

Walkerton: Key truths submerged in journalist's account of contaminated water tragedy

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Well Of Lies: The Walkerton Water Tragedy by Colin N. Perkel, McLelland & Stewart Ltd, 2002.

Stan and Frank Koebel, the brothers who held the top jobs at the Walkerton Public Utilities Commission in May 2000 when the town's water supply became contaminated with a deadly strain of e-coli bacterium, recently made a brief court appearance to answer a number of criminal charges, including public endangerment, breach of trust and making and using false documents. The brothers are the only individuals facing prosecution for their role in the Walkerton water contamination tragedy. If convicted, the Koebels face from two to ten years of imprisonment. Their cases were put over until September.

It was not the first time the two men attended legal proceedings for their role in the tragedy that left seven people dead and over 2,000 sickened. In December 2000, both gave testimony at a judicial inquiry after intense public pressure had forced Ontario's Tory provincial government to reverse course and call for an official investigation. Although the brothers, acting as waterworks manager and foreman, admitted to falsifying chlorination level reports as a matter of course over many years, that inquiry attributed much of the responsibility for the water contamination tragedy to the actions of the Conservative government under then premier Mike Harris. Among the inquiry's findings was that Harris and other top Tory cabinet ministers had ignored specific warnings that they were placing lives at risk by gutting clean water regulations and Environment Ministry capabilities.

Already, national television stations and newspapers will be making motel bookings in the Walkerton area for the September proceedings against the Koebels. Rolodexes will be reactivated. Media researchers will be dispatched to once again mine background data on the rural, central Ontario region. Ambitious reporters will ambush the Koebel brothers as they leave their homes or sit in a restaurant. And producers and editors will no doubt recommend to staff and viewers that they pick up a copy of newspaperman Colin Perkel's book, *Well of Lies* for an "authoritative" account of the tragedy. Those who follow this recommendation would be well advised to peruse Perkel's story with a critical eye.

Perkel is the senior political correspondent at the Ontario legislature for the *Canadian Press*. He has written extensively on the Walkerton events from the period immediately after the e-coli outbreak was discovered through the judicial inquiry up to and including the current Koebel arraignments. In *Well of Lies*, he has combined interviews with area residents as well as some local and provincial officials with a much less exhaustive account of the testimony at the judicial inquiry to produce an undemanding, pot-boiler style chronicle of the events surrounding the water contamination tragedy.

Perkel is interested in providing a "human" account of the Walkerton incident. We are provided with details on the awful suffering of the

victims of the epidemic and their families. We read about the down-home relationships of the townsfolk and their various reactions to the crisis and its aftermath. We are provided, in well over a third of the book, with a blow-by-blow account of the weaknesses and failures of the Koebel brothers and their small town overseers in the local government. There is even a lengthy description of the rainstorm that forced manure contaminants into the water system—"Lightening split the night sky as if angry gods were venting their fury on a hapless world..." But what we do not learn is the true extent of the criminal culpability of Mike Harris and senior members of his cabinet.

Whereas the single largest section of the report produced by the Walkerton inquiry explicitly rejected Tory government attempts to make Stan and Frank Koebel the fall guys in the whole affair, and instead dealt with the reckless manner in which the Tories had dismantled the province's water management system, Perkel's book strangely avoids any sustained analysis of government culpability. The five-hour testimony of Mike Harris, the first premier ever to be called as a witness before a judicial inquiry, merits barely two pages and is largely filled with Harris's rote denials of any responsibility. Even a quaint description of the area's Saugeen River receives more attention from the author.

To be sure, given the enormous coverage and sensational testimony at the inquiry it would be difficult to conceal some essential truths. Perkel does make it clear to his readers that the wholesale cuts by the Harris government to the Environment Ministry and the privatization of water testing contributed to the incident. He shows that the Owen Sound Regional Office of the Environment Ministry was aware since 1998 of the presence of e-coli in water samples from the Walkerton system and that the town had recorded contaminated samples several years prior to that. He characterizes Harris and some of his subordinates as smug ideologues.

Perkel is much more charitable to the previous New Democratic Party government of Bob Rae, which held office from 1990 to 1995. The Rae government helped prepare the terrain for the Tories' wholesale dismantling of the province's water testing system, by allowing municipalities to use private testing labs and spinning off the Clean Water Agency from the Environment Ministry. The author, however, can only devote one line in his book to Rae's dangerous precedent before passing it off as a small matter explained away by the NDP's reaction to negative economic conditions.

However, while the drinking problems of Frank Koebel or the imperious management style of his brother Stan merit repeated documentation, the wholesale destruction of entire swaths of provincial infrastructure by a Tory government mobilized by a rabid, anti-social ideology and enthusiastically supported by the most powerful sections of Canadian big business gets only a paragraph here or there in the 237-page book. Perkel does not want to make too many waves. It is certainly clear that Harris did

not make a very good impression on him during the premier's two appearances in Walkerton. But that often is the trouble. Perkel seldom ventures beyond the realm of impression whenever called upon for serious analysis.

Perkel's account conforms with the observation on the jacket cover of *Well of Lies*: "The failures that led to the tragedy were ordinary failures." The manager of the waterworks was ill-trained and poorly educated. The foreman did not even believe in the desirability of chlorination. The public utilities commissioners were small town folk who trusted the "local boys." Bureaucracies can be convoluted places to work. The Ontario government made cuts to balance the budget. There was a heck of a rainstorm one night. In giving relatively equal weight to any number of circumstances and occurrences, Perkel, whether he intends to or not, obscures the role of the Tory government, which in the later half of the 1990s spearheaded Canadian capital's assault on the working class.

