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VOICE FILE NAME: COHP Hugh Segal (Part One)

Key:
SO: Dr Sue Onslow (Interviewer)
HS: Senator Hugh Segal (Respondent)

Part One:

SO: This is Sue Onslow talking to Senator Hugh Segal at the Royal Commonwealth Society in London on Wednesday, 13th March 2013. Senator Segal, thank you very much indeed for agreeing to talk to me. I wondered if you could begin by saying, in a general way, what has informed your views towards the Commonwealth in your political career.

HS: I'd say probably two things. When I was very young, Her Majesty came to my part of Montreal to open the St Lawrence Seaway. I would have been eight years old. It was 1959, Her Majesty was a young queen – I would say about thirty-three or thirty-two – and she looked very radiant. She came to speak in our small town hall in the northwest part of the city, and when someone – my father – explained to me who she was, what she did, what the Commonwealth was, that she was the head of the Church of England and that this was about everybody being equal under the Crown, that began my interest in what this sort of highly external force might mean in the life of an immigrant kid like myself, number one. Then, the politics really came from my association with the Conservative party. I joined the Conservative party when John Diefenbaker was Prime Minister, so we're looking at 1963. I was thirteen, and my daughter now would say, "Dad, that's the nerdiest thing I've ever heard about you."

SO: I'm sorry, but I agree with your daughter!

HS: I agree! But I did that because Diefenbaker was very much a politician who was focused on – as many Conservative politicians are – what are our roots, what are our binding histories, what is the nature of our country. He had been a leader, for example, in the early battles to find a solution to how countries that were not realms of the Monarch could still be part of the Commonwealth, with Her Majesty as the head of the Commonwealth, and with them having their own heads of state. He brought in the first Canadian Bill of Rights. So, the whole notion of equality under the Crown, the notion of a pluralist frame of reference which reflected the best of Canada [and] the best of some of our

international relationships, very much became associated with the Commonwealth in my mind.

As a young person, I was quite the Canadian nationalist. So, anything that was an association that didn't involve the Americans or wasn't an association that the Americans dominated was just – in a very simplistic way – very attractive to me. And, of course, the Commonwealth was one of those places where, while the dominant power was Great Britain in those days, the truth of the matter is [that] Canada was a relatively significant player. We were the number two donor; we were one of the original signatories. So, if you're a nationalist, then the Commonwealth is much more attractive to you, for example, than the Organisation of American States, where everybody is a bit player by comparison to the United States. So, in the early days, that's what attracted me to the Commonwealth.

SO: Senator Segal, your emphasis is very much on the identity of the Canadian nation with the Commonwealth because it has a pluralist society, a federal structure and it was a case of differentiating yourself from America. The Commonwealth offered, then, a forum in which Canada – as a united group – could play that much larger role.

HS: Yes. And Sue, I'll give you an experience, if I may – I feel as if I'm imposing on you, but…In Grade Four, I'm sitting in my class in a small religious school in Montreal – a Jewish religious school. The wall was festooned with sketches of all the prophets and Moses and Abraham and Jacob and all the rest, and there, at the front of the class, on top of it all, is a picture of a very young Queen and Prince Philip. I remember asking my teacher what the picture of Her Majesty and Prince Philip would be doing with all these Biblical sketches. The lady's name was Mrs Handleman. She said, "Hugh, it's because we are all equal under the Crown that we're allowed to have religious schools in this country. We are all treated equally under the law. That is the British tradition. Without that, we might not have the freedom to worship and attend schools in our own religious denomination." When you're very young, that has a huge impact on understanding the structure of the world. Then, of course, your commitment becomes as substantive as it is emotional.

SO: And that's of particular importance. You made reference to your family's immigrant status. So, was it again an affirmation of individual freedom as well as freedom of worship?

HS: Oh, absolutely, and the fact that Canada – this is before the Statute of Westminster – welcomed all kinds of folks from the steppes of Russia, where my people came from on my father's side, or from the Austro-Hungarian Empire, where they came from on my mother's side, and they were welcomed into a society which said, "Come and be equal and do your part and pay your taxes and enjoy your rights and build." That allowed my family, who were very much working class people – my grandfather on my mother's side was the first European baker on the streets of Montreal, and my grandfather on my father's side was a tailor in the needle and thread context of those words – they produced kids who went on to be University Presidents and the rest, and that's because of the kind of place Canada was. And the British Commonwealth influence produced, in some measure, that kind of society of opportunity.

SO: You have set out very much your personal philosophy, in attachment to the Commonwealth. How important is being a 'Red Tory' in identifying with Commonwealth values in the Canadian context?

