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**Thursday, June 20, 1996**

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THE HONOURABLE GILDAS L. MOLGAT  
SPEAKER

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## THE SENATE

Thursday, June 20, 1996

The Senate met at 2:00 p.m., the Speaker in the Chair.

Prayers.

### SENATORS' STATEMENTS

#### NATIONAL ABORIGINAL DAY

**The Hon. the Speaker:** Honourable senators, as all honourable senators are aware, tomorrow, June 21, is a very special day in the Canadian tradition. It has been declared National Aboriginal Day.

**Hon. Senators:** Hear, hear!

**The Hon. the Speaker:** Last week, the Senate unanimously decided that our new committee room will be named the Aboriginal Peoples Room.

Today, we will have a number of statements by various senators in this regard. I wish to advise honourable senators that Senator Adams will be speaking in Inuktitut. Translation of his speech into English and French will be available.

Honourable senators, we have the honour this afternoon of having in our gallery distinguished representatives of the aboriginal community of Canada.

*[Translation]*

Honourable senators, I have the pleasure to draw your attention to the presence in our gallery of these distinguished visitors. They cannot all be here today. Some of their representatives are with us. First, I would like to introduce Mr. John Kim Bell.

*[English]*

He is the founder and chair of the National Aboriginal Achievement Awards. Mr. Bell, a Mohawk, is a distinguished conductor and composer. He initiated the conferring of these awards.

We are fortunate to have with us today four recipients of these awards. In the gallery is Mrs. Rose Auger from the province of Alberta. I might say that Mrs. Auger sat in the Speaker's chair this morning and made a speech, something that is not usually done by Speakers.

Also in the gallery is the youth recipient of the award, Mr. Robert Johnson from Nova Scotia. From the province of British Columbia we have Dr. Frank Calder and, from that beautiful part of Canada, the Yukon, we have with us Mr. Albert Rock.

**Hon. Senators:** Hear, hear!

**Hon. Joyce Fairbairn (Leader of the Government):** Honourable senators, it is with enormous pleasure and pride that we will celebrate for the first time National Aboriginal Peoples Day which has been proclaimed for tomorrow, June 21. It will honour the contributions of aboriginal peoples to Canadian society as our first peoples, and it will recognize their different cultures.

I want to recognize, as the Speaker has, our friends in the gallery, winners of the National Aboriginal Achievement Awards and that remarkable gentleman who has done so much in this area, Mr. John Kim Bell. You honour all of us by your accomplishments. We offer each of you our warmest congratulations.

This special day is important to us because aboriginal issues are of major interest and concern to the Senate of Canada. One of the pillars of the Senate's mandate is to speak as the voice of the regions and of minorities. The formation of the Standing Senate Committee on Aboriginal Peoples in 1990, and the unanimous motion passed last week that the new Senate committee room be named the Aboriginal Peoples Room, are a testament to this.

I am particularly pleased to confirm today, jointly with the Leader of the Opposition, Senator Lynch-Staunton, the intention of this house to honour the memory of the late James Gladstone, the very first aboriginal senator to be named to this place. He was appointed by Prime Minister John George Diefenbaker in 1958 at a time when aboriginal Canadians did not even have the right to vote, a right which was extended to them two years later by the Diefenbaker administration.

Senator Gladstone was a treaty Indian, a member of the Blood Nation which is part of the Blackfoot Confederacy and Treaty 7 in the province of Alberta. His personal history, senators, reached back as a chief scout interpreter with the Royal Northwest Mounted Police, a mail carrier for the Blood Indian Agency, and as a rancher and farmer near Cardston, Alberta. He went on to become the president of the Indian Association of Alberta. He was a strong and vibrant voice for his people in his own province, his own region and certainly here in Ottawa as important decisions were being made on aboriginal issues.

In recognition of the contribution of aboriginal representation in this place and to Canada, the Senate intends to commission a bust of Senator Gladstone which will be displayed prominently on our premises.

His appointment led the way for others. We are enormously proud in this chamber to have as colleagues Senator Willie Adams, Senator Charlie Watt, Senator Len Marchand and, from my own province of Alberta, Senator Walter Twinn.

**Hon. Senators:** Hear, hear!

**Senator Fairbairn:** The contribution of each of these colleagues to the work of the Senate is essential, both in terms of their unique perspective on national issues and the degree to which they teach us about the history and the culture which are fundamental to the understanding and full appreciation of our Canada.

National Aboriginal Day, honourable senators, is a new opportunity for individuals and communities to get together across this country, to get acquainted, and to get involved with each other. May our understanding grow so that our first citizens will truly have equal opportunity to contribute to and participate in this remarkable country.

**Hon. Senators:** Hear, hear!

**Hon. John Lynch-Staunton (Leader of the Opposition):** Honourable senators, I am pleased to join with the Leader of the Government in congratulating this year's recipients of the National Aboriginal Achievement Awards. I urge all our colleagues to familiarize themselves with the reasons leading to this recognition. You will, as I was, be most impressed with the achievements of the recipients and with their backgrounds. They are a great credit to their communities and to their country.

While this form of recognition is to be applauded, as those who are its beneficiaries are so deserving, while declaring that henceforth June 21 will, each year, be declared National Aboriginal Day, and while Senator Phillips' excellent initiative to name a Senate committee room Aboriginal Peoples Room received enthusiastic and unanimous support in this chamber, these developments and others similar to them should never be a substitute for meeting our responsibilities to face up to the long-standing legitimate demands of aboriginals, demands which, for the most part, arise from commitments made over 100 years ago.

The Liberal Red Book cannot be more plain, and we cannot agree with it more, when it states that a Liberal government will act on the premise that the inherent right of self-government is an existing aboriginal and treaty right.

Previous governments have made attempts in this direction, with limited success, for reasons we need not go into today. The issues are complex. They raise emotions to great heights, and misunderstandings and suspicions too often result. It is understandable that, under such conditions, a government is tempted to tiptoe around the problem rather than face it head on.

The problem, honourable senators, is not the creation of one segment of the population; it is the doing of all of us and those who came before. Ignoring it only compounds it.

Let us hope that marking the first National Aboriginal Day this year will incite the government to more pronounced efforts to satisfy aboriginal demands within the undertakings of long ago, so that in future years marking this day will take on the significance that it really deserves.

**Hon. Willie Adams:** Honourable senators, before I begin my address in Inuktitut, I should very much like to thank our Speaker for his kind remarks in welcoming the recipients of the National Aboriginal Achievement Awards.

*[Editor's Note: The honourable senator continued in Inuktitut — Translation follows].*

• (1420)

Honourable senators and guests, on the eve of the first National Aboriginal Day, I stand today to invite all Canadians to share in the accomplishments of the aboriginal communities. This recognition is not just for recent accomplishments. Aboriginal people have maintained their identity throughout the periods of the early fur trade, the whalers, the missionaries, the RCMP, the DEW line and federal government interests. We are now forming native businesses, both as a part of and outside the land claims process. The key land claims were the James Bay and Northern Quebec Agreement of 1975, the Inuvialuit Land Claim Settlement of 1984, the Yukon First Nations Land Claims of 1994, the Gwich'in Claim of 1992, and the Sahtu-Dene Claim signed in 1994. Other claims are now in negotiation.

I understand the intention of National Aboriginal Day is for Canadians not only to share in this celebration, but to use the opportunity to learn more about the Inuit, Indian and Métis peoples. This celebration can be local, be it in the far North, my homeland of Rankin Inlet, or Nunavik or Kamloops, or Sawridge and parts east.

As of now, there are three aboriginal MPs and four senators. I was appointed 19 years ago, but the first aboriginal senator was James Gladstone, appointed in 1958. I represent N.W.T. by accident. I was on the ship that relocated Inuit from northern Quebec to the high Arctic in the 1950s, but I was kicked off in Fort Churchill for being single; they were only taking families. I then moved to the Keewatin in the early 1960s. I also served as a member of the Legislative Assembly of the N.W.T. in the early 1970s.

Before that time, Stuart Hodgson, who was appointed Commissioner of the Territories, oversaw that assembly, which oddly enough held its sessions in the Centre Block. These are minor accomplishments against the backdrop of such events as the striking of the influential Committee on Eskimo Affairs, which included the elders Abe Okpik and George Koneak; the election of the first Dene MP in 1972, Wally Firth, representing all of the N.W.T.; and the first Inuk MP, Peter Ittinuar in 1979, representing Nunatsiag. One of the more dramatic events was the Nunavut Land Claim Agreement of 1993 which is taking us to the establishment of Nunavut Territory, expected for April 1, 1999.

• (1430)

I am sure the other aboriginal senators will agree on the importance of advancing National Aboriginal Day to make known our presence in the cultural, political and artistic make-up of Canada.

Honourable senators, I wish to thank the translator who has been translating for me for a number of years.

Earlier in my speech I mentioned the DEW line which came into being around 1955. At that time, I was living in Churchill, Manitoba, and working for the military. All of a sudden, aircraft were landing in Churchill 24 hours a day. They would then fly up to Alaska and all the way over to Labrador.

The building of the DEW line meant that there were good jobs available for operators of heavy equipment. In fact, the men who operated the D-9s and the D-6s built the DEW line. There were also jobs available maintaining the base. People from the south moved to the Arctic, and they would work in conditions where the wind-chill factor would be between -70 and -80 degrees.

I remember one day a heavy-machine operator from down south saying that he was too cold to operate the machine, and an Inuk replaced him on the job because he could withstand the cold temperatures. That is the history of the Inuit. Today, a lot of them are still good mechanics, like my colleague Senator Watt, and it all started with the DEW line.

