

In July of this year, when it became apparent that the government intended to push Bill C-130 through both Houses of Parliament without giving Canadians an opportunity to express their views, Liberal senators agreed that Canadians ought to be given an opportunity to participate in what had become a national debate on our country's future. It was a decision that flowed directly from the government's determination to exclude Canadians from this important process.

Had the government shown confidence in its policy at that time, had it shown confidence in the judgment of the Canadian people, it would have sought a mandate from Canadians before asking Parliament to give final approval to the agreement. In refusing to do so, on an issue that the Prime Minister described as an "historic new departure" and on which he had himself reversed his position, the government invited action by the Senate. We decided to withhold our approval of the second reading of Bill C-130 so that the Canadian people might have an opportunity to make a judgment. In accordance with the bargain which was implicit in that decision, of course we intend to acquiesce to the results of the election and to the majority decision of the House of Commons.

It is worth recalling that the Prime Minister called the Senate action at the time a "violation of one of the most fundamental precepts of British parliamentary democracy." He said that the appointed Senate was being called upon "to hijack the most fundamental rights of the Canadian House of Commons." Much of the press initially took a similar view. An *Ottawa Citizen* editorial characterized it as an "abuse of parliamentary democracy." The *Globe and Mail* questioned the constitutional right of the Senate to take any such action.

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I do not intend to review in any thoroughness the press reaction to the Senate's position, but I will recall the comments which appeared in the *Montreal Gazette*, which show how wrong both the press and politicians can be about public opinion and how frequently they misread the attitudes of the Canadian people.

This series of comments in the *Montreal Gazette* reads as follows:

The Senate, Senate reform, Senate legitimacy, will be factors in the election probably at least as important as free trade.

The issue of free trade does not lend itself to an election that is at the same time a kind of referendum, for the simple reason that people do not care enough about free trade and rightly so.

All of us discovered that people did care about free trade. Polls showed that, far from condemning the Senate, Canadians in fact supported the decisions taken by the Liberal Senate.

An Angus Reid poll released in the final week of July showed that 58 per cent of Canadians approved of what was being done by the Senate. Other polls taken in August showed that Canadians approved—by margins of 55 per cent to 33 per cent; 47 per cent to 27 per cent; and 52 per cent to 30 per cent—of the actions taken by the Senate of Canada, through

its Liberal majority, in giving the people of Canada an opportunity to express their views.

Of course, it is true that the opinion of the press changed; even the Prime Minister had a slight change of heart. The Prime Minister stopped his scathing criticism of the Senate, and on August 11, 1988, called upon the Senate to change its stand with the following soothing words.

Some Hon. Senators: Hear, hear!

Senator MacEachen: We should have them emblazoned upon our office walls as a reminder when the next thunderbolt from the Prime Minister descends upon our heads. He said:

It is up to the Senate of Canada now to display that independence of judgment and the intelligence and discretion for which they have been, from time to time, known . . .

Some Hon. Senators: Hear, hear!

Senator MacEachen:

(The Senate) is independent of the House of Commons, it doesn't follow directives of the people of the House of Commons . . .

Senator Doody: Except Mr. Turner!

Senator MacEachen:

So traditionally, the Senate hasn't responded to any specific requests for directives from leaders of parties to subvert any of our constitutional practices. So we'll just see what the Senate does.

Well, we know what the Senate did. But we do know that even in mid-August the Prime Minister was hoping to have the implementing legislation passed and given Royal Assent without facing the judgment of Canadians. As time ran out, however, the Prime Minister finally faced the inevitable and called his election. We are now again dealing with the implementing legislation at second reading, after having had a more extended debate about the Senate in our second reading discussion in September. That is all I intend to say about the Senate.

As the Leader of the Government has said, Bill C-2 is virtually identical to the former Bill C-130. It might be appropriate to pick up the debate where we left it in this chamber a few months ago.

Honourable senators, even though we intend to acquiesce and allow the bill to become law, it does not follow—certainly not in my case—that our concerns with respect to this legislation have disappeared. They still remain, perhaps even more acutely at the present time because of the failure of the government to deal with them adequately—not only in the election but also in the course of the second reading debate in this chamber.

In that debate last September Senator Roblin, supported by Senator Murray, found much to complain about in my arguments concerning the energy provisions of the Free Trade Agreement. Perhaps they had difficulty in understanding my points; perhaps it was my own failing to convey them clearly. I