

Changing the Senate

The Supreme Court of Canada has confirmed that any changes to the Senate must receive the approval of seven of the 10 provinces representing at least 50 per cent of the population.

Quebec Federalist Liberal Premier Philippe Couillard, meantime, has declared he would not consider a Senate amendment until conditions set by Quebec for formally accepting the 1982 constitution are met. We cannot expect the opposing, more nationalist parties in Quebec of ever demanding less. Couillard is neither being intransigent nor disloyal to Canada; he must govern within the demands of the people of Quebec as is expected in any democratic state.

We can all be proud of the 1982 amendments that resulted in a constitution made in Canada for Canadians and incorporated a statement of principles of law that is the Canadian Charter of Rights and Freedoms. But while the 1982 Constitution was the necessary step to making Canada an independent country in both law and spirit, we have paid a heavy price in uncertainty and stress since. Those 1982 amendments met the seven-of 10 and 50 per cent criteria, with the sole dissenter being Quebec. The 1987 Meech Lake and 1992 Charlottetown accords, which sought to meet those extra demands of Quebec, may have been well intentioned, but ultimately failed to meet the approval of Canadians and caused the added stress that nearly tore us apart.

Constitutional change in this country then is a terribly difficult thing to do and inevitably pits one region against another. As a country, we may not be perfect in every way, but there are none better to compare. Perhaps we need to accept the fact that as is, we are a most fortunate and blessed country, the envy of the free world and learn to live with that.

Canadians are split on whether the Canadian Senate should be elected or abolished, with only a small, nine-per-cent minority stating the Senate should stay as is. The strong majority then agree that the Senate should at least change, but either of those options, Senate election or abolition, will require amendments to our Constitution. Even that minority in favour of the status quo may wish changes for the Senate, but have come to the conclusion that Senate change is not worth the price that would have to be paid.

When it comes to the Senate, we therefore cannot elect it, nor can we get rid of it; not right now in any case, and perhaps not ever. But does that mean we can do nothing positive to improve the situation?

The original vision for the Senate was that it was to be the "chamber of sober second thought." It was meant to protect Canada, to a degree, from the excesses of the politically driven House of Commons. The Senate was meant to provide guidance, not governance. In January of this year, Justin Trudeau declared "the Senate is suffering from two central problems: partisanship and patronage." In a way, he was stating the obvious; Senators, as members of their party's caucuses, have taken on the primary role of promoting their parties over duty to protect their country. The Senatorial selection process has devolved to have a bias toward those loyal to party first over those loyal to country first.

Trudeau went farther and removed senators from the Liberal parliamentary caucus. Trudeau did not remove these senators from the Liberal Party, which he has neither the right nor power to do in our open and inclusive party. In fact, Liberal Senators will remain honoured, welcome members at party functions, free to express themselves as do any other Liberal party members; but he did limit Senators' ability to influence those members elected to Parliament. They are free to have their own caucus in the Senate, to reach and express their independent conclusions and recommendations. Future Senate appointments should be worthy Canadians like Roméo Dallaire, who while he became a Liberal Senator, has unquestionable loyalty to country first and foremost.

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