

## Oshawa Lawyer Contributed to the Rule of Law in Afghanistan ~ A.S. Massoud ~

Day-to-day life changed radically for David Hodson, a small-town criminal defence lawyer and military reservist, when on August 06, 2012 he left the comforts of his Ontario home along with an established law practice to start preparing for NATO Training Mission-Afghanistan. NTM-A was a transnational military organization created to provide upper-level training to the Afghan National Army. He embarked on the mission several weeks later, returning safely in June 2013.

Working with the International Security Assistance Force, and as part of Operation Enduring Freedom, Major Hodson joined 68000 American soldiers in the effort to stabilize Afghanistan. Specifically, he was embedded with U.S. Army personnel, U.S. Marines and private military contractors. His team included a retired US protective services agent, a criminal investigator employed as a private contractor, two American JAG officers and a civilian. His Quick Reaction Force was the 4<sup>th</sup> Alabama of civil war fame.

Maj. Hodson embraced the opportunity to serve his country by lending his legal and military expertise to the Afghan army and military courts. Although he volunteered for the role of legal mentor, the security situation deteriorated such that he spent most of his time as a Guardian Angel, Convoy Commander, Truck Commander or driver. Regardless, Maj. Hodson assisted in developing the rule of law designed to protect Afghan people, neutralize insurgent threats and foster credible governance.

"I worked long hours, up to eighteen hours a day, within a high threat environment. Living with an insurgency is very stressful and I cannot imagine what the people of Afghanistan lived through for the past thirty years", said Maj. Hodson.

Full-body protection was essential. Before Maj. Hodson traveled to meet with Afghan officials, judges or military staff, he put on his "battle rattle" of body armour, a tactical vest and other protective gear. "I always had an armed guardian to protect me when I wasn't a Guardian Angel for others," he said.

Round-the-clock teamwork was also crucial. While Maj. Hodson was accustomed to working long hours alone, the rule of thumb in Kabul or on a mission was that one never moved without a partner. At that, Maj. Hodson remembered the four "P's" he practiced daily: *polite*, *professional*, *patient* and *prepared*—prepared to take *immediate* military action should ever the need arise.





Maj. Hodson did enjoy certain perks on the job. “Regularly we dined with members of the Afghan Bench (the judges) and military lawyers. Unlike meeting with Canadian judges, tea, cakes and fruits were always served.” However, battle rattle was never removed and weapons remained readied should the situation deteriorate.

Maj. Hodson observed that justice was informal, yet lightning quick, in Afghanistan. But due to a criminal and penal code in place, combined with a strong Constitution, “there were and are solid foundations to develop the rule of law”, he says.

Fifteen years’ experience in criminal law enabled Maj. Hodson to easily transition into his legal advisor role, when not engaged in a tactical capacity.

“Both [roles] require an understanding of people and interpersonal dynamics. Knowing the behavioural nuances of witnesses in a Canadian trial is no different than observing nuances to determine if someone is a threat,” he said.

What particularly helped Maj. Hodson adjust was preparedness for the scene. “Work there was exactly what I expected. War and insurgencies are, unfortunately, far too common. I had prepared for the mission for years through work as an infantryman and armoured reconnaissance officer. As well, while representing Canadian Forces members at court martial, I developed an appreciation for the complexities of military justice”, he said.

Maj. Hodson admits the experience has transformed him. “I cherish the little things in life and each day is a blessing. I do not take anything for granted. My love for my wife is deeper and I’m grateful for everything about her. However, the despair among the children I interacted with saddens me. The images of poverty and desolation are heart-wrenching, and will forever be etched in my mind,” he said.

Despite the dangers, the sadness and the constant reflections of home, Maj. Hodson believes that he was right where he belonged. “I loved the work and being on mission, and now that I’m back, I miss it every day,” he recently said.

**David Hodson practices in Lindsay and Oshawa, ON.**

**A.S. Massoud is a freelance writer**

**It’s hard to beat a person who never gives up!  
~ Babe Ruth ~**