged from making amendments to the National Defence Act, through improved training for the officer corps to ending the practice of having the DM and CDS jointly sign memoranda, except for documents dealing with issues for which they each clearly had equal responsibility, if any.³⁵ This last recommendation would go a long way to clarifying whether it was the DM or the CDS providing information or advice and would reinforce the chain of command within the CF. The MND also set the tone for the strategic direction of the CF when he stated "the Canadian

Canadian Institute of International affairs; Professor Albert Legault, Laval University; Desmond Morton, McGill Institute for the Study of Canada, plus many other experts and Canadians from many walks of life.

³³ Report to the Prime Minister on the Leaders and Management of the Canadian Forces, 1.

³⁴ For more details, the reader is directed to the report. The report has nine chapters, each dealing with one of these subjects, plus an executive summary.

³⁵ Report to the Prime Minister on the Leaders and Management of the Canadian Forces. For more details, the reader is directed to the report.

Forces must continue to move forward, adapting to new circumstances and meeting new challenges."³⁶

The report on Authority, Responsibility and Accountability (ARA) succinctly delineated the authority, responsibility, and accountability of the chain of command and the fundamental principle of civil control of the military.³⁷ The report stated in part that:

The Chief of the Defence Staff [CDS] is appointed by the Governor-in-Council on the advice of the Prime Minister. The CDS also has a special relationship to the Governor General who, as the Queen's representative in Canada, exercises virtually all of her powers under the Constitution and, therefore, serves as Commander in Chief of the Canadian Forces. Thus there is in formal terms, though not in practice, a direct "line of command" from the Head of State through the CDS to all officers who hold the Queen's Commission and, through them, to all members of the Canadian Forces.³⁸

The report further emphasized the subordination of the military to the civil authority, embodied in the MND, who as a member of Cabinet (could be either an elected Member of Parliament or a Senator), is responsible to the Prime Minister and to the Cabinet. The report clearly enunciated the accountability of the CDS to the MND when it stated that the "...CDS is accountable to the Minister [MND] for the conduct of CF activities, as well as for the condition of the Forces and their ability to fulfill military commitments and obligations undertaken by the government."³⁹

This report on ARA would echo the statements of the Commissioners of the Somalia Inquiry when they stated in their report a few months later that:

³⁶ Report to the Prime Minister on the Leaders and Management of the Canadian Forces, 3.

³⁷ Authority, Accountability and Responsibility, 1.

³⁸ Authority, Accountability and Responsibility, 8.

³⁹ Authority, Accountability and Responsibility, 9.

The chain of command in the CF as set out in the NDA [National Defence Act] and regulations is unambiguous. Beginning with the CDS, it links superior officers of the CF to every individual member of the CF. The NDA stipulates how lawful orders are to be passed down in the CF; that is, from superior to subordinate members. The regulations compel subordinates to obey any commands and orders that are not manifestly illegal. Furthermore, the law, regulations, and custom of the service imply that superior officers will oversee carefully the execution of lawful commands, orders, and directions, for to do otherwise would be prejudicial to good order and discipline within the CF and a dereliction of duty. The chain of command therefore defines accountability and responsibility within the CF, because it indisputably links individuals with authority and responsibility to other individuals with lesser levels of authority and responsibility.⁴⁰

It is through this chain of command, control, responsibility, and authority that the CDS ensures the execution of government decisions involving the CF. The ARA report made it quite clear that individuals in the chain of command must carry out the lawful orders they receive and must ensure that their subordinates carry out the orders they receive. To do otherwise would jeopardize the CF's ability to carry out the directions of the Canadian Government.

Before leaving this subject area, the question may arise as to who within DND provides military advice to the Government of Canada. In a department headed by a civilian MND, with a civilian Deputy Minister of National Defence and a CDS as his principal advisors and both responsible for the day to day running of DND on the MND's behalf, this could be problematic. The report on ARA is unequivocal. The CDS provides

⁴⁰ Dishonoured Legacy. Volume , 73.

military advice to the government and is the senior military advisor to the Government as a whole.⁴¹

The Right Honourable Brian Dickson chaired the Special Advisory Group on Military Justice and Military Police Investigation Services⁴² The mandate of this group was "... to assess the Code of Service Discipline, not only in light of its underlying purpose, but also the requirement for portable [deployable] service tribunals capable, with prompt but fair process, of operating in time of conflict or peace, in Canada or abroad."⁴³ The Report of the Special Advisory Group on Military Justice and Military Police Investigation Services listed 35 recommendations for the improvement of the military justice system and military police investigation services.

Their first recommendation called for the retention of a distinct military justice system for the CF "... consistent with the supremacy of the Rule of Law, including the *Canadian Charter of Rights and Freedoms*..."⁴⁴ and in concert with other recommendations the group made in their report. This first recommendation was significant in that it recognized the requirement for a separate and distinct military justice

⁴¹ Authority, Accountability and Responsibility, 9.

⁴² The Honourable M. Douglas Young, P.C., M.P. Report to the Prime Minister - Report of the Special Advisory Group on Military Justice and Military Police Investigation Services. Canada. Department of National Defence, 1997. The other members of the group were Lieutenant-General (retired) Charles H. Belzile and Mr. J.W. Bud Bird. CANFORGEN 012/97, CDS 011, 041850Z FEB 97, SPECIAL ADVISORY GROUP ON MILITARY JUSTICE AND MILITARY POLICE INVESTIGATION SERVICES announced the formation of this group and its mandate and terms of reference. As well, the CANFORGEN listed the places the group would visit to conduct their hearings. For more information, the reader is directed to the CANFORGEN.