HS: Well, because a Red Tory – which you folks here [in the UK] would call a 'wet' – is very much identified with what I would call the balance between freedom and order…The neo-cons are about freedom, [whereas] traditional landed Tories might be more about order than freedom: sort of the 'High Church' Tories. But Red Tories are about the balance between order and freedom. Order includes things like equality of opportunity, freedom of expression, pluralism, rule of law and, of course, the freedom side are all the freedoms which we should never take for granted. The Commonwealth – as a global organisation which is non-military [and] non-treaty – seemed to be an organisation whose main mission was to try and help countries achieve the right balance in that context, relevant to their own culture and history. Not to impose – although the legislative structure and other things are very much of the Westminster tradition in most Commonwealth countries – but to assist countries through technical assistance, through Commonwealth scholarships, through a whole bunch of other initiatives to build their own proper balance. That's the balance which produces civility, and that's the balance which produces inoculation in terms of the two worst fears in the world. If you have an absence of freedom from fear or an absence of freedom from want, then you have the basis for societies coming apart. The Commonwealth has always been, in my view, about a balance between those two freedoms: facilitating the kind of investment, engagement and support. When I grew up, as a young man, our first foreign aid project in Canada of any substance under Mike Pearson was called the Colombo Plan. Just think about that in the context of where I'm headed in the next few days. The Colombo Plan was seen as a very serious investment to bring core infrastructure capacity to a part of the world that had none, and that's where Canadians stepped up. So, in that context, [it's] not just the British connection [but] the Commonwealth has always struck me – because it doesn't have the hierarchy of a 'Permanent Five', because it doesn't have any vetoes – as the place more likely to achieve some of that progress in constructive ways than might be the case elsewhere.

SO: On this particular philosophical approach toward the Commonwealth that you've outlined here, do you identify this as being particularly associated with the Red Tories, or is this reflective of political and cultural outlooks that are common across Canadian political parties?

HS: It is in the nature of how Canada emerged as an independent democracy. We did not have a revolution. We had a very modest revolt in the 1830s, 1840s, which is really less than "a whiff of grapeshot", by any definition. We evolved from the King's Council, the Governor's Council, which had no democracy, to responsible government where our legislatures had control over spending. That process of evolution involved agents of the Crown. I particularly make reference to Lord Elgin, who was the Governor General, who signed the first democratically-passed bill from the legislature of Canada – with which he profoundly disagreed, but where he took the position that his job was to certify and not to approve what those elected by the voters had approved. This, by the way, interestingly enough, was a bill to provide reparations to French Canadians who had lost their homes because they'd been part of the Revolt of the 1830s, and the Anglos were desperately upset that these reparations had been passed. But the Governor, who said the British approach to

government involves certifying democratic decisions, stood firm. So, in that context, you could see in Canada's early days the British-designated Governor – a Tory, by the way – [serving as] the nursemaid to Canadian democracy without any serious shots being fired – without any serious revolution or civil war. So, there's something about that, which says that the Commonwealth message, in its present form, can be a similar constructive force for good.

SO: In your own political career, when did Commonwealth issues start looming large?

HS: Probably when I was in the Young Conservatives, supporting Mr Diefenbaker, and your government set aside the Preferential Commonwealth Tariff in favour of the EEC. I think that's…We're now talking about probably the late 1960s, and Trudeau was Prime Minister. I think Ted Heath was your man here, if I recall properly?

SO: Heath became Prime Minister in June 1970, so this was in the run up to us signing the Treaty of Rome and joining the European Community.

HS: I remember that the [Canadian] Conservative Party's position was that Heath and the UK were turning their back on us – that the preferential tariff is gone and this will radically change our relationship with Great Britain forever. Some of that was sour grapes on our part, some of that was us refusing to face up to our own hemispheric trade responsibilities with the United States, and some of that was a Conservative party that could not disengage from a kind of British tutelage which has been part of its history. We've outgrown that now – and so has the Commonwealth – but that was the first time it showed up as a dynamic issue in the politics of our country.

SO: Yes. And thereafter?

HS: Trudeau was very funny in the sense that he was, in some ways, quite mocking of the Crown and the Commonwealth, but in other ways he was very innovative – suggesting things like a private gathering of Commonwealth leaders to retreat without staff. He was very steadfast on apartheid in a way that was very constructive to the coherence of the Commonwealth. So, while he was busy removing any symbols of the Crown from things like mailboxes and, of course, the new flag, which removed the Union Jack from the corner…That 1963-65 fight over the flag was a very intense one, because it was basically a fight that said Canada was now sufficiently mature that we could remove the Union Jack from the corner of our flag, and nobody would die. Of course, it was in fact the absolute right decision. I opposed it as a young person. I was maybe part of the twenty percent of the Canadian population who was in favour of the old flag, in terms of young people. The vast majority of people were in favour of the new flag, and history tells us they were right, because the new flag says something about the country which is constructive. But that was… I remember driving around as a teenager with a bike festooned with Union Jacks and red ensigns, when all the other bikes in my part of the city of Montreal were festooned with red maple leaves.

SO: Were you ridiculed?