It was not until 1975 that all members of the government of the Northwest Territories were elected. Up until that time, most representatives were appointed by the Minister of Indian Affairs in Ottawa. I was elected to serve as a member of the Assembly of the Northwest Territories for about four years from 1970-74. At that time, nine of us had been elected and three were appointees. Today, all 24 members are elected, with aboriginals in the majority.

Much progress has been made in a few years. Before the government stepped into our communities, the attitude was that our people were hunters, and living happily, and that we did not need schools and the like. However, the government recognized that aboriginals had to be taught, and it started developing schools around 1950.

The government in Ottawa used to say that the people of the north lived in igloos and did not need big houses. However, the construction of one-bedroom houses started in the 1950s and 1960s. Beside the front door was the bathroom, and although there was a bathtub, there was no running water. The houses all contained plastic tanks which we would fill with ice and, when the house was heated, the ice would melt. That was our water supply. We had no trucks bringing us water.

We called those houses "matchbox" houses because they were so small. Many parents raised 13 or 14 kids in these one-bedroom houses.

In 1966, our representatives realized that they had to do something for the people who lived in our communities. They began to build houses and airstrips.

In 1970, the budget for the government of the Northwest Territories was about \$100 million a year. Today, in 1996, it is over \$1 billion a year.

Times have changed, honourable senators. We have made a lot of progress since the 1950s when the government stepped in, and I am proud of that. We have even changed the way we trap and hunt. Sadly, we no longer trap because furs and seal skins are not worth much today. Consequently, we have to live like the people down south.

Thank you very much, honourable senators, for listening to me today. I hope to see all of you again in a year's time when we can celebrate Aboriginal Day once again.

[*English*]

• (1440)

**Hon. Len Marchand:** Honourable senators, every day is Aboriginal Day!

I want to thank Senator Fairbairn and Senator Lynch-Staunton for their words, and His Honour the Speaker for his kindness in providing a tour for the recipients of the National Aboriginal Achievement Awards.

I want to recognize the recipients of those awards who are here today. John Kim Bell, who was the founder of the Canadian Native Arts Foundation, is celebrating the tenth anniversary of this organization. It was about three years ago that John had the idea of establishing the National Aboriginal Achievement Awards. The goal was to recognize and showcase the immense talent that exists amongst our people.

Among those recipients is an old friend of mine from British Columbia, Frank Calder. Some of you may know Frank; he was elected in 1949 in the provincial riding of Atlin, and later was elected several times to the legislature of British Columbia. Louis Riel, of course, was the first aboriginal ever elected to a Parliament in the mid-1880s. Frank was next. He was elected as an NDPer, then switched over to the Socreds and served in the cabinet of the late W.A.C. Bennett.

Robert Johnson is Micmac. He will be the first Micmac medical doctor. There are now 52 aboriginal doctors practicing in Canada, if that is any index of achievement among our people. I believe most of those doctors are Mohawk — at least that is what John Kim Bell tells me. The Mohawks have been pretty aggressive throughout history, as you know.

Albert Rock is quite an achiever in his own right as an inventor. He sells mini-computers worldwide. He was telling me about the way he has made his mark, and is now selling his invention to many countries.

Rose Auger is a medicine woman, and a very respected elder. Native medicine is still practised among our people. There are some very good medicine men and women, and some who are not so good. I believe in the profession of medicine one would call them quacks. However, Rose has a wonderful reputation among her people.

I thank all of my colleagues for the naming of the Aboriginal Peoples Room, and for the recognition of James Gladstone as the first aboriginal senator, with the establishment of a bust in his honour. I do not know how many of you can really feel or understand just what that appointment meant to us. Frank Calder is a little older than me; he would know. Willie Adams is about the same age as I am. I worked for the federal vote in my lifetime. Our lives have spanned that much of aboriginal history. Frank Calder goes back a little further.

In the early 1970s, a comedian by the name of Duke Red Bird used to say that an Indian reserve is a place for the government to keep Indians, and every time the Queen comes to visit, the government brings them out to sing and dance. In other words, we were out of sight and out of mind. The federal vote, which was granted in 1960, brought a whole new day for our people. Finally we were able to come into the mainstream of life in this country.

I have read a little about the reason for John Diefenbaker's appointment of Senator Gladstone. I do not know how true this is, but apparently he wanted to kick South Africa out of the Commonwealth, and Canada could not participate in that exercise while we still had apartheid back home and were not allowing aboriginal people to vote. Whatever the sequence of events, our people were immensely thankful that we could finally vote in our own wonderful land, 93 years after Confederation.

Sometimes we may get a little angry. You may hear some angry voices from our people. I do not think you can blame us for getting a little mad now and then. We raise a little hell because the history of this great and wonderful land was not always that great for us.

I do thank you again for your kind words and for your support in this place for our issues.

Congratulations, again, to the achievers who are in our gallery today.

**Hon. Walter P. Twinn:** Honourable senators, thank you for recognizing National Aboriginal Day and bringing it to the attention of all Canadians. It is most appropriate to have, in our presence, recipients of the National Aboriginal Achievement Awards. I am very proud of these distinguished Canadians. I am also very grateful to our government for establishing National Aboriginal Day.

As I speak, this action has been well accepted. There have been pow-wows, rodeos and baseball tournaments set up for tomorrow. I have accepted invitations to be present at two events tomorrow, so I will not be here to vote.

I would like to say a few things about the past. We hear many negative things about the past, but it has not always been negative. I understand from my people that there were some good guys among the missionaries, the Royal Canadian Mounted Police and the fur traders. Some would write letters for us, and we trusted them to write appropriate letters to Ottawa or to the

Indian agent on whatever matter was important to the tribe or the group.

On that positive note, I face the future with anticipation and confidence. For us to gain true equality we must also be contributors. That is what we want to do.

• (1450)

**Hon. Jack Austin:** Honourable senators, I will be brief but to the point. Our colleague Senator Len Marchand is much too modest about his own achievements. He said nothing about the fact that he is the first Privy Councillor from the aboriginal community and the first member of a federal cabinet from that community.

I have known Senator Len Marchand for a very long time. He joined the staff of the Honourable Arthur Laing in 1964 or 1965 as a special assistant, having graduated in forestry from a university in the State of Washington. Len has been a contributor to public life in British Columbia and in Canada through all those years. He is fiercely proud of his record, and justly so.

I would like to say about Senator Willie Adams that I feel as if I have known him forever, because I came to Ottawa in 1963 as executive assistant to the Honourable Arthur Laing, then Minister of Northern Affairs and National Resources. Amongst Senator Adams' accomplishments is that he is the first aboriginal oil man. He became a director of Panarctic Oils and served for several years in that capacity.

I met Senator Charlie Watt in 1963 in a place then called Fort Chimo. Senator Watt translated most ably in a meeting attended by the Honourable Arthur Laing, as minister, and by the elders of that community.

Senator Watt played a very strong role in resisting efforts by René Lévesque, who was then a minister in the Quebec government, and others who attempted to persuade the Pearson government to transfer total control over the aboriginal community in the province of Quebec to the provincial government.

Both Senator Adams and Senator Watt have made magnificent contributions to the development of their people, and that development is being honoured today.

[*Translation*]

**Hon. Marcel Prud'homme:** Honourable senators, I think it is appropriate for me as a French Canadian — a phrase I always take pleasure in using — to rise on this historic day.

I am speaking in French for a very simple reason: it is my language. All my life I shall remember something that happened in Vancouver during the conferences on the Constitution organized by the Right Honourable Joe Clark.

There in Vancouver, I was trying to explain most passionately what I was, what my French Canadian people represented. I was fighting a losing battle, really, exhausted after three days of explanations. Then a woman, an Indian chief, stood up to speak.

[English]

Although I felt badly, I knew I had to accept being called to order by an aboriginal leader because their ancestors were the people my ancestors met when they came to this country in the 1600s. I have always felt humbled by the fact that my predecessors settled in a land where there were already indigenous peoples.

Understanding my feelings towards our aboriginal people, a lady came to my rescue and asked the leader to desist in her attack on me. She told her that, when I had been chairman of the National Liberal Caucus, I had organized the first meeting of all the Indians in the Railway Committee Room, a meeting that she remembered. I have always treated aboriginal people as I would treat members of my own family.

If people would reflect on that, I think there would be more understanding in this country as to what the debate is all about.

[Translation]

All that French Canadians want is to save their cultural heritage.

[English]

To save our own cultural lives, we must understand the pride of others. The others are those who were here before. Senators Marchand, Watt and Adams know that I am sincere in these remarks, because we have discussed this matter at length. Only by respecting each other's heritage and culture can we live in harmony.

Earlier Senator Marchand expressed his appreciation for the recognition of this special day. To him I would express my thanks for his patience in waiting so long for this recognition to be given. To all our aboriginal senators in this chamber I say, "You have more friends than you realize."

I have already been in touch with some leaders in Quebec and they have accepted to meet with me in June. Together we can build this country.

I will speak later to the few insults I received yesterday from some colleagues as a result of my vote. I do not take those remarks lightly. However, I do believe that we, as senators, should strive to build some harmony in this country. We must not forget that we have a responsibility to our aboriginal peoples.

Honourable senators, I understand that some members in the other place are to move a motion today against the Senate. That does not bother me. I will stand up for what I believe in and I will boo them from the gallery, if necessary, especially the Bloc members. I will stand up for what I believe in and attack those who want to destroy every Canadian institution.

