

WHAT HAS HE REALLY DONE WRONG?

Desmond Morton

I spent last summer's dismal August revising a book called *A Short History of Canada* and staring across Lake Memphrémagog at the astonishing architecture of the Abbaye St-Benoît. Brief as it is, the *Short History* tries to cover the whole 12,000 years of Canadian history but, since most buyers prefer their own life's history to a more extensive past, Jean Chrétien's last seven years will get about as much space as the First Nations' first dozen millennia. My publishers and I are market-sensitive.

Reserving space does not guarantee that it is well filled. Most historians admit the wisdom of Chou En Lai's comment that it is still a little early to assess the French Revolution. How about appraising a prime minister whose term is still in progress? Only partisans find it easy.

Personally, I have never voted for Mr. Chrétien and only once for his party—in 1957, when, almost single-handedly, I tried to save the riding of Toronto-Eglington from the twin scourges of John Diefenbaker and Donald Fleming. Never since have I backed a winner in a federal election. Far from being soured by this record, I am often accused of undue respect for people in public life. My archival sloggng persuades me that people at the top are often better informed than their critics. Much that the media and the Opposition define as scandal was defined by the late A.A. Macleod, LPP member for Toronto-Bellwoods, as “fertilizing a field with a fart.”

When I dived into administrivia, my historical search engine stopped in the early 1930s, watching the late, unloved R.B. Bennett create the

Canadian Pension Commission. In a few days of nimble invention, Bennett rescued veterans' benefits from 15 years of political logrolling and launched a half century of relatively just and generous dealing. Did anyone notice? Do similar achievements lie to the credit of Jean Chrétien or, for that matter, Brian Mulroney or Pierre Elliott Trudeau? Dependent on the media, the Opposition and government propaganda, what do I know? Do I refuse to

In Opposition, Chrétien said and did things which aggravated his problems in power. Denouncing the Meech Lake Accord in deference to Trudeau helped consolidate the Bloc Québécois and robbed Chrétien of much of his influence in the 1995 Referendum.

pass judgement because of incomplete knowledge? I do it daily. So do you.

Some years ago, Jack Granatstein and Norm Hillmer conscripted some historians to assess prime ministers for a *Macleod's* feature. As one of them, my approach was simple: How was Canada faring when each PM came on watch and how was it when, by public or private choice, the watch ended? Trudeau, for example, took over Canada in 1968, when the country was on an emotional and economic high and separatism claimed only 18 per cent support in Quebec. By 1984, the separatists were in power and

Canada was in such a state that it elected Brian Mulroney. By this standard, William Lyon Mackenzie King easily turned out to be our best prime minister. In 1921, he inherited a deeply divided country, a treasury near ruin because of over-expansion of railways, and an economy gripped by a brutal depression. By 1948, Canada had emerged unscathed, enriched and almost undivided from the war into the durable prosperity that bred our Baby Boom generation. Who cared if King had halitosis and a professorial talent for boring audiences?

All of which is a lengthy prelude to passing premature and imperfect judgement on Jean Chrétien. Using the same criteria that put King first and Trudeau deep in the pack, where does Chrétien stand? In 1993, most Canadians were still caught in the worst “recession” since the Great Depression. As in the mid-1930s, some barely felt the pain; others who faced it first—notably in the financial community—had long since emerged. Still, one in nine Canadians were unemployed and more, in transition from the “old” to the “new” economy, had replaced a well-paid, often unionized, job with a part-time minimum-wage perch in the service sector. Real incomes had stagnated since 1979 and, since 1989, fallen. And how is it where you live in the fall of 2000? We prosper—and grumble over a lack of Olympic medals.

In Opposition, Chrétien said and did things which aggravated his problems in power. Denouncing the Meech Lake Accord in deference to Trudeau helped consolidate the Bloc Québécois and robbed Chrétien of much of his influence in the 1995 Referendum. The promised countervailing gains in the West were appropriated by Preston Manning after Chrétien feebly endorsed the Charlottetown Accord. Chrétien also pledged to repudiate the *Free Trade Agreement* and replace the Goods and Services Tax. By 1993, the cost of quitting the *FTA* was incalculable. Revenue-neutral alternatives to



Canadian Press Picture Archive

February 1999: Jean Chrétien juggles bottle of black ink given him by Paul Martin

the GST had never been palatable and dropping the tax would have collapsed the country's credit rating.

Why was Canada so vulnerable? The deficit for 1993 was in the order of \$34 billion and rising. Oddly, this was a Liberal heritage. In his pre-election budget in 1974, John Turner indexed both social allowances and income tax. This blindsided both the NDP and the PCs but produced an exploding gap between federal spending and revenue that neither Trudeau nor Brian Mulroney ever really tackled. Mulroney insists that Michael Wilson and Don Mazankowski fought the deficit. No doubt they tried. Did they have their prime minister's support? Sometimes.

After 1993, Paul Martin tried too. The difference was that he had his prime minister's full support. And Chrétien's government had to be far more brutal than if similar efforts had been made earlier. Critics claim that the crucial 1994 and 1995 budgets fitted Chrétien's fiscal conservatism. Few still claim that the effort was unnecessary. An unexpected irony of the 1990s has been the fading of the democratic left at a time when its constituency, the working poor, has been brutalized by public policies. One reason is that too many of those Canadians were persuaded that NDP-style spending was irresponsible. In a decade when living standards for most Canadians declined, working conditions deteriorated and

the abuses of capitalism were of textbook clarity, the eclipse of the democratic left in Canada is no coincidence.

Chrétien's post-1993 Liberal government was no marvel of competence. Ministers mishandled the Toronto Airport contract, the Somalia Inquiry and the Airbus investigation, not to mention the notorious HRDC. Liberals pledged to keep the promises in their *Red Book* and promptly (and appropriately) forgot many of them. Yet Chrétien kept the promise his predecessors had broken: He tamed the federal deficit.

This leads to another irony: In 2000, Jean Chrétien presents himself as protector of Medicare, the social safety net, equalization and other tattered remnants of Canada's "kinder and gentler" image against the most right-wing alternative Canada has faced since George Drew. Meanwhile, much of the English-speaking male proletariat likes Stockwell Day.

Chrétien has been lucky. His political opposition was feeble and divided. Canada's economy headed into a cyclical revival. The nineties brought few distracting issues; even the photo-finish conclusion to the 1995 Quebec referendum was so unexpected in Ottawa that it barely distorted government priorities. Luck is no crime; it worked for Laurier and St-Laurent. Luck, said Napoleon, was the only

quality he wanted in his generals. It also tends to coincide with courage and good sense. With a quarter-century of cabinet experience, Chrétien is the most experienced prime minister since Sir John A. Macdonald. That counts.

He also paid a political price for deficit-cutting. Instead of the generous majority promised by 1997 polls, Chrétien won only an eight-seat margin. A score of seats in Atlantic Canada tumbled to the Progressive Conservatives and the NDP. The Bloc lost little ground in Quebec and the promised Liberal revival in the West never happened. Higher taxes and sharply reduced benefits helped switch votes to Reform. So did low-cost but liberal policies on gun control and gay rights.

And moving from deficit to surplus since 1997 substituted single-minded conviction with conflicting visions. Should the government restore services or cut taxes? Chrétien chose to split the surplus equally. Polls suggest that most Canadians approved. A minority, rich and poor, did not. With their real income sliding and little hope of extracting raises from hard-faced "new-economy" employers, many Canadians believe that a tax cut is the only way to restore spending power. They have become awkward allies of Canada's insatiable wealthy. Triumphant in

During seven years in office, what has Chrétien really done wrong? Few prime ministers have had longer experience of government or used it to better effect. Those who blame him for the photo-finish referendum result in Quebec in 1995 are often the same people who sabotaged earlier attempts to win hearts and minds in Quebec.

imposing their views, from Mulroney's Free Trade deal to Chrétien's anti-deficit priority, Canada's elites now claim the right to dictate Ottawa's spending priorities. Their demands are predictable: drastic cuts to their corporate and income tax. In support, they argue the need to attract foreign investors and stop the "brain drain." If they care, why do even Canadian corporations pay lower wages here for our "best and brightest" than they do in their US subsidiaries. And, as Stockwell Day discovered last September when he momentarily threatened the GST, consumption taxes like the GST are another matter.

Chrétien has faults. His cabinet lacks talent and years of "hollowing out," and income stagnation have undermined bureaucratic quality too, as the HRDC job grants scandal and the fumbling DFO response to Miq'mah fishermen in Mirimachi Bay revealed this year. This is the prime minister's business. Oddly, these are not the issues that threaten Chrétien's prospects. Countless conversations suggest that the prime minister's personality has started to annoy Canadians. Some elements are not new. Chrétien's combativeness, reflected in the OPEC pepper-spray episode in Vancouver and recorded on film when he grabbed Bill Clemmett, dates back to his youthful scrapping in La Mauricie. Quebec's opinion leaders have resented Chrétien's strangled syntax long before he fought separatists in 1980 or helped trash the Meech Lake Accord. Chrétien's personality played better with English-speaking Canadians but it is wearing out. A lot of Canadians, most of them Liberals, would rejoice if Jean Chrétien suddenly chose to enjoy old age and his discreetly earned fortune. We are bored with him.

How serious is his offence? It depends on the alternatives. Finance Minister Paul Martin has special appeal to those who prospered in the 1990s and want to do even better.

But many of them are attracted to the Alliance. Martin is also the hope of Liberal backbenchers who want to be ministers. The rest of us wonder about Paul Martin's real beliefs and talent. No one really knows and, as a Chrétien minister, Martin cannot come clean. The doubts remain, fuelled by memories of a close counterpart, John Turner.

Alliance leader Stockwell Day is a more obvious alternative. No one else could win the next election. In a parliament of minorities, Day could buy up the Bloc by letting them manage Quebec patronage, form a government, and prove himself in power. But first Day has some growing to do. So far, the Alliance leader remains a provincial politician. Oil-rich Alberta is on the way to displacing Ontario as the hated fat-cat of Confederation. Day preaches the "Alberta Advantage" but its prerequisite is not sound family values but large and accessible reserves of oil and gas. Provincial politicians, however fit and photogenic, have done poorly in federal politics. They are, to put it politely, "provincial."

Given the choices, voters should look again at the "little guy from Shawinigan." Yes, Jean Chrétien has been in government for a third of a century and more. He has few surprises. He is no media wizard. He works best in a small group. Other "little guys" in Shawinigan may have done too well by knowing him.

