

Summary

Accountability in and for National Security
Reg Whitaker and Stuart Farson

In this study, Reg Whitaker and Stuart Farson examine the complex system of accountability that applies to government departments and agencies responsible for Canada's national security and recommend reforms to the system.

Greater accountability in government today is widely supported but imperfectly understood. The concept of accountability must be carefully analyzed, and its objectives clearly specified. Too often, seeking accountability has had unanticipated and even perverse results. National security presents special challenges in this quest, particularly with regard to the extraordinary requirements for secrecy and the complex relationship between intelligence collection and law enforcement.

In examining the issue of accountability in national security, the authors focus on a number of conceptual difficulties, such as the idea of "review" versus that of "oversight." Review – often seen as occurring *ex post facto* – has generally been the preferred option for enhancing accountability in Canada. Whitaker and Farson question whether this focus is appropriate in national security. They find that accountability has mainly been sought for propriety and efficacy, different but interrelated criteria. While review seems most appropriate when dealing with matters of propriety, oversight seems more appropriate when it is a question of efficacy. Thus the authors insist upon widening the scope of how accountability should be understood, to include both review and oversight. They also suggest that an important distinction should be made between accountability *in* (that is, within the executive branch, largely for control purposes) and accountability *for* (that is, the process of accounting by responsible ministers for government actions in and to Parliament) national security.

The study provides an historical overview of how, when and why national security accountability mechanisms developed in Canada. Most often driven by public

scandal, accountability reforms have tended to focus on matters of propriety. In the post-9/11 era, there are new challenges from new types of security threats. With new approaches to security, accountability must be adapted to the new realities, involving both propriety and efficacy. The authors conclude that achieving accountability is an evolving but unfinished process.

In the debate over how best to scrutinize Canada's security and intelligence community, the question of what the various bodies and processes are meant to accomplish has not been fully considered. The key question is what powers are available and how they are to be exercised. Three dimensions are of crucial importance: effective access to documents and people; the power to require full and accurate responses; and the process, timing, substance and independence of the reporting procedure.

Whitaker and Farson's recommendations include two central points. First, because national security operations within government and between governments are becoming increasingly integrated, accountability mechanisms should be integrated across institutional boundaries. Second, the role of Parliament in the accountability process needs to be enhanced, in close coordination with existing and enhanced review and oversight bodies. An important caveat is that increased accountability should not hinder the operations of those engaged in protecting Canada's national security.