Honourable senators, if we stand together, regardless of our cultural heritage, Canada will shed a ray of hope on an otherwise troubled planet. If it can be done here, it can be done anywhere in the world.

**Hon. Erminie J. Cohen:** Honourable senators, I should like to add my voice to those of my colleagues in celebration of National Aboriginal Peoples Day. It was a long time coming, and the aboriginal communities worked long and hard to make this a happening. So, now and forever, June 21 of every year will be a day set aside for Canadians to celebrate the contributions of the aboriginal peoples to Canada.

My grandson is part Nisga'a and part Jewish. As his grandmother, I am proud that he wears the mantle of two ancient cultures, and I am glad that his aboriginal cultural heritage is finally being acknowledged with a national day of recognition.

We have not often treated them as such, but aboriginal peoples are our first citizens.

They were here long before the arrival of Europeans, and had already developed strong and thriving cultures, spiritual systems, the art of consensus building, and local economies that many times provided models for others.

Today, people appreciate, and ecologists adopt, the aboriginal way: respect for the land and waters around us; and a belief in the creator that gave us all the gift of nature, a bounty to be protected preserved and managed efficiently as much as to be harvested.

Congratulations to the aboriginal communities and to the award recipients. This is a special day for all of us.

**Hon. Marie-P. Poulin:** Honourable senators, today we join Canada's celebration in recognizing the valuable contributions of our aboriginal peoples to the uniqueness and to the progress of our country.

• (1500)

I want to say to our four aboriginal colleagues that you bring to the work of our institution a way of working and a way of living that enriches every legislation and every investigation — therefore, every Canadian. Each one of us brings a specific region of the country to this chamber with its concerns, its culture and its aspirations. Many of us represent a specific group of minorities, as I do. Each one of us brings a different professional experience from politicians to doctors, lawyers, entrepreneurs, teachers and many more. What we are doing together today permits us to rise above our political differences, our cultural differences, our religious differences and our language differences. We are uniting today, as senators, to celebrate through National Aboriginal Day our country, our Canada.

**Hon. Consiglio Di Nino:** Honourable senators, I should like to add a few words to those expressed about this wonderful historical event. A few of us were here in the chamber earlier when the medicine woman, Rose, was asked a question. In answer to the question, she invited all of us to go and live with the natives and spend time in their homes. If we were to go and spend time where the natives live, we would better understand the aspirations of the aboriginal communities.

Honourable senators, I should like to share with you my experiences. I have visited the Arctic in both winter and summer, mostly on the land. It is only through those personal experiences that I have come to appreciate the spiritual value and attachment that the native communities have to the land. It is probably the reason why I have attempted to be supportive of their causes. I invite all of our colleagues to take the opportunity, when it arises, to visit the homes and lands where our aboriginal Canadians live. I am sure you will, as I did, find it a very positive experience.

### THE HONOURABLE WILBERT J. KEON

#### EXPRESSION OF GRATITUDE FOR AID IN EMERGENCY

**Hon. Philippe Deane Gigantès:** Honourable senators, what happened yesterday was not serious. Nevertheless, on the way to the hospital in the ambulance, I thought that I had better look at the silver lining in case it was serious. It consoled me that should I have to vacate this seat, Prime Minister Chrétien would fill it with another remarkably talented woman.

It is instructive to see the operation of our honourable whip. As I was going to the hospital, he phoned an elegant, beautiful and witty friend of my late wife, who came and sat with me in the hospital. He organized the life, the feeding and the walking of my dogs. You do not get that from a Tory Whip!

However, what you do get from a Tory doctor is magical. Senator Keon gave the ambulance driver a little note which, I think, said words to the effect that I was his friend, for which I am forever grateful and, indeed, flattered. When I arrived at the hospital, it was like a swarm of bees. A doctor was looking in one ear and another doctor was looking through the other. I wonder if they actually saw one another through my empty head! They probed me and stuck various round, sticky things and wires into me. They examined me more than I have ever been examined. There also were two magnificent, competent and amiable nurses who, at end of a 12-hour shift, managed to look wonderful and beautiful — and wore the appropriate perfume! How can we do better?

What happened yesterday, I think, is due to my liberal education. When I was five, my mother started reading me the editorial of the Liberal paper every morning, and father, at every opportunity, would say, “Tories have black hearts because their hearts are their wallets.” I was so conditioned that it was inevitable that when someone who had been my friend — and, I still consider him a friend — one of the happy GST warriors, voted against us, that I would choke and faint. That is what happened.

### PEARSON INTERNATIONAL AIRPORT AGREEMENTS BILL

#### SENATE VOTES

**Hon. Michel Cogger:** Honourable senators, on a point of order, it has come to my attention that apparently there is a rumour circulating that I was paired yesterday. I think it requires an explanation inasmuch as my having voted yesterday — indeed, if I had been paired — would have been in breach of a given word. I find that rather offensive. I want to assure honourable senators that in no way was I paired. I had given no commitment to anyone on the other side.

### THE HONOURABLE KEITH D. DAVEY

#### TRIBUTES ON RETIREMENT

**Hon. Joyce Fairbairn (Leader of the Government):** Honourable senators, today it is a very special honour for me to pay tribute to my colleague and friend, Senator Keith Davey.

That he is a political legend is undeniable. That he has made an enormous contribution to the political life of this country is undisputed. That he is leaving this place a bit early, after a mere 30 years, is hard for us to accept easily.

From his earliest days in school, and at the University of Toronto, he set his sights on a political career and an involvement with the media. He does confess to a short period during his time at the University of Toronto when he was not completely sure whether he was a CCFer! However, that weak spell quickly passed and his liberalism has never wavered. He defines it simply as trying to help people to help themselves.

He worked at the very heart of Liberal organization on the University of Toronto campus and Toronto riding politics during the fifties, as the Liberal Party was picking itself up from a massive defeat at the hands of John George Diefenbaker. Senator Davey came to Ottawa as the national director of the Liberal Party in the early 1960s to further the rebuilding process which led to victory and the formation of the Pearson government.

Three years later, when Prime Minister Pearson named Keith Davey to the Senate — the youngest person ever appointed to this chamber at the time — *The Toronto Star* published an editorial proclaiming: “Poor Keith Davey...extinct at 39.” Well, how very wrong they were.

In addition to his remarkable political contribution over the years, Keith has truly been a voice in the Senate for his province and his beloved city of Toronto. He has championed the cause of cultural industries in this country. When he departs this place, they will lose a voice of the real fighter for their interests in Parliament.

• (1510)

Senator Davey has served steadily on our Standing Senate Committee on Transportation and Communications and he has worked on the National Finance Committee, but surely his greatest achievement in the Senate was his leadership of the special committee which undertook a landmark study of whether, in Canada, we had the media we needed or simply the media we deserved.



What the committee called the “insidious effect of journalistic monopolies” is as valid in today’s uncertain situation as it was when the report entitled “The Uncertain Mirror” was released in 1970. That report acknowledged the dominant role of the United States in our daily life, but stated:

For all our similarities, for all our sharing, for all our friendships, we are somebody else.

Indeed we are, and Keith Davey has laboured long and hard to make all Canadians aware of the need to be vigilant in the protection of our identity.

As recently as last December, in the *Sports Illustrated* case, he argued forcefully in favour of closing the loophole that had opened up in our 30-year-old policy of protecting the advertising base of Canadian magazines. He pointed out that Canadian magazines are important to us and are deserving of protection because they “foster in Canadians a sense of themselves.”

Keith has not lived in political isolation. He has always made time for his love for, if not his obsession with, the sports world, particularly baseball and hockey, especially the Toronto Blue Jays and the Toronto Maple Leafs. He also enjoyed 56 magic, but turbulent, days as Commissioner of the Canadian Football League, which might indeed profit from his experience now that he has extra time on his hands.

Perhaps, honourable senators, what were most precious to him in the course of his long career were the strong and close relationships he had with both Prime Minister Pearson and Prime Minister Trudeau. Each was unique, but they both shared Keith’s commitment to liberalism and to this country. They were profoundly grateful for his enthusiasm, his loyal support, and his friendship in political sunshine or cloud.

Describing himself as a “wide-eyed pragmatist,” Keith wrote:

In politics, you begin life as the new guard. If you win, you become a part of the establishment. If you keep winning, you become part of the old guard. I am probably the only backroom boy in Canadian history who has gone through that cycle twice.

He has been truly a “happy warrior” for the political party system, for the Senate, and for Canada.

To him and his beloved wife Dorothy, we wish long and happy years ahead. We know that he will never be very far removed from the national life of our country.

You can count me in, Keith, for more of those special political breakfast sessions at the Park Plaza and the warmth and friendship and wisdom that go with them.

**Hon. John Lynch-Staunton (Leader of the Opposition):** Honourable senators, in expressing my appreciation of our colleague Keith Davey, I wish to begin with an anecdote from the public record.

In April 1956, as the editors and publishers and representatives of the Canadian Press lingered over their after-dinner brandies, their guest speaker told them about himself. He said:

In my present post, I often meet professionals about whose work I know next to nothing. I am a sort of professional gate-crasher. I am often where I have no business to be; I frequently talk when I ought to keep still.

No, that was not Senator Keith Davey at the podium, although some of Senator Davey’s contemporaries in my party might say, “Prove it.” Well, prove it I shall. The words of gentle self-effacement belong to another famous Canadian Liberal from Ontario, Vincent Massey, who parlayed his mastery of nothingness into the Governor Generalship and the universal affection of his countrymen.

