

It's now extraordinarily hard to argue Trudeau deserves re-election

Unless he runs the most persuasive election campaign in Canada's history, Trudeau and his partisans should be thoroughly punished by the voters for a combination of incompetence and deficient ethics

by Conrad Black



Prime Minister Justin Trudeau waits to speak about Ethics Commissioner Mario Dion's report that he breached ethics rules by trying to influence a corporate legal case regarding SNC-Lavalin, at a press conference in Niagara-on-the-Lake, Ont., on Aug. 14, 2019. Andrej Ivanov/Reuters

I believe the key to evaluating the ethics commissioner's report on the SNC-Lavalin affair is the commissioner's determination that in intervening on behalf of the corporation to see that it received a fine rather than being prosecuted, the prime minister was acting "in his own political self-interest." My contention has been and remains that he was acting in the national interest, the interest of the province of Quebec, and of the city of Montreal, as well as his own political interest and that he is entitled to the benign presumption that his principal motivation was the public interest as represented by all those jurisdictions. I think the commissioner, Mario Dion, is mind-reading in a way deliberately biased against the prime minister. He is presuming that the prime minister's own personal political interest was his principal motivation. I don't think it would have affected Justin Trudeau's political interest very much if SNC-Lavalin had been prosecuted and simply departed the jurisdiction, inviting the federal justice minister and everyone else in this country to get stiffed. In fact, Trudeau could have put on a fine histrionic performance with all the usual pious bunk about the rule of law, Canada being above suspicion, principle before filthy lucre, and so forth. It would not have been of much help to the 10,000 people SNC-Lavalin laid off in Quebec, but it could have been a boffo performance.

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With that said, it is hard to conceive of a more severely, amateurishly and sleazily bungled operation as this entire initiative, which all participants must have realized was one of acute sensitivity. Once he realized that the-then justice minister, Ms. Jody Wilson-Raybould, was digging her heels in, he should have informed Parliament that he was revoking the decision in the national interest and the eminent domain of the federal government to exercise the remedies of justice

prudently in calculating competing priorities of national revenue, humanitarian concerns to avoid unnecessary job layoffs, the desirability of retaining in Canada such a sophisticated international engineering company, and the direct fiscal interests of the junior jurisdictions, the country's second-most populous province and second-largest city. This would have been the open and appropriate way to do it, and though there would have been debate about it, Parliament would have supported the prime minister's decision, and it would not have lingered as much of a controversy. It would have been Ms. Wilson-Raybould's decision whether to resign or not on the principle involved, but there would not have been any move to expel her from the Liberal party unless she became extremely publicly abusive.



Former attorney general and current Independent MP Jody Wilson-Raybould speaks to supporters during a news conference in Vancouver on May 27, 2019. Jackie Dives/Reuters

The public denials that any pressure was asserted on the minister were utterly false, and lying to Parliament is traditionally a cause for resignation or dismissal. The assertion that Ms. Wilson-Raybould's continued presence in the government was proof that she had not been pressured or involuntarily shuffled out of the justice ministry to veterans' affairs was dishonest as well as insane, as her immediate resignation from cabinet made clear. Having, in pretty full knowledge of the facts of this shabby business, supported the prime minister and voted to expel Ms. Wilson-Raybould and Jane Philpott from the Liberal party, it is unlikely that Liberal MPs will now reverse themselves and desert the prime minister, having unanimously supported him on the same facts before the release of ethics commissioner's report. As Parliament will not be sitting again until after the election (barring the invocation of a so-called emergency and the deferral of the election date, a very dodgy option), Parliament's judgment of its state of confidence in this prime minister will be evoked to the electorate of the country, and

this shambles deserves to be a prominent campaign issue. Unless the combined opposition parties and the media are completely ineffectual, or the prime minister reveals a genius for political conjuration hitherto completely unsuspected, the government should face a very difficult campaign to retain the confidence of the country.

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I have expressed in this space before my reservations about the laws governing the conduct of Canadian businesses in other countries and there is no reason to reopen that subject. The law is the law and if an international company doesn't like the legal framework in the country where it is headquartered, it should change jurisdictions before it breaks the law in the country of its corporate residence. SNC-Lavalin was obviously very cavalier in its attitude to its home jurisdiction, lobbied vigorously and at the least, with marginal legality at times, to avoid the heaviest possible retribution for its past acts that gave rise to this controversy, and seems to have made a serious effort to make amends and resolve the issue with a hefty fine. The minister of justice was completely within her rights to opt for prosecution rather than a fine, and was following the advice of her department's chief prosecutor. The facts that I think it is a poorly conceived law, a mistaken decision and that she was an incompetent minister of questionable judgment are all irrelevant to this issue. She committed no impropriety in this case, only poor tactical judgment in not resigning rather than consent to be shuffled to another department.



A pedestrian passes in front of the SNC-Lavalin Group Inc. headquarters in Montreal on Feb. 11, 2019. Christinne Muschi/Bloomberg

Misleading Parliament on the scale that Trudeau did, with the full support of his caucus, whatever the MPs' private

misgivings, on the heels of the even more scandalous and malicious prosecution of Vice-Admiral Mark Norman, all overlaid on a very inadequate general performance in government for the past four years, should place the government as clear underdogs in the election in two months. Unless Trudeau runs the greatest and most persuasive election campaign in Canada's history, he and his partisans should be thoroughly punished and defeated by the voters for a combination of incompetence and deficient ethics that this country has not seen in Ottawa before. The Conservative leader Andrew Scheer's comments on Wednesday were appropriate, though he was technically not accurate about the absence of a precedent. John A. Macdonald was caught red-handed soliciting and receiving money from backers of the Canadian Pacific Railway for some of his candidates in the 1872 election. He gave the greatest speech of his career to Parliament but was defeated in the sentiment of the House of Commons and then in the general election. Of course he returned for four more consecutive general election victories. But he accepted no money personally, dealt with the matter squarely, and was sent to the penalty box for a term.

Making the case to re-elect this government was never going to be easy, but it has now become extraordinarily difficult.

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