HS: A little bit, but it was also a little bit that the old Anglo-Saxons in town didn't like the new flag, but the French Canadians and some of the new ethnic

groups who didn't have any prior association with the Crown – so, Greek Canadians, Portuguese Canadians and Italian Canadians, who are in some large numbers in Montreal – just liked the new flag.

SO: Speaking of Canadian opposition to apartheid, Prime Minister Trudeau was one of the most outspoken critics of both apartheid in South Africa but also the white minority regime of Ian Smith in Rhodesia. Did you start to play a particular activist role within Canadian moves towards sanctions towards South Africa, [or] towards supporting black majority rule in Rhodesia/Zimbabwe before 1980, and then South Africa?

HS: Yes. In the mid-70s, I was working as the Principal Secretary to the Premier of Ontario. So, Ontario is our largest province [and] the premier was a chap by the name of Bill Davis – very much a Red Tory Premier. He was in office for some sixteen years and was very popular. Ontario took positions in support of the federal sanctions because, in some cases, while the federal government can impose sanctions, the industries that were involved were regulated by the province under our constitution, Sections 91 and 92. So, Ontario had to do work in that respect, and that was one of the responsibilities which I had in the Premier's office: to make sure that our Department of Industry, our Department of Commercial Licensing and all the rest were fully engaged and supportive of the federal sanctions.

So, I left Mr Davis in 1982. My wife and I had our first child, so I went into the private sector for a period of about ten years, but [remained] very much involved in the federal Conservative party [and] federal Conservative campaigns. I would have been one of those working on the polling and advertising side, [and] that underlined the point that when our Prime Minister – and now I'm talking about Brian Mulroney, in 1984 – took a position that was in opposition to Ronald Reagan or Mrs Thatcher but did so on something like apartheid, where he supported the Commonwealth and its sanctions against South Africa, his numbers… He would do it on a matter of principle – Prime Minister Mulroney was Irish, and very passionate about these questions – but his numbers amongst young people and women and French Canadians, his polling numbers, would go up, because the young people and women and French Canadians were never big fans of either Mrs Thatcher or of Mr Reagan. They viewed them as too ideological for the Canadian context. So, when Mulroney did the right thing on apartheid and was clearly divided from Mrs Thatcher and divided from Mr Reagan, that would produce substantial polling support amongst women, young people and French Canadians.

SO: So, it was attractive to his domestic constituents.

HS: Particularly in support of the municipal vote – the civic vote, the vote to the big urban municipal [institutions]. Tories [in Canada], not unlike in the United Kingdom, tend to do okay in the countryside most of the time, but in the big cities it's a battle. So, this was very, very helpful.

SO: That sounds very familiar to the pattern of voting in the UK.

HS: It was very helpful to him to take those positions, but he did them as a matter of principle. Then I had the chance…I went on his staff, laterally. As I said over lunch, Canada would not desist on sanctions until we heard from

Mandela – whatever the pressure from the Americans, the British or our own banks and mining companies.

SO: Did you attend the CHOGM in Vancouver in 1987?

HS: No, I did not. I didn't join the Prime Minister's staff until 1991, so I did not attend that meeting. I know of it, I remember the dynamic, I saw the coverage, but I wasn't part of it.

SO: 1991, then, was after the release of Mandela, which was in February 1990. South Africa was embarking upon the equally troubled and tortuous road to constitutional democracy and black majority rule. It seems to me that the Commonwealth's role in the run up to De Klerk's extraordinary announcement in his national assembly speech, and Mandela's subsequent release, is much more covered and better known than the Commonwealth Secretariat's role and the role of individual Commonwealth countries from 1990 to 94. Would you agree with that?

HS: Yes, I would, because a lot of what the Commonwealth did – kind of [like] what Canada did – was not part of the public record. The fact that Mulroney used our International Development Research Centre (IDRC), which is set up for the purpose of measuring what kinds of development projects work the best and how do Canadian development projects around the world succeed or fail and what we can learn from that… He really used that as an instrument by which to provide funding and support for parts of the Mandela cabinet, so they might have the training – three week courses at places like Harvard or Cambridge, red bricks for that matter – so they could get basic core skills either in terms of fiscal policy literacy, defence policy literacy, [and] international affairs. When the Prime Minister asked Mandela, "How can we help?", he said, "You can help this way", and Mulroney said, "Done." And as recently as a year ago, Trevor Manuel came to Canada – he's now the Minister for Cabinet Affairs but he used to be the Minister of Finance [in South Africa] – and he told a story at a lunch in the presence of ministers and parliamentarians about how Mulroney had been helpful in the early days to Mandela through the IDRC, which was celebrating its fortieth birthday.