That is the job that brought Vincent Massey to the gathering of newsmen at the very time when Keith Davey, having risen to one of the much sought after vice-presidencies of the Toronto and York Liberal Association, was eating his heart out over a resolution that would twit Prime Minister Louis St. Laurent for his failure to put even one of Toronto’s nine Liberal members of Parliament into his Olympian cabinet.

Thirty years later, Keith Davey, safely transported to the Senate, produced his cabbages-to-kings biography called *The Rainmaker*. The first chapter of this tour de force of political savvy is entitled “The Real World,” and it begins with this sentence:

My mother still asks me when I am going to get a regular job.

There is more, much more, in the book which was, as they say in the trade, a respectable best seller — not to be confused with the numbers that inflate the dandy little docudramas we get from the likes of Canada’s leading muckraker. It is a book I might even recommend to the leader of my party for its account of what Keith called “the trauma of September 4, 1984, the massive rejection of John Turner and the Liberal Party.”

He deals with the humility of living with a New Democratic Party which was confident that it would replace the Grits as official opposition.

In a chapter entitled “Down But Not Out,” and in a style Mr. Charest might find exemplary, he concludes *The Rainmaker* in this way:

It is time to replace fear and loathing with that sense of optimism and excitement which is at the very core of Liberalism. We have provided this country with proud leadership ... We must do it again. It is time for every last Grit to come to the aid of the party.

Partisan? Of course it is, but partisanship, like politics, need not be a dirty word, and survival of vigorous debate remains one of our principal concerns in both Houses of Parliament.

We have had 10 years to argue the career “reflections” of Keith Davey. We have had 26 years to ponder the three volumes of *The Uncertain Mirror*, the report of the Special Senate Committee on Mass Media. With good reason, the 1,117 pages of essays, vignettes, tables, and analyses are known as the “Davey Report,” and, along with a more recent but less penetrating exercise in 1981 by another Liberal observer, constitute the only organized examinations by government of the major institutions of the so-called Fourth Estate in Canada.

The alarm bells in the Davey Report did not exaggerate the difficulties examined in the Kent Report. If Senator Davey were to speak to the topic today, we would be surprised to find him more sanguine than he was when the following lines were published in the Davey Report in December, 1970:

Control of the media is passing into fewer and fewer hands and the experts agree this trend is likely to continue and perhaps accelerate. The logical (but wholly improbable) outcome of this process is that one man or one corporation could own every media outlet in this country except the CBC. The Committee believes that, at some point before this hypothetical extreme is reached, a line must be drawn. The prudent state must recognize that, at some point, enough becomes enough.

To have moved from FP to Thomson to Hollinger provides few answers and fewer assurances about independent voices in Canadian communications. We will feel less certain here without Keith Davey to sound alarm bells when they are needed.

We should be grateful for the 30 years of service which Senator Davey has rendered to his colleagues, his party, and his country. We hope he will not be permitted to grow impatient and bored with such frivolities as baseball and hockey and, heaven forbid, football. I hope those who seek to harness his talents for future service make certain that he is permitted time to keep his eye on press, radio and television services, and on the men and women who provide them — not to spy on them, but just to watch them as they watch us.

**Hon. B. Alasdair Graham (Deputy Leader of the Government):** Honourable senators, in his speech to the Massachusetts state legislature in 1961, John Fitzgerald Kennedy said:

That for those to whom much is given, much is required.

President Kennedy continued:

And when at some future date the high court of history sits in judgment on each of us, recording our success or failure in whatever office we hold, it will be measured by the answers to four questions.

First - Were we really men of Courage?

Second - Were we really men of Judgment?

Third - Were we really men of Integrity?

Finally - were we really men of Dedication?

• (1520)

Let us be assured, honourable senators, that in the case of Senator Davey, the court of history will, in all instances, answer a resounding yes. Yes to courage, because for Keith Davey no river and no mountain was too hard to cross. No political campaign was too great a challenge, no matter how trying or insurmountable the odds. There will be a resounding yes to judgment because, in his over four decades of service to his party and his country, Keith Davey's common sense and basic wisdom were sought after by great Canadians from all walks of life. Yes to integrity, as his vast array of friends and colleagues from across the country will attest. Yes to dedication, because that has been a constant and unerring source of inspiration to so many of us in this political world, even if we do not come from Spadina.

Honourable senators, someone once said that the perfect political mentality can be compared to the persona of a winning football, basketball, baseball or hockey coach. The combination of the will to win with the belief that the game is important is as much the key to success on the playing field as it is in political life.

Keith Davey never backed down from a challenge because he was always a believer — a passionate Canadian whose faith in this country never lagged; a team player who never quit because he always understood the game plan. He knew that Canada is not where we are now — Canada is where we will be tomorrow. With that belief as his guide and with that commitment to tomorrow, it was always understood that when the going got tough, Keith Davey never, never let down.

**Hon. Lowell Murray:** Honourable senators, I think the Liberal Party of Canada is very fortunate. Any party would be to have someone of Keith Davey's dedication and talents in positions of importance and responsibility during all these years. Canada is fortunate because for Keith Davey, the Liberal Party has been and is the vehicle for his service to the wider country. I think that he is fortunate, and I think he counts himself to have had that opportunity.

Honourable senators, Keith Davey has been a most civilized, if ardent, partisan with his adversaries in the campaign headquarters of other political parties. He has maintained a relationship of warm cordiality, on occasion thoughtful and generous — or as thoughtful and generous as the rules of the game would allow — and always understanding. I have enjoyed my contacts with him over a period of more than 30 years, and I have greatly enjoyed his company as a colleague in this place. His place in the political history of our times is assured. He and his family can be proud of his contribution to Canadian politics, and I wish him and them the happy retirement that his years of generous service have so greatly earned.

**Hon. Richard J. Stanbury:** Honourable senators, when I think of Keith Davey, integrity, warmth, humour, conscientiousness, loyalty, vigour, courage and strategic acuity are just some of the qualities that spring to mind.

An acquaintance for 40 years and a close friend for over 38 years, Keith and I know each other very well. The Diefenbaker disaster to the Liberal Party of Canada — I hasten to emphasize “to the Liberal Party of Canada” — in 1958 brought us closer together. Mr. Pearson had become our leader with the help of a group of young people led by Keith. To us, Mr. Pearson was a great hero — his nemesis, John Diefenbaker, was exactly the opposite. The disaster eviscerated the Liberal Party and left the young people who were Pearson devotees in charge of what was left. Keith quickly became president of Toronto and York Liberal Association, ran a membership drive which attracted 5,000 people into the party, and then left for Ottawa to become national director of the party. I inherited the presidency of Toronto and York Liberal Association with both the healthy debt and the healthy membership which Keith had provided. In three years, we converted “Tory Toronto”, with no Liberal seats, to “Liberal Toronto” with 17 Liberal seats, while Keith and Walter Gordon were reinvigorating the party in every province by finding young leaders who worked selflessly to bring Lester B. Pearson and the Liberal Party of Canada back to power.

Honourable senators, Keith’s leadership was the key. His admonition to constituency executives “to work or quit” brought new vigour to the party. His advice to ridings to seek out the best candidates based on their local reputations rather than their party history ensured top quality candidates.

His “campaign colleges”, unheard of in the past, were needed because hardly any of the thousands of volunteers who flocked to the party, or indeed their candidates, had ever been involved in politics or political campaigns before. Keith’s communication techniques had never been seen before. Everyone felt that he or she had an open door or perhaps, more correctly, an open phone line to Keith at any time, night or day, regardless of what time zone the caller lived in. You will notice that Keith still has a telephone receiver firmly affixed to his left ear.

Always positive, always optimistic, always with a touch of humour, always with affection, Keith dealt with the most humble and the most important members of the party. Those characteristics have followed him to this day. As everyone knows, he has served on the most intimate terms with each Liberal Prime Minister, as their servant of course, but, without exception, as their friend. It is hard to imagine a more fulfilling political career. It is far from over, but this is our last chance, as his fellow senators, to pay tribute to the public life he has led and shared with us.

**Hon. Norman K. Atkins:** Honourable senators, yesterday we heard two hours of tribute to Allan J. MacEachen. I wish to join those who spoke yesterday by adding my best wishes to Allan, who is not here today. I wish also to urge him to seriously consider writing his memoirs. I believe he owes it to Canadians to tell us how it really was. It is bound to be a best seller.

Those people who know Keith Davey know that he loves to tell stories and enjoys the art of putting people on. For example,

two weeks ago at a dinner honouring both he and Senator MacEachen, he related the story of how I sought out the press after John Turner appointed him campaign chair in the middle of 1984 election and attributed to me the comment, “Now that Davey is back, the campaign is going to be mean, foul, dirty, dishonest. Get ready.” When, the day after the dinner, I challenged Senator Davey, asking him to provide me with proof that I had said those nasty things, he laughed, displaying that wonderful, guilty smile, and admitted that he had made it all up.

• (1530)

For years people wondered why Senator Davey wore pin-striped suits. The answer is perfectly obvious: He was a Yankee fan until the Blue Jays came to Toronto. He claims to be a baseball expert, but his record in a yearly non-partisan baseball pool would prove otherwise. As a non-expert, I have been the beneficiary of some of his predictions.

On April 20, I was one of Senator Davey’s guests celebrating his seventieth birthday at a wonderful party held at the Ontario Club. We were all shocked and saddened when he announced that evening that he was planning an early retirement from the Senate, effective July 1. Senator Davey has had a remarkable career, and deserves all of the compliments and tributes he will be receiving today.