But Chrétien runs the only "liber-

al" government on offer to Canadians. During seven years in office, what has Chrétien really done wrong? Few prime ministers have had longer experience of government or used it to better effect. Those who blame him for the photo-finish referendum result in Quebec in 1995 are often the same people who sabotaged earlier attempts to win hearts and minds in Quebec. Referendum polling showed that Chrétien's last minute intervention saved a vanishing federalist lead, while the huge NO rally almost wiped it out. Denounced by the Bloc and Tories, Chrétien's controversial Clarity Bill resolved some necessary issues if Canada and Quebec want to negotiate rather than fight. Currently, most Canadians enjoy a fairly durable prosperity at home and respect abroad. Only the US dollar is currently stronger than Canada's loonie.

But Chrétien has lost entertainment value. Must politicians entertain? Mussolini certainly did. So did Hitler and, if you enjoy standing in the hot sun, so does Fidel Castro. Mackenzie King did not. He thought voters could amuse themselves. King still looks pretty good. Canadian voters may disagree but being experienced and predictable should not constitute grounds for dismissal.

Desmond Morton is the author of A Short History of Canada, among many other books, and the Director of McGill University's Institute for the Study of Canada. He is a member of IRPP's board.

A populist pragmatist The Liberals hadn't been led by a populist since Wilfrid Laurier. King had been a sober bureaucrat, St. Laurent had been an establishment lawyer, Pearson had been a distinguished diplomat and Trudeau had been a sophisticated intellectual. Suddenly there was a populist on the scene defending the Liberal heritage and appealing to "Main Street, not Bay Street."

The Liberal Party is basically an alliance of three groups: moderate anglophones, French Canadians and new Canadians who feel comfortable in and grateful to the Liberal Party. In essence, to be a Liberal is to be middle-of-the-road. Liberal roots are in the pragmatic, free-market philosophy of the nineteenth century, but over the course of a hundred years the party also became the guardian of a social vision.

Jean CHRÉTIEN, *Straight from the Heart*, 1985

THE MANAGERIAL PRIME MINISTER

Donald Savoie

Jean Chrétien once described the art of politics as “a survival game played under the glare of lights.” “You must,” he said “walk with your back to the wall and keep your elbows high.” Those are the words of a pragmatist, not an ideologue. And, indeed, historians will look back to the Chrétien years to discover precious little in the way of a vision for the country, or of a goal which captured the imagination of Canadians. Nor will they find any serious attempt to reform the country’s political and administrative institutions.

No, the language of the Chrétien era has never been about vision or a proper role for government in society. It has instead simply served to articulate plan A or plan B—responding to the important issues of the day, such as national unity and health care, when they surfaced. In brief, the Chrétien era has been managerial both in tone and substance. Managers are much more comfortable with fallback positions than with expressing strongly held views. Politicians with the managerial mindset thus avoid bold initiatives or attempts to lead the country in redefining itself or in exploring new relationships between the regions or between citizens and the political and administrative classes.

This is not to suggest for a moment that ideologues promoting a particular vision of a country are inherently superior to political managers. It is often said that in a democracy the people are never wrong. Canadians probably had their fill of heady visions and strongly held views with Trudeau and of Canadian federalism and political bombast and bold policy measures—free trade and the GST—with Mulroney.

By the early 1990s, Canadians longed for a political leader interested in more mundane issues, who would deal with the problems of the day. It will be recalled that Canada, as the *Wall Street Journal* observed, was about to hit the “debt wall.” Hardly a mundane issue, and one that required difficult political decisions and an ability to make them stick. Creativity, the charting of new territory, or the articulation of a new sense of the country were not now a preoccupation of Canadians. What Canada needed in the early 1990s was a political leader who knew government operations, who was comfortable with the levers of power and who could make tough political and financial decisions. Come-the-moment-come-the-man: Chrétien rose to the challenge.

Like all strong managers, he quickly moved to streamline decision-making in Ottawa. Impatient with elaborate policy planning processes and the cumbersome machinery of government, he abolished several long-standing Cabinet committees, strengthened his hand and those of his advisors on the levers of power and demonstrated, like all solid managers, that he could stand the heat. There is no denying that he made a number of tough decisions.

Those who give Paul Martin the credit for repairing Ottawa’s balance sheet do not understand how Ottawa works. A minister of finance can only be as good as the prime minister allows him to be. The reason Michael Wilson had only limited success in bringing down the federal deficit during his tenure as minister had a great deal to do with Brian Mulroney and very little to do with his own efforts. By the same

token, the fact that Paul Martin met with success had a great deal to do with Jean Chrétien. It was Chrétien himself who said that “a minister is just another advisor to the prime minister.” And he meant it. Chrétien had to sign off on “all” program review decisions before they could be implemented. He had the final say on all spending cuts and the buck stopped in his in-basket, not in Cabinet or in the office of the minister of finance. Ministers soon learned that Chrétien would stand firm on spending cuts. The result: 50,000 positions in the federal government were cut; over \$30 billion in program cuts were made and by 1997 program spending was reduced to 13 per cent of GDP, the lowest level since 1951.

Without doubt, Chrétien’s most significant legacy will be that he got Canada’s fiscal house in order. The 1995 budget, the program review exercise, and his willingness to make tough political decisions are remarkable achievements in their own right. The program review also challenged the federal public service in ways it had not experienced since the Second World War. It has been structured around five questions:

- 1) Does the program continue to serve a public interest?
- 2) Is there a legitimate role for government in this program?
- 3) Is the current role of the federal government appropriate, or is the program a candidate for realignment with the provinces?

What Canada needed in the early 1990s was a political leader who knew government operations, who was comfortable with the levers of power and who could make tough political and financial decisions. Come-the-moment-come-the-man: Chrétien rose to the challenge.

4) What activities should or could be transferred to the private or voluntary sector?

5) If the program continues, how could its efficiency be improved? Is the package of programs and activities affordable within the fiscal restraint? If not, what programs or activities should be abandoned?

These questions, Chrétien explained, made business sense and they would continue to be appropriate in the post-deficit era to guide government policy and decision making.

No sooner was the deficit dealt with, however, than Chrétien himself betrayed the new approach. Without consulting even his own Cabinet, he announced the government's main millennium project: a \$2.5 billion Canada Millennium Scholarship Foundation. He has yet to explain how this project squares with question number three: Is the current role of the federal government appropriate, or is the program a candidate for realignment with the provinces? The job of managers, in Chrétien's political world, is to make decisions: Whether they add up to a strategy or remain coherent from one decision to another appears to be beside the point.

Chrétien takes great pride in his ability to deal with the task at hand, to keep his "in" and "out" baskets in check, to delegate issues that ought to be delegated and deal squarely with those that belong in his office. Chrétien, like all good managers, knows intuitively which decisions need to be made and which problems solve themselves with time. His focus is on resolving major problems, one by one. He relishes making tough decisions and dealing with specific issues of a sector, a region or even of a constituency. For example, with a general election on the horizon and polls suggesting that his government needed to make up ground in Atlantic Canada, Chrétien flew to Halifax a few months ago to unveil over \$700 million of new money for the region's economic development. He also

pledged to fix the "UI" problem for Atlantic Canada—while a few years ago he was adamant that cuts to UI resulting from the program review exercise had not just been about saving money, but had been in the economic interests of Atlantic Canada. Political managers, it seems, deal with the moment, the task at hand. When health care appeared to become a potential election issue, Chrétien called a first ministers' meeting and struck a deal with the provinces. The deal was not what he had initially sought; it was his fallback position. His ability to focus on a single file is as strong as is his weakness in dealing with the broad picture.

Chrétien's legacy thus will centre on his success in repairing Ottawa's balance sheet, on his putting some order in government operations and on his not shying from tough political decisions when he has to. He will, however, leave a number of important, longer term and more complicated issues unattended. When it comes to the more difficult political issues such as national unity and how Canada's regions relate to one another, he has not been able to step out of the Trudeau paradigm. And history will show that, much like Trudeau and Mulroney, he was a prime minister for Ontario and Quebec, never quite able (or willing) to understand the concerns and aspirations of Western and Atlantic Canada.

Being a managerial prime minister, Chrétien has yet even to see the need to initiate change, let alone to take the lead in reforming national, political, and administrative institutions. The Senate, how judges are appointed, how the federal public service operates, the growing irrelevance of the House of Commons, the apparent inability of the less populous regions to have much of a say in national policy-making and other fundamental issues—these have all been left unattended. He has not sought to make a significant impact on Canadian society or in the workings of

the country's institutions. His agenda has been driven by managerial decisions on the fiscal side and a sprinkling of high-profile initiatives, from the Millennium Fund to the Foundation for Innovation. And these were not born out of a vision of the country or a coherent set of policy principles or positions. Rather, they stemmed from specific files or suggestions with strong political appeal.

Chrétien will leave a number of important, longer term and more complicated issues unattended. When it comes to the more difficult political issues such as national unity and how Canada's regions relate to one another, he has not been able to step out of the Trudeau paradigm.

In the long run, the price to pay for this neglect could well be very high. While Ottawa simply sits on the sideline, Canada's regions are already busy redefining their relations with one another and with regions south of the border. Canada is being led by economic forces and political events outside the country, not by a prime minister and a government pointing the way ahead. In brief, the downside of a managerial prime minister is that complex issues that are harder to grasp than are immediate tasks in hand are being ignored. It may well be that as an antidote to the Chrétien years, Canadians will insist that their next prime minister be more creative and willing to look at the challenges confronting Canada, given emerging and powerful political and economic trends. If that were the case, then Chrétien's legacy would be doubly impressive.

Donald J. Savoie holds the Clément-Cormier Chair in Economic Development at l'Université de Moncton.

A MAN FOR HIS SEASON

Carol Goar

Liking Jean Chrétien is easy. Liking his record is harder. I've been struggling with this conundrum for most of my journalistic career.

I first interviewed Chrétien in 1978 when he was attempting to make his mark as the country's first francophone finance minister. He had agreed to meet me at his office at nine o'clock on a January morning. A severe blizzard hit Ottawa the previous night, paralyzing the city. I awoke to radio reports of treacherous driving conditions, cancellations and closures. I didn't expect Chrétien to keep an appointment with a reporter, but I wasn't going to stand him up so I struggled downtown.

My arrival prompted a snort of disbelief from the House of Commons security guard, who curtly advised me to go home. I said I preferred to wait and settled on a bench outside Chrétien's office. About 20 minutes later, Chrétien bounded up the stairs, apologizing. His son's school bus had been cancelled, he explained, and he didn't think it would be fair to ask his driver to take Michel to school. So he'd delivered him himself, then driven to work.

That picture of Chrétien—shaking the snow off his parka and looking rather pleased with himself—has stayed with me much longer than the substance of the interview.

