

## **A New Senate of Canada: Working Towards a Real Chamber of Citizen Representatives**

The goal of renewing the principles and evolving the role of the Senate is threefold:

- Creating Citizen involvement and functioning representation of Canada's regional voices;
- Enhanced accountability, balance and effectiveness in Canada's Parliament;
- Creating a non-partisan chamber that truly serves as a vehicle for "sober second thought", and acts as a counterweight to strong or majority partisanship in the House of Commons.

## **An Evolved Canadian Parliament at a Glance**

Under this plan, the House of Commons and the Senate are both elected

- House of Commons has 338 elected members, mainly from registered political parties; the Senate has 169 elected members each whom are independent.
- Anyone (within the eligibility criteria set forth under existing election rules) may run as a candidate for the Senate.
- There would be a dual selection and election process to allow citizens a balanced and representative slate of candidates and, once elected, working Senators.
- Senate ridings are simply 2 federal ridings combined, creating half the number of Senators as there are MPs in the House of Commons.
- Canadians elect their Senators through a system of Single Transferable Votes.
- Each Senator shall serve for a term not exceeding 8 years, (which overlaps the House of Commons electoral cycle), and half the Senate would turn over every 4 years.
- Population differences among certain provinces are also taken into account.
- The Senate cannot veto legislation, but may force alteration of a bill.
- As the Provinces over time agree to give their consent for an amending formula for a renewed Senate, special provisions such as distribution and legislative powers may be revisited.

## **Randomly Selected then Elected**

That's right. Through representative database computer sampling, a slate of possible candidates would be produced. How else would one achieve a list of people who are truly representative of

all walks of life?

Now, not each of those individuals randomly selected will want to run as a candidate for the Senate.

Using this system of random selection, each riding (provincial and territorial boundary)

would achieve a list of names double that of the riding's total number of seats available.

Obviously each candidate must be interested, active and available to run in the senatorial election process.

Eligibility for candidacy would mirror the requirements of existing election rules, with the exception that candidates would not run as representatives of a political party.

Candidates would then issue a one-page resume profiling their backgrounds and work experience.

Each resume for each candidate would then be circulated, both in traditional print and online versions, to every eligible voter in the riding.

Each new Senate riding would be created by combining two existing federal electoral ridings.

Elections Canada would cover all campaign costs from public funds. Costs would be tightly regulated and kept to a minimum, to prevent funding from special interest groups or political parties.

Term limits would be a maximum of eight (8) years.

Canadian citizens would elect each Senator through a Single Transferable Vote system (which maximizes voter choice and limits party control).

### **Senate Voting Power**

Any negative vote on a House of Commons bill (in other words, when the majority of Senators say NO to a proposed bill), debate would adjourn to allow time to negotiate and formulate changes through a Commons/Senate committee. So, the Senate would not have veto power to kill legislation, but would be able to force alteration of a bill.

Senate renewal, reform and evolution is certainly not a rocket science, but it's also framed by some pretty complicated procedures that, for the most part, are guided by the Constitution.

## **Single Transferable Vote**

Under this system, voters are asked to rank the candidates for the available Senate seats in order of preference.

Voters can rank as many candidates as they wish. Seats are won by those candidates achieving a certain "quota" of votes. Under most systems of Single Transferrable Vote, the quota is the total number of votes cast divided by the number of seats available plus one.

If a voter's first preferred choice has already been elected by reaching the quota, or if their first preference choice ranks at the bottom of the list and cannot be elected, their vote is reallocated to their second preference choice, then their third, etc. This process goes on, reallocating the choices of voters until a sufficient number of candidates have reached the quota.

Nobody's vote is wasted. If your preferred candidate does not win, you may influence the result with your second or third choice.

## **The New Senate in Action**

If we really want to achieve balance in Parliament, between one house that is partisan and the other that is not, why not have the Senate vote on bills at the same time as MPs do in the House of Commons?

While MPs have an open and disclosed voting process, the Citizen Representatives/Senators would vote through a secret ballot. The two separate votes cast in the two chambers would then be added together, with a simple majority required to pass any bill.

What happens if a government bill is defeated? Quite simply, we would have the government introducing an alternative bill on the same issue (or it may choose to resign and go to the polls). So the Senate would be comprised of the real people throughout the country, detached from partisan concerns, having a real say in the systems of governance that affect their lives every day. The Senate becomes a working model of representative democracy, and, in so doing, assists in ensuring that legislation can't simply be "railroaded" through Parliament by majority government against the wishes of the people.

It also gives the governing party in the House of Commons fuller opportunities to develop truly representative and sustainable public policy and legislation.

The point is this: You could become a Senator.

We could begin the process of putting you in the Senate tomorrow.

## **Why Evolve the Senate**

Party representation in the House of Commons, as demonstrated over the past few decades, has its advantages and disadvantages in terms of effective public policy and the management of governance. The current system can produce, and often has produced, majority governments often working with their own appointments to the Senate, that fear little or no reprisal from opposition parties. We've seen policy deadlock and the all too-often demonstrated "knee-jerk" reactions based on party lines.

This is how the system works, some people will argue. Actually, the houses of Parliament were never intended to function this way. The Senate, the chamber of "sober second thought", was supposed to be a mechanism of balance. The result, we see, is found in the opinions of many, if not most, Canadians who view the political system and politicians themselves as self-serving and out-of-touch with reality.

So, many Canadians have called for a representative chamber to function where the Senate now sits.

While a representative chamber of citizens is key towards achieving a better functioning system, so too is the need for balance, not just among Canada's regions but more significantly between the two houses of Canadian Parliament.

When we achieve this kind of balance, we begin renewing the original principles of what a Senate is supposed to be. We begin evolving our systems of governance to meet the realities of Canada today and the challenges of tomorrow.

Tomorrow? Yes. In fact, if we wanted, we could move towards partial election processes without constitutional amendment without the consent of the provinces.

Section 44 of the Constitution provides that, "subject to sections 41 and 42, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate or the House of Commons." This was how a new seat

representing the new Territory of Nunavut was created.

Both the 1980 Supreme Court "Senate Reference" and the Stan Waters precedent prove that Senators could be elected, having the government, officially through routine, select those elected and, for matters of formality until permanent constitutional change is effected, nominate those who have been elected to serve as Senators.

What we're proposing here, however, is much bolder, more innovative and fundamentally more inclusive and democratic. And yes, innovation and democracy require change—in this case, constitutional change and ultimately the consent of the provinces.