

Retirement Age for Senators

Mr. Stewart: Yes, Sir.

Mr. Knowles: Would he say that the legislatures of nine of the provinces of Canada which do not have an Upper House are not successful parliamentary bodies?

Mr. Pickersgill: That just depends.

Mr. Stewart: Mr. Speaker, I do not think we have to turn to the legislatures of the various provinces to deal with this point. The hon. Member has been contending that in representative government the right to make decisions arises only through the electoral process. We know very well, as the hon. Member for Carleton (Mr. Francis) pointed out earlier, that this is a pretty serious misconception of what goes on even in a unicameral system of government. For example, take the matter of elections. We know very well that some of the most important decisions in the electoral process are made at nominating conventions, or even prior to nominating conventions, when people are canvassed as to their willingness to let their names go forward.

• (3:30 p.m.)

Mr. Peters: The Liberal party, for example.

Mr. Stewart: I know what went on in my part of Canada when the N.D.P. was wandering around looking for candidates.

At the other extreme we find those who would have Senators come to Ottawa as the delegates of either the several provinces or the people in the several provinces. It is not surprising at all there should be Social Credit support for this theory. What is amazing, Sir, is to find both the hon. Member for Oxford (Mr. Nesbitt) and the hon. Member for Skeena (Mr. Howard) proposing that the Senators should sit in Parliament as representatives of provinces. On April 27 the hon. Member for Oxford, as reported at page 635 of *Hansard*, said:

Instead of being based on the recommendations of the Prime Minister to His Excellency, the Provinces should be able to appoint certain Members to the other place.

That view was enunciated again today by the hon. Member for Lake St. John (Mr. Lessard) and to some extent by the hon. Member for Beauce (Mr. Perron). If the hon. Member had lived in the United States in 1913 he would have opposed the seventeenth amendment to the United States constitution, which in that year abolished precisely this method of selecting the United States Senate. The hon. Member for Skeena is, of course, a radical. He prefers the post-1913 United States

[Mr. Knowles.]

example. On April 26 he suggested that we should get rid of the Senate—I am quoting from his remarks reported at page 421 of *Hansard*—

—as an appointed political body, and elect 10 members to it from each Province, so that all Provinces would have equal representation in it.

Closely coupled with these proposals for new ways of recruiting the Senate have gone proposals for increasing the role, and thus the power, of the Senate.

What this second extreme view ignores is that our system basically is a system of responsible government. The Ministry is responsible to the House of Commons and is dependant on a majority for support only in the House of Commons. The Senate has extensive rights under the constitution, but for various reasons those rights are not exercised. The inevitable result of having Senators appointed by the provincial governments or popularly elected in the several provinces would be an increase in the genuine power of the Senate. In that situation, to accomplish its purposes a Ministry would have to satisfy a majority in each of the two Houses. No Ministry can be answerable effectively to two masters. Those who propose to reform the Senate threaten our system of responsible government.

It is not at all surprising that the topic of Senate reform has been a delight to those who, like the hon. Member for Burnaby-Richmond (Mr. Prittie), take an institutionalist approach to the academic study of politics in Canada. Here we have a chamber with rights under the constitution so great as to appear inconsistent with responsible government. Here we have a chamber that declines to exercise those rights. Both these facts are offensive to the institutionalist, so, regardless of reality, he contrives what he calls “reforms”.

We need not resort to the early American theory of “sober second thoughts” to justify the continued existence of the Senate. We need not resort to the cup and saucer theory. When George Washington was asked whether or not he thought the Congress of the United States should have two chambers, he replied: “I do indeed. I believe in cups and saucers. I pour my tea when it is too hot into the saucer so that it can cool”. I think we need not turn to the cup and saucer theory to justify the existence of the Senate, because the accuracy of the theory of the sober second thought is at least uncertain.

What is clear, however, is that Prime Ministers are given a valuable degree of flexi-