It comes to mind now as I ponder his legacy. By any conventional measure, Chrétien's term as prime minister has not been memorable: His policy achievements are modest; he is not a creative thinker; he hasn't challenged Canadians to dream and dare; he hasn't grown perceptibly in office.

But he has a great gift for winning people over. Strangers warm to him.

There is something disarming about his awkward, unpretentious demeanour. World leaders invariably like him. His bad jokes and plain language seem to melt diplomatic ice. Even skeptics, who grimace during the Prime Minister's speeches and complain about his lack of vision, find him personable. He radiates good will. He lowers people's anxiety level.

That may not sound like an extraordinary attribute, but it was exactly what the country needed in 1993. Brian Mulroney's bold experiments in trade liberalization, tax reform and constitutional change had left Canadians irritable and exhausted. To compound the malaise, a two-year recession had flattened the economy.

Chrétien understood that voters wanted relief from turmoil and insecurity. But he also realized, or quickly came to realize, that most of Mulroney's prescriptions were irreversible. So he set about making them palatable.

Fortuitous timing helped. The economy was on the rebound by the

time he took power. Within nine months, the unemployment rate started dropping. Within two years, interest rates were headed sharply downward. By late 1996, the economy was on a roll.

But it was Chrétien's style that convinced Canadians to let down their guard. Without that attitude change, the adjustments of the last seven years would have been much more difficult than they were.

He could sell what Mulroney could not. Under Chrétien's direction, deficit-cutting evolved from a divisive (and fruitless) budget ordeal into a widely supported national goal. In his hands, the poisonous politics of free trade gave way to a weary equanimity. He never quite managed to take the sting out of the GST, but he extricated himself from his reckless promise to scrap it without provoking a major backlash.

Chrétien couldn't have done what he did without an exceptionally able finance minister. It was Paul Martin who persuaded Canadians to make the sacrifices required to balance the budget. It was Martin who earned the respect of the business community and international financiers. It was the finance minister's ability to set a clear objective and pursue it steadfastly that gave the Chrétien government focus and direction in its first term. But Martin couldn't have eliminated the



Canadian Press Picture Archive

A great gift for winning people over

deficit as painlessly as he did without without the Prime Minister's unflinching support at the cabinet table and Chrétien's personal popularity.

Periods of consolidation don't get much attention in the life of a nation. Historians prefer the "collision of great ideas" of which Mulroney speaks so fondly. But people can only be lectured, prodded and told to shape up for so long. Eventually they need time to reflect and regain their faith in themselves. That is what Chrétien has given Canadians.

One can legitimately ask how long these breathing spells should last. Given the depth of public antipathy toward Mulroney, a two- or three-year break was probably reasonable. But it has now been seven years and Chrétien is still behaving more like a healer than a leader.

A second more profound question is whether Chrétien's go-with-the-flow approach lulled Canadians into accepting developments they ought to have questioned. Restful government is not always benign. Letting problems solve themselves can be riskier than confronting them head-on.

The most obvious example is the Quebec referendum. Taking their cue from the Prime Minister, federalists assumed they had nothing to fear when former Premier Jacques Parizeau announced on Sept. 11, 1995 that Quebecers would go to the polls in seven weeks to vote on independence. Canadians paid scant attention to the campaign. Two weeks before the vote, it became obvious that Chrétien had miscalculated badly. Panic set in. The federalists tried everything from a statement of support from US President Bill Clinton to a massive pro-Canada rally. They won by a hair's breadth, but Chrétien could take little credit.

In other areas of public policy, the Prime Minister's easygoing style combined with Canadians' contented disengagement has had a less visible, but probably more enduring, impact.

- With almost no public debate,

Chrétien decentralized the federation in ways that his Liberal predecessors would never have contemplated. He gave the provinces control over job training, social housing, reform of medicare and early childhood development. He agreed that Ottawa would launch no new social program without the consent of at least six provinces. He developed a pattern of federal-provincial relations in which Ottawa handed money to the provinces and left them free to set their own goals and shape their own programs.

- The environment fell off the national agenda for all but the latest few months of the Chrétien regime. Without Ottawa to speak up for conservation, sustainable development and less profligate energy use, Canadians merrily guzzled gas and lost interest in green technologies. It was only when smog levels became intolerable and oil prices started to rise precipitously that the Liberals showed any interest in curbing pollution.
- The gap between rich and poor widened as never before, while Chrétien pointed proudly to Canada's Number One standing in the United Nations human development index as proof that all was well in the land. Soothed by the Prime Minister's apparent lack of concern, Canadians shrugged off their guilt about homelessness, begging in the streets and the growth of an urban underclass.

It would be wrong to say that Chrétien encouraged Canadians to be less community-minded, less respectful of the ecosystem, less egalitarian. These trends were already underway when he took power. He simply didn't counteract them. He didn't put up a strong fight when the provinces demanded control over most of the levers of social development. He didn't offer much resistance when industry said it would be too expensive to join the fight against global warming. He didn't insist that

Periods of consolidation don't get much attention in the life of a nation. Historians prefer the "collision of great ideas" of which Mulroney speaks so fondly. But people can only be lectured, prodded and told to shape up for so long. Eventually they need time to reflect and regain their faith in themselves. That is what Chrétien has given Canadians.

the poor and vulnerable be spared in the battle to eliminate the deficit.

The country drifted to the right and Chrétien let it happen, partly because of his own innate conservatism and partly out of a desire to keep peace.

He will leave behind a Canada that has relinquished a significant share of its sovereignty to be a player in the global economy; a nation whose historic east-west axis has given way to a north-south economic pull; a society that is more stratified and competitive; and a government that is less of an influence in people's lives. It would have taken a strong-willed national leader to defy these forces. Chrétien was not that leader, nor did he sense any public appetite for high-stakes crusades.

He read the mood of the nation well. He gave Canadians the kind of government they wanted for a unusually long time. He took things a step at a time, projected optimism and good humour, allowed people to relax while he took care of the country's business. The nineties would have been a much more fretful decade, had Chrétien not been at the helm.

He was the right Prime Minister for a certain season in Canadian politics. Voters will soon decide whether that season has come to an end.

Carol Goar is editorial page editor of the Toronto Star.

DE LA VIEILLE POLITIQUE POLITICIENNE

Michel Venne

Comment Jean Chrétien a-t-il changé le Canada? Ma réponse est simple: Jean Chrétien n'a pas changé le Canada fondamentalement au cours des sept années écoulées depuis qu'il a été élu premier ministre en 1993.

Bien sûr, les finances publiques fédérales ont été gérées avec plus de rigueur qu'autrefois, ce que l'on doit principalement à Paul Martin, qui a éliminé Brian Mulroney.

M. Chrétien n'a peut-être pas changé le Canada mais il a, sur ces questions, converti le Parti libéral, sans état d'âme. On se rappellera que celui-ci proposait en 1988, sous le leadership de John Turner, de déchirer l'Accord de libre-échange avec les États-Unis, lequel devait ensuite s'étendre à l'ALENA. En 1993, Jean Chrétien s'était lui-même engagé à abolir la TPS.

Aucune politique adoptée par Jean Chrétien au cours des sept dernières années n'a pu avoir autant d'influence sur le Canada que la libéralisation du commerce et l'ouverture des frontières déclenchées par son prédécesseur.

Dans la même veine, les libéraux ont prolongé l'œuvre conservatrice en réduisant encore les bénéfices de l'assurance-chômage pour réorienter ce programme en faveur de mesures actives favorisant le retour au travail. De même, ils ont continué de réduire les transferts aux provinces en matière de santé, d'éducation post-secondaire et d'aide sociale, jusqu'à ce que les vertes vallées des excédents budgétaires viennent remplir les poches de Paul Martin.

Un peu comme Tony Blair au Royaume-Uni, qui a préservé l'héritage fiscal et économique de Margaret Thatcher tout en promettant de soustraire les Britanniques du thatché-

risme, Jean Chrétien retire aujourd'hui les bénéfices des politiques fiscales et économiques structurantes des années Mulroney (cela dit sans vouloir camoufler les errances du gouvernement conservateur).

Plus globalement, Jean Chrétien préside aujourd'hui aux destinées d'un pays qui montre les mêmes lignes de fractures que lorsqu'il a pris le pouvoir en 1993. Le sentiment d'aliénation de l'Ouest canadien reste perceptible et audible à travers la voix de Stockwell Day. Le Bloc québécois reste bien en selle au Québec. Des sondages récents montrent que l'appui à la souveraineté est aussi élevé qu'au début de 1995.

La dynamique des relations fédérales-provinciales apparaît tout aussi laborieuse et incertaine, laissée à la merci des velléités fédérales et des nécessités électorales provinciales. L'Ententecadre sur l'union sociale n'a pas été mis en pratique près de deux ans après son adoption sans le Québec et s'avère de plus en plus inutile et inopérante.

La question du Québec, d'ailleurs, reste irrésolue et Jean Chrétien, après être passé à un cheveu, en 1995, de perdre le pays, est enfermé plus que jamais dans une logique du refus de la réalité.

Il croit, avec la loi C-20 dite sur la clarté, avoir mis des bâtons dans les roues des souverainistes. Mais la première conséquence de cette loi est que les deux chambres du Parlement ont admis que le Canada était divisible, que le mouvement souverainiste québécois est donc légitime et que le Canada va négocier avec le Québec dès qu'une majorité claire à une question claire aura voté en faveur de la souveraineté.

Les détails contenus dans la loi ne peuvent pas constituer un frein. Je crois même que si Ottawa cherchait à mettre en application cette loi, celle-ci se retournerait contre lui (mais ce n'est pas le lieu pour débattre de C-20).

Voici maintenant M. Chrétien, comme le vieux politicien dépassé qu'il est, qui cherche à acheter le patriotisme québécois en multipliant les programmes, les subventions, les bourses, les drapeaux. M. Chrétien a entrepris une futile et coûteuse tentative de recolonisation du Québec.

Comme si on pouvait acheter les Québécois avec des pacotilles comme on croyait pouvoir amadouer les Amérindiens avec des miroirs au début de la colonie.

Le voici d'ailleurs qui remet en question des acquis. Il y a à peine trois ans, il signait avec Lucien Bouchard un accord cédant au Québec la responsabilité de la formation de la main-d'œuvre. Cette entente a permis de mettre fin au fouillis que représentaient la centaine de programmes auparavant offerts par les deux gouvernements en faisant du Québec le seul dispensateur de services. Quelque 1000 fonctionnaires fédéraux ont été intégrés à la fonction publique québécoise.