⁴³ Report of the Special Advisory Group on Military Justice and Military Police Investigation Services, 1. For more information on the areas the Group examined, please see the report, pages 1-3.

system.⁴⁵ Other recommendations would change the way military lawyers were utilized such as the establishment of a Director of Prosecutions. Still others changed the impact on a member being found guilty of a crime and sentenced to detention. On release, the member's rank and salary would be reinstated. As well, the group recommended that the way investigations were conducted by the military police be changed. This report made recommendations that would have an improved and profound impact on the future of military justice and military police services in the CF.⁴⁶ An example of DND's response to this report was CANFORGEN 117/97. This CANFORGEN announced improved procedures to allow service members charged with an offence to make an informed decision. The policy will allow members to consult with legal counsel before making a decision on whether to be tried by court martial or summary trial. This policy will aid in ensuring justice for an accused.⁴⁷

⁴⁴ Report of the Special Advisory Group on Military Justice and Military Police Investigation Services, 68. Italics are those of the authors.

⁴⁵ Report of the Special Advisory Group on Military Justice and Military Police Investigation Services, 9.

⁴⁶ A number of CANFORGENs were eventually issued detailing changes as a result of this report. Although CANFORGENs are only valid for a short period until the official documentation is produced, they do give a flavour of the amount of work undertaken by DND in this area. The reader is directed to: CANFORGEN 71/97, A/VCDS 057, 021730Z JUL 97, DG SAMP DIVISION REORGANIZATION announced the movement of this organization from the Deputy Chief of the Defence Staff Group to the Vice Chief of the Defence Staff; CANFORGEN 088/97, VCDS 073, 281425Z AUG 97, CANADIAN FORCES NATIONAL INVESTIGATION SERVICES announced the stand up of the expanded Canadian Forces National Investigation Services; CANFORGEN 100/97, VCDS 083, 1611836Z OCT 97, MP COMPLAINT REVIEW AND INVESTIGATIVE PROCESS announced an interim complaint process until the establishment of an independent office of complaint review was established; CANFORGEN 126/97, J2 COORD 177, 181600Z DEC 97, TRANSFER OF SECURITY INTELLIGENCE FUNCTION announced the transfer of the security intelligence function from the security and military police to J2/DG INT [Director General Intelligence]; and CANFORGEN 130/97, VCDS 093, 182025Z DEC 97, SPECIAL BRIEFING TEAM - MILITARY POLICE AND NATIONAL INVESTIGATION SERVICE announced the formation of a briefing team to travel across the CF informing members of the new changes in these areas.

⁴⁷ CANFORGEN 117/97, CDS 128, 271315Z NOV 97, CONSULTATION WITH LEGAL COUNSEL ON ELECTION TO BE TRIED BY COURT-MARTIAL.

The report entitled Compendium of Changes in the Canadian Forces and the Department of National Defence⁴⁸ was also released by the MND in March 1997. This document provided an overview of the initiatives that had taken place in the CF in the previous few years. The report enunciated the requirements to become more fiscally astute in dealing with the fiscal realities of Canada. It also enunciated the changes required in the CF in response to expectations of the citizens of Canada, such as fairness and equity in employment. The post Cold War environment is addressed with discussions on how to improve the CF for operational missions including equipment requirements for the three environments. Although not a White Paper, this compendium of changes, from the MND's point of view, represented a fresh strategic overview and "... a sound basis on which to move forward."⁴⁹

The final report I am going to deal with is the one published by the present MND, the Honourable Arthur C. Eggleton, P.C., M.P., entitled A Commitment to Change - Report on the Recommendations of the Somalia Commission of Inquiry.⁵⁰ This report, released in October 1997, was the MND's detailed answer to the recommendations of the Somalia Inquiry. Of the 160 recommendations made by the Somalia Inquiry, the DND agreed "... with 132, in whole or in part, which represent about 83% of the total."⁵¹ Of

⁴⁸ The Honourable M. Douglas Young, P.C., M.P. Report to the Prime Minister - Compendium of Changes in the Canadian Forces and the Department of National Defence. Canada. Department of National Defence, 1997.

⁴⁹ Report to the Prime Minister - Compendium of Changes in the Canadian Forces and the Department of National Defence, 12.

⁵⁰ The Honourable Arthur C. Eggleton, P.C., M.P. A Commitment to Change - Report on the Recommendations of the Somalia Commission of Inquiry. Canada. Department of National Defence, October 1997.

⁵¹ A Commitment to Change - Report on the Recommendations of the Somalia Commission of Inquiry, foreword.

the 28 that were not accepted, the report observed that most of them "...could be achieved through means other than those specified by the Commission."⁵² This report dealt with the Somalia Inquiry's recommendations in the same format that they were presented. Where the report agreed with the Somalia Inquiry, it so stated and listed the changes that would be implemented. Where it disagreed, it so stated and listed what alternative actions, if any, were to be initiated. This report also refers back to the reports discussed above.

I am not going to examine the report in any detail.⁵³ Suffice to say that the MND eventually took the recommendations of the Somalia Inquiry to heart.⁵⁴ He saw them as honest and sincere recommendations for the improvement of DND. He also felt that it was necessary to set up a mechanism to rebuild the trust of the Canadian public in the CF.

He stated that:

If we are to reinforce the contract of trust that exists with Canadians, we must demonstrate our commitment to change. To ensure accountability in the implementation of the reforms, I have asked Canadians, from wide ranging backgrounds, to be part of a Monitoring Committee on Change in the Canadian

⁵² A Commitment to Change - Report on the Recommendations of the Somalia Commission of Inquiry, 1

⁵³ The reader is directed to A Commitment to Change - Report on the Recommendations of the Somalia Commission of Inquiry for the exact details of each recommendation.