I hardly knew Senator Davey prior to my appointment to the Senate in 1986, other than by reputation. While I respected his talent and skills as a political organizer, as one who worked on the other side I really considered him to be the enemy. Obviously, my views have changed, and for many reasons. I have learned that once a person moves on from the responsibilities of running campaigns, their attitudes and appreciation for others who serve a party — any party — changes. They gain a respect for those who are serving elsewhere. As well, I will always appreciate the way in which he helped my son Peter, who was involved in a human rights issue with the Toronto Fire Department and with City Hall.

I began to appreciate that Keith Davey is more than a partisan politician working with and advising powerful politicians and running elections. He is also a very sensitive, loyal, compassionate and dedicated person of high principle. He is committed to serving his country, his community and his party while preserving personal relationships that extend to his friends, understanding that their commitment is important as well.

He is a dedicated family man whose children have had the benefit of his guidance and understanding. His wife and companion, Dorothy, is just one great lady. Incidentally, Keith loses no opportunity to remind her just how lucky she is to be married to him. They enjoy a life together of which many would be envious.

To Keith, Dorothy and their family, I wish all the best: the best of health and continued happiness for many years. We hope that they will keep in touch with all of us who hold them dear in our hearts.

**Hon. Senators:** Hear, hear!

**Hon. Paul Lucier:** Honourable senators, I wanted to say that Senator Davey, who I think is my friend — I do not know if he will be after I say this — has been taking a great deal of credit for a long time for his work in the Senate when those of us who really know what has been going on will know that Doralen Amesbury, his secretary for 18 years, has really been the one doing all the work.

About my own secretary, Ann Piché, I have said that the reason I am the senator and she is the secretary is that she could easily do my job but I could never do hers. I think that applies in Senator Davey's case as well.

Several senators have mentioned Keith Davey's knowledge and love of sports. I have benefited greatly from his knowledge and love of sports because he is a sucker for a bet on anything from Toronto: the Argos, the Blue Jays, the Maple Leafs — anything. I have a drawer at home half-full of \$5 bills that I have won from Keith Davey, so I am very pleased with his knowledge of sports.

Honourable senators, Keith Davey is and will continue to be an example of all the good things we who enter public life at municipal, provincial, territorial, or federal levels believe. Our systems are not perfect but they have allowed us to build a great country. I personally am proud to call Keith Davey my friend. I wish he and Dorothy many continued years of success and happiness together.

**Hon. John Buchanan:** Honourable senators, I have only known Senator Davey for the last six years, but I owe him. Let me explain.

Over my 24 years in the legislature of Nova Scotia, 13 as the premier of that great province, I received many gifts and presentations from organizations, PC rallies and PC annual meetings. How surprised I was when the Annapolis West Progressive Conservative Association, at the conclusion of one meeting, presented me with a book, *The Rainmaker* by Keith Davey. That proves that even we Tories recognize good political strategies.

I presented Keith with an enlarged photograph of that presentation. I hope he hangs it in his office or in his home somewhere, because it is rare for a Conservative premier to receive a book written by the strategy king of the Liberal Party.

I read that book from cover to cover, and digested everything in it. In the ensuing election in the fall of 1984, a partial manifestation of my digestion of that book was the victory of the Conservative Party. We won 42 of 52 seats in the legislature of Nova Scotia with some 53 per cent of the vote.

I thank you, Keith Davey, for helping us out in the way you did. That massive win was the biggest we have ever had in four consecutive elections. Today, for the first time, the Liberal Party and members opposite in this place know and appreciate why we won such a massive victory. Senator Stanbury, instead of turning over Tory seats to Liberals, Keith Davey helped us turn Liberal seats over to Tories.

Thank you very much, Keith. Well done!

**Hon. William J. Petten:** Honourable senators, I wish to be associated with the remarks of senators who have spoken in tribute to our friend Keith Davey.

I first met the Honourable Keith Davey in the early 1960s at Liberal Party Headquarters in Ottawa, when I attended meetings as a representative from Newfoundland. Keith was then the national director of the Liberal Party of Canada. During these meetings, a firm friendship developed. There were a few little glitches here and there, but finally Keith began to understand me and we became fast friends. He came to the Senate in 1966. I considered myself fortunate to be invited to a dinner party organized by some of his friends here in Ottawa so that I could personally congratulate him.

Shortly after my appointment to the Senate in 1968, Keith introduced a motion in the Senate to form the special committee on the mass media. He is to be congratulated on his initiative in establishing this committee. The members of the committee, with the exception of the new boy — me — read like a "Who's Who" of the Senate. Keith ran a tight ship and the work of the committee was completed in record time.

When I was asked to become a member of that committee, I hesitated a bit. Again, I was a "new boy" as one of our former colleagues would refer to me.

• (1540)

At the first meeting, as the youngest member in service, although not in years, I was drafted committee Whip. I was rather reluctant to take the position, but I can now say publicly to Keith what I have said to him many times in private: He did me a great favour. It enabled me to get to know my colleagues much more quickly, and it was an apprenticeship which served me well in later years. Once again, Keith, thank you very much.

During the sittings of the committee, Keith's greatest phobia was that at some point we would lose a quorum. This never happened. However, on the last day of the meeting, I went to see Keith with Marianne Barrie, the lady who really ran the committee, despite what Keith might have thought. With serious expressions we said that it had happened, that we had lost the quorum. If I had had a camera, I could have won an award with a photograph of the look on Keith's face.

Keith does not know what I am about to say now. I will take this opportunity to remind him of a lunch we had in London, England during our meetings with the working press there. The waiter inquired if we would like a glass of cider. Keith asked, "Is that alcoholic?" I said, "I don't think so." After a glass or two — I leave the rest to your imagination.

Keith, it has been a privilege to be associated with you and to work with you. I wish you well in your retirement. I hope it will enable you to spend more time with Dorothy, your children and grandchildren. Every best wish for your future.

**Hon. Philippe Deane Gigantès:** Honourable senators, sometime before 1984, a young Liberal asked Senator Keith Davey why young NDPers and young Tories seemed so much more zealous, and why Liberals were not as zealous, and he answered, "Because we are nicer people."

This is very true of Keith, and it has served him marvellously in the role he has played as a practitioner and strategist for Liberal victories. The Liberal Party is the party of the centre. Therefore, it is a party of compromise, and, therefore, it is a party where, in the fierce fighters that it had, like Keith Davey, niceness is important.

Let us not forget that if he had not engineered the first Liberal victory in the 1960s, Allan MacEachen would not have had his chance to do the things he did for Canada.

**Hon. Senators:** Hear, hear!

**Hon. Dan Hays:** Honourable senators, happily, I find myself in the Senate today and at the same time serving as the presiding officer of the Liberal Party of Canada. I have the opportunity, in its name, to wish Keith Davey well at this landmark point in his career. I say "landmark point" because I do not see him retiring. Keith leaves the Senate as one of its youngest members — if not chronologically, then in all other respects.

I was recently in the Netherlands with another person who served as President of the Liberal Party, as have three of my colleagues here, and discovered that the Liberal Party of Canada is one of the most successful political movements of its kind in the world. If that is so, it is because of people like Keith Davey who, at an early stage — and I can hardly believe Senator Fairbairn's suggestion that Keith might have belonged to the CCF — in their career formed an opinion as to what is the best way to make a contribution to their country and work within that discipline effectively. Keith Davey has done that in so many ways. His study of the mass media, his contribution to public life in this chamber, and his fierce partisanship are things that have served him, his country, and his beloved Toronto well.

I would close on one note. One of the proudest possessions that I have come to me from Keith Davey during the GST debate when Senator MacEachen, whom we honoured yesterday, asked Keith to organize something to bolster our spirits. It was a dinner, and one of the things that was given out at that dinner was a large badge which had written on it: "Liberal Senator and Proud of It." Every time I am down, Keith, I pull it out and take a look at it. Thanks for your style and spirit. I wish you well in your continued work.

**Hon. J. Michael Forrestall:** Honourable senators, some may wonder what I am doing standing here honouring Keith Davey, because I am no friend of his. I cursed him for 25 or 30 years as I apprenticed in the political back rooms of Eastern Canada.

I only want to say to Keith Davey, as he leaves here, that his presence will be felt for at least another year and a half to two years, inasmuch as the Standing Senate Committee on Transport

and Communications, of which he was a long and distinguished member, has now approved the long-awaited and, I believe, as does he, much-needed study on highway safety in Canada. It is a tribute to his concern for a wide variety of matters that affect Canadians that makes him the deserving recipient of the praise and honour that we shower upon him today. I am pleased in a small way to join in those tributes and to let him know that he will have to bear the brunt of irate truckers, and not I.

**Hon. Peter Bosa:** Honourable senators, I wish to associate myself with the remarks that have been made by other senators in paying tribute to Senator Davey. I became associated with Senator Davey in 1957 when I joined the Davenport Liberal Association. Paul Hellyer was the member for that constituency. That was my debut in federal politics in Canada. I must admit that my beginning was a disastrous one because Paul Hellyer, notwithstanding the fact that he was appointed Associate Minister of Defence in 1957, was defeated. He was defeated again in 1958.