Eh bien, Ottawa annonce maintenant son intention de créer de nouveaux programmes pour améliorer les compétences des Canadiens, ce qui veut dire former la main-d'œuvre. Ottawa veut remettre du désordre dans ce qui était réglé. Tout le monde sait pourquoi M. Chrétien agit ainsi. Il a toujours considéré ne pas avoir récolté de bénéfices politiques de cet accord. Les Québécois ne sont pas devenus moins souverainistes pour ça. Alors il conclut qu'améliorer le fonctionnement du fédéralisme n'est pas payant.

Aussi bien pour lui, se dit-il, revenir à la vieille politique des annonces, des rubans et des chèques à feuille d'érable. Il suffit, croit Jean Chrétien, de faire pleuvoir les bienfaits fédéraux sur une population pour obtenir son allégeance. De la vieille politique politicienne.

Si en matière économique et fiscale, la comparaison avec Tony Blair est soutenable, en matière constitutionnelle, la différence saute aux yeux. Tandis que Jean Chrétien est resté dans le camp du refus et n'est capable d'envisager pour le Canada qu'un régime uninational, qui nie l'existence d'une nation québécoise en son sein, Tony Blair, lui, a permis la refondation d'un parlement en Écosse et au Pays de Galles. Depuis, le mouvement indépendantiste écossais est sur les freins.

Il est vrai que les deux situations ne sont pas parfaitement comparables. Mais les sondages au Québec indiquent bien que la majorité de la population se rangerait derrière une nouvelle configuration fédérale dans laquelle le Québec se verrait reconnaître un statut particulier. Jean Chrétien est incapable de même réfléchir en ces termes. Il est resté figé dans la vision trudeauesque du Canada, pays qui ne reconnaît que l'égalité des individus entre eux, niant leur appartenance culturelle et historique. Mais comme Jean Chrétien est moins intelligent que Pierre Trudeau, il est incapable d'adapter cette vision aux temps d'aujourd'hui et de la rendre conforme aux aspirations de la nation dont il est pourtant issu mais qu'il n'a jamais comprise.

Je relisais récemment cette citation de Jean Chrétien, qui date d'avril 1982 : «La grande ambition de nos bourgeois québécois, celle d'avoir des ambassadeurs du Québec dans des Cadillac à l'étranger avec un drapeau de la province sur le capot [Ailleurs, Chrétien avait parlé d'un flag sul'hood], ce n'est pas l'ambition des Québécois. C'est bon pour les gars de la Grande-Allée à Québec. Mais ce n'est pas l'ambition du Québécois moyen qui va se baigner dans le Maine l'été, qui va en Floride en hiver et qui mange des hot-dogs au base-ball ».

Outre le mépris affiché par Chrétien pour l'homme ordinaire du Québec, cette déclaration montre bien comment cet homme est déconnecté des siens. En réalité, c'est bien le contraire qui est vrai. Les Québécois se méfient de l'étatisme entendu dans le

sens du pouvoir de l'État sur les citoyens. Ils se méfient du faste et du clinquant. Ils ne toléreraient pas les dépenses somptueuses pour des visites à l'étranger. M. Chrétien n'a pas encore compris que le combat nationaliste et souverainiste québécois est avant tout une question d'identité, de reconnaissance et de capacité à se gouverner soi-même.

M. Chrétien, dont la carrière politique a décidément été trop longue, car il nuit aux siens aujourd'hui au lieu de les aider, n'a pas compris non plus que la mondialisation avait des conséquences et des répercussions sur les sociétés de bien d'autres natures qu'économique. La mondialisation n'entraîne pas seulement le libre-

Ce premier ministre n'a pas donné au Canada l'impulsion qu'il lui faut pour traverser le XXIe siècle, comme il voudrait pourtant qu'on le croit. Il a surfé sur l'héritage de Pierre Trudeau. Il s'est laissé porté par l'héritage de Brian Mulroney. Et pour le reste, s'est borné à gouverner à la petite semaine, suivant ses réflexes d'homme d'une époque révolue.

échange, le virage technologique, la révolution du savoir et de l'éducation. La mondialisation éveille les identités nationales, offre aux petites nations la possibilité de se gouverner elles-mêmes dès qu'elles appartiennent à un grand marché. La mondialisation pose aussi de nouvelles exigences en termes de démocratie. Or à ce chapitre, Jean Chrétien n'a vraiment rien changé.

Les institutions démocratiques de ce pays sont inefficaces. Le premier ministre, véritable monarque élu, règne en maître absolu sur le pouvoir exécutif, ses ministres n'ayant aucun

pouvoir réel d'initiative. Le conseil privé est tout puissant. Le chef du gouvernement nomme les sénateurs qui sont censés former un contre-pouvoir dans l'appareil institutionnel, mais c'est un contre-pouvoir qui se révèle faible et qui est ignoré. Il nomme les juges de la Cour suprême. Il nomme tous les officiers de l'État fédéral. Dans le monde d'aujourd'hui, ce type de fonctionnement dans lequel les contre-pouvoirs sont inopérants n'est plus accepté nulle part, sauf dans les anciennes dictatures qui n'ont pas encore terminé leur conversion à la démocratie. Le Canada fonctionne suivant des principes quasi-impériaux.

De plus, son système électoral uninominal à un tour ne reflète plus l'état fractionné de la communauté politique canadienne et ne permet plus l'alternance du pouvoir à Ottawa. Les partis politiques sont financés par les grandes entreprises et les grands syndicats. Le Parti libéral du Canada en particulier, le parti de M. Chrétien, est une machine à organiser les élections et rien d'autre. Le débat y est inexistant. L'innovation y est absente.

Bien entendu, la gouverne de Jean Chrétien n'est pas un échec complet, sinon il y aurait eu quelques émeutes dans les rues. Mais ce premier ministre n'a pas donné au Canada l'impulsion qu'il lui faut pour traverser le XXIe siècle, comme il voudrait pourtant qu'on le croit. Il a surfé sur l'héritage de Pierre Trudeau. Il s'est laissé porté par l'héritage de Brian Mulroney. Et pour le reste, s'est borné à gouverner à la petite semaine, suivant ses réflexes d'homme d'une époque révolue.

Alors qu'est-ce que l'histoire retiendra de lui ? Qu'il a failli perdre le Canada en 1995 ? Qu'il a fait adopter une loi (C-20) qui reconnaissait la légitimité de la souveraineté du Québec et l'obligation de négocier du Canada en cas d'un oui majoritaire lors d'un référendum ? Aucune réalisation majeure ne vient à l'esprit qui aura marqué l'histoire au cours de ces sept années au pouvoir.

Michel Venne est rédacteur en chef adjoint au journal Le Devoir, Montréal.

'SHUT UP!' CHRÉTIEN IN POWER

Peter Stockland

'Shut up,' he explained. The palooka's scowl on Jean Chrétien's haggard face made it clear he expected the elucidation to be accepted without argument.

It was December of 1990. We were sitting in a fish-and-chips shop in an icy village waiting for Chrétien to stage a by-election comeback in the New Brunswick riding of Beauséjour. I had been asking, in my mildly persistent manner, how the new Liberal leader would explain to his fellow Quebecers his embrace of then Newfoundland Premier Clyde Wells on the convention stage in Calgary only a few months earlier.

The question seemed pertinent. Quebec was still boiling over the Wells-inspired defeat of the Meech Lake constitutional accord. Sooner or later, Chrétien would have to run, not only as an MP, but also as a potential prime minister in his home province.

Relevant or not, he was in no mood to be pressed. "Just shut up about it," he snapped. "Shut up."

Canadians who have experienced Chrétien only as a pixilated pygmy on their TV screens—or in some gormless pose on the front page of the newspaper—have no idea how hard-assed and intimidating he can be in person. I took the hint. I shut up.

Yet the moment stuck in my memory as a measure of how Jean Chrétien handles those who irk him, and of his approach to governing in general.

Certainly his 1995 referendum strategy of sealing political lips to make the separatist bogey men go away demonstrated the disastrous extent to which he was prepared to shut up rather than put up.

Indeed, when the Reform Party

posed its 20 questions on Quebec prior to the referendum, the Prime Minister's response was to attack Preston Manning for causing trouble by mentioning the unmentionable.

Had he been willing to answer those questions, Chrétien might have been spared breaking down in tears before his caucus as it appeared the referendum—and Canada—were on the edge of slipping away.

In the end, his Liberals were obliged to borrow the spirit of Reform's 20 questions anyway by proceeding with Plan B, the Supreme Court reference on separation, and the *Clarity Act*.

Borrowing becomes politically essential, of course, when it becomes clear that you haven't a shred of an idea of your own. The old advice about remaining silent and being thought a fool rather than speaking up and removing all doubt only works for so long in a parliamentary system that features a daily question period.

During his years as a Liberal cabinet minister, Chrétien surfed on Pierre Trudeau's intellect and ideology. From 1993 to the present, he has let the economy cruise on the policies implemented by the Mulroney government at ferocious political cost to the Tory party.

When it comes to finding fresh problems for which his predecessors failed to leave detailed solutions, however, Chrétien has traditionally reverted to the truculence he displayed in that Beauséjour fish and chip shop.

Brain drain? Stop talking about it. Lagging productivity? Don't worry—be quiet.

Tax cuts? Just shut up about it. The mischievous might remark it

is no wonder Chrétien has won himself a reputation for talking to imaginary homeless people. They can be counted on not to ask and never to tell.

Liberal partisans would retort that cabinet ministers such as John Manley and Paul Martin have taken the above issues very seriously. But even granting that only amplifies the extent to which the Prime Minister himself has stubbornly stopped his ears to the best ideas of his senior colleagues.

Canadians are now seven years, and a looming third election day, into the Chrétien era. We are past the point in the Mulroney mandate when the Tories had presented the country with such major initiatives as implementing transportation deregulation, dismantling statist energy policies, signing two free trade agreements and overhauling consumption taxes by replacing the old manufacturers' sales tax with the GST. And let's not forget the Tories also crafted two critical, albeit failed constitutional accords during that time.

With all that groundwork laid, Chrétien has yet been unable to reduce the onerous tax burden of Canadians in any meaningful way. Despite benefiting from Tory economic policies that he belittled in opposition, then retained once in office, the prime minister has done next to nothing about a federal debt so huge it would stop up



CP Picture Archive

Jean Chrétien, 2000

the mouth of Aladdin's cave were it piled in one place at one time.

While Alberta, for example, paved the way throughout the 1990s in demonstrating how to pay down debt fast, furiously and for good, the Chrétien years have been spent on cruise control as far as reducing our legacy of overspending is concerned.