⁵⁴ Since the release of this report a number of policies or changes have occurred in the DND and the CF. The following CANFORGENs are representative of some of these changes. CANFORGEN 114/97, CDS 122, 192200Z NOV 97, SUMMARY TRIAL PROCEDURE AMENDMENTS AND FAMILIARIZATION TRAINING; this CANFORGEN details some of the changes to the Summary Trial procedures and indicates that briefings and familiarization training will be carried out. CANFORGEN 075/98, CDS 059, 091201Z JUL 98, SUMMARY TRIAL STATISTICS; this CANFORGEN indicated that to improve the CF transparency, Bill C-25 would require the Judge Advocate General (JAG) to report annually to the MND on the administration of justice within the CF and that the report would be made public. CANFORGEN 125/98, CDS 110, 111650Z DEC 98, NDA AMENDMENTS - PASSAGE OF BILL C-25; This CANFORGEN announced that Royal Assent was given to Bill C-25. It also announced some of the changes that were in the Bill. Of interest, this Bill abolished the death penalty as a punishment within the CF.

Forces and the Department of National Defence.⁵⁵ The Committee will report directly to me and prepare semi-annual reports that I will release to the public.

I believe the establishment of the Monitoring Committee along with the many other initiatives described in our response will ensure the openness, transparency and accountability of the Canadian Forces and the Department of National Defence as our institution evolves to better serve the security needs of Canadians and Canada's interests in the world.⁵⁶

I will have more on the Monitoring committee later in the paper.

Another initiative taken by DND was the launching of a programme called Standards for Harassment and Racism Prevention (SHARP). The SHARP programme was introduced to ensure that all members were aware of what constituted harassment and racism, that harassment and racism were not accepted within the DND or the CF, and how to deal with them. As well, a 1-800 telephone number was introduced for those members who did not feel comfortable discussing their concerns with others in their immediate environment.⁵⁷ This programme has sensitized all members of the CF to the diversity of other members and to the fact that these differences are strengths that improve the efficiency of the CF.

Other policies or direction have been put in place to deal with the well being of personnel injured in the course of their duty. CANFORGEN 072/97 announced the

⁵⁵ The Monitoring Committee was set up on 14 October 1997. Its members are John A. Fraser (Chairman), David J. Bercuson, D. Bevis Dewar, Brigadier General Sheila Hellstrom (retired), Carole Lafrance, Laurier L. LaPierre, and John Rankin. The committee delivered a plan of work in March 1998 and an interim report in November 1998. It is expected to deliver a progress report in the Spring of 1999 and a final report in the Fall of 1999. More about their work later in the paper.

⁵⁶ A Commitment to Change - Report on the Recommendations of the Somalia Commission of Inquiry, foreword.

formation of a team to examine the care of injured personnel and their families. This team was to examine the success or failure in the provisions of medical and administrative support.⁵⁸ In September 1997, CANFORGEN 094/97 announced a policy to deal with service members injured in a special duty area and no longer fit to remain in the CF. The policy gives priority to those members to be appointed to positions in any department or agency of the public service governed by the Public Service Employment Act.⁵⁹ One of the cornerstones of this plan is a new interdepartmental initiative called the DND/VAC (Veterans Affairs Canada) Centre for the Support of Injured and retired Members and their Families (The Centre).⁶⁰ This initiative with VAC is a major breakthrough in inter-departmental support for the members of the CF. These initiatives are particularly welcome as CF members had previously been released without CF support or the knowledge to adequately their claims outside the CF.⁶¹

As well, the policy on granting of sick leave was changed by CANFORGEN 094/98. The new policy allows medical officers to grant sick leave up to 30 continuous calendar days without consent of a member's commanding officer. This policy will

⁵⁷ CANFORGEN 053/98, CDS 045/98, 262140Z MAY 98, SEXUAL ASSAULT/HARASSMENT 1-800 COMPLAINT SERVICE. This CANFORGEN announced the launch of the 1-800 number and reminded all members that complaints must be dealt with in an appropriate manner.

⁵⁸ CANFORGEN 072/97, CDS 079, 091305Z JUL 97, CARE OF INJURED PERSONNEL AND FAMILIES REVIEW.

⁵⁹ CANFORGEN 094/97, ADM (PER) 066, 251131Z SEP 97, PRIORITY UNDER THE PUBLIC SERVICE EMPLOYMENT REGULATIONS FOR CF MEMBERS INJURED IN A SPECIAL DUTY AREA.

⁶⁰ "One stop shopping for the injured."

⁶¹ Anne Boys. "One stop shopping for the injured." Maple Leaf, 1 December 1998, Volume 1, Number 14. In this issue of the Maple Leaf an article by Anne Boys details some of the new policies put in place to stream line the way the DND and the CF cares for injured personnel and their families. This article indicated that these policies would come into effect in April 1999. For more information, the reader is directed to the article.

ensure that a member receives the medical treatment and leave required to properly recover without unit pressure to return to work.⁶²

To ensure that the careers of female members of the CF were not impeded by systemic barriers, a policy was announced by CANFORGEN 053/97 to ensure female officers have access to the Canadian Forces Command and Staff Course (CFCSC). This policy is a CF initiative to increase the full participation of women throughout the CF at all levels of training and employment.⁶³

To address concerns about the First Nations, the CF announced a new Aboriginal Hair-Dress policy in December 1998. This policy allows Aboriginal members of the CF to grow their hair long and wear it in braids. This policy reflects a more culturally aware DND and CF in an increasingly multi-cultural Canada.⁶⁴ This policy also supports a long running Land Force Western Area initiative to help First Nations. 1999 will mark the 10th year of the 'Bold Eagle' programme. This programme enrolls young First Nation adults in the Army Reserve, provides them with military training and enhances their knowledge of their own culture. These young adults take their newly acquired training, knowledge, and life skills back to their own nations, tribes and reserves, and provide a vital link between DND and the First Nations.