Our working relationship developed a little better when Walter Gordon ran in Davenport. Both he and I have been worshipping the gentleman ever since. Although Walter Gordon was elected in 1962, he did not make it into cabinet. He was re-elected in 1963 and became a minister. I attribute to him the fact that I was appointed special assistant to the Minister of Citizenship and Immigration in 1963. In those years, there were not as many special assistants and executive assistants on the Hill as there are now. It was much easier to rub shoulders with important people like Keith Davey and Jack Austin and some of the others who were here at that time.

Keith has been a moving force in the Liberal Party of Canada. He has always been optimistic and enthusiastic. He has been an inspiration to me and to many others, although we differ on certain things. Senator Lucier mentioned sports, and I have some differences of opinion with him in that area myself. For instance, I tried to explain to him that soccer, in comparison to football, is a much more open game. The ball is always in view, whereas in football they try to hide it and they push each other around. I could never convince him to come to see a soccer game.

I believe, as Senator Hays said a moment ago, that this is not the end of Senator Keith Davey's career. I think that he will go on to something else. Just in case I am wrong in my prediction, I would like to wish him and Dorothy a happy and enjoyable retirement.

• (1550)

**Hon. Leonard J. Gustafson:** Honourable senators, I rise to pay tribute to Senator Davey. Because I am such a new member of the Senate, I hesitate to do so, but there is one particular experience which I should like to relate.

I came to Ottawa in 1979 as a member of Parliament. I heard about this Rainmaker, and thought that he would be a good fellow to get to know. On the way to a hockey game of the NHL Old-timers, I thought I would pick his brain a little.

In those years, I was working to make Brian Mulroney the leader of the Conservative Party. While we were on the bus, Senator Davey said to me, "Brian Mulroney will win the next leadership convention, and he will win the country." That was pretty prophetic.

Political perception is an integral part of being a Canadian, whether you are a Conservative, a Liberal or of whatever other party affiliation. In the Canadian scheme of things, Senator Davey has been a tremendous example. I have found that he is not terribly biased. Although he would not leave the Liberal Party for anything, he realizes that there are people on the other side of the street.

I congratulate him today, and wish him the best.

**Hon. Herbert O. Sparrow:** Honourable senators, I am sorry that Keith Davey will not be with us for the next five years. I asked him to reconsider his decision to leave this chamber because of the great contribution he could make to it in an additional five years. Our loss is tempered somewhat by the knowledge that someone else will gain from it. I must, of course, accept that.

In my time as a parliamentarian, I have known of no Liberal in this country who did not know Keith Davey. I suppose the only ones in whose shadows he would stand would be the Prime Ministers of the day. Cabinet ministers came and cabinet ministers went; senators came and senators went, but Keith Davey was always there, and always well known within political circles.

Sometimes political parties are condemned for being partisan. However, this country would be nowhere if it were not for strong political parties. Every party has its strengths, but the Liberal Party's strength was to bind Liberals together throughout the entire country. Everywhere I travel, with the party or otherwise, the name "Keith Davey" is well known and well respected.

All parliamentarians, particularly, of course, those in the Liberal Party, knew Keith Davey. He was someone with whom we could all identify throughout the years as we were coming and going.

Senator Petten and Senator Hays made mention of the special committee on mass media. I, too, was on that committee very early in my career here as a parliamentarian. I never will forget the manner in which the committee chairman handled that process. I have chaired committees doing special studies, but the study which Keith undertook of the mass media was the toughest subject-matter one could take on in this country. When you are critical of the media, or it is feared that you will be, they can come down very hard on you.

Keith managed that committee extremely well. His work and that of the committee changed the actions of the media in this country. It was not a fast process, and we can still see the changes happening which Keith foresaw at that time. It is remarkable that that legacy should last so long. Keith set the

standard for Senate study. He raised the standard, and made it possible for all Canadians to have input into a study. That is a legacy which bears recognition.

Another study which was of great consequence was Senator Croll's study on poverty, which was done at about the same time. Those were very strong committees which made great reports.

I extend my thanks and appreciation to Senator Davey for having given Canadians that standard. He set the standard in this country of a stalwart parliamentarian, a stalwart Liberal and a stalwart Canadian, for which I thank him.

**Hon. Stanley Haidasz:** Honourable senators, it is a great pleasure for me to join you in this tribute to our colleague Keith Davey, who is leaving this chamber prematurely. I want to pay tribute to him because no one in the Liberal Party during our lifetime has been as passionate and as dedicated to the policies of the Liberal Party, or as helpful to all our party leaders throughout his lifetime.

I first met Keith Davey in 1958 in his office at a radio station in Toronto when I told him I would be supporting Paul Hellyer in the by-election of 1958. I nominated Paul Hellyer, and it was my great privilege to work with Keith Davey in helping Paul Hellyer get elected to the House of Commons.

I want to thank Keith Davey for his good example as a dedicated Liberal who served his country well because of his passionate belief that the Liberal Party can bring a better life to everyone in this country. Thank you, Keith Davey, for your good example, your inspiration and your support. May you enjoy good health and happiness in your retirement. May Dorothy remain with you to give you encouragement, and to show you the warmth and love that you have shown to us in this chamber, and to the Liberal Party in general.

**Hon. Marcel Prud'homme:** Honourable senators, I was unable to pay homage to the Honourable Senator MacEachen yesterday as I was unable to be here at the appropriate time. Therefore, I should like to pay tribute to both of our departing colleagues today.

I had the honour of meeting Senator MacEachen when I visited, as president of the student association, the Right Honourable Louis St. Laurent when he was elected in 1953. I was very active with the young Liberals, and also in student politics. On the occasion of the annual meeting of all national presidents of student associations, we conveyed to the government of the day the views of students.

In 1958, I had considered quitting university. The Liberals were kind, and suggested that I go see someone in charge of research. I must admit that I did not speak English. I met Senator MacEachen's people and they decided to give me a little assignment. My first assignment was to read a room full of clippings, which dated back to the early 1920s, on a distinctive Canadian flag, and to write a report. You can imagine my panic.

After three days of reading, I saw fit to go back to university. My two and one-half page report concluded that the time had come for us to have a distinctive Canadian flag. I then met Senator Davey during Mr. Pearson's leadership of the Liberal Party. With no undue respect intended to anyone, I always considered myself a Pearson boy. I am extremely glad to say that in front of Madam Pearson here today. In 1958, as a young Liberal, I was part of those who nominated Mr. Pearson at the Château.

• (1600)

Keith Davey discovered me. Eventually, I became a member of Parliament. Keith saw something in me that many people did not see then and, I suppose, have never seen since. He encouraged me to travel across Canada and speak publicly here and there, and the reports of my efforts could not have been too bad, because he asked me to do it again. For example, he asked me to speak in Foam Lake, Saskatchewan, as well as in Alberta and Manitoba. That was the work of Keith Davey.

[Translation]

This is a page in the history of the Senate. I would even say, in the presence of my good friend Senator Bacon, that a page in the annals of English Canada is being turned today.

It is very important that this be emphasized. It is a great page in the history of English Canada and of the Senate which we are turning today in this new Canada which brings us more and more new citizens.

I think that Canada is certainly losing a valuable contribution.

[English]

Keith Davey may not be interested in running in the next election, but now that we have a new redistribution bill — which I supported — particularly as it relates to Nova Scotia, I look forward to Allan MacEachen running in the next election because there is no mandatory date for retirement.

Honourable senators, I had the great privilege of knowing both Senator MacEachen, as we worked under the leadership of Louis St. Laurent, and of knowing Senator Davey, as we worked under the leadership of Prime Minister Pearson, and those who followed. Their lives are great examples for us to follow.

I read the reports of Senator Davey; and I had great admiration for Allan MacEachen as Minister of Foreign Affairs.

Remember, honourable senators, that in the 1970 it was Allan MacEachen — and I am sure he was unpopular for having said it — who, as Minister of Foreign Affairs, said about the Middle East that war is impossible in the Middle East without the participation of Egypt. I cannot be convinced that peace is possible without the participation of Syria. In 1996, I think we are back to square one. I learned a lot about the wisdom of Keith Davey.

I also learned a lot about his intelligence — especially in foreign affairs, which is my domain, my life, my blood, my passion; some of you know about that but those who do not

should ask those who do. I travelled with him and I saw a lot, for example, how he handled difficult world situations. I am not talking here about difficult situations in the Liberal Party of Canada, because we all know the history of Trudeau's comeback in 1979. I was there. We saw it, behind the curtain, in caucus. Trudeau returned and was elected.

Having said that, I salute you, senator, and your family. I am honoured to have been known by you and for having known both you and Senator MacEachen.

**Hon. John G. Bryden:** Honourable senators, I want to speak briefly on behalf of some people who I do not believe have been recognized as having benefited from the efforts of Senator Davey — that is, the dozens, probably hundreds, of young people who have been able to be associated with him and have been able to learn about politics and their party politics from him by working with him. It is very appropriate that a lecture in practical politics is named for him and will be given at his alma mater.

In 1974, as chair of the federal election campaign in New Brunswick, I was an apprentice. I remember attending the first meeting that Senator Keith chaired. At that time he was given much to plaid jackets and mismatched pants, or vice versa. I remember a very highly respected marketing group coming in and giving us an analysis. I can remember our policy people coming in and telling us what issues we must address.

If you remember, honourable senators, there was galloping inflation in the country at that time and very high unemployment. There was almost a consensus in the room that the campaign must address those issues. However, Keith Davey said that "If we run on those issues, we lose. Whether it is our fault or not, the government is always blamed for a bad situation like this. There is only one issue, and the issue is leadership. That is the issue that we run on, and that is the issue that we will win on."