So, I think Mulroney – being very pragmatic and having a strong personal relationship with Mandela – said, "Tell me what I can do to help, what really matters." He told them, and we did it. And also, with respect to the pressure from Canadian mining and other companies to get out of the extraction sanctions, to put back in and invest, I remember his position having been, "We will do that when Mandela tells us [that] De Klerk has gone far enough, or that majority democracy changes [have] proceeded sufficiently. And until such time as that happens, we're not going to back down from any of our sanctions." He was basically saying to the government, to the bureaucracy, to industry, "We don't make this decision in some capricious way because it's in our interests. We've stood with Mandela while he was in jail; we're going to stand with Mandela now." They became very, very close, and, in fact… Mandela became close with Mulroney: they talked on a regular basis; he was made an honorary citizen of Canada; he was given an honorary Order of Canada, which was our equivalent of the OBE. He came to Canada – by this point, Jean Chrétien was Prime Minister – and filled one of the largest stadiums in Toronto with literally 60,000 people who came to see him, all of which was very, very validating for the Commonwealth connection, because it had been through the Commonwealth that Canada had acted. It had been

through the Commonwealth and the meeting you referenced, in Vancouver, where Canada had confronted the forces of complacency, I guess – or cynicism – and hung in there with the battle. I think Canada would have been of the view that we couldn't have done that without the Commonwealth – that Sonny Ramphal, the Front Line States, were all critical elements of our capacity to make that happen. And because of where the Americans were standing, there would have been no other foreign policy network through which we could have achieved that and been part of the team that stood with the Front Line States and really assisted the peaceful transition to majority democracy in what everybody feared was going to be a horrific bloodbath.

SO: Absolutely. I remember the press reports very clearly, and there was effectively a civil war going on in KwaZulu Natal with the standoff between the ANC and the Inkatha Freedom Party. Yes, very tense times indeed. As the Chief of Staff, did you yourself develop close relations with people around Mandela – the political advisors, bureaucrats or leading people within the ANC?

HS: Not that I can recall. Mulroney would be on those phone calls largely himself and he would have had a sherpa [i.e. leaders' personal representative] designated to that file. The sherpa would be appointed about a year before every Commonwealth meeting, and that would usually be a senior bureaucrat, a senior deputy minister or a senior ambassador or high commissioner who had either been in London or elsewhere, and I would have been aware of the traffic but I wouldn't have had a major role in that.

SO: Okay, so, did you go to Harare in October 1991?

HS: No, I did not, no. I had just joined the staff in August of 1991; I did not have a remit on foreign policy, so I would not have gone to Harare. I joined as a senior policy advisor in August of '91. I didn't become Chief of Staff until January of '92, and stayed until April of '93.

SO: So, what were the specific areas on which you were giving Prime Minister Mulroney policy advice?

HS: I was a senior policy advisor – don't forget my background from provincial government. We had a tough referendum coming [up] on the Charlottetown Accord – a constitutional issue with Quebec – so my remit would've been domestic politics and federal/provincial relations, which was a very big part of our government's survival mixture at that time. I would not have been on the front line of the foreign policy position; certainly not in those early months.

SO: In between leaving the Prime Minister's office as Chief of Staff in 1993 and then, when you were appointed to the Senate in 2005, did you develop particular Commonwealth interests or activities?

HS: Two things. I would have been a member of the Royal Commonwealth Society and I would have attended their meetings on a pretty regular basis. I would have spoken to various meetings and Commonwealth Day dinners across the country over that period of ten years. Otherwise, I would have had no direct contact or relationship with the Commonwealth [and] certainly no contact with the bodies here, in London. That would not have been part of my day-to-day job. I was, in fact, an advertising executive in the private sector for

that period of time, and that would not have brought me into contact with Great Britain in any way, shape or form.

SO: When were you appointed chairman of the Senate Foreign Affairs Committee?

HS: I was appointed to the Senate in August of 2005. We did not form a government until September of 2006, and I was appointed chairman of the Foreign Affairs Committee that fall because the government gets the right of appointment in a negotiation with the opposition parties. So, I then became chairman of that, and I served through until 2007. Our major effort at that time – which I think you referenced in your questions – was a major review of Canada's foreign aid, CIDA [Canadian International Development Agency], and we produced quite a difficult report in terms of talking about inconsistencies in CIDA's policy, a lack of value, undue bureaucracy in terms of how the services were delivered, the fact that – unlike DFID – ninety-five percent of our employees worked in Ottawa. Whereas DFID, AUSAID and USAID had a good chunk of their employees around the world in target countries, we did not. We talked about the amount of money going into Africa and the amount of money coming out of Africa through corruption. We dealt with some of the difficult issues. A lot of the government's policies towards CIDA have now changed – particularly as related to Africa – but that report was quite a…It was not without controversy, but it was a very salient report in terms of making foreign aid issues part and parcel of the dynamic.

SO: As part and parcel of that critique, did you also pass comment on CIDA's contribution or the Canadian government's contribution to the funding of the Commonwealth Secretariat, and also the funding for technical development programmes via the Secretariat?