⁶² CANFORGEN 094/98, ADMHRMIL 060, 011008Z SEP 98, SICK LEAVE.

⁶³ CANFORGEN 053/97, ADM(PER) 037/97, 161830Z MAY 97, SPECIAL SELECTION MEASURE FOR WOMEN-CF COMMAND AND STAFF COURSE.

⁶⁴ CANFORGEN 126/98, ADMHRMIL 078/98, 161441Z DEC 98, ABORIGINAL HAIR DRESS POLICY.

To address the Somalia Inquiry's recommendation to establish an independent review body, embodied in an Inspector General, the MND announced and appointed a DND/CF organizational Ombudsman with direct access to the MND, the CDS and the DM. The Ombudsman is supposed to be independent of the chain of command and accessible to all members of DND without fear of retribution.⁶⁵ The Ombudsman is now in the process of establishing himself. There may be reason for concern in this area as the Ombudsman has yet to start work, notwithstanding that he has submitted his recommended terms of reference to the MND, four months ago at writing, and has yet to receive a response.

In closing this section, DND has made a determined effort to address the 381 concerns addressed by the major reports and inquiries.⁶⁶ Changes, or proposed changes in all the areas recommended by the Somalia Inquiry and the various commissions, or reports initiated by the MND, have been put in place or will be put in place. The CF is emerging from a difficult period in its history. However, have these changes and proposed changes been enough?

⁶⁵ A Commitment to Change, 7 - 8.

⁶⁶ The five major reports are: The Report of the Ministerial Committee on the Canadian Military Colleges, Leadership and Management of the Canadian Forces, The Report of the Special Advisory Group on Military Justice and Military Police Investigation Services, The Commission of Inquiry into the Deployment of Canadian Forces to Somalia, and the report of the Standing Committee on National Defence and Veterans Affairs.

HAVE THE ACTIONS BEEN ENOUGH

Recent headlines⁶⁷ in the media such as "Cannon fodder," "Military slammed over women's role," "Military failing in recruiting women," and "Army blamed in assault," seem to indicate that DND has not learned from its trials and tribulations. Magazine articles by *Maclean's* in 1998 and 1999 detailed incidents of sexual assault and sexual and personal harassment which further tarnished the image of the CF. These articles and the growing awareness by members of the CF of their rights as Canadian citizens made it clear that attitudes and actions that had been commonplace were now unacceptable. If the headlines are the only indicator, then perhaps they are right.⁶⁸

However, the Minister's Monitoring Committee set up in October 1997 may provide a more balanced view on the progress made to date. This Committee was set up to monitor and report on the "...progress with respect to the implementation of change within the Department of National Defence and the Canadian Forces..."⁶⁹ The Committee is made up of a number of prominent individuals from across the Canadian spectrum, both those with prior military service as well as civilians. Their first report on the progress made within the CF was submitted to the MND in November 1998.⁷⁰

⁶⁷ "Two officers suspended over porn party." Maple Leaf, 15 October 1998, Volume 1, Number 11, page 10; "Cannon fodder." Calgary Herald, Editorial Monday 22 February 1999; "Military slammed over women's role." The Toronto Star, February 20, 1999; "Military failing in recruiting women." CBC NEWSWORLD, WebPosted Sat Feb 20 10:18:48 1999; "Army blamed in assault." Toronto Sun, Friday, February 26, 1999. These are just a selection of headlines that have appeared in the media recently.

⁶⁸ So that the reader does not get the impression that all the headlines were pejorative, I have only included some that were negative. During the same timeframe there were just as many, if not more that were positive or neutral.

⁶⁹ Minister's Monitoring Committee on Change in the Department of National Defence and the Canadian Forces - Interim Report -1998. Ottawa, Canada: National Defence, 1998, iii.

⁷⁰ "MND's Committee submits report on change." Maple Leaf, 1 December 1998, Volume 1, Number 14, page 2. This article is a short summary of the Minister's Monitoring Committee's report.

In their report, the Committee examined the progress made by DND in a number of areas. Their report focussed on recommendations made to the MND in the Report to the Prime Minister on the Leaders and Management of the Canadian Forces, the Report of the Special Advisory Group on Military Justice and Military Police Investigation Services, the Report on Quasi-Judicial role of the Minister of National Defence (Special Advisory Group on Military Justice and Military Police Investigation Services), and the Report of the Commission of Inquiry into the Deployment of the Canadian Forces to Somalia. In total, the committee examined 94 recommendations enunciated in the reports listed above. In the majority of cases, they found that progress had been made. In some instances they were satisfied that sufficient progress had been made to consider the recommendations fully implemented. In other cases they felt that more work had to be done or more time was required to fully implement the recommendations.⁷¹ To quote from the article in the Maple Leaf:

The Committee was pleased with the pace and the progress of reform and commended DND for its co-operative spirit. Its report indicates that the Department's efforts in areas of openness and disclosure, human resources management issues and leaders are satisfactory. It did note however that the implementation of the recommendations relating to the Reserves has been slow.⁷²

Based on the Committee's interim report, it can be surmised that DND has in fact made improvements. They have learned from the criticisms leveled at them and have taken positive steps to correct the criticisms. However, the concerns that have continued to be addressed by the public are not those raised during the Somalia Affair, but are current ones that are valid and need to be addressed. The Committee still has two more

⁷¹ For specific comments on each recommendation, the reader is directed to the Interim Report -1998.

