

Gone fishing

One of the first known references to a "fishing expedition" comes from *The Case of the Bigamous Spouse*, the 1961 Perry Mason thriller by Erle Stanley Gardner. With the words, "I am not going to permit counsel to go on a fishing expedition," the magistrate brings to a halt Mason's aimless interrogatories.

But the CBC is not so easily discouraged. CBC's flagship, *the fifth estate*, plans to air a program tonight that raises questions about former prime minister Brian Mulroney's conduct during the so-called "Airbus affair." Tonight's program is expected to break the titillating news that the word "Britan" shows up in banking documents belonging to Karlheinz Schreiber, who was arrested recently in Toronto for alleged tax evasion in Germany. Sources will suggest that "Britan" is code for "Brian."

Such sensationalism comes *10 years* after the RCMP opened its first investigation into the claim — eventually disproved — that bribes were paid by Airbus Industrie SA to secure a \$1.8-billion Air Canada contract. It comes *six years* after a second investigation into the matter was launched in 1993. And it arrives *five years* after a Justice Department official asked the Swiss government for evidence against Mr. Mulroney on the ridiculous grounds that he was "a

criminal" engaged in corrupt activities during his tenure in office — until the Liberals were forced in 1997 to pay \$2-million in compensation and to concede grudgingly that "any conclusions of wrongdoing by the former prime minister were — and are — unjustified."

It is a testimony to Mr. Mulroney's tolerance that he has not, until now, sued any media outlets for persistently reporting on this affair. That may now change. His lawyers warn that any suggestion of malice in *the fifth estate* documentary will result in a lawsuit. This is reasonable enough; for the relentless investigation of Mr. Mulroney is itself a scandal, and a growing one.

Nor is the media solely to blame for this latest turn of events. Despite an entire absence of evidence against Mr. Mulroney, the Liberals *increased* the number of RCMP investigators assigned to the Airbus case from one to five (and sometimes seven) even after the government's admission of wrongdoing. This serves to give a false credibility to new allegations, however preposterous, and is one of the main reasons why these unofficial fishing expeditions by the media continue.

If they continue much longer, somebody's bound to get caught. Will it be one of Mr. Mulroney's accusers?