It was from him that I learned that an election campaign is not a democratic process, it is a war. It may be a civil war and the cannon fodder may be the candidates and the bullets may be ballots, but once the plan is determined and the battle is joined there is only one general. At the time that I was involved with Senator Keith Davey, everyone knew who the general was.

Best wishes, Senator Davey.

**Hon. Jeremiah S. Grafstein:** Honourable senators, this has been a rather long week for Liberals — first, Allan Joseph MacEachen and now Douglas Keith Davey.

Keith Davey, Keith Davey. Those two wonderful, almost musical, interchangeable names, spoken together or sung apart, have been a magical rallying cry for Liberal activists in every corner of Canada, while they have served as a dire warning to Liberal opponents for four decades.

A dashing presence, an ebullient voice, dazzling speeches, wonderful wit, sagacious strategist, practical joker, perceptive reader of public opinion, a passion for people and party, a reverence for Toronto, and a love of country — these are just a few of the delectable, unmatched trademarks of the Davey charisma that I have been privileged to witness at close hand.

Keith believes — and, he has practised and preached it — that any person, any Canadian, regardless of gender, age, religion or race, can make a difference. All he asked for was energy, skill, dedication, loyalty, small “I” liberalism. These would be the criteria that would allow them to enter into his charmed circle.

Keith radically reformed party politics in Canada. He created and adopted modern election techniques and tactics which are now part of our accepted practice. He injected “grassroots” and “bottom up” as the organizing principle of the Liberal Party, as my friend Senator Stanbury said so eloquently just a few moments ago.

• (1610)

Door-knocking, riding associations, riding elections, canvassing, riding policy meetings, polling, campaign colleges, advertising, magnificent rallies and campaign slogans were just a few of the rudimentary elements that he perfected and were copied by others. Politics in the master hands of Keith Davey became and were transformed into the politics of joy. There was never a moment in politics with Keith that was not a joyous moment. He inspired, enlisted and led three generations of party activists, as Senator Bryden said, and persuaded numerous political leaders to take the political plunge. He was, at various times, a confidante and a powerful advisor of Mike Pearson, Pierre Trudeau, John Turner, Jean Chrétien, and a host of other political leaders across the country, municipal and provincial. The Liberal Party, since his arrival in the late 1950s, has never been the same.

If he had one small failing, it was that he offered so much to so many, but that was part of his charm, for Keith believed every promise that he made would be kept. He never held a grudge. He was almost too modest about his own abilities. He does not have a mean bone in his body. He remains sensitive and sympathetic to the feelings of others, even in the bruising, political battles that he led. He always promoted others ahead of himself. He was, and is, the consummate loyalist, always there when trouble struck. He is, in his own words, a pro — perhaps the ultimate pro.

On a personal note, I will miss Keith dearly. Since 1961, when I first joined the Liberal Party in Toronto, barely a week has passed when I have not called or been called by Keith. He has become an extended member of my family, present at each event in our family life from the birth of my sons to the arrival of my grandsons. We must ask ourselves what we will do without the irrepressible, irresistible, irreverent, irreplaceable Keith Davey, for we are all on this side Keith Davey Liberals.

The greatest compliment we can bestow now is only a small attempt, and, in small measure, to follow in his giant footsteps and be true to the high personal and political standards that he has set for friends and foes alike. Honourable senators, I have a confession to make: For better or worse, Keith Davey invented me.

To Dorothy, his children, his grandchildren, Keith has left a remarkable legacy which will earn him more than an honourable footnote, more likely, as others have said, a chapter when the political history of Canada in this century is written.

To Keith, good health and God speed to you and yours.

**Hon. Peter A. Stollery:** Honourable senators, I should like to add my voice to those who have spoken about Keith Davey. I regret that he is leaving the Senate. I think it is a sad day. I have known him for many years. I have great regard for him. I join with all the other compliments that have been paid to him here today.

**Hon. Anne C. Cools:** Honourable senators, I too rise to pay tribute to Senator Keith Davey and to say goodbye to him.

Senator Davey, a great Liberal strategist, in private life had been a businessman. When he entered politics, he brought with him those assets which made his business career a success, those assets being perseverance, organization, a keen sense of timing, loads of charm and wit, and an enormous sense of humour.

Senator Davey is a long-standing and dedicated Liberal. He was appointed national campaign director of the Liberal Party of Canada in 1961, 1962, 1963, and 1965. He was the national organizer of the party and the executive director until he was summoned to the Senate by former prime minister Lester B. Pearson on February 24, 1966.

I have known Keith Davey for a long time. I first met him around the same time that I met Senator Royce Frith. That was approximately 1976-77, when I decided that I wished to enter politics as a Liberal candidate.

Keith Davey has served well and hard. He was a member of the famous Cell 13 which, as he tells us in his book *The Rainmaker*, was not called Cell 13 until many years later. Other members of that group include former Liberal minister Judy LaMarsh, former senators Royce Frith and Dan Lang, and our own member of this chamber, Senator Stanbury. Together, they worked to make the Liberal Party in the Toronto area effective and successful.

I thank Keith Davey for 50 years of service to the Liberal Party. I wish him a healthy and happy retirement. I also extend my best wishes to his dear wife Dorothy, without whom the sun would not rise nor set for Keith Davey. I wish them both great happiness.

I am pleased, Senator Davey, that your wife, Dorothy, has taught you to hear the music and to smell the flowers.

[Translation]

**Hon. Maurice Riel:** Honourable senators, Senator Keith Davey has already been showered with praise, but I want to take this opportunity to express the great esteem I have for him, which can be summarized in one word: “gentleman.”

Keith Davey is a gentleman par excellence. The word gentleman implies the notions of generosity and class.

Keith Davey always displayed these two qualities, which he shared with Prime Minister Trudeau. We all felt a special devotion and admiration for him.



I believe the Senate is losing one of the greatest players of the Trudeau era, to which history will undoubtedly do justice when it is written.

I wish Keith Davey a prolific retirement. He is leaving a little before the mandatory retirement age, and I am sure his colleagues and fellow citizens, and the younger generation, will benefit from his vast experience.

[English]

**Hon. M. Lorne Bonnell:** Honourable senators, I could go on for an hour or two, but I think all I need say is that I wish to associate myself with all the good things that have been said about Keith Davey today. I could tell you some things that were not said and with which I would not associate myself.

Keith Davey and I met for the first time in 1968 during the Pierre Elliott Trudeau campaign. We were there for that great convention and on the campaign trail afterwards. I was trying to raise a few pennies in Prince Edward Island, and Keith Davey was telling me what to do with them. He has been telling me ever since how to spend my money.

Thank you very much, Keith. I am glad I met you, glad to have had you here with us, and hate to see you go. Have a good holiday, and come to Prince Edward Island, the best place in the world.

• (1620)

**Hon. Keith Davey:** Honourable senators, I have 10 full days left in the Senate of Canada. I will miss each one of you. I am frequently asked why I am leaving the Senate. It is as simple as this: It is time for a change, and it is time to slow down.

Honourable senators, I spent five wonderful years with Mr. Pearson, of whom I spoke just the other evening. Many of you were at that event, but let me quote that particular reference.

The Prime Minister was getting ready to retire. You will know that the Prime Minister sent Coutts to Harvard, O'Hagan to Washington and me to the CBC. It took some doing to persuade Mr. Pearson to move me into the Senate rather than into the CBC. He thought the CBC would be more important, more significant and more challenging. He never did understand why I wanted to be a senator.

I am, in fact, extremely proud of all my years as a senator. At times I have not been a first-class senator — certainly not of the standard set by so very many of you. Still, I did have my moments in the Senate; exciting, challenging moments which I would like to think were worthwhile.

No doubt I was the first ever senator to become the commissioner of the Canadian Football League. Okay, so it was only for 54 days!

One final moment. I was returning back to the East Block, having just been turfed out of my CFL post at a meeting in Montreal, when, lo and behold, Mr. Diefenbaker walked over about 15 feet and came and spoke to me most generously,

agreeing totally with my position on the CFL. What a gentleman! I have always respected him.

Honourable senators, the Canadian Football League is coming back, and it is coming back totally Canadian — and in Montreal! Three cheers for Montreal!

**Hon. Senators:** Hear, hear!

**Senator Davey:** Then there was the Senate committee on mass media — 30 years older, mentioned here so often and, incredibly, standing up in many ways today. My favourite media quotation from the report is on page 152 of *The Rainmaker*, that remarkable book you all know about. Here is the quotation, in part:

Geography, language, and perhaps a failure of confidence and imagination have made us into a cultural as well as economic satellite of the United States. And nowhere is this trend more pronounced than in the media.

We are not suggesting that these influences are undesirable, nor that they can or should be restricted. The United States happens to be the most important, most interesting country on earth. The vigour and diversity of its popular culture...which is close to becoming a world culture...obsesses, alarms and amuses not just Canadians but half the people of the world.

What we are suggesting is that the Canadian media... especially broadcasting...have an interest in and an obligation to promote our apartness from the American reality. For all our similarities, for all our sharing, for all our friendships, we are somebody else. Our national purpose, as enunciated in the BNA Act, is “peace, order and good government,” a becomingly modest ideal that is beginning to look more and more attractive. Their purpose is “the pursuit of happiness,” a psychic steeplechase which has been known to lead to insanity.

Honourable senators, I had intended to speak about the current concentration in the mass media involving Conrad Black. I think this is a matter that we should all be concerned about. I hope you will have a continuing concern about that particular problem.