⁷² "MND's Committee submits report on change.", page 2.

reports to make to the MND and by the end of this year the final report will be submitted. It will "...assess the implementation of change and contain the Committee's conclusions and recommendations to the Minister."⁷³ However, the question should be asked as to how effectual the Committee may be. Can a Committee, not in permanent session and with no permanent staff, adequately monitor a complex process that is happening daily in Government be totally effective? I do not have the answer to this question and only time and the next Committee report will tell. Notwithstanding what the final report may say, DND cannot afford to become complacent. Procedures and policies put in place to address the concerns raised by the Somalia Inquiry and others must be monitored to ensure they are effective and are taking DND in the direction that Canadians expect and deserve.

CONCLUSION

In this paper, I have looked at the problems that beset DND. I have also examined some of the actions that were taken to address the problems. I have also delved into the interim report of the Minister's Monitoring Committee to show that progress has in fact been made. However, can DND be satisfied with the progress made? The evidence to date indicates that they can be satisfied with the progress made so far; however, this satisfaction should not lead to complacency.

The Minister's Monitoring Committee has two more reports to issue, but more importantly, the citizens of Canada expect that there will continue to be improvements in

⁷³ Interim Report -1998, 3.

DND. "Military personnel [and especially leaders] must be held accountable to society for their individual behaviour.... Military service imposes a harsher more demanding set of requirements and responsibilities."⁷⁴ The people of Canada deserve no less.

DND must strive to achieve the expectations of the people of Canada. "...the degree to which such an ambitious program will succeed is dependent upon a number of factors. Among the most critical are strong leaders, persistence and adequate resources."⁷⁵ The people of Canada deserve no less. The members of DND deserve no less.

⁷⁴ Kohn, 152.

⁷⁵ Interim Report -1998, 3.

Annotated List of Works Cited

Books

Bland, Douglas L. Chiefs of Defence. Toronto, Ontario: The Canadian Institute of Strategic Studies, 1995.

In this book, the author looks at the senior leadership and command of the DND and the CF. This book provides a history of the Chiefs of the Defence Staff in one work. Highly critical of the set up of National Defence Headquarters (NDHQ), he recommends some workable solutions to address his concerns.

Bland, Douglas L. National Defence Headquarters: Centre for Decision. Canada: Minister of Public Works and Government Services Canada. 1997.

This publication was written specifically for the Commissioners of the Somalia Inquiry. It examines the basic concepts, such as civil control of the military and military command. As well, it examines some of the concerns with NDHQ addressed in his Chiefs of Defence.

English, John A. Lament for an Army: The Decline of Canadian Military Professionalism. Contemporary Affairs Number 3. Canadian Institute of International Affairs Toronto, Canada: Irwin Publishing, 1998.

In this work, the author decries the slide of professionalism of an Army that was once considered the Shock Army of the Empire to the Army of the Somalia Inquiry. He makes some recommendations for improving this plight. As well, he has included in this document, a work entitled "What ever Happened to the National Defence College (NDC)". This last work is of interest to those who wish to know why NDC was abolished.

Finer, S.E. The Man on Horseback. Boulder, Colorado: Westview Press, Inc., 1988.

This seminal study on military interventions against civilian governments presents a comprehensive examination of why and how soldiers usurp power. Although dated, the discussions are still as relevant today as they were when the book was first published.

Loomis, Dan. The Somalia Affair: Reflections in Peacemaking and Peacekeeping. Ottawa: DGL Publications, 1996.

This book provides a balanced view of what transpired during the Somalia Affair.

Snider, Don M. and Carlton, Miranda A., eds. U.S. Civil-Military Relations. Significant Issues Series, Volume XVII, Number 5. Washington, D.C.: The Center for Strategic and International Studies, 1995.

This book is a compilation of ten works by various authors examining civil-military relations.

Taylor, Scott and Nolan, Brian. Tarnished Brass. Toronto: Lester Publishing Limited, 1996.

In this work, the author lambastes the hierarchy of the DND and the CF. It does not paint a very pretty picture.

Periodicals

Boys, Anne. "One stop shopping for the injured." Maple Leaf, 1 December 1998, Volume 1, Number 14, page 6.

This article by Anne Boys details some of the new policies put in place to streamline the way the DND and the CF cares for injured personnel and their families. The cornerstone of the plan is a new interdepartmental initiative called the DND/VAC (Veterans Affairs Canada) Centre for the Support of Injured and retired Members and their Families (The Centre).

Cantrell, Mark E. "The Doctrine of Accountability." Marine Corps Gazette, Quantico: November 1998, 58-59.

This article discusses the Marine Corps' doctrine of accountability and how it conflicts with a zero defect mentality. This article was used particularly for the incident involving LCpl Jason Rother.

Feaver, Peter D. "The Civil-Military Problematique: Huntington, Janowitz, and the Question of Civilian Control." ARMED FORCES & SOCIETY, Vol. 23, No. 2, Winter 1996, 149-178.

This article examines the question of civil-military control through the theories proposed by Samuel Huntington and Morris Janowitz. Feaver evaluates their theories and provides his own criteria for a new theory of civilian control of the military

Germain, Anthony. "Military failing in recruiting women." CBC NEWSWORLD, WebPosted Sat Feb 20 10:18:48 1999;

This article discusses the military's response to a Canadian Human Rights Commission ruling in 1989 requiring the CF to improve the number of women in the military.