It is a legacy that attaches to Jean Chrétien as much as any other individual Canadian politician. He was, after all, Pierre Trudeau's finance minister during the wild spending days from 1976 to 1979. Those who make much of the fact the Liberals left "only" about \$180 billion of the current \$565 billion federal debt conveniently forget the effects of compound interest. While it is true the Mulroney Tories failed miserably to impose serious budget cuts in their 1984 to 1988 term, they did manage

to get program spending under control from 1988 to 1993. They at least left things poised for a major assault on what Ottawa owes.

Far from following through, Chrétien's two terms have been characterized by a state of denial in which he adopted a bizarre policy of spending 50 per cent of so-called surpluses before addressing the debt. How it is possible to have fresh cash for spending when you are still paying out \$40 billion a year for interest on untouched debt is a question the Prime Minister prefers not to discuss.

There is real reason for concern about his silence. In the emotional aftermath of Pierre Trudeau's death, Chrétien vowed that he would henceforth be driven to fulfill his former leader's vision for the country. To paraphrase the immortal Mr. Rogers: "Can you say ohmigod"?

Assuming the Prime Minister makes even partially good on this promise to further the work of the man who attracted Fidel Castro to his funeral, it is virtually guaranteed that voices of restraint in the Liberal caucus will be weakened beyond their already timorous state. Finance Minister Paul Martin can be counted on to simply shut up and/or go away. Without Martin as their standard bearer, others will likely follow his lead. That's the way intimidation works.

With a third electoral mandate in hand, and his more persistent internal critics out the door, the prime minister will consider himself the quintessential political victor. History, however, will judge. My gut feeling is that when it does, it will insist that Jean Chrétien has some explaining to do.

Peter Stockland is the editor of the Montreal Gazette.

COMPETENCE, CALM AND CLARITY

David J. Bercuson

Measuring a Canadian prime minister's legacy is no easy thing. This is a nation that has historically rejected leaders who have tried to change the nation too much as well as those who have attempted too little or nothing at all. Canadian history is strewn with the wreckage of governments (such as that of Wilfrid Laurier in 1911) which tried to lead Canadian voters from too far out in front. Then, on the other side of the coin, there is the harsh judgment passed on William Lyon Mackenzie King by a generation of left-wing intellectuals who whined that he had not done enough. He "never did anything by halves that he could do by quarters," wrote McGill law professor and

ardent CCF supporter F. R. Scott. Mackenzie King's real sin, though, was not that he left the nation unchanged—far from it—but that he had scooped the CCF in doing it!

Jean Chrétien has left a mark on Canada in the seven years since he was first elected prime minister, though in no way can the pace of change (or the sweep of it) be compared to that of his two significant predecessors Pierre Trudeau and Brian Mulroney. Nevertheless, an argument can be made that the last thing Canada needed in 1993 was rapid and sweeping change of any kind. From the time of Trudeau's last government (1980-1984) until the wrenching Charlottetown Accord referendum of 1992, national tranquility

was too frequently upset by change, much of it unnecessary and therefore disastrous. More to the point, the governments of Pierre Trudeau and Brian Mulroney put "peace, order, and good government," especially good government, second to their particular visions of social and political engineering.

The most important aim for any Canadian government is good administration—taking care of the nation's business—no matter what its other priorities. Jean Chrétien's most important legacy is, therefore, that he tried to give Canadians a break from the never-ending constitutional wars before it was too late. He largely succeeded. He also gave Finance Minister Paul Martin a broad mandate to fix the nation's business, to cure the deficit disease, to place the federal fiscal house in order, to return the nation to prosperity and the economy to strength. And that has also been accomplished. Of course opponents of the Chrétien government claim that the nation's current excellent economic performance is purely the result of a booming US economy. Does anyone expect the

institutional opponents of the government to give it credit for good news?

What Chrétien's detractors fail to point out, however, is that Brian Mulroney's eight years in office coincided with a major rebound in the US economy and the beginning of a prolonged boom. He, like Chrétien, governed at a time of US prosperity but he and his finance minister Michael Wilson, never had the political will to tackle government overspending, to really cut back the size of the federal government. They managed the economy so badly that Canada did not share in the US boom of that period. Chrétien did not initiate the current trend in Ottawa and the provinces to wrestle deficits to the ground, to tackle net debt, and to give taxpayers a break. But Ottawa's wholesale adoption of those objectives has effectively removed the idea that the nation needs prudent government management from the realm of political debate. With the exception of the trade-union dominated government of British Columbia, no serious Canadian politician, federal or provincial, will survive today by advocating the spending policies of the 1980s.

Chrétien has also left his mark on the nation with the Clarity Bill, which may turn out to be the most important constitutional weapon against separatism ever devised by a national government.

Consider the long and sorry tale of Ottawa's responses to the threat of Quebec separation. Lester Pearson was the first to face that threat when it was uttered by Quebec Premier Daniel Johnson in the late 1960s. Johnson declared his aim to be the constitutional equality of Quebec with English-speaking Canada; the institutionalization of the "two nations" theory of Confederation. *Egalité ou indépendance*, he declared, becoming the first of a long line of Quebec leaders to use the threat of secession to back demands for special constitutional status for Quebec.

Lester Pearson blithely treated Johnson's threat of secession as just another rhetorical flourish. Pearson's

successor, Pierre Trudeau, also refused to question either the constitutionality or the political legitimacy of secession. Trudeau's very participation in the 1980 Quebec Referendum gave that exercise a sort of legitimacy and set the stage for the near disaster of 1995. Jean Chrétien is often accused of complacency during the 1995 referendum, but the groundwork for that complacency was laid by Pearson and Trudeau, and by Brian Mulroney who can take credit for being the first leader of the federal government to also use the threat of secession. He did that when he tried to force his Meech Lake Accord on the nation. By the time Jean Chrétien came to power in 1993, virtually no one in high office in Ottawa or any of the provinces dared to suggest that Quebecers did not have an unfettered right to so-called "self-

The last thing Canada needed in 1993 was rapid and sweeping change of any kind. From the time of Trudeau's last government (1980-1984) until the wrenching Charlottetown Accord referendum of 1992, national tranquility was too frequently upset by change, much of it unnecessary and therefore disastrous.

determination," to dismantle the nation as we know it by simple majority vote of a referendum wholly organized, financed, and administered by the government of Quebec. Indeed the Mulroney-led Tories had specifically endorsed that very idea.

That has changed forever with the Clarity Bill. The revelations which emerged in the months following the 1995 referendum—that Jacques Parizeau was on the verge of a unilateral declaration of independence—shocked Chrétien into action. The resultant Supreme Court of Canada

reference case and the Clarity Bill have been criticized in some quarters as legitimizing secession, but this criticism is the bleating of those who must ever find fault with anything this government does. What the Clarity Bill has accomplished is to guarantee that Quebec UDI will be a disastrous failure. With the Clarity legislation now in place, neither the United States nor any member state of the European Union will recognize a secession that is not sanctioned by a peaceful and legitimate Canadian constitutional process and ultimately by the Canadian national government itself. The myth of Quebec's "right" to "self-determination" has been shattered; not even Pierre Trudeau accomplished that.

On balance, then, Jean Chrétien cannot be said to have changed Canada very much. The last seven years have not produced a constitutional patriation or a *Charter of Rights and Freedoms*, nor have they given the nation free trade with the United States. On the other hand, the nation has not been rocked to its foundations by a Meech Lake Accord or a Charlottetown Referendum. The Chrétien years have been years of relative constitutional tranquility, prudent financial management, and unprecedented growth and prosperity. None of these positive conditions has come about by accident—any more than the negative developments which have befallen this government, such as the HRDC scandal or the completely unjustified suppression of the APEC protestors, were simple misfortune.

Jean Chrétien will never go down in the history books as a great or inspiring Canadian leader. But he will surely be recognized for what he has generally been—a competent political leader who at least recognized that the country badly needed a break from leaders who aspired to greatness no matter the cost to national stability.

David Bercuson is Professor of History at the University of Calgary.

LEGACY OF A MIDDLEWEIGHT

Hugh Segal

The core problem with some parts of the Chrétien legacy became apparent during the recent robust reflection on the Trudeau legacy. The genuine and remarkable outpouring of emotion at the Right Honorable gentlemen's passing was accompanied, as is often the case when public figures pass away, by some exaggeration of his personal political legacy. Canada gave Mr. Trudeau two relatively modest majorities, one defeat and one nail-biting minority. The elements of his legacy that remain durable and important include the *Charter of Rights* and the *Official Languages Act*. In the case of the first, had moderate and progressive conservatives like Bill Davis and Richard Hatfield not taken huge risks, the legacy would not have been. On the *Official Languages Act*, one could argue that Mr. Trudeau played to his partisan political advantage, while Robert Stanfield was prepared to assume, and did in fact take, genuine risks with his natural constituency in the *Act's* defence. None of which diminishes the importance of both of these initiatives. But the robust amplification by the Liberal establishment in Ottawa, the media and academe simply serve to underline the extent to which none of the above relates to the Chrétien legacy.

On matters constitutional, the Chrétien government is in a sense at the opposite polarity from Trudeau. Where Trudeau sought to impose his non-collective individual rights superstructure on the country, Chrétien seems to have hoped the whole constitutional matter would simply not come up. When it did, as in the 1995 Quebec Referendum, the ineptness of

the Chrétien response stands in stark contrast to the Trudeau approach in 1980. Despite the intellectual rigor and blazing engagement of Prime Minister Trudeau in 1980, other premiers were welcomed to the challenge of persuading Quebec voters that a "no vote" was a step to cooperative constitutional reforms. In 1995, not only did the federal government lack a strategy, it lacked the foresight to have other premiers engage. But for Jean Charest, and some intemperate Parizeau remarks, the Chrétien legacy might well have been a sovereign Quebec.

The Prime Minister's post referendum response with resolutions on distinct society, regional vetoes, and the so called *Clarity Act* have contributed to a sense that for federalists, constitutional change is now only a defensive tactical game without the Trudeau vision. On the challenge of a more confederal constitution, there is no substantive legacy at all.

In fairness, however, the record on

non-structural confederal issues, and the resultant practical legacy in terms of systemic linkage is substantially broader and more compelling. The *Social Union Framework Agreement* signed in 1999 between Ottawa and the nine provinces, and the territories, while not Ottawa's idea, deserves favorable note. While the genesis of this "rules of the road" on social policy principles and interaction essentially emanated from a working group of social policy ministers (co-chaired by Ontario and Alberta), the result, which Ottawa helped partner and broker, was constructive.

