

CHAPTER 7

Reforms That Should Be Made Now

We recognize that our proposals for an elected Senate contain some novel features and will require public discussion. As well, putting in place an elected Senate will require constitutional amendment involving the consent of Parliament and of the specified number of legislative assemblies. All this will take time. Meanwhile, certain useful reforms to the present Senate, requiring action only by Parliament or by the Senate itself, should be introduced without delay.

The reforms we have in mind are consistent with — and would pave the way for — the elected Senate we recommend. For example, we propose two important changes that could be implemented right away: a nine-year term for future Senate appointments to replace appointment until age 75; and the more flexible use by the Senate of its present absolute veto in a way that would make it a suspensive veto. These proposals, which parallel two elements of our design for an elected Senate, are explained below.

The reforms we propose in this chapter, if exploited fully, could enable the Senate to be more effective than it is now. We must emphasize, however, that in the opinion of nearly all the members of our Committee, such reforms would fall short of enabling the Senate to fulfil its future role adequately, because only direct election can do that. Nevertheless, in the interval before an elected Senate could be put in place, the operation of the reformed chamber would provide the basis for assessing how much more effective an appointed Senate could be and whether our judgement that direct election is necessary is justified.

We shall describe our proposed reforms under three headings: the selection of senators and their tenure; the powers of the Senate; and the internal organization of the Senate.

The selection of senators and their tenure

Some of the most trenchant criticisms made before our Committee were directed at the present method of choosing senators: appointment by the Governor General on the advice of the Prime Minister. Some witnesses found no fault with appointment as