

Dr. Monet: It does bring Prince Edward Island into the window.

Senator Inman: Lord Selkirk was a settler and was married in Prince Edward Island. However, I did think it was at that first meeting that Confederation started.

Dr. Monet: Yes, it would be appropriate to have something about the British North America Act, definitely. Whether it be represented by showing the successive meetings in Charlottetown, Quebec and London, I do not know; it is up to this committee. My own preferences are that if you had the picture, for example, and it was easily transposed into a stained glass window, or part thereof, that would be a good idea. You are in the Senate and this ties it in, not only with the institution, but personally. I like that. It personalizes the decoration in a certain way.

Senator Inman: I will try and hunt it up so the senators can see it.

The Chairman: This will be the closest approach to having your own picture there.

Senator Inman: I do not think I would want that. That is not liable to happen, anyway. It is just a little interesting item.

The Chairman: Indeed. Thank you, senator.

Senator Smith: For the purposes of the record, I might indicate to you, Mr. Chairman and Dr. Monet, that just before Senator Deschatelets left for another meeting he asked me to bring up a point. It was almost immediately answered by Dr. Monet after he departed. The point referred to representations from the provinces themselves, as the original signatories to the package of Confederation. I made a note here that Dr. Monet volunteered that regions rather than provinces should be represented. I will convey that to Senator Deschatelets—if I am representing what Dr. Monet said in a proper way. I get your point and I am sure Senator Deschatelets would, too, based on the 24 senators from each of these regions.

Dr. Monet: As you know, at the Quebec Conference the discussion with respect to the Senate was the longest and most arduous. The representatives of Prince Edward Island and Newfoundland left the conference because of that discussion. It is interesting, because so many principles were involved as to whether the representation would be based on provinces or regions, whether the senators would be appointed by the provinces or by the federal government and whether the system of election or that of appointment should be followed. All the nineteenth-century ideologies about democracy, provincial rights and everything else were reflected in the discussion on the composition of the Senate and you know how it was resolved. Therefore, if there is anything that is indicative of the Senate and of the Quebec Conference, it is the fact that the senators are appointed on the advice of the federal authority and not the provincial and with regard to regions. In the cases of Quebec and Ontario it amounts to the same thing, but this was the compromise arrived at during the Quebec conference. Being a historian, I respect that fact of history. Whether or not one agrees with it, it is the fact that was established in 1867. So I would rather see them by regions, for that reason.

The Chairman: There are not too many connected with the Senate who think about it in that manner. The man who has really impressed this on my mind over the years is

the former Clerk of the Senate, Mr. MacNeill, who is present this morning. This is the constitutional fact of the matter and in the Senate we should be thinking about this more, but we do think about the fact that we come from certain provinces. We are appointed "for the province of" and the general trend throughout the federal-provincial meetings and so on forces us almost to think about ourselves as representing provinces when, in fact, we are appointed to represent regions.

Senator Carter: I wonder if Dr. Monet would develop that a little further? I had a question relating to why the division by regions was tied up with the rights of minorities as a special duty of the Senate to look after the interests of the weaker groups, or minorities. Should there not be something to represent that?

Dr. Monet: Yes, I would agree that that is one of the themes that could be included and brought into the divisions by regions or into the blocs, as I refer to them, of the judicial decisions that had to do also with the rights of minorities, such as the Bill of Rights.

The Chairman: Even the numbers themselves, perhaps, illustrate Senator Carter's point. For example, it was decreed that Upper Canada would have 24 senators and Lower Canada would have 24 senators. That was a compromise because the Lower House would have representation by population, which would change quite radically the structure that obtained in the Parliament of the Union of 1840-67. Then when it came to the Maritimes they were afraid, I think quite rightly, that they would be swamped in the Lower House, because they did not have the population. They sought to obtain, as I understand it—and please correct me if I am wrong, doctor—representation equal to Ontario or Quebec so that they would have a voice in Parliament that would not be shut down by the fact that they had so few by population in the Lower House. Therefore, 24 were appointed from the three original Maritime provinces. When the Western provinces entered, 24 seats were allocated them, divided into flourprovinces, but it was the bloc concept, because of the danger of swamping in the Lower House, that provided this division and gave more voice to the populations in those areas outside Upper Canada and Lower Canada.

Dr. Monet: As you mentioned, it was based originally on the compromise between Sir George Cartier and George Brown as to equality of representation. Upper and Lower Canada had equal representation in the Lower House during the Union and George Brown was on the campaign for representation by population, because Upper Canada had the higher population. The French-Canadians were afraid of being swamped.

The Chairman: Yes, precisely.

Dr. Monet: So Cartier came along to agree with representation by population in the Lower House, on condition that equality in the Upper House be retained. That had not been the case during the Union, when the Canadians, as distinct from the Maritimers, went to Quebec. This was understood by Cartier and Brown from the beginning and that was the agreement, from which they would not back down. They then encountered problems with the Maritimers as to whether they should be given 24 appointments per province and the Maritimers were worried that they would be swamped. Therefore, of the 10 days of the Quebec conference I believe five or six were spent in debating the composition of the Senate.