Kemp, W. Kenneth and Hudlin, Charles. "Civil Supremacy over the Military: Its Nature and Limits." ARMED FORCES & SOCIETY, Vol. 19, no. 1, Fall 1992, 7-26.

This article discusses the principle of civil supremacy over the military. It discusses the principle of civilian control, the obligation of obedience for the military, legal and moral reasons for disobedience to orders such as illegal orders, orders that violate international law and immoral orders, politically motivated disobedience to orders, and how the military can influence policy making.

Kohn, Richard H. "How Democracies Control the Military." Journal of Democracy, Volume 8, Number 4, October 1997, 140-153.

This article also looks at the requirement for democracies to control their militaries. It examines the definitions and foundations of civilian control to include day to day control and checks and balances. It concludes with some guidance for emerging democracies.

Sarkesian, Sam C. "Military Professionalism and Civil-Military Relations in the West." International Science Review, Vol. 2 no. 3, 1981, 283-297.

This article discusses an overview of the military and society and the nature of conflicts. It also discusses a model for civil military relations based on a model of equilibrium, that is where a relationship between the military and civilian control is established by the proper balancing of political powers and purposes.

Thompson, Allan. "Military slammed over women's role." Toronto Star - Ottawa Bureau, February 20, 1999;

This article discusses the military's response to a Canadian Human Rights Commission ruling in 1989 requiring the CF to improve the number of women in the military.

Other Sources

"Army blamed in assault." Toronto Sun, Friday, February 26, 1999.

This article discusses the case of Kelly Scaglione who was sexually assaulted as a young private by a Master Corporal.

CANFORGEN 012/97, CDS 011, R 041850Z FEB 97, Special Advisory Group on Military Police Investigation Services.

This CANFORGEN set out the terms of reference of the Special Advisory Group detailing their mandate and their visit schedule. This document alerted members of the CF to the existence of the Special Advisory Group.

CANFORGEN 053/97, ADM(PER) 037/97, 161830Z MAY 97, SPECIAL SELECTION MEASURE FOR WOMEN-CF COMMAND AND STAFF COURSE.

This policy was a CF initiative to increase the full participation of women throughout the CF at all levels of training and employment

CANFORGEN 71/97, A/VCDS 057, 021730Z JUL 97, DG SAMP DIVISION REORGANIZATION

This CANFORGEN announced the movement of this organization from the Deputy chief of the Defence Staff Group to the Vice Chief of the Defence Staff.

CANFORGEN 072/97, CDS 079, 091305Z JUL 97, CARE OF INJURED PERSONNEL AND FAMILIES REVIEW.

This CANFORGEN announced the formation of a team to examine the care of injured personnel and their families. The team was to examine the success or failure in the provisions of medical and administrative support.

CANFORGEN 088/97, VCDS 073, 281425Z AUG 97, CANADIAN FORCES NATIONAL INVESTIGATION SERVICES

This CANFORGEN announced the stand up of the expanded Canadian Forces National Investigation Service

CANFORGEN 094/97, ADM (PER) 066, 251131Z SEP 97, PRIORITY UNDER THE PUBLIC SERVICE EMPLOYMENT REGULATIONS FOR CF MEMBERS INJURED IN A SPECIAL DUTY AREA.

This CANFORGEN announced a policy to deal with service members injured in a special duty area and no longer fit to remain in the CF. The policy would give priority to those members to be appointed to positions in any department or agency of the public service governed by the Public Service Employment Act

CANFORGEN 100/97, VCDS 083, 1611836Z OCT 97, MP COMPLAINT REVIEW AND INVESTIGATIVE PROCESS

This CANFORGEN announced an interim complaint process until the establishment of an independent office of complaint review was established.

CANFORGEN 114/97, CDS 122, 192200Z NOV 97, SUMMARY TRIAL PROCEDURE AMENDMENTS AND FAMILIARIZATION TRAINING

This CANFORGEN details some of the changes to the Summary Trial procedures and indicates that briefings and familiarization training will be carried out.

CANFORGEN 117/97, CDS 128, 271315Z NOV 97, CONSULTATION WITH LEGAL COUNSEL ON ELECTION TO BE TRIED BY COURT-MARTIAL.

This CANFORGEN announced a policy would allow members to consult with legal counsel before making a decision on whether to be tried by court martial or summary trial.

CANFORGEN 126/97, J2 COORD 177, 181600Z DEC 97, TRANSFER OF SECURITY INTELLIGENCE FUNCTION

This CANFORGEN announced the transfer of the security intelligence function from the security and military police to J2/DG INT.

CANFORGEN 130/97, VCDS 093, 182025Z DEC 97, SPECIAL BRIEFING TEAM - MILITARY POLICE AND NATIONAL INVESTIGATION SERVICE

This CANFORGEN announced the formation of a briefing team to travel across the forces informing members of the new changes in these areas.

CANFORGEN 053/98, CDS 045/98, 262140Z MAY 98, SEXUAL ASSAULT/HARASSMENT 1-800 COMPLAINT SERVICE.

This CANFORGEN announced the launch of the 1-800 number and reminded all members that complaints must be dealt with in an appropriate manner.

CANFORGEN 075/98, CDS 059, 091201Z JUL 98, SUMMARY TRIAL STATISTICS

This CANFORGEN indicated that to improve the CF transparency, Bill C-25 would require the Judge Advocate General (JAG) to report annually to the MND on the administration of justice within the CF and that the report would be made public.

CANFORGEN 094/98, ADMHRMIL 060, 011008Z SEP 98, SICK LEAVE.

