

# The Mike Duffy Trial and Prime Minister Harper

The Mike Duffy trial opened with a formidable blast from his counsel, Donald Bayne, predicting that Nigel Wright, who is renowned to all as an honourable man and has been exempted from any charge in the matter, will confirm in his testimony that Duffy was pushed “by the Prime Minister’s Office” into accepting Wright’s \$90,000, which went straight to Canada Revenue, and that it was intended as a no-strings-attached, *ex gratia* gift to the people of Canada.

Bayne also promised convincing evidence from the same and other sources, including a heavy volume of documentary evidence, that the prime minister himself knew what was happening and, while this charge was not explicitly made, it does not require (and has not for many months) Sherlock Holmes to see it coming: that Stephen Harper lied to Parliament and the country. Of course, he will deny that, and Harper and Duffy both deserve the presumption of innocence, even where the presumptions contradict each other. (To be clear, I am not suggesting, nor has it ever been suggested, that Harper broke any laws.)

The prime minister’s credibility bulks a good deal more heavily than that of a shopworn political roué, but the disparate strengths of a suspended senator and the head of the government commanding a parliamentary majority should not induce official complacency. Though he is more respected, Harper is no more popular in the media or the country than Duffy is, and the defendant benefits from the natural tendency of many people to sympathize with an elderly, infirm, likable political and television journeyman fighting pluckily for his life and liberty against the serried ranks and powers of the federal prosecutors. Duffy’s travel expenses looked like an open goal when the government started firing at it, but from

here on everyone is under oath and the authors of the tactic of turning it all into a massacre of a flabby, patronage-tainted tax cheat with his front feet in the public trough are going to get more than they bargained for.

No matter how the trial develops it cannot be helpful to the Conservatives, and may highlight the impression of stagnancy that now emanates from the government. The regime is trying to win re-election by manipulating a sharp and close division between the main opposition parties, and by presenting itself as a common-sense, principled, solid source of good government. That is not an idle claim and it has been a good government. The prime minister deserves credit for reducing the public-sector share of the economy, a generally good tax policy with prudence in spending, an original and robust foreign policy rather than more of the insipid Liberal-New Democratic Party pretension to peace-keeping, an excellent and enlightened approach to immigration, and an absence, over nine years, of clangorous blunders.

Harper had to put two parties together to have a chance to win an election and I know of no other leader of a major political party in any serious democracy who has led his party in four consecutive general elections, emerging as the head of the government after three of them and doing better each time. Readers of my recently published history of Canada will see that I ranked him in the distinguished company of Louis St. Laurent, Lester Pearson and Brian Mulroney in a strong group of very capable leaders, just below the great prime ministers. And Harper could go higher.

But aside from cutting the goods and services tax, and some of the other things I mentioned, there has been very little innovation. Canada is still a country trying to achieve its full potential. It is the only Group of Seven country that, in terms of what it can ultimately be, is not yet mature. France, Germany, Italy, Japan, and Britain are all managing comparative decline with varying success, in part by working

toward a degree of integration among themselves. American politicians still often bellow the tired platitudes about their country's best days being ahead of it, but any American who thinks that country will ever have the dominance it had at the end of the Franklin D. Roosevelt years (half the world's gross domestic product, an atomic monopoly, leader of the wartime Allies and founder of the United Nations), or even the prestige it enjoyed under George Bush Sr. and Bill Clinton, is smoking something. Canada always has to be managed, to use a sports metaphor, from between the 30-yard lines, but it has to get on with growing into itself and this requires prudence to be leavened and seasoned by intimations of greatness.

John A. Macdonald was the chief founder of the only trans-continental, officially bi-cultural, parliamentary confederation in history, and bound it together with a railway that was one of the wonders of the world, given that much of it crossed the Canadian Shield and Canada had no capital markets to help finance it (both unlike the America railways to the Pacific). Wilfrid Laurier squared the separate schools question, implemented an immigration policy that narrowed the demographic gap with the United States, and as opposition leader during the First World War saved the country from a terrible crisis of national unity.

Mackenzie King achieved that same feat as prime minister in the Second World War and presided over a war effort that made Canada the world's second largest defence production exporter after the U.S. He played a vital role between Churchill and Roosevelt from May 1940 to August 1941, when the two finally met for the first time since 1919. King was one of the first Cold Warriors, after the Gouzenko Affair burst. Pierre Trudeau was mediocre in policy terms, but a strong leader who somewhat glamorized the country and was the indispensable man in defeating the Quebec separatists and navigating through the greatest crisis in Canada's history.

St. Laurent was a co-founder of NATO, played an important

role, with Pearson, in the Suez Crisis, was a major figure in the old Commonwealth when it was the continuator of the British Empire, and launched the St. Lawrence Seaway and the Trans-Canada Pipeline. Pearson resolved the atomic warhead crisis with NATO that John Diefenbaker had provoked, endowed the country with a much-admired flag, set up a national pension scheme and brought in Trudeau and others when he realized the Quebec problem was out of control and some serious French-Quebec federalists had to be imported to manage it. Mulroney cleaned up energy policy and foreign relations after Trudeau, put through free trade with the U.S., and discovered the key to fiscal success with the GST.

In comparison with all of them, Harper offers thin gruel. There is no vision and no imagination. The anemia of our defence capability undercuts the vigour of our foreign policy and ignores the best form of economic stimulus; the fixation on a low GST strangles the defence budget and reduces Joe Oliver to taking a capital loss on General Motors' shares to get a budgetary surplus (which is questionable accounting as well as bad policy – we should have made the Canadian private sector, with government assistance, joint controlling shareholder of Fiat-Chrysler, brilliantly managed as it is by Canadian Sergio Marchionne).

Instead of abolishing prison for non-violent offenders and showing Canada's liberal vocation by leading the world with new correctional and social policies, justice is being pitched to the jail 'em, flog 'em, hang 'em Neanderthals. Instead of exploiting the fragmented securities jurisdiction to attract flamboyant but respectable capitalists, Ottawa is trying to impose the hypocrisy and incompetence of the Ontario Securities Commission on the whole country. The proposed balanced budget legislation is fetishism and tokenism.

If you don't excite the voters, they throw you out. The government probably deserves to be re-elected; it is not so clear the prime minister does, and with Jim Flaherty and John

Baird gone, more than ever, he and the government are one. Harper has gagged the cabinet and intimidated Parliament, and in the vacuum of his inactivity, a hyper-actively meddlesome judiciary is running amok. He has shown no loyalty to anyone, and if the going gets tough he will receive none. The senior unelected officials are an infestation of beadles and bonzes who are afraid of the notion that Canada has become an important country among traditional allies and great powers in decline. Canada suspects it can do better but is not yet convinced that either major opposition party can get us there.

First published in the