HS: I don't believe we made a specific reference to ComSec. We talked about technical assistance *per se*, and we talked about the various… You know, Canada had a tendency of…Rather than funding a project on the ground, Sue, Canada would say, "Let's just write a cheque to the government of Uganda."

SO: Ah, so it was general budgetary assistance?

HS: Right. The reason we would do that is because our Auditor General said [that] when we used to fund individual projects, sadly, some of those projects would fail. [On] some of the projects, we would see people stealing money. So, it became easier for our civil servants just to write a cheque to another government for a development project: get a receipt, and that's the end of the audit trail. But the fact that the government would then…God knows what they used the money for, or they would charge some kind of 'pass through' fee for the recipients, completely against Canadian policy. That didn't seem to bother us at all. So, we exposed some of those weaknesses in the report I chaired, and suggested that we have to take a much more granular approach on the ground to making sure projects were real.

SO: So, unfortunately for your continued position as chair of the Foreign Affairs Committee, you then stepped down.

HS: Yeah, two things. Well, there's the official story and there's the truth. The official story is that my report was so controversial that they asked me to step

down. It is not remotely the truth. The truth is – no one's ever asked before, so thank you – the truth is that…It's a little…I'll just take thirty seconds [to explain].

We had a member of our Senate caucus by the name of Don Oliver – decent guy, happens to be a Caribbean Canadian, and he chaired the Justice Committee of the Senate. The government brought in new accountability legislation, dealing with previous Liberal [Party] so-called 'scandals': tougher spending rules, tougher expense rules, tougher disclosure rules for the government as a whole. Many of those pieces of legislation were rubbished in the Senate – the committee he was chairing – because he wasn't there and the opposition had a majority. He was travelling: he was an IPU person – Inter-Parliamentary Union – [and also] Commonwealth Parliamentary Association, so he would miss a lot of meetings. When the Bill got beaten up so badly, the government decided to remove him as the chair of the Justice Committee. He was a senior Parliamentarian who had been in the Senate for fifteen years; I had just arrived. He went to our leader in the Senate and said – it happened to be March, which was Black History Month – he said, "Is it the Prime Minister's wish to turn me into history in Black History Month? Why does young Segal, who just got here, chair the most prestigious committee and why do I now have nothing?" Marjory LeBreton, the Government leader in the Senate, asked if I would step aside to facilitate him taking the chairmanship. I said it wouldn't be my first choice, but if that's the wish, I'm glad to do it. I said, "But understand, Marjory, [that] the other parties have a majority on this committee. When I joined the Senate, there were seventy Liberals and fifteen of us, so you have my support but you've got to get the Liberals on side." They would not support Don Oliver, so we ended up with a Liberal chair and me no longer chair of the Committee.

The Canadian media are so good at labelling. They say, "Well, this is because the government is a right-wing government and he's a Red Tory and they had to move him out." I know it says that. It's just not the truth, but it doesn't actually pay to work hard to change it because it doesn't really matter, frankly. Aren't you glad you asked?

SO: I am. I'm always fascinated by political manoeuvrings, which, in your case – and indeed your government's case – actually backfired in terms of maintaining the chair of the Foreign Affairs Committee.

HS: Right. Yes, it worked out completely unconstructively and for no purpose, and Don Oliver didn't even get to be chair. So, the purpose of treating one of our visible minority people well didn't happen either.

SO: No. So, lose-lose. You're currently chair of the Special Senate Committee on Anti-Terrorism. If I could just address this before we come back to contemporary Commonwealth issues… Has there been, in any way, a particular Commonwealth dimension to your work on anti-terrorism?

HS: There have been two parts to that. One is that, in the early days in that committee, I came to the UK to meet with security officials here, some of whom still can't be named – senior police officers and inspectors who were involved with anti-terrorism activities – and we even arranged for some of them to appear by teleconference as witnesses before our Senate committee on terrorism, so we could learn from aspects of the British experience: both in

terms of the management of home-grown terrorists amongst your own population, and with respect to the way in which anti-terrorist organisations gather intelligence and share information with one another. So, I came here, I had two or three working lunches with senior security officials, and then we sorted out who could actually appear on camera and talk about some of the issues we were addressing. Our agenda says it was about taking legislation which Mr Chrétien had passed after 9/11 to help the Americans feel more secure about their northern border. So, that legislation was passed with the perception that it had been made 'Charter-proof', which means that none of the provisions in the law would violate the Charter of Rights and Freedoms. As it turns out, it wasn't quite so, and they lost quite a few court cases. So, when that legislation lapsed five years after 2001 – which was 2006 – we had to begin to renew the legislation, but with changes that were the result of decisions made by the courts around civil liberties, habeas corpus and various other critical British principles. The British were very helpful to us in some of the changes they had made to their own legislation, and we learnt from some of them about [that]. So, that was one area of activity. The other area of activity which soon followed involved some leading academics who had done research on home-grown terrorism, the alienation that that produced, the ways in which to deal with young people who became adrift in societies that were isolated from the mainstream, the way in which terrorist information, bomb plans and other plans were transmitted, the importance of the web in that whole process and what organisations could do within the framework of the constitution about that. So, there was a lot of help from them.