The ten-province, all-territory Calgary declaration that led to *SUFA* had constructive Ottawa engagement. The Prime Minister's office, the Privy Council office and the senior mandarin were engaged fully on the *Social Union Framework Agreement*. Canada is stronger because of that agreement and Mr. Chrétien deserves his fair share of credit for it.

If the bad news is that, constitutionally, the Trudeau and Chrétien legacies are polar opposites, the good news is that their economic legacies are also at opposite poles. Where Trudeau spent, borrowed, expanded the state and created the bulk of the post-war debt, building it to a level that made cascading debt servicing costs unmanageable,



Canadian Press Picture Archive

That was then: Jean Chrétien, 1993

Chrétien was far more responsible. While many disagree with the way fiscal change was financed through both tax increases and transfer cuts to the social policy obligations of the provinces, fiscal rebalance was necessary and did take place. The legacy here may well be the loyalty Prime Minister Chrétien showed to his minister of finance—or perhaps to Mr. Martin's policies. Whichever it is, it is worthy of praise and note. Not all ministers of finance have had that kind of support. One need only reference Mr. Trudeau's mistreatment of Finance Minister Chrétien to understand how much credit Prime Minister Chrétien deserves.

If Prime Ministerial indecision and panic are to be criticized on the constitutional front, then the capacity to say one thing on free trade, NAFTA and the GST before an election and do quite the opposite after the election should be applauded. In Canada's deeply managerial Liberal Consensus, when conservatives or socialists change direction post-election, it is because of the folly of ideology, incompetence or dishonesty; when Liberals do it, it is because they had no managerial option. Be that as it may, the government is to be congratulated for putting reality and common sense ahead of blind adherence to electoral puffery.

Whatever the reason for it, Liberal policy that is pro free trade, supportive of the GST and not only compliant with NAFTA but supportive of hemispheric free trade is good public policy. It has contributed to fiscal improvement, economic growth and social progress—not all in equal measure, but these are improvements none the less. This is another part of the Chrétien legacy that brings credit to him and to his administration.

There are further examples of compelling and important leadership:

- The new institutes of health research
- The increase in medical research funding
- The chairs of excellence at Canadian universities

- The reinvestment of healthcare dollars
- The increase in pay and rations for our military
- The procurement of new equipment for the armed forces—however late and insufficient

I don't know whether the Team Canada expeditions were more substantive in real terms than the excursions appeared. At worst, they are surely no more harmful than chicken soup—and they may do some good. And, in a general sense any initiative that takes first ministers, other ministers, officials and business people

Whatever the reason for it, Liberal policy that is pro free trade, supportive of the GST and not only compliant with NAFTA but supportive of hemispheric free trade is good public policy. It has contributed to fiscal improvement, economic growth and social progress—not all in equal measure, but these are improvements none the less.

abroad and allows them to work together can't be all bad.

In the interest of Canada's standing in the world, Mr. Chrétien has done little to offend but also little to inspire. In foreign policy, beyond the laudable and important Axworthy anti-mine agreement, there is again an opposite pole to Trudeau's vision thing. Our commitment to peacekeeping is still there—sort of—even if the complement and equipment necessary are not. Ending the Somalia inquiry, while politically incorrect, was made almost inevitable by the commissioners' puzzling decision to acquiesce in the media's self interest in having Department of National Defence rules on media relations take

precedence over the actual events in Somalia. Here, and elsewhere Mr. Chrétien let senior ministers do what they should, which is take the heat for unpopular decisions on occasion. Voters re-elected the Liberals in 1997 (cashiering Minister Young, in New Brunswick, for Somalia and UI/EI reasons put together). Who says democracy lacks surgical options?

The Chrétien foreign policy is a sort of trade-friendly, socially-concerned, and human rights-light hodgepodge, executed by a complex weave of slightly overlapping and on occasion contradictory alliances and international regimes. For the Prime Minister, for example, democracy's importance seems to vary from APEC (where dictators are OK) to NATO (where they are not) to the Commonwealth (where democracy most of the time is *de rigueur*) to the *francophonie* (where dictatorship is tolerated).

The "flexibility" of our policy is apparent. What we will not accept from Nigeria we accept from China. Innocent Albanians mistreated? CF18's are launched. Rwanda massacre? We are victims of Security Council gridlock. What saves Mr. Chrétien here is that greater powers, less dependent on economic goodwill everywhere, are no more principled!

Because of the signal importance of economic well being, and, the Chrétien government's determination to either stay out of the way or be essentially constructive, that part of the legacy is first rate. Whether the Prime Minister wins or loses the next election, for the average Canadian Mr. Chrétien's period in office will be seen as one of economic expansion, technological progress and some significant modernization of the scope and technological structure of the Canadian economy.

Where history is likely to be less kind—and to be fair, this may take some time—is on the degree to which both the short-term and long-term implications of the evolution of the

world economic order in a way that requires greater flexibility from nation-states seem to have simply not occurred to this Prime Minister.

Enhanced social, economic and career mobility at home and abroad, are survival tools in a global economic framework; nationalism is far more serious a risk when it is misused to artificially preserve social and economic opportunity. The examples here are clear: the mishandling of the Air Canada-Canadian issue; the failure to get a national securities regulatory agreement, the missing of hemispheric exchange rate opportunities, the obsession with federal vs. confederal options; the weakness on addressing international trade and human

resource mobility seem strangely at odds with aggressive trade promotion and export initiatives. The integrity missing here is not in the meaning of honesty but coherence. The lack of it has serious domestic and competitive costs—not to mention being the cause of federal provincial tensions.

Other long-term costs, arising either from partisan excess or narrowness of vision, will be with us for years to come. The disaster at Pearson International Airport—where the project is a decade late and at least three times more expensive than the plan underway when Chrétien took office, and the unspeakable delay in Armed Forces helicopter procurement that diminishes our military capacity while

risking casualties do not enhance this government's record and will look even worse in the years ahead.

One prominent Liberal once suggested to me that these two partisan gestures were a small price to pay for sticking with the GST and NAFTA. Which raises the most interesting of future legacy questions: If the Liberals do decide to embrace the popular support for some tax moderation, a position advanced recently by opposition parties, there might have to be a partisan *quid* to pay for that *quo*. What might it be? And what will it do the Chrétien legacy?

Hugh Segal is President of the Institute for Research on Public Policy.

LE LEGS DE M. CHRÉTIEN : PLUTÔT CHICHE QUE RICHE

Jocelyn Létourneau

Gouverner est une activité difficile, voire périlleuse. Les contingences de la vie en société sont à ce point nombreuses, surprenantes et imprévisibles que le facteur chance est souvent celui qui fait la différence entre une régulation heureuse et une gouvernance malheureuse. Cela dit, il est une attente que les citoyens d'un État sont en droit d'avoir relativement à leurs décideurs. Celle-ci touche au legs qui leur est offert pour passer à l'avenir. Or, à cet égard, force est d'admettre que l'héritage de M. Chrétien, en tant que *prima inter pares* au sein du gouvernement, est plutôt chiche que riche. C'est ce dont on devra se souvenir au moment où le chef du Parti Libéral du Canada décidera de se retirer de la vie politique active.

Certes, le Canada roule sur l'or depuis deux ou trois ans. La croissance économique est forte, les

dépenses de consommation sont en hausse, le secteur immobilier progresse bien, le taux d'inflation est bas. En fait, le pays profite largement de l'expansion de l'économie américaine et de l'augmentation considérable du revenu réel chez nos voisins du Sud. Le Canada est à bord du train continental. C'est ce qui l'aiguillonne vers la prospérité.

Il est cependant des faces moins roses à la réalité canadienne. Ainsi, l'espace économique national se fragmente en des zones fortes et en des zones faibles qui évoluent selon des rythmes de croissance et de développement fort différenciés, ce qui n'est pas sans accroître les déphasages économiques et sociaux sur tout le territoire. Par ailleurs, bien que le taux de participation au marché de l'emploi soit relativement élevé chez la population en âge de travailler, une partie significative de la main-

d'œuvre connaît une vulnérabilité grandissante de sa condition, ce qui est source de désaffiliation sociale. Or, l'une des conséquences dramatiques de cette situation est qu'un nombre considérable d'enfants sont exclus des bénéfices potentiels de la croissance tout en inscrivant leur devenir personnel dans des filières perdantes. Il s'agit là, sans l'ombre d'un doute, d'une hypothèque pesant lourdement sur l'avenir du pays.

À toutes fins utiles, le gouvernement Chrétien a, depuis sept ans, lié fermement l'évolution du pays à la donne mondiale mais s'est montré incapable de gérer les effets pervers découlant également de cet arrimage. On a, à l'instar de ce qui s'est fait ailleurs en Occident, voire un peu partout sur la planète, favorisé les conditions d'implantation et de mobilité du capital à travers l'espace. Mais l'on ne s'est guère préoccupé de contenir les déséquilibres de toutes natures engendrés par cette inféodation de la société au pouvoir du capital, inféodation, on le sait depuis longtemps, qui produit des problèmes au même rythme que de la richesse. En fait, la stratégie du gouvernement Chrétien a d'abord été de copier les autres et de souscrire benoîtement au mantra énoncé en 1985 par la

Commission Macdonald : faire de la société canadienne une société plus concurrentielle dans l'ordre continental et mondial. Au fond, le PLC n'a fait qu'inscrire sa gouverne dans la suite de ce que le gouvernement Mulroney avait amorcé et défini précédemment. Au chapitre de la régulation qu'il a endossé comme Premier ministre, on ne peut pas dire que M. Chrétien ait fait preuve d'un surcroît d'imagination.

Le paradoxe de la situation actuelle tient au fait que, la conjoncture économique aidant, les administrations publiques au Canada se retrouvent avec des surplus budgétaires considérables. Cela est particulièrement vrai pour le gouvernement fédéral. On ne sait toujours pas comment les décideurs utiliseront cette manne providentielle. La perspective d'une élection prochaine laisse penser que M. Chrétien cherchera à contenter le plus d'électeurs possible. Il y aurait lieu pourtant d'inscrire le devenir du pays dans un horizon plus long que celui qui tient à la volonté d'un politicien d'être réélu à la tête du pays pour un troisième mandat d'affilée.

Sur le plan politique, au niveau de sa vision du pays notamment, le chef du PLC a inscrit étroitement sa démarche dans la suite de ce que son mentor Pierre Trudeau avait élaboré et mis en place dans les années 1970. Plutôt que d'accueillir la diversité constitutive du pays et de renouer avec l'esprit de la canadienité, M. Chrétien a cherché à imposer, d'un océan à l'autre, cette vision ahistorique d'une canadienneté salutaire à construire. Comme si la dissonance constitutive du Canada était une source de nocivité pour bâtir l'avenir. C'est plutôt le contraire qui est vrai.

