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Commentary by BC Mary

Riding the rails: tracking the BC Rail deal

The months and years roll by, and the 'Basi, Virk' trial—the BC Rail case—still hasn't begun. The next pre-trial hearing in BC Supreme Court is November 16. Visit 'The Legislature Raids' <http://bctrailofbasi-virk.blogspot.com> for background.

During the provincial election of 2001, Gordon Campbell promised BC that he would never sell BC Rail. Then he sold it in a deal which remains secret and tainted. As Dave Basi, Bob Virk, and Aneal Basi await their trial date (postponed many times), do they dream, perhaps impossible dreams, of a 'Not Guilty' verdict? Are they expecting to be protected by powerful politicians? Or ... are they living in fear of becoming scapegoats who must carry the full load of blame for others who profited from things that went wrong when government abandoned BC Rail?

It can't be an easy time for Basi and Virk or their families. So what are their options?

Their primary option, of course, was the honourable one: no deals, no hanky panky, no problems. But they allegedly became convinced that the road to political success was paved with fraud, influence peddling, breach of trust, accepting bribes, and money laundering. Basi, Virk, and to a lesser extent Aneal Basi, may not have been angels.

They entered the BC Legislature as part of the Gordon Campbell regime and from day one, they knew every political detail worth knowing: everything about the Gordon Campbell government, every decision, every important discussion, every going-out and coming-in. Presumably, Dave Basi and Bob Virk knew that not all of their associates may not have been angels either.

Their on-the-spot knowledge extended far beyond their Ministries of Finance and Transportation, beyond the BC Legislature, into the electoral process, right up into the Prime Minister's office. Top-rank aides like these are walking encyclopedias. But are they unique? No, they are not.

Dejá Vu

Basi and Virk are not the first to be arrested and charged with allegedly accepting bribes to help sell off British Columbia's public assets. Consider Robert E Sommers, a popular BC Cabinet Minister (1952-1956) under Social Credit premier WAC Bennett. Of course, Sommers made no small error. As Minister of Lands & Forests, he accepted bribes for granting a perpetually renewable Timber Sale Licence for half of the largest temperate old-growth rain forest on earth, to a major BC forestry company, MacMillan Bloedel. Again, in 1956, he granted logging rights to BC Forest Products for the other half of this prized region known as Clayoquot Sound.

These licences alone were extremely valuable. The forest companies made huge profits on the sale of shares issued after each licence was granted—before even a single tree was

harvested. Soon BC Forest Products sold out to Fletcher Challenge, who sold to International Forest Products (Interfor) ... while, during the 1970s, clearcutting tripled in Clayoquot Sound.

The big money being made by corporate friends meant that taxes and royalties flowed freely into Socred government coffers. It is difficult to believe that this sweet situation developed without the knowledge and participation of many others besides the Minister of Forests.

Sommers was no career criminal. He had been a popular school principal in Rossland before entering politics. As Forestry minister, he stood out as a jewel in the Socred line-up of used car salesmen and bulldozer operators. Sommers was merely ambitious—for himself, for his government.

It was extremely embarrassing for WAC Bennett's newfangled Socreds, so recently elected on a specific promise that religious men like himself would free British Columbia from corruption. His Minister of Forests became a very big smirch on Wacky's lily-white, angel wings. What was a premier to do?

There was no denying the crime, not after the irrefutable old 'Bull o' the Woods', the Liberal Opposition MLA Gordon Gibson Sr became the first accuser of Sommers. That put the handwriting on the wall: the Minister of Forests would have to pay the full penalty to ensure Wacky's triumphal escape.

Premier WAC Bennett was thought by many to have been a political genius. It really was a marvel, how a small-town hardware merchant and former Progressive Conservative backbencher suddenly got so smart that he could tap-dance like a madman, and pull his inexperienced Socreds through such a disgraceful chapter of government. The fact is: he did drag them through intact, although disheveled and besmirched.

Sommers alone took the blame, grumbling pathetically for the rest of his life that he had received no thanks, no apology, no reward for his selfless dedication. All Sommers received was jail-time during which, in the final irony, his wife worked in a sawmill to support their family. Basi and Virk should ponder these points.

At Clayoquot Sound, there developed a 13-year period of intense conflict: blockades, court battles, confrontations in the woods, as people tried to stop the clearcut degradation of the rare rain forest.

In 1996, the First Nations found a successful compromise when they invited all stakeholders to discuss peace and to pursue the development of a UN Biosphere Reserve proposal.

October 1996 saw 133 countries support the UN designation. Clayoquot Sound—about the size of Prince Edward Island—became a UN Biosphere Reserve.

Back On Track

Why didn't Robert Sommers do the sensible thing 40 years earlier, and tell all he knew about his co-conspirators? Did he think the god-fearing Premier Bennett would reward his loyalty? Sommers became an embittered, lonely man.

If guilty, Basi and Virk don't need to make the same mistake. Their best bargaining chip would be their knowledge of the ins and outs of the BC Legislature. Unlike Sommers, they could turn this to their own advantage—and to BC's advantage too.

Surely British Columbia—through their lawyers, the Special Prosecutor, and the BC Supreme Court—could develop an honourable plea bargain which could give Basi and Virk a new start in life, and (more important) would give BC the fresh start it desperately needs as well.

These two men hold information of great value to the public interest. Perhaps the people must give a little, to get this information. Without it, the people must do battle again, as they did over Clayoquot Sound.

British Columbia needs to know who did what crimes, how, when, why. Most especially, BC needs to know if organized

crime is involved in our legislature.

The *Criminal Code* of Canada makes it clear that there are three types of bribery offences: to offer a bribe, to pay a bribe, to accept a bribe. Rumour has it that those who allegedly offered and paid the bribes haven't been arrested and charged, but are being given preferential treatment in return for their testimony for the prosecution.

Basi and Virk may want to consider this. If their former colleagues do testify against them in BC Supreme Court ... isn't it only fair that Basi and Virk reveal their secrets too? For some kind of benefit to themselves, but primarily to the public interest?

Basi and Virk may not have been angels. They are alleged to have done wrong. But without a doubt, others participated in those schemes. The people of BC should focus on these two men who were the key observers—the ones most able to help us understand the whole sordid story of how we lost BC Rail, and more. Much more. We should prepare to help them ... to help us.

Mr Basi, Mr Virk: that's the option. If you decide to put things right for the people of British Columbia, that way lies honour. ✍

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