This CANFORGEN would ensure that a member received the medical treatment and leave required without unit pressure to return to work.

CANFORGEN 125/98, CDS 110, 111650Z DEC 98, NDA AMENDMENTS -
PASSAGE OF BILL C-25

This CANFORGEN announced that Royal Assent was given to Bill C-25. It also announced some of the changes that were in the Bill. Of interest, this Bill abolished the death penalty as a punishment within the CF.

CANFORGEN 126/98, ADMHRMIL 078/98, 161441Z DEC 98, ABORIGINAL HAIR
DRESS POLICY.

This CANFORGEN announced a new policy that allowed Aboriginal members of the CF to ask for and receive permission to grow their hair long, and wear it in braids. This policy took into account the changing ethno religious differences in an increasing multi-cultural CF.

"Cannon fodder." Calgary Herald, Editorial Monday 22 February 1999;

This article discusses the plight of Canadian engineers deployed in Macedonia.

Collenette, The Honourable David, P.C., M.P. 1994 Defence White Paper. Canada. Department of National Defence, 1994.

The 1994 Defence White Paper enunciates the way ahead for the department of National Defence. As a government policy paper it can be considered the authoritative direction to the DND until a new white Paper is released.

Dishonoured Legacy-The Lessons of the Somalia Affair. Report of the Commission of Inquiry into the Deployment of the Canadian Forces to Somalia. Executive Summary. Ottawa, Canada: Minister of Public Works and Government Services Canada, 1997.

This executive summary provides a succinct overview of the 160 recommendations that the Commissioners made to the Government. The summary provides the reader with a enough information to understand what the Somalia inquiry was about. Further information can be found in the full report and the studies prepared for the commissioners.

Dishonoured Legacy-The Lessons of the Somalia Affair. Report of the Commission of Inquiry into the Deployment of the Canadian Forces to Somalia. Volume 2. Ottawa, Canada: Minister of Public Works and Government Services Canada, 1997.

Volume 2 covers Chapters 15 to 23. This volume deals with leadership, accountability, the chain of command, discipline, suitability and cohesion, personnel selection and screening, training, rules of engagement and operational readiness.

Dishonoured Legacy-The Lessons of the Somalia Affair. Report of the Commission of Inquiry into the Deployment of the Canadian Forces to Somalia. Volume 3. Ottawa, Canada: Minister of Public Works and Government Services Canada, 1997.

Volume 3 covers chapters 24 and 25. This volume deals with Canada's mission in Somalia and the military planning system.

Dishonoured Legacy-The Lessons of the Somalia Affair. Report of the Commission of Inquiry into the Deployment of the Canadian Forces to Somalia. Volume 4. Ottawa, Canada: Minister of Public Works and Government Services Canada, 1997.

Volume 4 covers chapters 26 to 37. This volume deals with the failures of senior leaders. Each chapter is dedicated to a senior leader.

Dishonoured Legacy-The Lessons of the Somalia Affair. Report of the Commission of Inquiry into the Deployment of the Canadian Forces to Somalia. Volume 5. Ottawa, Canada: Minister of Public Works and Government Services Canada, 1997.

Volume 5 covers chapters 38 to 44 of the Inquiry. It deals with the March 4th incident, openness and disclosure of documents, military justice, the Mefloquine question, and the Inquiry's unfinished mandate.

Eggleton, the Honourable Arthur C., P.C., M.P. A Commitment to Change - Report on the Recommendations of the Somalia Commission of Inquiry. Canada. Department of National Defence, October 1997

In this report, the MND addresses the recommendations put forward by the Commissioners of the Somalia Inquiry. It delineates what actions, if any the DND and the CF are going to take on the recommendations.

"MND's Committee submits report on change." Maple Leaf, 1 December 1998, Volume 1, Number 14, page 2.

This article is a short summary of the Minister's Monitoring Committee's report.

Minister's Monitoring Committee on Change in the Department of National Defence and the Canadian Forces. Ottawa, Canada: National Defence, 1998.

This report examines the progress made by the DND and the CF particularly with regards to the changes recommended in the Report to the Prime Minister on the Leadership and Management of the Canadian Forces, Report of the Special Advisory Group on Military Justice and Military Police Investigation Services, Report on Quasi-Judicial role of the Minister of National Defence (Special Advisory Group on Military Justice and Military Police Investigation Services), Report of the Commission of Inquiry into the Deployment of the Canadian Forces to Somalia and Report of the Special Commission on the Restructuring of the Reserves.

"Quality of Life report released." Maple Leaf, 15 November 1998, Volume 1, Number 13.

This report summarizes the SCONDVA recommendations in the areas of compensation and benefits, accommodation, care of the injured, family support and work expectations.

Report of the Ministerial Committee on the Canadian Military Colleges. Ottawa: Department of National Defence. 1993.

This report for the Minister of National Defence, prepared by a committee composed of Pierre Martin, Dr. W. Harriet Critchley, Mr. Norman A. Ross, and Dr. Ronald J. Baker, examined the Canadian Military College system in some detail. Their objectives were to ensure a continued high quality of graduates, optimizing the resources within the College system and increasing the number of officers from the Colleges in the CF. Although all their recommendations were not implemented, this document provided a framework for the improvements that were eventually undertaken.

Report of the Special Advisory Group on Military Justice and Military Police Investigation Services. Ottawa, Canada: Department of National Defence, 1997. This report prepared by The Right Honourable Brian Dickson, P.C., C.C., C.D., Lieutenant-General Charles H. Belzile, C.M.M., C.D. (Retired) and Mr. J.W. Bud Bird for the MND addresses a number of areas in which the application of military justice can be improved.

