

Richard Fadden digs his hole Add to ...

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Wesley Wark

Richard Fadden has been director of Canada's spy agency since June of 2009. Whether he'll last much more than a year in the job looks increasingly doubtful. Not since the earliest days of the Canadian Security Intelligence Service, when the agency's first director, Ted Finn, was forced to resign over misleading statements about wiretap warrants, have we seen a scandal threaten to oust our top spy.

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The Fadden affair has an element of pathos. It's really too bad - for Mr. Fadden personally, for the morale of CSIS, for public confidence in our spy agency, for its reputation among allied partners on whom we rely, and, indeed, for politicians and ethnic communities in Canada who feel impugned by his remarks.

On Monday, in the wake of controversial remarks broadcast last month during a CBC interview that was part of a feature marking the 25th anniversary of CSIS, Mr. Fadden was hauled before a special sitting of the House of Commons standing committee on public safety. Some of the drama of his two-hour grilling was surely preordained. Opposition MPs were out for Mr. Fadden's blood, not to mention trying to paint the Harper government as inattentive to CSIS concerns regarding agents of influence at work in unidentified provincial cabinets and B.C. municipal politics.

But there were surprises. Some of the most probing questions about Mr. Fadden's conduct, including suggestions that he may have broken the CSIS Act, came from the Conservative side of the committee - in particular, from Dave MacKenzie, the parliamentary secretary for the Public Safety Minister. With friends like these ...

Just as surprising - and dismaying, to boot - was the very limited scope of the confession Mr. Fadden was prepared to make. He said he regretted making his specific remarks about agents of influence at work in Canadian municipal and provincial politics. In retrospect, he said, they were too "granular" (bureaucrat-speak for too detailed and revealing). But he was in no way prepared to apologize for them or recognize that they had done harm, and he stoutly resisted any suggestion that he should resign. His effort to explain what went wrong was painful to hear and difficult to believe. Here's a proud man doing his best to dig himself out of a deep hole, and proving to be very unskilled with a shovel.

To be fair to Mr. Fadden, his effort to better inform Canadians about the role of CSIS and about the nature of national security threats to Canada was wholly appropriate and to be welcomed. In engaging with the public, he was carrying on a tradition established by previous CSIS directors. Much of what he had to say in the speech he gave to the Royal Canadian Military Institute in March, with CBC cameras present, and in the lengthy interview the CBC initially filmed at CSIS headquarters in April are things that Canadians needs to hear.

But Mr. Fadden made one terrible error, the gravity of which needs to be appreciated. He spoke of concerns about agents of influence, as he has admitted under oath, before CSIS had completed its analysis of the intelligence it had gathered, before the Prime Minister's national security adviser had been fully apprised, before the Public Safety Minister had been informed, before the government had made any policy decision on how to deal with the matter, and before any public statement had been made by a

responsible government minister or the Prime Minister about the issue.

This is not a matter of loose lips sinking no ships, but rather a matter of mistaking the role of CSIS in a democratic society. CSIS must never speak out of turn about sensitive investigations; it must never allow itself to be perceived as a possible instrument for slander or attacks against serving politicians or public servants. No one wants a CSIS that operates in the frame of J. Edgar Hoover's FBI during the McCarthy period. This is not an arcane point and should not be lost on a new trainee to the spy service, much less on its director. Mr. Fadden misspoke three times on this issue, between March and June, and all before public audiences.

Mr. Fadden, perhaps suffering from bad advice from his own service colleagues, failed to offer the confession that might have saved the day - a confession that he doesn't just regret his "granularity" but that he understands what is at stake and that CSIS understands it. Instead, he was resolute in insisting before the parliamentary committee that the whole affair had been blown out of proportion, adding gratuitously that, if he'd just substituted more general remarks, MPs wouldn't have had their holidays disturbed.

By failing to apologize clearly, and with an eye to flouted rules about the role of CSIS in a democratic society, Mr. Fadden has placed the Harper government in the unwanted position of having to either apologize itself or stand by a CSIS chief who has made a dangerous error of judgment. As JFK famously told CIA director Allen Dulles before forcing him to step down over the failed Bay of Pigs invasion of Cuba, "You might think the buck stops here, but it's you, Allen, who is going to resign."

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