Au Québec, M. Chrétien fait à peu près l'unanimité contre sa personne. Même chez les fédéralistes, il est perçu comme un obstacle à la réactualisation de la problématique canadienne. Alors que les Québécois sont on ne peut plus ouverts à l'idée de (re)penser

le Québec dans le paysage canadien, une disposition tout à fait porteuse pour envisager la possibilité d'un Canada sereinement réuni, le Premier ministre, empêtré dans une rhétorique dépassée ne coïncidant absolument pas avec l'état d'être de l'affirmation québécoise, ne réussit qu'à braquer ou décourager ceux et celles qui voudraient passer à l'avenir. Son indéfectible assurance personnelle, qui n'a d'égal que le mépris qu'il semble éprouver à l'égard de toute idée qui ne vient pas de lui, en fait un décideur qui l'éloigne des compromis négociés. Le cas échéant, c'est moins une vision originale d'ensemble du pays que la perspective d'un gain politique partisan qui anime sa quête de solution.

Par sa gouverne, M. Chrétien n'a certes pas ramené le pays à une situation globale indésirable. Il est clair toutefois qu'il existe au sein du Canada une demande diffuse, encore mal exprimée peut-être, mais clairement présente, pour des changements auxquels le chef du PLC n'est pas à même de donner suite.

Pour M. Chrétien, la formule du "meilleur pays du monde" est devenue une sorte d'emblème le dédouanant de tout effort pour accueillir le changement et l'incorporer à la problématique historique du pays.

Certes, en pratique, le Canada arrive mal à fonctionner lorsque l'on tente d'en assurer la gouverne à partir du principe du plus petit dénominateur commun. C'est pourquoi, derrière les rideaux de la scène politique, hors du champ d'éclairage des spots médiatiques, les décideurs ne peuvent faire autrement que de lâcher du lest pour "négocier l'impossible." Le Canada est un pays complexe et inachevable comme projet unifié. À plusieurs égards, il semble que la pensée

de M. Chrétien ne soit pas à la hauteur de cette complexité et de cette hétérogénéité d'être du Canada. Le Premier ministre est un homme rigide qui fait rarement dans la subtilité. La flexibilité n'est pas une qualité qui l'attire alors même que le raccordement des dissonances pour en faire des consonances provisoires n'a jamais cessé d'être au cœur de l'expérience historique canadienne.

Il serait proprement ridicule de laisser croire que le Canada n'est pas un endroit enviable où naître et vivre sur la planète. Par sa gouverne, M. Chrétien n'a certes pas ramené le pays à une situation globale indésirable. Il est clair toutefois qu'il existe au sein du Canada une demande diffuse, encore mal exprimée peut-être, mais clairement présente, pour des changements auxquels le chef du PLC n'est pas à même de donner suite. Le Premier ministre n'a plus de crédit personnel pour permettre au pays de passer à l'avenir. Il s'est en pratique révélé un mauvais fiduciaire du principe de la société juste. Faute de comprendre la dynamique actuelle du mouvement d'affirmation québécoise, il a cherché à l'enrayer par l'entremise d'une démarche légale et juridique qui, au fond, n'a rien réglé. Ses initiatives visant à renforcer l'emprise du gouvernement fédéral sur la régulation publique au Canada ont été souvent malhabiles sur le plan politique même si la finalité désirée était bonne. M. Chrétien aurait voulu être au diapason de son père spirituel alors qu'il n'était que lui-même et que la situation commandait de toute façon autre chose que l'application simpliste du paradigme trudeauiste à la complication canadienne.

Plus que jamais, le Premier ministre apparaît comme un homme du passé et une figure dépassée. Il aurait été préférable qu'il passe la main à un héritier d'avenir pour réactualiser dès à présent la problématique canadienne au lieu de s'enticher à embellir, pendant un autre mandat, l'emblème du pays.

Jocelyn Létourneau est professeur d'histoire à l'Université Laval.

THE CHRÉTIEN COURT

Christopher P. Manfredi

The Supreme Court of Canada is a political institution. It makes policy not as an accidental byproduct of its legal function, but because its justices believe that certain legal rules will be socially beneficial. The *Charter of Rights and Freedoms* increases the opportunity for judicial policy-making because it expands the range of social and political issues subject to the Court's jurisdiction. The Court's two most recent decisions on sexual orientation exemplify this phenomenon. In each case the Court saw a policy vacuum, used the *Charter's* equality rights section to assert jurisdiction over it, and created a new policy to fill the perceived gap. No political retrospective is complete, therefore, without considering the impact of the Court's *Charter* jurisprudence on national governance.

During Jean Chrétien's two terms in office, the Court continued to display the activism it embraced during the 1980s, when it abandoned the cautious, even moribund approach to rights under the 1960 *Bill of Rights*. From 1993 to 1999 the Court issued 195 *Charter* judgments, exactly the same number it had issued in the preceding ten years. The success rate for *Charter* claims during the Chrétien years ranged from a low of 23 per cent in 1993 to a high of 57 per cent in 1997, with a seven-year cumulative rate of 33 per cent. In accepting these claims, the Court nullified eight federal and 13 provincial statutes, including parts of the *Canada Elections Act*, the federal *Tobacco Products Control Act*, the *Manitoba Public Schools Act*, and Québec's *Referendum Act*. Perhaps most important, the Court's 1999 decision on aboriginal fishing rights in *R. v. Marshall* sparked a confrontation that has to a large degree paralyzed the government's aboriginal pol-

icy. The Chrétien government, like its predecessors in the post-*Charter* era, has had to work in the long shadow cast by the Court.

But the Court's enhanced political role provides opportunities as much as it imposes constraints. Canadian prime ministers enjoy a remarkable degree of freedom in selecting Supreme Court justices. Unlike US presidents, who must depend on the vicissitudes of nature

The Prime Minister's appointments to the Supreme Court are one of the most important legacies of his two terms in office. Four of the nine justices on the Court ... currently owe their appointments directly to him ... By the end of what could be a third complete term as prime minister, Chrétien appointees would occupy seven of nine seats on the Supreme Court.

to determine when the lifetime term of a sitting justice ends, Canadian prime ministers benefit from the turnover associated with mandatory retirement. Thus, even a short period in office may provide appointment opportunities. For example, during his nine months in office, Joe Clark was able to make an appointment to the Canadian Court; by contrast, Jimmy Carter had the bad luck not to make a single appointment during his entire four-year term as president. US presidents must also shepherd their nominees through an often hostile senato-

rial confirmation process, while Canadian prime ministers simply announce their choice and wait for the nominee to be sworn into office. To be sure, there is consultation with the minister of justice, other key ministers and senior advisors, but in the end the appointment is the prime minister's to make. The discretionary authority to shape one of the principal institutions of Canadian government constitutes an extraordinary source of political power.

Jean Chrétien's appointments to the Supreme Court are thus one of the most important legacies of his two terms in office. Four of the nine justices on the Court (Justices Bastarache, Binnie, Arbour, and LeBel) currently owe their appointments directly to him. In addition, Chief Justice Beverly McLachlin assumed that position during the Chrétien administration. Finally, should Mr. Chrétien win a third majority government, he will have the opportunity to make at least two, and possibly three, additional appointments to replace Mulroney appointees Justices Claire L'Heureux-Dubé, Charles Gonthier, and John Major when each reaches mandatory retirement age (in 2002, 2003 and 2005, respectively). Thus, by the end of what could be a third complete term as prime minister, Chrétien appointees would occupy seven of nine seats on the Supreme Court.

The importance of this legacy can be gleaned from the decision-making behaviour of Mr. Chrétien's sitting appointees. James Kelly of Brock University has analyzed the voting behaviour of all of the justices from 1982 to 1999, and his data indicate that at least two of the Chrétien appointees—Justices Michel Bastarache and Ian Binnie—differ significantly from the justices they replaced. Although Justice Bastarache's overall support rate for *Charter* claims (23 per cent) is somewhat lower than that of his predecessor Gerard LaForest (29 per cent), his support rate for the most "progressive" policy claims is much

higher (57 vs. 34 per cent). Similarly, while Justice Binnie and the late Justice John Sopinka, whom he succeeded, had similar overall support rates for *Charter* claims (39 and 37 per cent, respectively), Binnie's support for progressive claims is almost twice as high (67 versus 34 per cent). Justices LaForest (29 per cent) and Sopinka (27 per cent) were also more likely to accept "reasonable limits" justifications for limiting rights than were their Chrétien-appointed successors. (On this score, Justice Bastarache's rating was 11 per cent, Justice Binnie's 0 per cent). On these measures, therefore, Justices Bastarache and Binnie are more activist than the justices they replaced.

The policy impact of this activism is perhaps most apparent in comparing the Court's judgments in three sexual orientation cases. In *Egan v. Canada* (1995) a narrow majority of the Court (5-4) upheld a provision of the *Old Age Security Act* against a claim that it constituted unreasonable discrimination on the basis of sexual orientation. In late 1997 the *Egan* majority lost Justices LaForest and Sopinka; however, their replacements, Justices Bastarache and Binnie, proved even more sympathetic to equality claims based on sexual orientation.

This change in personnel, combined with apparent attitudinal shifts by Chief Justice Lamer and Justice Major, produced remarkably unified judgments in the next two sexual orientation cases. In *Vriend v. Alberta* (1998) the Court was unanimous in declaring Alberta's human rights statute unconstitutional because it failed to prohibit discrimination on the basis of sexual orientation. One year later, in *M. v. H.* (1999), the Court again overwhelmingly vindicated a sexual orientation-based equality rights claim and found the heterosexual definition of "spouse" in Ontario's *Family Law Act* unconstitutional. Even if Justices Lamer and Major had not changed their views, the appointments of Justices Bastarache and Binnie to replace LaForest and Sopinka would have been sufficient to trans-

form the 5-4 loss by the gay rights movement in *Egan* into 5-4 victories in *Vriend* and *M. v. H.* Chrétien appointees were therefore decisive in establishing the minimum winning coalition necessary for the gay and lesbian rights movement in these latter two cases.