Even the title of the book leads one down the garden path. Who are the liars? After all, Stan and Frank Koebel provide the main "through line" for the book, not the Harris government. But these two men, however belatedly, admitted their responsibility, conceding that they regularly provided false information to various officials and engaged in shoddy work practices. The same cannot be said for Harris and his colleagues.

In his inquiry testimony, Harris repeatedly drew attention to his government's record of cuts to public and social services and steep tax reductions for the well-off. He boasted that the Tories had brought a "different," private sector "philosophy" to government and claimed the Tories' public spending and tax cuts had "led to jobs and tremendous growth in government revenues." While he dared not say so explicitly, the message of Harris's testimony was that the seven fatalities in Walkerton were a reasonable price to pay for the increase in corporate profits and the incomes of the province's better-off citizens. In effect, the town's tragedy was just so much collateral damage in the "Common Sense Revolution."

At the inquiry Harris defended his decision to halve the size of the Environment Ministry and privatize water testing. "At no time was it ever brought to Cabinet's attention, to my attention, that the implementation of these ... plans would cause increased risk to health and safety of any citizen anywhere in the province." Inquiry counsel had little difficulty in proving this was a lie. He cited a "Confidential Advice to Cabinet" memo that stated, "The risk to human health and environment may increase." Then counsel referred to an Environment and Energy Ministry Business Plan presented to the Tory caucus. It warned of "increased risk to human health and the environment as a result of decreased compliance and enforcement" and of a "reduced level of front-line service, slower response times to complaints and reduced technical assistance."

Harris then switched course. Ignoring the testimony he gave only minutes before, he now acknowledged that the Tories had known of the downsizing risks but thought the risks could be "managed." Where, asked counsel, were the documents outlining how the government planned to "manage" that risk? In replying, Harris contradicted himself yet again. "No ... I can't point to that. By the same token, I can't recall at any time being told by the ministry or senior officials that there would be an increase in risk." After inquiry counsel showed that the government tried to "manage" the adverse political fallout from its cuts by omitting all references to increased risk in the public version of the Ministry of the Environment Business Plan, Harris declared, "there's risk in everything, there's risk in walking across the street."

There was other damning testimony at the inquiry that did not make it into Perkel's book. Dr. Richard Schabas, Ontario's chief medical officer in 1997, gave evidence that the government ignored direct appeals for stricter public health guidelines on numerous occasions. "This was a government that I think really held public institutions in contempt," he said. Schabas described how he had been excluded from a 1997 Cabinet meeting where he had been delegated by the Health Ministry to oppose

plans to offload all funding for Public Health Boards onto municipalities, which often did not have the means to absorb the costs. On arriving at the meeting, Schabas was asked by one of Harris's aides to leave. "The premier doesn't want you here for this discussion," the aide told him. Schabas then testified that he turned to the premier to see if he was indeed being ordered to leave. "The premier looked at me ... and then turned away. As far as I was concerned, the premier was turning his back on public health." The doctor was so outraged by the government's attitude to public services that he resigned in 1998.

Brenda Elliott, who was Environment minister when the massive cuts in the Environment Ministry were being implemented in 1996, claimed she was for the most part unaware of at least 10 departmental documents warning that the cuts posed real dangers. One of these was directed to senior cabinet officials, including premier Harris. It stated that "risk to human health and the environment may increase as a result of improper or illegal actions which are neither detected, nor controlled." When asked to explain why the government had chosen to privatize her ministry's water testing responsibilities over a two-month period rather than the two to three years recommended by her own officials, the minister in charge of the most radical reform of the clean water safety net in the province's history simply stated, "I can't recall specifically why that would have occurred."

There were other revelations surrounding the inquiry. Former environment minister Norm Sterling testified that he had never read the warning letter sent to him by his cabinet colleague, Health Minister Wilson, that he had not read Ontario's new drinking water guidelines and that he was not even aware that the new guidelines were voluntary and not enforceable by law. Sterling has since been promoted to a more senior cabinet portfolio. And it was learned that in 1997 senior Environment officials spent much of a two-day meeting discussing "how to protect themselves from legal liability in case of environmental catastrophe as a result of increased work load or staff reductions."

There was other evidence to suggest that the government was less than forthcoming in providing documents to the inquiry. The inquiry repeatedly charged the government with hampering its investigation and on at least three occasions police investigators were dispatched to search Harris's offices. Ultimately, the inquiry reported that at least 500 files that might have proved relevant to its investigation had been deleted from government computers.

It is interesting to note that in his most recent dispatch from Walkerton on the occasion of the June 10 court appearance by the Koebel brothers, Perkel notes concern among many town residents over the failure to lay charges against other municipal officials. He fails to mention, however, that many in Walkerton voiced anger that no charges were laid against senior members of the Conservative government, including the now retired Harris.

The Walkerton tragedy represented a devastating indictment of the Tory program to divest government of social responsibility and hand it over to profit interests. It is also undeniable that responsibility for the debacle lies squarely at the highest levels of the Ontario government. Colin Perkel's book downplays this central fact in a web of impressionistic detail that may produce exciting narrative, but fails to see the forest for all of the trees.



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