

Can the triple E (elected, equal, effective) really meet the fundamental criterion of a second chamber that is complementary and not a rival of the first house?

The idea of an elected Upper House is certainly democratic and very commendable. On the other hand, I am not sure that, at this point in time in our history, the introduction of an elected Senate in our very British parliamentary system would be compatible with the goals we just described.

Is our present system not based on party lines and ministerial responsibility?

Whether the Senate election is held or not simultaneously with election to the House, it will involve the same federal political parties, thus:

it is possible—

according to constitutionalist José Woehrling,

that the representation be the same in both Houses, and if we have a majority in both Houses, party lines will make it so that the Senate will rubberstamp the decisions made in the House of Commons.

If both Houses, confident in their democratic legitimacy, end up with majorities of different sides, we will be in constant deadlock because, according to Woehrling :

Neither one of the two Houses will feel obliged to yield to the other one.

Either way, the political independence of the Senate is in jeopardy and there is great risk that the interests of the provinces and of Canadians will be put aside.

Furthermore, elections cost money. If they are financed by political parties, businesses, unions or other organisations, we are almost certain that the Senate will be party oriented and in direct competition with the House of Commons. The Senate will be more indebted to those groups than to the population it is supposed to represent.

My six-year experience as a senator has showed me that, even in an appointed House, party lines sometimes take precedence over regional interests and that collective wisdom is sometimes dramatically disturbed. I cannot possibly imagine by what magic, by what chemistry the electoral charisma could be different.

Which brings me to my original question: For what and for whom must the Senate be used? If the answer was such as to make the senator promote only the interests of his or her voters, the obvious danger of such an approach would be, on the one hand, to bring in Ottawa elected senators whose only vision would be that of the provincial political parties and, on the other hand, to transform the Upper House into a huge arena composed of individuals with divergent interests.

You will agree with me, honourable senators, that this could very well endanger the preservation and the promotion of Canadian unity.

Is it to preserve that unity that the authors of the 1984 report of the joint committee suggested that senators be elected according to the single-member constituency plurality

system for a non-renewable term of nine years? Such a recommendation seems illogical and undemocratic to me.

In what way a senator would be more legitimate and accountable to the people if he or she is elected for one term only?

On the contrary, if we have an elected Senate, a senator should have the right to solicit a new mandate repeatedly, because only the voters can judge the senator's work and his contribution to the Upper House.

I remind you that in our parliamentary system, the Senate is not an isolated institution. Given the qualifications that I expressed, it seems crucial to me to better define its role, its mandate and its powers before deciding that it be elected in a system that perhaps would not be suitable for it.

While we wait for a clear answer to the question of whom and what purpose the Senate must serve, I am convinced that it would be more advisable, prudent and logical first to reform its method of appointment.

In 1980, the Lamontagne Report recommended that the federal government appoint senators in such a way that every second appointment would be made from a list of candidates drawn up by the provincial government.

Such an experiment, if it had been tried out at that time, would be very useful today, so that we could evaluate its merits.

The Meech Lake Accord went further and proposed that the Prime Minister of Canada choose senators from lists drawn up by the provincial premiers. Since Canada is made up of ten provinces and two territories, I think it would be most appropriate for the provinces and territories to participate in the process of appointing senators. Not only would it be fairer but it would also result in better provincial representation in the Senate.

Nevertheless, I would admit the possibility of a provincial government, if it so chooses, submitting a list of candidates who had been elected for that position, as the Government of Alberta did recently.

Should a provincial government fail to submit its list of candidates within a time limit that would have to be determined, the Prime Minister of Canada on his own could appoint a senator.

● (1210)

[English]

The Chairman: Senator David, I wish to advise you that your 10 minutes has expired. You may ask for leave to continue.

Senator Molgat: Agreed. I believe we should let Senator David finish his speech.

[Translation]

As for representing Canadian society in an upper chamber that is complementary and non-competitive, I think the best option for the time being would be a selection process based on a list of nominees. In fact, I believe the right balance of quality, competence, equity and representation of all disci-