"Two officers suspended over porn party." Maple Leaf, 15 October 1998, Volume 1, Number 11, page 10.

This article discusses the suspension of two officers who were in attendance at an Officers Mess activity in Sherbrooke, Quebec where inappropriate activities took place during the dinner.

Young, The Honourable M. Douglas, P.C., M.P. Report to the Prime Minister Authority, Accountability and Responsibility. Canada. Department of National Defence, 1997.

This document, prepared for the Prime Minister by the Minister of National Defence, explains authority, accountability, and responsibility within the Department of National Defence (DND) and the Canadian Forces. It particularly looks at the responsibilities of the Minister, Chief of the Defence Staff, the Deputy Minister and various group principles/advisors.

Young, The Honourable M. Douglas, P.C., M.P. Report to the Prime Minister - Compendium of Changes in the Canadian Forces and the Department of National Defence. Canada. Department of National Defence, 1997.

This report list the changes that had been undertaken by the DND and the CF up to the time of its publication and identified those areas that were going to be addressed. A handy document to understand where the DND and the CF are going.

Young, The Honourable M. Douglas, P.C., M.P. Report to the Prime Minister on the Leadership and Management of the Canadian Forces. Canada. Department of National Defence, 1997.

This document looks at the senior leadership of the DND and the CF and makes a number of recommendations for change and improvement.

Young, The Honourable M. Douglas, P.C., M.P. Report to the Prime Minister - Report of the Special Advisory Group on Military Justice and Military Police Investigation Services. Canada. Department of National Defence, 1997.

This report lays the framework for the changes that have taken and will take place in the military justice system. It is published in response to the report submitted by Dickson, Belzile, and Bird.

List of Works Consulted But Not Cited

Books

Schafer, Arthur. The Buck Stops Here - Reflections on Moral Responsibility, Democratic Accountability and Military Values. Canada: Minister of Public Works and Government Services Canada. 1997.

Rost, Joseph C. Leadership for the Twenty-first Century. Westport, Connecticut: Praeger Publishers, 1991.

Taylor, Scott and Nolan, Brian. Tested Mettle. Ottawa, Canada: ESPRIT DE CORPS BOOKS, 1998.

Periodicals

Baril, General J.M.G., CMM, MSM, CD, Chief of the Defence Staff. "Development of Senior Leadership: The View from the Centre." CDAI'S Defence Affairs Quarterly. Volume 3, Number 3, 3 November 1998.

Baril, General Maurice,, Chief of the Defence Staff. "SEXUAL HARASSMENT, SEXUAL MISCONDUCT AND MILITARY DISCIPLINE IN THE CF." Maple Leaf, 15 January 1999, Volume 2, Number 1, page 7.

Bogdanor, Vernon. "Ministerial accountability." Parliamentary Affairs, Oxford: January 1997, 71-83.

- Boys, Anne. "CFNIS: Open door policy for complaints." Maple Leaf, 15 January 1999, Volume 2, Number 1, page 4.
- Branswell, Brenda. "A sympathetic ear." Maclean's. Toronto: December 14, 1998, 22.
- Britt, Thomas W. "Responsibility, Commitment and Morale." Military Review. Fort Leavenworth: Jan/Feb 1998, 77-82.
- Brown, John P. "Obligations of the citizen-soldier." United States Naval Institute Proceedings. Annapolis: July 1998, 50-51.
- Carmichael, Peter S. "Who's to blame." Civil War Times Illustrated. Harrisburg: August 1998, 54-62.
- Fogelman, General Ronald R. (Ret.). "The Core Values in Combat." The Joseph A. Reich, Sr. Distinguished Lecture on War, Morality and the Military Profession. United States Air Force Academy, Colorado: 12 November 1997, 1-13.
- Gillett, Mitch. "DND sets up new legal department." Maple Leaf, 1 February 1999, Volume 2, Number 2, page 4.
- Gillett, Mitch. "More advanced education for officers will improve CF." Maple Leaf, 1 February 1999, Volume 2, Number 2, page 20.
- Hill, Professor Thomas E. "Conscience and Authority." The Joseph A. Reich, Sr. Distinguished Lecture on War, Morality and the Military Profession. United States Air Force Academy, Colorado: 5 November 1996, 1-16.
- Haydon, Peter T. "The Somalia Inquiry: Can It Solve Anything?" Canadian Defence Quarterly. Spring 1997, 21-23.
- Holman, Fraser. "The State of the Canadian Forces: The Minister's Report of March 1997." Canadian Defence Quarterly. Summer 1997, 32 - 37.
- Krulak, Charles C. "Responsibility, accountability and the zero-defects mentality." Marine Corps Gazette. Quantico: May 1997, 18-19.
- McDermott, Professor John J. "'Turning' Backward- The Erosion of Moral Sensibility." The Alice McDermott Memorial Lectures in Applied Ethics. United States Air Force Academy, Colorado: 19 March 1998, 1-15.
- Rescher, Professor Nicholas. "In the Line of Duty: The Complexity of Military Obligation." The Joseph A. Reich, Sr. Distinguished Lecture on War, Morality and the Military Profession. Number Three. United States Air Force Academy, Colorado: 15 November 1990, 1-17

Schiff, Rebecca L. "Civil-Military Relations Reconsidered: A Theory of Concordance."
Armed Forces & Society. Vol. 22, No. 1, Fall 1995, 7-24.

Stevens, Geoffrey. "Starving military." Maclean's. Toronto: April 13, 1998, 2

Other Sources

Towards a Rapid Reaction Capability for the United Nations. Canada. Government of
Canada, 1995.