

*Adjournment Debate*

Speech from The Throne confirming the existence of that committee and the fact that the Government was looking forward to the recommendations of that committee. That was all contained in the Speech from The Throne on December 7, 1983. Shortly thereafter the Prime Minister proceeded to make a number of appointments to the Senate.

I would like to set the stage for the consideration of some of those appointments, Mr. Speaker. First and foremost there are 104 seats in the Senate of Canada. They are divided among the provinces with approximately 24 seats allocated to the Maritime Provinces, 24 to the Province of Quebec, 24 to the Province of Ontario and 24 to the Western Provinces of Canada; with six seats allocated to the Province of Newfoundland and a seat each to the Yukon and the Northwest Territories.

The Senate Reform Committee found out in its travels across Canada, in its broad range of interviews with a number of persons and organizations, that people did not think this representation was adequate, that the Senate was not properly representing the regions of Canada and that in the interest of the Canadian federation the Senate ought to be expanded. More importantly, the views of many were that the Senate ought to be elected.

● (1815)

In January of 1984, having received a short extension, the Senate Reform Committee filed its report recommending an increase in the Senate seats to 144 to represent the regions of Canada. Under that distribution, western Canadian provinces would get almost twice as many seats in the Senate, Quebec and Ontario would remain the same and other provinces and territories would receive additional seats.

In addition to the increase in the number of seats to 144, the proposal was that the Senate would be elected. However, it was recognized and realized that those kinds of changes would take a long time to accomplish and would indeed require a constitutional amendment. As a necessary interim measure, the committee suggested that vacant seats in the Senate be filled along sensible lines, as recommended by the committee.

There were 21 vacancies at the time. The Senate Reform Committee said specifically that the present composition of the Senate does not represent the social and cultural structure of Canada adequately and that this is unacceptable. It said that in filling the present vacancies, priorities should be given to correcting this deficiency through the appointment of women, members of aboriginal groups and members of cultural minorities.

The Senate Committee report, which was an all-party committee, also unanimously agreed that the imbalance between political parties should be remedied in the making of these appointments.

What did the Prime Minister do? He completely destroyed any hope or possibility of Senate reform. In the course of making appointments, he appointed political partisans of the worst kinds, including Senator Pitfield, Senator Kirby, Senator Grafstein, Senator Cools and Senator Marsden. This was all at

a fantastic cost to the people of Canada. Those Senate appointments will continue until the years 2010, 2012, 2016, 2018 and so on, at a cost of millions of dollars to the people of Canada. That is not the spirit of Senate reform. The Prime Minister, in making these appointments, has destroyed the force of the report and destroyed Senate reform for this decade and decades to come.

[*Translation*]

**Hon. Serge Joyal (Secretary of State):** Mr. Speaker, I am very pleased with this opportunity to speak after the Hon. Member for Halifax West (Mr. Crosby), and first of all, I must say I find it regrettable that he referred to Senators from the other place by name, because according to Parliamentary practice, it is customary not to name Members of Parliament individually, so as not to interfere unduly in the affairs of the other House. I regret the Hon. Member did so, and I would certainly not want our listeners, the people of Canada, to get the impression that a climate of suspicion or fear is being entertained by both Houses which would undermine the credibility of these institutions. Especially since—

[*English*]

The question that the Hon. Member has raised is important and fundamental. I would like to draw your attention to the fact that before we could change anything on the status, role and composition of the Senate, we would have to take into consideration Section 42 of the new Constitution Act of 1982 which states in part:

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

This is done in accordance with Section 38 or the amending formula that provides very specifically that before we could change anything there, there should be resolutions of the Senate and the House of Commons and a resolution of the legislative assemblies of at least two-thirds of the provinces that have, in the aggregate, according to the then latest general census, at least 50 per cent of the population of all the provinces.

[*Translation*]

It is quite clear from the letter and the intent of the Constitution that after patriation, we can no longer alter powers, nature, composition and the manner in which the provinces are represented, unless resolutions are passed by both Houses and at least seven provinces representing 50 per cent of the population of Canada formally signify their approval. Unfortunately, as we saw at the Constitutional Conference on March 8 and 9, the Government of Canada cannot introduce formal proposals for Constitutional amendments, without obtaining the agreement of at least seven provinces.

In the present case, the Hon. Member mentioned various possibilities, including that of not appointing Senators to fill vacant seats. That was the purpose of the question the Hon. Member put on January 18, 1984. Mr. Speaker, I think the