

Too much power is in the PMO

By Charles Diltz

It is interesting to note the different approaches that people take in considering the Senate of Canada.

Mr. Wm. Gairdner has written a quite enlightening article about the Senate in which he points out the general attitude of many people who cry for 'democracy' and 'freedom' as opposed to the idea of an 'unelected Senate.' He is quite right that 'there is a widespread desire for the full expression of personal appetites,' and that 'senates are an intolerable brake on the pure will of the people.'

Apart from the fact that he claims that the Senate is necessary to act as a check on the House of Commons, his article is too philosophical and lacks any thought of how the Senate should function.

When our august forefathers were considering the framework of the British North America Act (1867), they decided that Canada would have a bi-cameral Parliament similar to that of the Imperial Parliament in the United Kingdom, with a Senate in place of the House of Lords, and a House of Commons. At the time, there were two main ideas of who would be called upon to be senators. One must remember that just 30 years previously, we had rebellions in Canada, namely the fight against the Family Compact in Upper Canada, and the struggle in Lower Canada against the Chateau Clique, of which both groups were composed of business men and owners of large tracts of land. As a result, there was a fear within the Upper Class that a democratically elected House of Commons would contain persons of a rebellious nature who might need to be kept in line by having the gentry in the Senate.

Then again, there were those who felt that this was an opportunity to have people (men of course) from all walks of life and from all areas of the country to ensure that all voices could be heard.

Senators would be appointed by the Governor-General on the advice of the Prime Minister. And there's the rub, for prime ministers have used the Senate as a dumping ground for their political parties' cronies. That is not to besmirch all Senators because most of them are quite earnest in what they do. Their committee meetings are well worth watching on TV. The point is that the Senate has been politicized by prime ministers, and thereby, being called into question by the populace.

There have been many calls for the abolition of the Senate; but we have to face the fact that it will be difficult to do since it would require opening the Constitution which no prime minister is willing to do at the present time. However, the Senate has never been allowed to show what it can and should do. Is it possible to give it a chance? Why not?

Before we attend to the Senate, may I suggest that we take a hard look at the present practices of our government.

Let us start with the office of Prime Minister. Did you know that the Prime Minister today can make 2,240 appointments and nominations, all without any oversight? He alone appoints senior civil servants, the Chief of Defence staff, members of boards and commissions, many of whom are former cronies. He alone nominates to the Governor-General all senators, all federal judges, including the entire Supreme Court, all members of Cabinet, and all ambassadors. He also controls his party's caucus because he has to sign a candidate's nomination papers. If he does not approve of the candidate chosen by the riding members, he can refuse to sign the papers. That's what Mulroney did to Sinclair Stevens, forcing him to run as an Independent.

Furthermore, power has shifted away from cabinet ministers and their departments to the Prime Minister's Office which is under the PM's direct control. Hurrah! We have basically rid ourselves of our monarch, the Queen represented by the Governor-General. And we have basically replaced her with a dictator, namely the Prime Minister! Do I hear any cheers?

At least the Romans were able to take a dictator to court after his term of office if they did not approve of his actions. The right of the PM to sign a candidate's nomination papers must be stopped, and his other powers have to be controlled.

Now, a few words about the office of the Governor-General. By Letters Patent (1947), King George VI gave to the office of Governor-General the royal prerogatives of the right to be informed, the right to advise, and the right to warn. The problem is that there is no enforcement of these rights.

In the U.K., the Queen is part of the government; here the Governor-General is not. Our dictator will not have it. What shall we do about this situation?

As far as the Senate is concerned, some form of non-governmental commission is required to select senators, both male and female, from all walks of life and from all parts of the country. Mr. Trudeau took a step in the right direction when he cut those senators who claimed to be Liberals from the Party caucus.

We deserve better. Let's take steps to do better.

Now there is something to think about.