

(April 21st, 1908.)

## Senate Reform.

HON. GEO. W. ROSS, LL.D.

ADDRESSING an evening meeting of the Canadian Club, on the subject of "Senate Reform," Hon. Senator George W. Ross said:—

*Mr. President and Gentlemen,*— It is exceedingly homelike and pleasant to be in Toronto again, and to greet once more the members of the Canadian Club. Ottawa has gathered many of us in her arms and retains us in friendly embrace. She is a city of no ordinary excellence. But, withal, Toronto has charms for me and it is pleasant, indeed, to be with you again.

I am delighted to know that the Canadian Club of Toronto retains its activity, and that a series of Canadian Clubs are springing up throughout the Dominion like watch towers to keep our sympathy with the land we love and to further a loyal Canadian sentiment essential to our well-being and best progress.

But I am charged with talking to you for a little while on the subject of Senate Reform. I shall not discuss, in this connection, the abolition of the Senate, for that does not now appear to be within the range of practical politics. In England there has been a cry that the House of Lords should be ended or mended, but in Canada the question is not that the Senate should be ended, but whether and how it should be mended. In all countries which under constitutional government have gained distinction a second chamber is found. In England; in France, notwithstanding its many revolutions; in Germany, which is now marching as it never marched before towards greater constitutional liberty; in the United States, where a new nationality has been founded, the two-chamber system has been adopted, and nobody has said it should be abolished. The evidence is entirely in favor of two chambers, and whatever may happen as to reform of the Senate, we may rest perfectly easy that there will be a Senate unless some very strange revolution overtakes us.

What the Senate suffers under is its constitutional limitations. It is largely a court of reviews and not a chamber of initiative to the same extent as the House of Commons. It has

not those powers which the similar institution across the line has. We need to project into the Senate more activity in public matters. In the United States the Senate has power to make appropriations. Imagine how large we should loom in the public eye if we had the power of making appropriations. Imagine also the House of Commons divested of the privilege of spending money! Who would want to go to it then? The Senate cannot spend money or make any alteration in the tariff, two things which bring the legislative body closely into touch with the great body of the people. They have not the power to ratify treaties as has the United States Senate.

It is said that the Senate is an idle body. That is a libel on the activity of a number of gentlemen. Every bill which passes the House of Commons also comes before the Senate, and there have been 5,490 bills in the last forty-one years, to say nothing of the bills which have originated in the second chamber. It is true that the Senate does not spend so much time in debating these measures, but it must be borne in mind that the bills are only sent to the second chamber after they have been debated, polished and remodelled.

Again, it is charged that the Senate is an obstructive body. This, too, is not correct. During the whole forty-one years only eighteen and three-quarters per cent. of the bills sent up by the House of Commons have been amended by the Senate and less than two per cent. rejected.

Neither is the Senate a partisan body. If that charge could be maintained, it would be a serious one; but an examination of the figures shows that a higher percentage of measures were rejected by a Tory Senate when the Conservatives were in power, than by the Senate in which the same conditions prevailed, when the Liberals had a majority in the House of Commons. The very method of its composition makes the Senate less likely to be partisan than the House of Commons. Its members are not dependent, as are the members of the lower house, for their seats on rousing strong party feeling in their supporters. They are able, therefore, to occupy a quasi-judicial attitude in regard to proposals which come before them for consideration, and to exercise more a spirit of cold justice. It is true that the Senate has rejected bills, but these measures have also been opposed when first introduced in the House of Commons, and consequently that body is equally open to the charge of being opposed to public opinion as the second chamber.

It is also said that the Senate has not adequately protected Provincial rights. When the question of Provincial rights was

raised before the Senate it was in connection with some local measure, such as the Hamilton Radial bill, and the Senate had not a special duty with regard to the protection of Provincial rights any more than the Commons. With regard to having the veto power of the Senate abolished, surely some one must have the final word as to legislation, and there is no proof that the Senate has used its power unfairly.

Now, it is also charged that the Senate is a shelter for defeated politicians. Have you no bowels of compassion? Are we to have no place where the defeated member of Parliament can find shelter? Even putting aside the question as to whether any blame is to be attached to a man because he has been defeated, let us look at the figures. Out of twenty-nine former members of the Commons in the Senate, only fourteen have been defeated. That is a majority of one, and I know what a small majority means! Men like Sir John Macdonald, Hon. Alexander Mackenzie, Sir Charles Tupper and Hon. George Brown, have all suffered defeat, but they cannot be held blameworthy for it. As to the Senate not representing public opinion, it is difficult, when so frequently one political party is in power at Ottawa and the other in some of the Provinces, to define what public opinion is.

Now with regard to suggested methods of reform, the proposal that Senators should be elected by Municipal Councils need not be discussed seriously. Appointment by Provincial Legislatures would be likely to project Dominion politics into Provincial affairs, a thing which is surely undesirable and which would be likely to lead to men of narrow outlook being selected, who would not deal with the broad problems of the Dominion in the manner they should.

The present method of selection has resulted in a wider variety of men, closely connected with big commercial, professional and other interests, than has the elective system in the States, and we also have a higher percentage of men who have had legislative experience in the Provincial Assemblies or House of Commons.

There is not, then, so far as I can see, any urgency for Senate reform, for it has not been proved that the Senate has violated any constitutional principle. The moment that the Senate sets itself against public opinion and defies the Government of the day, then the time has set in for Senate reform. What we want in the Senate is men of the highest judicial and business qualifications that the country can offer. We can easily find many things to-day that the Senate can well under-

take to do in the way of initiating new legislation instead of merely acting as a court of revision and revising bills sent to us by the House of Commons.

There is much that we can do. Take for instance, the question of civil service reform. The Senate could deal with that without risking the burning of the fingers of anybody, and nobody could hit us back. Another question is that of larger trade relations. We want consular agents all over the world. We have one in Mexico, while the United States have fourteen. We have three or four in Great Britain, and the United States 144. They have about two thousand consular agents all over the world, while we have only fourteen. That subject we could take up. We could take up the question of public health. We know what are the ravages of tuberculosis, and that epidemics are not unknown in this fair land still. We want more members of the Government in the Senate. We have only two, while in England half the members of the Cabinet are members of the House of Lords.

In this country, with its tremendous possibilities, what the young Canadian should consider is the stability of our constitution. There must be no place for anarchists or the unprincipled socialists. We must have no place here for panic legislation, which has sometimes worked irreparable harm in the old country. If the Senate can steady public opinion so that hasty measures will not be submitted when they could easily be modified and still be successful, if it continues to observe public opinion, I trust it will remain an integral part of our constitution, and that it will not give cause by the conduct of its members for the withdrawal of confidence. If, however, it is thought necessary to alter the method of appointing members of the Senate, then I am in favor of half the members being appointed by the Crown and half elected by the people.

While somewhat of a radical, I am conservative enough to say "Leave well alone." It has not been proved that the Senate has done any wrong, antagonized public opinion or harmed anybody. As are Peerages in Great Britain—and half of them have been created in the last forty years—I would have appointment to the Senate given as a reward of merit. Personally I believe that if there is to be any change, then half the members should be appointed and half elected. For the elective portion they should go direct to the people, not to any intermediary. For those who are appointed they should select men who have distinguished themselves in literature and com-