Senate Reform

In a representative democracy, legitimacy stems from responsibility and responsibility can only be achieved through direct popular elections. Jim Grey, a well-known entrepreneur, said:

> That the Senate must be Elected is obvious. The present appointment of Senators destroys the body's legitimacy. It is a farce. Only democratically elected members are directly responsible to the people and, in the people's name, can demand regional equity.

The value of the Senate is not in question. Canada's upper House is charged with the task of representing all of Canada from a regional perspective. That is an extremely onerous task. Canada is a country of regions and should therefore have some effective means of reflecting this politically. The Senate is the appropriate forum for this.

I advocate a gradual phase-in of elected Senators in order to allow for a smooth transition. Timing Senate elections to coincide with provincial elections provides the electorate with an opportunity to express its will as consistent with prevalent provincial sentiment. A senatorial term of two legislatures provides a check upon radical or whimsical electoral actions.

Because a Senator represents constituents on a provincial basis, it makes sense to tie the Senate term to the legislative term. A term of two legislatures ensures consistency in Government and prevents Senate effectiveness from being undermined by the possibility of frequent elections. This approach is in keeping with the parliamentary tradition of flexible terms. To set a rigid term of a predetermined number of years would be a radical departure from the principle of parliamentary supremacy.

What are the costs? The cost of electing Senators would be negligible. All I am asking is that a second ballot for each voter be printed. The cost of enumeration would already be covered. The cost would certainly be minimal and is no obstacle to this approach.

I might point out that even the Liberals would like to see an elected Senate. A resolution presented and passed at their 1986 convention resolved that the Canadian Constitution be amended to replace the current appointed Senate with an elected upper Chamber.

This motion provides the opportunity to give the Senate the legitimacy it requires to fulfil its mandate. The regionally representative role of the Senate has been given consideration. So too has parliamentary tradition and consistency. This is a valid and appropriate solution to the unresolved problem of an appointed Senate.

I am asking that as a vacancy appears in the Senate, the normal procedure be followed. The Prime Minister (Mr. Mulroney) would appoint a Senator until the province or territory concerned has its next provincial or territorial election. At that time, the appointed Senator would step down and an election would be held in conjunction with the provincial or territorial election at which time the Senator would be elected for two terms of the legislature of the province or territory. It is a very straightforward, inexpensive, economical

way to give legitimacy to an institution of Canada which sorely needs it. I look for Hon. Members to carry on and support this motion and this important endeavour.

Mr. Rob Nicholson (Niagara Falls): Mr. Speaker, in discussing the motion sponsored by the Hon. Member for Calgary North (Mr. Gagnon), I believe it would be useful to consider the role of other second Chambers. I am thinking particularly of Australia which has had an elected Senate since 1901.

As all Hon. Members know, Australia, a sister nation in the British Commonwealth, also combines a parliamentary system of Government with federalism. The fathers of the Australian Constitution provided for an upper House significantly different from our own. The Australian upper House was intended to ensure that state interests would be taken into account within the national Government.

Historically, the Australian Senate was key demand of the original six Crown colonies for agreement to the creation of the Commonwealth Government in 1901. I suppose in that sense, it was not too dissimilar to the meetings that took place prior to confederation in Canada. Sir John A. Macdonald said that agreement on the composition and powers of the Canadian Senate was absolutely essential to the agreement that produced the British North America Act. To that extent, the Australian and Canadian experiences with upper Houses are somewhat similar.

During the National Australian Convention of 1897-98, the less populated colonies wanted a Senate which would protect the rights of the new states and prevent any unfair distribution of revenue. Delegates of small colonies like Tasmania feared that the new federation would be dominated by the representatives of more heavily populated areas such as New South Wales and Victoria. To combat this possibility, they successfully secured equal representation in the Senate for each state, regardless of population.

The Australian Senate originally consisted of 36 Members, six from each state, but by the Representation Act of 1948, the membership was raised to 60. As a result of further amendments made in 1983, each of the six states returns 12 Senators and there is also provision that the territories of Australia return four Senators for a total of 76.

The Senate is a continuous body, each Senator sitting for six years, but the mandates of the Senators are staggered so that elections for half the seats are held on June 30 every third year. For election of the Senators, each state forms a single constituency. The term of territory Senators is tied to the life of the House of Representatives, which is normally three years. There is no rotation of the territory Senators as in the case of state Senators. Since 1949, Senators have been elected on the basis of the single transferable vote system through lists drawn up by Party executives. In contrast, the House of Representatives operates under the alternate vote method, known in