We also had a fair amount of help from India. We connected with and got advice from the Indians because they were facing different kinds of situations. But, remember, the largest terrorist event in Canada's history was the blowing up of an Air India aircraft that took off from Vancouver over the Irish Sea. The bombs [which caused] the death of three hundred Indo-Canadians and others were placed in the hold of the aircraft in baggage in Vancouver, and there'd been a horrific failure – not unlike 9/11 but smaller, because it was a smaller event – of different parts of our security apparatus who had pieces of the puzzle before it happened but were so jealous of their various silos and not communicating with each other sufficiently that any hope of preventing this from happening was lost in the shuffle. We had a full public enquiry on that, and our committee learned from that in terms of things that now exist in Canada, such as the Integrated Terrorism Assessment Centre (ITAC), which pulls together – this is not dissimilar from a British process in place – that pulls together army, navy, air force, CSIS, RCMP, criminal intelligence, plus linkages to all our allies around the world in a real time update of pertinent terrorist information, travel information, data sets, risk assessments, so that we're on top of things in a way that's coordinated. That did not exist before the Air India attack.

SO: Senator Segal, would you say that there is an unknown Commonwealth dimension to this? You emphasised the bilateral relationship between London and Ottawa when you were talking about coming here – linking up with academics, linking up particularly with…

HS: I don't know that it would involve the Secretariat, no, but is there a process by which Commonwealth countries share information? Well, there is the so-called Five Eyes alliance, and Australia, Canada, New Zealand, [and] Great

Britain would be four of the Five Eyes [the fifth being the United States]. That's about as Commonwealth as you can get.

SO: I know the Americans, when they think about the Commonwealth, they think about the old Commonwealth and they think 'Five Eyes', as you say.

HS: Right, but that has now been expanded to involve work with our friends in India; we work with our friends in Singapore, [and] we work with South Africa. Now, are we working with them because they are Commonwealth countries? No, we're working with them because we have information that is of value, that we can share with them and they can share with us. I think that's what's going on. I think it would be a bit of an overstatement to suggest that it's the Commonwealth frame that's driving that. I don't think that's the issue.

SO: A Commonwealth tinge. [*Laughter*]

HS: A bit of a tinge. And look, we've had Sir Malcolm Rifkind and his committee of parliamentarians on intelligence who have come forward and who've come to Canada and who have met with my committee, shared notes, met with some of our most secure operations so that they can benefit there. We are learning from their approach to restrained but coherent legislative oversight of the security services, which we don't have in any way as concretely as you do here. So, I think the benefits are free-flowing and ongoing.

SO: Well, it's a little known aspect of inter-Commonwealth collaboration and support. It doesn't have formal structures and guidance channelled through ComSec at all.

HS: No, there'd be no ComSec face on that at all.

SO: So, before you were invited to join the Eminent Persons Group by Secretary General Sharma, had you already raised your profile on Commonwealth aspects?

HS: I think, on Commonwealth Day 2009, I made a speech in Saskatchewan to the Commonwealth Society at their annual dinner, and it was a very aspirational speech about what the Commonwealth could become – what it could be – that was more than it was as we spoke. I think, somehow, that got circulated. I didn't [circulate it], but I think some people circulated it to ComSec and they circulated to other Commonwealth hands, so, when the government of Canada was asked to submit three names from which Sharma could choose an EPG member, mine was one of them. I must tell you, Sue, I don't know why. I was asked if I'd let my name stand and they said there'd be other names and we don't know how that will go. I said, "Sure, I'd be honoured to do that," but I didn't think anything of it, frankly. I didn't think much would come of it, and I was stunned when I ended up getting a call from Sharma when he was in Ottawa, asking to come by for a cup of tea – which, I guess, was sort of a first-hand assessment of whether I was sufficiently 'clubbable' to be on the EPG! I must say, I was quite relaxed about it until they came running over from Foreign Affairs to put a Commonwealth flag in my office because the Commonwealth Secretary General was coming to call on my office, which is quite a modest Senate office. It wouldn't be the most modest of Senate offices in Portcullis House or Lords' offices or Members' offices, but it's relatively modest! He came by and we had a wonderful cup of

tea and we talked about nothing in particular. Then, a few months later, I had a call asking if I would join the EPG. I think it was in June of 2010, and we had our first meetings in July, in fact.

