

Senate Reform

closing I should like to state that the Senate should be considered from a democratic point of view. Can it be designed to properly perform a purposeful function? For that reason I have proposed the establishment of a committee to consider its function and responsibility.

Mr. Deachman: Mr. Speaker, would the hon. member be willing to answer a question?

Mr. Orlikow: Yes.

Mr. Deachman: Mr. Speaker, would the hon. gentleman be willing to add to his motion a request that the committee determine whether the House of Commons is worthy of retention?

Mr. Orlikow: Mr. Speaker, I do not know whether the hon. member for Vancouver Quadra (Mr. Deachman) is serious, but I suggest to him there is no comparison between the Senate and the House of Commons. Every member here, including the hon. member for Vancouver Quadra, is expected by the general public to be doing the kind of job hon. members ought to be doing.

An hon. Member: He is the best member from British Columbia.

Mr. Orlikow: He may be the best member from British Columbia, but that is a sad commentary on the people of British Columbia. I do not accept that. We only have to look at the results of the elections since 1957 to realize that most of the members who sit in this place have not been here very long. I do not think we need worry about the people of Canada deciding who should sit in this place and what should be done with the Liberal government. I suggest no one could look after the functions of the Senate better than the hon. member for Vancouver Quadra. Perhaps he is looking for a call to that place, but most people appointed to the Senate are not there for very long.

An hon. Member: Until they are 75.

Mr. Orlikow: Senators are appointed for life and can elect to retire at 75.

Mr. Speaker: Order please. I must interrupt the hon. member because his time has expired.

Mr. Hubert Badanai (Fort William): Mr. Speaker, I commend the hon. member for Winnipeg North (Mr. Orlikow); not so much for his view of the upper chamber but for giving members of this House the opportunity to speak about the Senate and what it means to Canada. I am happy to take part in this debate for the opposite reason which the mover of this motion has in mind. He wants a committee to study the value of the Senate, favouring its abolition. I want to strengthen the Senate.

Under the present Constitution of Canada, Parliament consists of the Queen, represented by the Governor General, the Senate and the House of Commons. Whatever arguments may be advanced against this parliamentary structure, against the monarchy or against the Senate in its present form, the fact remains that this is the existing

system and, therefore, the point from which we are obliged to start. It follows that in any consideration of the future role and composition of the Senate, or of the question of its abolition, the Senate itself should have a voice. There is some force to the argument that it would be constitutionally improper for one House of Parliament to consider the composition, functions and future of the other place without any reference to that chamber.

The Senate is part of the Canadian structure of government, whether one likes it or not, and therefore has a right to be consulted on any matter of direct concern to it. If the Senate had a record of irresponsible or obstructive behaviour, if it could be demonstrated that it was a totally useless body, if it had been a consistent hindrance to progress, then perhaps one could make out a case in favour of the objective contained in the motion under discussion. Since nobody could claim, however, that the Senate poses a threat to Canadian democracy or that it had never done anything useful, it would be difficult to justify an investigation of the Senate from which the Senate itself was excluded.

It is quite possible that among those best qualified to advise on the future role of the Senate are Senators themselves. They are the people with direct, practical experience of the work of the Senate. They are presumably as much aware of the strengths and weaknesses of the Senate as anybody and are certainly well placed to measure its success or lack of it. It is not inconceivable that they might have some good ideas as to how it could be improved. Before any final decisions are taken it would surely be only just and reasonable to hear what the Senators themselves have to say.

Another argument against the motion is that Senate reform is only one aspect of constitutional reform, and constitutional reform as a whole is a subject which is currently engaging the attention of the federal-provincial constitutional conference. The consideration of the future role of the Senate and one of the pros and cons in respect of its abolition should only be made in conjunction with other constitutional considerations. Piecemeal reform of a constitution can lead to dangers and inconsistencies.

● (4:30 p.m.)

The future role of the Senate is likely to be crucially influenced by other constitutional decisions which will have to be taken. While the federal-provincial constitutional conference will be devoting its attention to the entire question of constitutional reform, it would seem quite inappropriate at this stage to appoint a committee charged solely with making recommendations in relation to the Senate without any regard to the constitutional conference which is scheduled for the fourteenth of this month.

The conclusions of the third working session of the constitutional conference of February 8 and 9, 1971, give an important indication of the conference's current thinking. These conclusions registered agreement in principle on a number of important issues, including patriation of the constitution, a formula for constitutional amendment,

[Mr. Orlikow.]