Although Mr. Chrétien's other two appointees—Justices Arbour and LeBel—joined the Court too late to be included in Kelly's aggregate data analysis, some recent judgments provide a hint of what might be forthcoming, at least from Justice Arbour. In three important criminal justice decisions announced in September 2000—*Starr*, *Oikle*, and *Morrisey*—Justice Arbour clearly aligned herself with criminal defendants. In *Starr*, Arbour joined the majority in a 5-4 judgment that ordered a new trial for a defendant convicted of two counts of first degree murder. In *Oikle*, she was the sole dissenter from a judgment upholding the admissibility of a confession and restoring a defendant's conviction on seven counts of arson. Finally, in *Morrisey*, although she agreed with the judgment that a four-year mandatory minimum sentence for using a firearm while committing another offence does not constitute cruel and unusual punishment, she wrote concurring reasons emphasizing that her judgment applied only to the circumstances of the specific case before the Court. Given that Justice Arbour replaced a justice (Peter Cory) who was about average in his support for criminal rights claims (31 per cent), her voting behaviour in these cases may shift the Court slightly toward the activist end of the spectrum on criminal justice issues. One can only speculate about the relationship between this early trend in Justice Arbour's decision-making and her experience as prosecutor for the International Criminal Tribunals for the former Yugoslavia and Rwanda.

A third Chrétien majority government, should it be his, will allow the prime minister to strengthen his legacy through at least two additional

Supreme Court appointments. The first opportunity will come no later than 2002, when Justice Claire L'Heureux-Dubé reaches mandatory retirement age. Although her overall support for *Charter* claims is slightly below the Court's average (31 vs. 33 per cent), this masks an important difference in her acceptance of criminal rights and progressive equality claims. While Justice L'Heureux-Dubé is unsympathetic to criminal claims (with only 24 per cent support), she is very receptive to the type of claims made in cases like *Egan*, *Vriend* and *M. v. H.* (63 per cent). It will therefore be difficult for Mr. Chrétien to make the Court more activist on social policy issues with his replacement for Justice L'Heureux-Dubé, but should he in fact find an appointee that combines her social activism with Justice Arbour's apparent support for criminal rights, such a choice would change the Court's complexion.

Mr. Chrétien's second appointment opportunity will come no later than 2003, when Justice Charles Gonthier must retire. Gonthier is perhaps the most conservative sitting member of the Court, with an overall acceptance rate of just 26 per cent in *Charter* cases. He was part of the *Egan* majority and dissented in *M. v. H.* It will not be difficult for Mr. Chrétien to find a more activist jurist who might ensure an enduring legacy of progressive social policy.

As Pierre Trudeau's justice minister, Jean Chrétien argued that it was important to ensure "that legislatures rather than judges ... have the final say on important matters of public policy." It is ironic, then, that one of his most important legacies as prime minister is an increasingly adventurous Supreme Court willing to exercise its authority ever more boldly.

Christopher Manfredi is Chair of the Department of Political Science at McGill University. The second edition of his book, Judicial Power and the Charter, has just been published by Oxford University Press.

THERE'S MORE TO HIM THAN PEOPLE THINK

John English

Long ago, when Kim Campbell had vanquished all pretenders and polls assured her party that Jean Chrétien was yesterday's man, Dalton Camp warned fellow Conservatives that the Liberal leader had a singular advantage. He never overestimated himself. In those days before Camp became Canada's most eloquent voice on the left, many Liberals fretted about how ill-suited Chrétien seemed for a time when policy wonks like Clinton and Gore held sway in the United States and an exuberant Tony Blair confronted a tired Tory government in Britain.

Blair and Clinton were not yet undergraduates when Chrétien fought his first political wars. He was an MP before Canada had the Canada Pension Plan, Medicare, Canada Student Loans, and even the maple leaf flag. Kennedy was America's president, Macmillan was presiding over the final breakup of the British Empire, and Ronald Reagan's governorship of California lay in an unexpected future. History was a heavy burden upon Chrétien in 1993, and it seemed sure to pull him down.

He struggled loose from history in the memorable 1993 campaign and won two consecutive majority governments. Moreover, his unvarying popularity during those two governments is unique among prime ministers since polling began in Canada.

The present's judgement on departing prime ministers rarely foreshadows history's. Take the case of Mackenzie King. His political obituaries were often perfunctory, sometimes cruel. Norman Robertson, his closest assistant during Canada's wartime crises privately dismissed him as pure mediocrity. Frank Scott poetically

declared he would be honoured only where ingenuity, ambiguity, and political longevity held the most prominent place. What panegyric could there be for one who did by halves what could be done by quarters?

Depreciated by his contemporaries and colleagues, King is now celebrated by most historians. Michael Bliss's book on Canadian prime ministers places him first among the "great" prime ministers, and a poll of journal-

Like Mackenzie King, Jean Chrétien is easily underestimated ... Canada in 1948, when King left office, was not the Canada of 1935, and Canada in November 2000 is not where it was in November 1993. It moved.

ists, political scientists, and historians in *Maclean's* echoes Bliss's judgement.

Like King, Jean Chrétien is easily underestimated. Scott claimed that King always led us back to where we were before, and journalists place adjectives such as "familiar," "risk-averse," and "vision-less" before Chrétien's name. But Scott was wrong. Canada in 1948, when King left office, was not the Canada of 1935, and Canada in November 2000 is not where it was in November 1993. It moved.

How much it moved can be measured by the *Maclean's* yearly polls. In 1990, the magazine's covers and the polls within declared Canada "an uncertain nation" where "disunity may be a permanent part" of our self-definition. In 1993, the editors lamented, the "con-

fidence and optimism" of 1983 had disappeared. There was now "a dramatically different picture" in which "almost everything, including our sex lives, ... have taken a turn for the worse." But in 1998 the cover proclaimed "A confident Canada, united by bedrock values-and a growing optimism."

One suspects that neither Mackenzie King nor Jean Chrétien influenced Canadian sex lives much. When one considers that Newfoundlanders made love the most while their economy floundered throughout the eighties and early nineties, it is also unlikely that the end of the federal deficit had much impact on sex lives. Nevertheless, the contrast in public mood between 1993 and 1998 surely does reflect Canadians' sense that their government at least had grasped the reins and could finally give some direction to the economy.

In the case of the government's economic policies, Chrétien's influence was decisive. Most obviously, he permitted Paul Martin, his leadership rival in 1990, to become his pre-eminent minister. Martin's credibility with the business community, combined with his exceptional presentation skills, carried the government's budgets through rough waters in the early years of the Chrétien government. Compare Martin's good fortune with Wilson under Mulroney, Turner under Trudeau, Gordon under Pearson, or Chrétien himself under Trudeau, when the prime minister cut spending \$2 billion without consulting his finance minister. Moreover, Chrétien's populist credentials and the fact that his own cabinet supporters seemed to be the most doubtful about deficit fighting paradoxically reassured a dubious caucus that closing bases, making unemployment insurance into employment insurance, and privatizing airports must occur. How often the Atlantic caucus warned of dire political consequences. How correct they were in 1997. Chrétien never harangued the doubtful to follow. That would probably have been counterproductive. He

Chrétien's support of Martin, so unusual in Canadian political history, probably derives from his long political experience ... [His] memoirs suggest that his six-year tenure in Indian and Northern Affairs gave him the time and the understanding to leave a clear mark.

let his economic ministers, notably Martin, Manley and Massé, lead and worked on the strays to keep them in the procession.

Chrétien's support of Martin, so unusual in Canadian political history, probably derives from his long political experience. Trudeau and Mulroney moved ministers often with the inevitable result that departmental policies lacked continuity and ministers were often unfamiliar with their files. Chrétien's memoirs suggest that his six-year tenure in Indian and Northern Affairs gave him the time and the understanding to leave a clear mark. He has left Martin and Manley in place for seven years, and other ministers are moved only when compelling circumstances require. Similarly, Jean Pelletier and Eddie Goldenberg offer continuity in his own office. Again, the comparison with the many principal secretaries and policy advisers of Mulroney and Trudeau is instructive. The centre was strong, as Donald Savoie has argued, but so too were the ministers. The style of government harked back to King and St. Laurent in its emphasis on ministerial and advisory continuity. And frankly, it worked better than the constant search for the new face and the new style that marked previous decades.

This year the annual meeting of the Association of the Professional Executives of the public service of Canada reported that two-thirds of its members would recommend that their

children consider a job in the public service. Only a third would have done so a few years earlier. In an interview given in the spring of 1994, Chrétien said that his principal aim was to restore the sense of dignity and significance to public service and political life. Canadians, he knew and polls confirmed, thought little of their politicians. Allan Gregg, the Conservatives' own pollster, reported in 1990 that 57 per cent of Canadians thought politicians unprincipled; 81 per cent thought them more concerned with making money than helping people; and 65 per cent considered them incompetent. This discontent fuelled Reform's arguments in 1993 and Chrétien's decision to use a Chevrolet rather than a limousine and standard airplanes rather than Mulroney's controversial jet. Here style was of substance.

When time came to pay tribute to the public career of Pierre Trudeau, where was the notion that politicians were incompetent, unprincipled, and mainly concerned with making money and that public life lacked dignity and significance? There is further evidence of the change in mood. In the early 1990s the Mulroney government was weakened as MPs and ministers took hasty retreats from public life. In 2000, politicians are overwhelmingly opting to seek another term. It would be absurd to suggest that Chrétien alone restored a sense of purpose to public service, but it is fair to suggest that he did make a difference. Contemporary Belgium, Germany and even the United States suggest that a leader's style and deeds do matter when the public thinks of politicians and their worth.

And what of national unity? Canada and Chrétien had a close call in 1995. The government had been too confident and too unprepared for the unexpected. Chrétien knew it. In a 1994 interview, he said bemusedly that Léon Dion must be so unhappy not to have constitutional reform to complain about. Less than two years later, after the terrible November of 1995,

Dion's son became Chrétien's minister responsible for constitutional reform, and the road to the clarity bill was paved. Perhaps we have returned to where we were before. It's not the best place to be, with the PQ in Quebec City and the Bloc in Ottawa, but it's better than where we were in 1995.

To judge Chrétien on national unity is to judge his party. As Jack Pickersgill pointed out long ago, Liberal prime ministers from King through Trudeau will be judged on whether Quebec remains part of Canada because the Liberal Party survived in Canada by becoming the party of "national unity." Pickersgill's belief was the essence of Donald Creighton's complaint about Canadian Liberalism. Was there too much concern for Quebec, too little attention to the Americans, too great a quest for consensus, and too little grasp for national vision? As Chou-en-lai remarked when asked the significance of the French Revolution, it's too soon to tell.

Paul Martin Sr. came up to me at the 1984 leadership convention just before Jean Chrétien went down to defeat on the second ballot and whispered: "You know, there's more to Chrétien than people think."

And there is.

John English, a member of the Liberal caucus from 1993 to 1997, is Professor of History at the University of Waterloo.