SO: What about the dynamics of that group? I know that the Commonwealth works by consensus, so I'm very well aware that your principal foci were a Charter [and] the Commissioner on Human Rights, which you were aware would be contentious…

HS: The best way to describe the dynamics, Sue, would be [to say] that there are people who were for relatively radical reform – like Michael Kirby, whom we all adored and who had a very jurisprudential sense of what was necessary and required, and who was very strong on a range of human rights, not excluding gay rights – and then there'd be people like Sir Ronald Sanders, who had this long, ongoing tactile relationship with the Commonwealth that went all the way back to Sonny Ramphal, all the way back to his days as High Commissioner and chairing the sanctions committee during the apartheid proposition. Then you'd have someone like Tun Abdullah Badawi, who was a former Prime Minister from Malaysia, who I suspect the staff at the headquarters figured could be relatively easily guided and managed. They were deeply wrong about that.

SO: That was a miscalculation, since he was the chair!

HS: But I think they suggested him as the chair, so that the process could be more easily managed. Then they had… By the way, [it] ended up being [that] he wasn't at all easily managed: he became quite a vociferous defender of our independence as a group. Asma Jahangir from Pakistan, a feisty, articulate human rights advocate. We could all talk about human rights; she would have been to prison three or four times in defence of human rights, so that made the discussion a little bit less theoretical, a bit more practical. Emmanuel Akwetey, this tall, stunningly articulate head of the Institute of Democratic Governance in Ghana. The woman from Jamaica, Patricia Francis, who headed the International Trade Council: also a person who was given to being pretty forceful and articulate. Sammy Kavuma,of Uganda: a young, determined advocate for young people's interests and rights and freedoms in the process. So, it was quite a good group and we gelled remarkably well – surprisingly so – early on, and partially because we felt the Secretariat was trying to manage and direct the process in a very polite way. We benefitted immensely from Daisy Cooper, who was the sort of executive secretary of our operation: putting the meetings together and making them happen; doing the research in between; helping to draft the press releases after every meeting. Deciding to have a press release after every meeting was something the Secretariat did not like. They wanted the EPG to do the work, but they didn't want the EPG to develop its own identity in the mix of the broader world. It became… We began to argue that we would do our own press releases, we would keep our own minutes, we would determine our own agenda, [and] in the end we would write our own report. We wouldn't have a draft handed to us by the Secretariat, and we were all together on that. There wasn't any slippage in the process between all of us who served on the EPG. My sense is that Kamalesh Sharma, who first thought we might be manageable, realised that that wasn't on, and then tried to address the new reality, which was [that] this committee was going to head in its own direction, do its own thing, make its own choices and its own recommendations. I'm not sure all his

staff accepted that quite as comfortably, but he did, and that made it easier for us to manoeuvre, quite frankly.

SO: Yes. Well, why was there the delay in publication? I know that that, in itself, is a separate chapter in the political story of the EPG.

HS: I would say there was the official story and then I'll give you my honest view as to what really happened. The official story is that, when we submitted the document, which was end of July…And let me tell you how I know that. Rosemarie Brisson [PA to Hugh Segal] – who's here with me and has been on this file from the very beginning – she and Sir Ronald Sanders were charged by the rest of us to do the final edited version. We did not want it done in the Secretariat. So, in fact, Jim Wright in the Canadian High Commission [in London] stepped forward, and the actual three or four days of final editing took place in the Canadian High Commission at Grosvenor Square, with Sir Ronald holding the pen and Rose doing the research and the patching and the filling and the pasting which is necessary in that process. It was then submitted [at the] end of July. We were not of the view that it had to be printed; they said it had to be printed. I think two weeks later [Sir Ronald] looked at the proofs. By this point, we are in the second week of August: there was no reason for it not to be distributed then. Then, from out of nowhere comes this notion that the Chairperson-in-Office – Kamla Persad, the Prime Minister of Trinidad and Tobago – and the incoming Chairperson-in-Office had decided the report couldn't be distributed yet because it hadn't been read by heads and by foreign ministers.

SO: Okay, that's a bit different from the path of the EPG report in 1986.

HS: Big time. Huge! So, that's when the light went on that, okay, someone is trying to manage this. Our determination, essentially, was [that] the Secretariat thought too many of the ideas were too bolshie and too radical, [and] that they didn't want any public constituency built for those ideas before the [heads of government] meeting at Perth. In September, it finally got distributed in text form – about two weeks before the foreign ministers' meeting in September. I was the designated hitter for the EPG to be at the front desk – the front table, the high table – to answer questions from the fifty-four foreign ministers in the room, at the UN. There were very few substantive questions. They were all someone like the foreign minister of Botswana saying, "So, how can we approve this? We just got this a few days ago." Right? "Well, we'd actually finished it a month and a half ago." So, to be fair to Kevin Rudd, Rudd said, "Please be assured that when we get to Perth, I'll make sure that foreign ministers have a good two days to work through this report. So, you don't have to hold it up now because you just got it." Had he not said that, the report could have been shelved even as we speak – even at that meeting in the UN – because that's where the mood of the room was going. A few ministers like Lord Howell, our own minister John Baird, Rudd, Malta, Mauritius, [and] Barbados spoke in favour of moving ahead with it, but a whole lot of others spoke in favour of stopping it because they hadn't had a chance to read it. I think part of what often happens when a bureaucracy doesn't want change is they manage the document so that the people who can actually authorise the change don't get the document early enough to be able to come to a rational decision upon it.

