



Letters to the Editor

# Letters

## For an Equal Effective Elected Senate

Sir:

In late May 2009 the Harper Government once again introduced legislation providing for an eight-year fixed term for Senators. When the same Government first introduced similar legislation almost three years ago the Prime Minister told a Senate committee that this would be followed by a measure to provide for the election of senators. At least one province, Alberta, already has legislation providing for the election of its senators.

When Senator George Baker was asked to comment on this he indicated that he was in favour of a fixed term for senators. Then he went on to say that he would go further and indicated that a Senate similar to the United States Senate would be a more desirable change. (*The Telegram*, May 29/09).

We all know that the US Senate is a powerful body with each state electing two senators to a six-year term regardless of population. It is in every sense of the word a triple-E Senate. The United States does not, however, have a Westminster form of Parliamentary Government as we have in Canada. The Canadian Senate has all the powers of the House of Commons save for the introduction of supply or money bills. It does not exercise these powers because it does not have democratic legitimacy. If you provide for the election of senators

without first addressing the question of equal representation you are giving enormous power to Quebec and Ontario who together would control forty-eight of the seats in the present Senate as opposed to six seats in this province.

Back in October 2004 when Nova Scotia and New Brunswick were toying with the idea of bringing in legislation for the election of their senators I expressed my concerns in a letter to the Premier. An elected Senate based on the present distribution of Senate seats would give the present Senate the democratic legitimacy it now lacks and would thereby give the larger provinces greater power than they already have. It would further weaken the Canadian federation by failing to provide for equal representation in the Upper House for the ten provinces.

The Australian federation together with its six states does have the Westminster form of Parliamentary Government but it does have triple-E Senate. The Australian constitution provides for an equal number of Senate seats for each state elected every six years by a form of proportional representation. Each state elects twelve senators with two from each of its two territories. This gives the state of Tasmania which is an island with about the same population as this province the same number of elected senators as the state of New South Wales which has a population of almost eight million. By convention the Prime Minister must come from the lower house (House of

Representatives) other ministers may come from either house. It seems to work very well; otherwise Tasmania with a population of 500,000 would have little or no clout in the Australian federation. Sounds familiar.

Shortly after I lost my bid for re-election to the House of Commons in 1963 I was offered the job of executive assistant to the Leader of the Opposition in the Senate where I had an inside view of the workings of the Canadian Senate. This was well before senators were given the research they now have.

I was impressed with the work of Senate committees. Unfortunately, the work of these committees and their recommendations were largely ignored by the federal government. I was offered an appointment to the Senate which I declined opting instead to return to Newfoundland and Labrador as Lieutenant Governor – a decision I have never regretted. The Royal Commission on *Renewing and Strengthening Our Place in Canada* in its final report in June 2003 recommended “The Commission supports the calls for an elected and equal Senate in order to improve the representation of the provinces in the federal parliament”. In my opinion it was the Commission’s most important recommendation. If Canada had a triple-E Senate our province would be an equal partner in the Canadian federation.

**Hon. J.A. McGrath**

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