

Trudeau's Cabinet Tempest

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Region: [Canada](#)

Theme: [History](#)

On a global scale, the current events within Canada's Justin Trudeau cabinet are not much more than the proverbial tempest in a teapot. While receiving saturation coverage on Canada's CBC and some national newspapers, it is not totally noteworthy with global significance, other than some slipping and tarnishing of Trudeau's halo with foreign media.

Having said that the problem's within the Trudeau government do demonstrate a few political truths common to many governments and government parties. Concurrently it also reveals some problems deep – but not too deep – within Canada's governance. Superficially it is a squabble internally within the Trudeau cabinet but it has threads and connections that incorporate much of what is wrong with Canadian governance.

It started innocently enough, at least on the surface, with the resignation of a cabinet minister for straightforward reasons. Positions were reassigned and shortly thereafter another resignation occurred, setting the current problems into motion – which is another way of saying the problems surfaced into the public sphere, old problems and new problems.

Canada's Minister of Justice and the Attorney General Jody Wilson-Raybould was reassigned to a new position as Minister of Veterans' Affairs, an assignment many considered was a demotion. MS Wilson-Raybould appeared to accept the change with equanimity. However, shortly thereafter, she resigned from that position, keeping her position guarded behind the inability to speak as per the legalities of client confidentiality and cabinet confidentiality.

It quickly became understood that the problem concerned her decision to allow the prosecution of a Canadian multinational corporation, SNC Lavalin, to proceed. Trudeau attempted to appease the situation but considering the strong character of Ms Wilson-Raybould and his own shifting explanations the media ran with the story, creating a significant impact across the country.

I watched Ms Wilson-Raybould's presentation to the House of Commons Justice Committee, followed by presentations from Gerald Butts, Trudeau's best friend and right hand man in the Prime Minister's Office (PMO) and from Michael Wernick, Clerk of the Privy Council, one of the more powerful positions in the bureaucracy. Butts testimony seemed vague, more because he was not in attendance at many of the conversations discussed. Wernick was abrasive and abrupt, arrogant, and quite comfortable being so. He struck me as being someone who would be a partisan supporter of either the Liberals or the Conservatives, whoever was in power, as long as they followed the neoliberal agenda.

What I took away from all this so far are ramifications that spread throughout the Canadian political and business community, and indeed into the international community.

Jobs, jobs, jobs

The original problem stemmed from charges against SNC Lavalin for bribery of foreign officials that the Prosecutor's Office were proceeding with. It quickly became mixed up with a hastily thought up and recently passed bill creating the possibility within the judicial system of a "deferred prosecution agreement" (DPA). Trudeau and the PMO argued publicly that a DPA would save many jobs, directly, and indirectly through service providers to SNC Lavalin. Ms Wilson-Raybould stood fast in Committee to her position that the prosecution should proceed.

There was no argument about the innocence of SNC Lavalin. The argument presented by the government concerned the usual political mantra used by all parties – "jobs, jobs, jobs." Wernick argued that it was in the "public interest" while the overall testimony seemed to indicate it was purely political interest carrying the argument.

From my perspective it is not at all about jobs, and many good arguments were made in Committee indicating that employment and the economy were not the issue, at least not in the usual usage of the language. What struck me was that the PDA is another means by which corporations, their managers, and their shareholders, can escape responsibility for actions undertaken by the legality known as the "corporation."

It is what corporations are designed for: to escape personal responsibility for errors, mistakes, illegal actions et al, and to maximize profits. The PDA, while excused as being something other countries have (which does not necessarily make it a good thing), is simply another layer to protect the managers and shareholders of SNC Lavalin from prosecution and responsibility for damages. With the PDA, a slap on the wrist, some form of promises and conditionalities to meet and then business will proceed as usual.

For true justice, corporate citizenship should be annulled and the managers and shareholders be held responsible for criminal actions and other damages created by the company. Certainly that creates problems on the shareholder side as many citizens are shareholders simply through the practice of pension and other investment pools being involved with the markets. I won't sort that out here. SNC Lavalin's directors, whichever one offered the bribe, should be held criminally responsible.

Neocolonialism and Canada's Indian Act

Ms Wilson-Raybould has an undergraduate degree in political science and history, and a graduate law degree. She has served as B.C. Crown Prosecutor, a Treaty Commissioner, and a Regional Chief for the B.C. Assembly of First Nations. She speaks with the authority of a person well versed in European based law and well versed in First Nations traditions and governance. That introduces another broad thread to the story.

As a First Nation leader, Ms. Wilson-Raybould has consistently spoken against Canada's Indian Act (1876), still in force with amendments. When the cabinet shuffle occurred, Trudeau offered her the position of Minister of Indigenous Affairs, a position she declined for obvious reasons of not wanting to be the 'enforcer' of an act she abhorred. In short, the Indian Act is one of the larger means to continue with Canada's unstated political acts of maintaining the First Nations as subjugated people, a unilaterally imposed set of rules theoretically dealing with the various treaties made as European 'civilization' spread across the continent. Ms Wilson-Raybould does come from British Columbia, a province where the

vast majority of the land has never been ceded by treaty.

Underneath Trudeau's attempts at reconciliation for all the colonial depredations imposed on the indigenous people of Canada – land theft, imposition of reservations, many legal limitations, ethnic cleansing and cultural genocide – Canada remains a racist state. It is not overt and obvious to many, but it rests beneath the surface of Canadian civility. The Indian Act needs to be repealed and the federal government needs to negotiate with the First Nations in order to honour the treaties across Canada, and not impose unilateral regulations. Reconciliation should proceed to reparations – financial and territorial.

Resolution

How this affair resolves itself is an unknown. Beside the legal affairs of SNC Lavalin and the reconciliatory pretences of the Trudeau government, there is also the factor of Trudeau's avowed feminism. After MS Wilson-Raybould's departure, another high level and highly respected cabinet minister, Jane Philpott, resigned over the handling of the SNC Lavalin affair.

So far, both women are staying in caucus and are indicating they will run again in the approaching general election, October 21, 2019. Polls indicate Trudeau's ratings have dropped considerably, while the Liberal party itself has already rebounded somewhat from an initial drop. With a weak opposition – a divided Conservative camp, and a wandering NDP, there may yet be time to straighten the halo, albeit with some tarnish.

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