SO: That's controlling information with a vengeance.

HS: Yes. So, we knew right then and there that we had a core problem. I then went – it was before that meeting, in August – I went with Sir Ronald to Trinidad to have a forum on the Eminent Persons Group report. Part of what we had agreed to do was [that] we would travel around the world, to different parts of the world, [and] have public meetings and/or [meetings] with legislatures about the principles in the EPG report, get their response and then do the final draft based on the consultation. So, Sir Ronald and I were designated the Caribbean and we went to Trinidad. We spoke at a forum, we did media, we spoke at a university, we spent time with the Minister of Foreign Affairs. And then to find out that Persad, the Prime Minister – who didn't see us because she said she had dengue fever – had ordered that this not be made public, and that Julia Gillard had said she would not disagree with that so as to keep peace in the family. We were going to be heading into a meeting in October without the actual report being public, [and that] simply infuriated us.

SO: How do you account for Persad's resistance?

HS: I think she got called by the Secretariat and told what to say. I don't think you can have a view in the world on it. Not a view in the world. And Gillard, I think, was just looking not to have a shootout with Persad, as the host of the coming meeting. So, that produced this remarkable press conference in Perth on the Friday. The meeting opened in the morning. The foreign ministers had been terrible about the report – tearing it apart on Thursday, except for the CMAG changes, because that was foreign minister-recommended. Then we were really saved by Her Majesty, who, in her opening comments, said something to the effect that she had read the EPG report, found it to be a remarkable and encouraging document and looked forward very much to hearing from her first ministers what progress had been made on its important and helpful recommendations. What do you think of that? That's what she did. No, she was great.

SO: A very timely intervention by Her Majesty, registering her concern and interest.

HS: Yes. That meant that the first ministers, when they met, tried to slough this off, but there was now a cadre who said, “Look, Her Majesty said something very important.” And, in fact, on that Friday, they worked through [the document] all day. Then, on the Saturday, the Prime Minister – my Prime Minister, who was supposed to leave at noon because our aircraft requires stopping at a little French atoll somewhere in the Pacific to refuel – he stayed four hours longer because there wasn't sufficient progress on the document. He got it to the point where there were thirty approved out of one hundred and six recommendations: thirty approved outright, forty approved in principle pending further analysis, another 40 approved pending financial analysis. But it began to be a more positive picture than would have been had Her Majesty not said what she said and had our Prime Minister and the Australian Prime Minister and some others engaged to move the ball ahead.

SO: So, a political attempt to kick it into the long grass was effectively thwarted.

HS: Yes. In my speeches back home and my reports back after Perth, I said we have to form lawnmower committees across the Commonwealth to keep the long grass from subsuming this document so it's never seen again. Then, of

course, I was dispatched by my government to actually make the case in various places. So, in the EPG principles process I went to the Caribbean and I went to South Africa, Tanzania and Kenya, and then in the post-Perth process, to advance the progress of the document through further stages, I went to Bangladesh, Malaysia, Singapore and Malta. All for particular reasons in terms of their areas of influence.

SO: So, if I could just ask you a wrap-up question, because I'm very conscious of your next appointment. In your time since acting as Chief of Staff for Prime Minister Brian Mulroney in the early 1990s to here, in 2013, has there been a consistent Canadian attitude of engagement and involvement in the Commonwealth? Or has it ebbed and flowed?

HS: It ebbed during the Chrétien period. As I mentioned at lunch, Chrétien was caught up with *La Francophonie*; he was [also] caught up with the Tony Blair-driven Third Way, as you may recall. He was caught up with the further negotiations of NAFTA with the Americans, and those were just more important. He didn't have a view of foreign policy as an instrument for global values, or [for] the promotion of Canadian values. He had a view of foreign policy as an instrument through which he would advance commercial values. So, he had a series of trade missions – Team Canada trade missions – around the world, but they were rarely about politics. They were always just about trade and commerce and I think his view was that Mulroney on free trade, on tax reform, on apartheid, on the Middle East and a whole bunch of other areas had been far too aspirational and far too ambitious. Mulroney would say, "Well, that's the difference between a Tory and a Liberal on these sorts of issues." So, we did go through a period of some somnolence on the matter, where Canada's participation was at best limited and perfunctory and in some cases, I think, profoundly unhelpful.

SO: Senator, I'm going to stop there. Thank you very much indeed and I look forward to talking to you again in future.

HS: I'll make sure if you're ever coming in our direction, we can chat again.

[END OF AUDIOFILE PART ONE]