

CHAPTER 3

The Arguments for Senate Reform

In this chapter we describe the arguments that have been made for reforming the Senate. These arguments spring from a belief that, in one way or another, the Senate has not filled its role adequately. It is therefore appropriate to look first at the role originally intended for it and at the evolution of that role.

The original purpose of the Senate

The Senate was created in 1867 to fill not one but two major roles in the new federation. One was to protect and represent, so far as federal legislation was concerned, what Sir John A. Macdonald called "sectional interests".

Sectional interests include those interests peculiar to a region or to a linguistic or religious group. In this report we use the more familiar term 'regional interests'. The other major role was to help ensure political stability by acting as a counterweight to the popularly elected House of Commons. These two roles were to be carried out by the exercise of 'sober second thought' in the review of legislation emanating from the lower house — a house that drew its mandate from election based on population, although in those days the franchise was restricted.

As the powers of the national government in the federal system were to be relatively large, the Senate's check on the use of those powers was to be comparatively strong. The second chamber was given powers equal to those of the House of Commons except with regard to money bills.

The role of protecting and representing regional interests was reflected in the structure of the Senate. An equal voice was given to each of the three Senate divisions (or regions, as they have come to be called): Ontario, Quebec, and the Maritime provinces. Each of the three regions — to which a western region was added later — had an equal number of seats, regardless of the size of its population. This meant that both the less populous provinces and the predominantly French-speaking province of Quebec were to be given some protection against the wishes of a simple majority of Canada's population, as represented by the decisions of the House of Commons.