

Senate Role in Parliamentary System

Later on, at page 32 of the same document, we see this:

—the provincial governments themselves—

would get—

—a means of naming people who could give direct and clear expressions to the views and interests of the provinces—

Then, it reads:

We feel however, that a reconstituted Senate should have certain special powers flowing from its role as an important institution of federalism. It should have a new jurisdiction to approve nominations by the federal government of judges of the Supreme Court of Canada, ambassadors and heads of cultural agencies.

I completely reject that proposal, because it would lead to more power for the Senate. What is even worse, I believe it would lead to more power for the provinces to do indirectly what they cannot do directly, namely block programs evolved by governments elected by the people of Canada as a whole. I believe this would be a very bad decision for the people of Canada to make. As I understand it, this proposal made by the federal government would require a change in the constitution and would therefore require the unanimous consent of the provinces. I wish to make clear that I have not discussed this matter directly with the present premier of Manitoba, my former colleague, at that time the hon. member for Selkirk, and I am not saying for a moment that I am speaking officially for him. However, I have known the present premier of Manitoba for a long time and I believe I know how he thinks. I am certain he would not agree to those proposals made by the federal government. That being the case, those proposals can be put into mothballs right now.

I shall close by suggesting to the Prime Minister (Mr. Trudeau) that if he is not prepared to abolish the Senate, he might as well make the 12 or 14 appointments to fill the vacancies. I suggest that he make them in the usual way they have been made by former governments; that is, that he appoint well deserving political hacks from the Liberal Party. My colleague, the hon. member for Winnipeg North Centre (Mr. Knowles,) is not happy with my suggestion. I am not happy with it either, but we will be able to deal with the provinces.

Mr. Knowles (Winnipeg North Centre): I just wish *Hansard* would show the smile on your face.

Mr. Orlikow: I would hope that members who are not prepared to vote for abolition of

threatened to block it and made clear that if the legislation were blocked by the House of Lords he would appoint sufficient new members to the House in order to get the legislation passed. No Canadian prime minister can do that because the number of seats in the Senate is fixed by our constitution. The House of Lords and the Canadian Senate are entirely different in respect of the powers they have to amend or reject legislation. I do not intend to outline the powers of the British House of Lords but I suggest that the committee might take a look at them. The power of the House of Lords to reject or even hold up for more than one session legislation proposed by any British government is very limited.

Our Senate has virtually unlimited powers which can be exercised. I suggest this is not consistent with a democratic way of life. In Great Britain, the House of Lords has no power at all over money bills. That again is different from the situation in respect of the Canadian Senate. A number of proposals have been made for the abolition of the Senate. I do not wish to speak about this in view of the vote taken last month. A number of proposals have been made in respect of reforming the Senate. There was the suggestion, for example, that Senators be appointed for a limited term of office. There has been the suggestion that the power of the Senate be limited much in the same way the British system has led to the diminution of the power of the House of Lords in that country. Both these suggestions have some merit. They could both be dealt with by the committee which I am suggesting.

Now, I should like to deal with one other suggestion which has been made. I refer to the suggestion made by this government in the document entitled "The Constitution and the People of Canada" which was presented to the constitutional conference called by the federal government which was attended by the representatives of all the provinces. This constitutional conference was held on February 10, 11 and 12, 1969. At page 30 of the English section, we find the following:

The Government of Canada feels that the Senate should be reorganized to provide for the expression in it, in a more direct and formal manner than at present, of the interests of the provinces. At the same time, the interests of the country as a whole should continue to find expression in the Senate to maintain there an influence for the unity of Canada.

The Government of Canada would therefore propose a new approach to the organization of the Senate to achieve this end. The Senate could be partly selected by the federal government and partly selected by provincial governments.