Through all the years, I have been and remain a media junky. I clip newspapers, all kinds of them, on a regular basis.

I had lunch with Doug Fisher yesterday. We have been sparring partners through all the years. If I may, I will quote again from that remarkable book *The Rainmaker* at page 254:

When it came to politics, Fisher often wrote that, at any given point in time, I needed heroes to survive. That probably was true, but as I have grown older I have learned to view even my heroes in perspective. Fisher was never one of them, but I view him in perspective, too. He remains a better journalist than politician, and an insightful political analyst, albeit a charter member of the “Anybody but the Liberals” club.

I expect that some of those people are right here in this chamber.

If I may say so, I think it would be in the best interests of Canada to get the Tory Party back into the game.

**Some Hon. Senators:** Hear, hear!

**Senator Davey:** As far as Liberals are concerned, I would like to see more and more liberal Liberals.

Next only to baseball — and, yes, the Blue Jays, not the Yankees — I am blessed with a wonderful wife and family, including seven grandchildren.

In closing, honourable senators, I would be remiss if I did not say how very much I will miss Doralen Joy Amesbury, who has seen me through all of the ups and all of the downs. She remains a certain treasure in the Senate.

Finally, Joyce, forgive me for not speaking to each and every one of you. I will never forget you.

**Hon. Senators:** Hear, hear!

## COMMUNICATIONS

### HEROES IN JOURNALISM

**Hon. Richard J. Doyle:** Honourable senators, one more note on the mass media while the Rainmaker is still with us.

It is fashionable, as this century winds down, to lay the blame for much of our parliamentary discontent on a crop of news reporters whose scandalous pursuits of scandal give muckraking a bad name.

Those of us who say — or perhaps “confess” is a better word — “I used to be a newspaperman once myself,” include the Leader of the Government in the Senate and her colleague Senator Gigantès, and on our side, Senator Simard and Senator Doyle. All of us know when to cringe and when to search for the spoonful of sugar that makes the medicine go down.

Occasionally — only occasionally, mind you, lest, like senators, they overdose on praise — young journalists remind us that traditions of a careful, concerned and determined Fourth Estate are being upheld in a manner that gives pride enough to be shared by all of us who “used-to-be.” I want to mention a couple of them today.

Honourable senators will have received this week the Annual Report of John Grace, Canada’s Information Commissioner. On pages 67 through 70, he deals with the Somalia case, File 3100-7480-01. The man he is talking about is unnamed, honourable senators. Let me introduce him. His name is Michael McAuliffe, and this spring, at Rideau Hall, he received from the hands of the Governor General the Michener Award for Public Service, which McAuliffe’s efforts had won for the CBC.

Clark Davey, speaking for the Mitchener Foundation, described Michael’s “dogged pursuit, often in spite of deliberate military efforts to block access.” At the time of the presentation,

McAuliffe said that the attention to his file had been a special pleasure for his father, Gerry McAuliffe, who had won, for *The Globe and Mail*, its first Michener Award for Public Service.

• (1630)

While you are making note of the CBC’s efforts in the Somalia affair, you might want to give generous credit to the work of Paul Koring from *The Globe and Mail*’s Parliamentary Bureau. For weeks now, Koring has been inviting us across the barricades and into the encampment of those responsible for the terrible business in which the military of this country has become entangled. The monitoring will continue until those responsible for atrocities or cover-up have been separated from the vast numbers of those who serve their country with integrity and courage.

In last Saturday’s *Globe*, Koring undertook to compare the Canadian Armed Forces with the U.S. military. It was a fine piece of work and I have mined a few lines to enter into the record:

But it is well nigh impossible to find a senior officer who will admit, even privately, that the fault lies with the very ethos of the Canadian military — that the high command must, at all costs, never admit responsibility.

The Somalia saga may eventually spark a long-ranging renewal of the Canadian military, as the Vietnam War did for the U.S. forces. Unless and until that happens, Canada’s most senior officers, unlike their American counterparts, will not be held fully and quickly accountable for the transgressions of the people they command.

Honourable senators, the next time I am out of patience with a newsmen’s quibble, I will try to refocus on Messrs McAuliffe and Koring at work.

## LEGISLATIVE ROLE OF THE SENATE

**Hon. Finlay MacDonald:** Honourable senators, I shall be brief. It seems like an appropriate day to read from *The Globe and Mail* of Friday, July 11, 1993. That was almost exactly three years ago:

A group of rebel Conservative senators yesterday defeated a bill that would force the merger of the Canada Council and the Social Sciences and Humanities Research Council and send a stinging rebuke to the Mulroney government for the way it has been taking the Senate for granted.

The group of five Tory senators, led by Finlay MacDonald, sided with Liberal and independent senators to defeat Bill C-93. He was backed by Norman Atkins, a former national campaign chairman for the Tories as well as Solange Chaput-Rolland, Janis Johnson and Jack Marshall...

MacDonald said, "there is no reason for the merger, no one in the arts or academic communities wants it. It is an insensitive, bureaucratic, thoughtless and incredibly puzzling piece of legislation. As well, the entire Cultural Relations Division of External Affairs is about to be transferred to the Canada Council, a domestic agency, who don't want it and don't know what to do with it.

The Globe continues:

It was the only time since Prime Minister Brian Mulroney and the Conservatives took office almost nine years ago that the government has been defeated in the Senate.

Those so-called rebels, honourable senators, took no joy that day in their actions; only relief from what might have been. Yesterday in this chamber, Senator Allan J. MacEachen said, as recorded on page 747 of the *Debates of the Senate*:

I believed when I came into the Senate, as I do now, that the Senate has a legislative role and the authority to amend and to defeat; but, in doing so, it must make all those careful calculations that will ensure that it is not bringing opprobrium upon itself in so doing.

I merely wish to remind this chamber that, sometimes, some senators are prepared to make those careful calculations.

**Some Hon. Senators:** Hear, hear!

## ROUTINE PROCEEDINGS

### CONTROLLED DRUGS AND SUBSTANCES BILL

MESSAGE FROM COMMONS

**The Hon. the Speaker** informed the Senate that a message had been received from the House of Commons to return Bill C-8, respecting the control of certain drugs, their precursors and other substances and to amend certain other acts and to repeal the Narcotic Control Act in consequence thereof, to acquaint the Senate that the Commons have agreed to the amendments made by the Senate to this bill without amendment.

[*Translation*]

### CIVIL AIR NAVIGATION SERVICES COMMERCIALIZATION BILL

MESSAGE FROM COMMONS

**The Hon. the Speaker:** Honourable senators, a message has been received from the House of Commons returning Bill C-20, respecting the commercialization of civil air navigation services, and acquainting the Senate that they have passed the bill without amendment.

[*English*]

## NATIONAL ABORIGINAL DAY

PROCLAMATION TABLED

On Tabling of Documents:

**Hon. Joyce Fairbairn (Leader of the Government):** Honourable senators, I have the honour to table a copy of the proclamation regarding National Aboriginal Day.

## INCOME TAX BUDGET AMENDMENT BILL

REPORT OF COMMITTEE

**Hon. Paul Lucier:** Honourable senators, I have the honour to present the sixth report of the Standing Senate Committee on Banking, Trade and Commerce, which report deals with the examination of Bill C-36, to amend the Income Tax Act, the Excise Tax Act, the Office of the Superintendent of Financial Institutions Act, the Old Age Security Act and the Canada Shipping Act.

Thursday, June 20, 1996

The Standing Senate Committee on Banking, Trade and Commerce has the honour to present its

## SIXTH REPORT

Your Committee, to which was referred the Bill C-36, An Act to amend the Income Tax Act, the Excise Act, the Excise Tax Act, the Office of the Superintendent of Financial Institutions Act, the Old Age Security Act and the Canada Shipping Act, has examined the said Bill in obedience to its Order of Reference dated Wednesday, June 19, 1996, and now reports the same without amendment, but with the following observation:

The Committee wishes to note that it will call relevant Departments to appear before the Committee to hear how those Departments are dealing with issues raised concerning the administration of scientific research and experimental development tax credits.

Respectfully submitted,

MICHAEL KIRBY  
*Chairman*

**The Hon. the Speaker:** Honourable senators, when shall this bill be read the third time?

On motion of Senator Lucier, and notwithstanding rule 58(1)(b), bill placed on the Orders of the Day for third reading later this day.

**EXCISE TAX ACT**

BILL TO AMEND—FIRST READING

**Hon. Consiglio Di Nino:** Honourable senators, I have the honour to present Bill S-11, to amend the Excise Tax Act.

Bill read first time.

• (1640)

On motion of Senator Di Nino, bill placed on the Orders of the Day for second reading on Wednesday next, June 26, 1996.

**FOREIGN AFFAIRS**STUDY OF EUROPEAN UNION—COMMITTEE AUTHORIZED  
TO EXTEND DATE OF FINAL REPORT

**Hon. John B. Stewart:** Honourable senators, with the leave of the Senate and notwithstanding rule 59(1), I move:

That notwithstanding the Order of Reference of the Senate adopted on February 28, 1996, the Standing Senate Committee on Foreign Affairs, which was authorized to examine and report, no later than June 30, on the consequences of the economic integration of the European Union for the national governance of the member states, and on the consequences of the emergence of the European Union for economic, political and defence relations made between Canada and Europe, be empowered to present its final report no later than July 18, 1996;

That, notwithstanding usual practices, if the Senate is not sitting when the final report of the Committee is completed, the Committee shall deposit its report with the Clerk of the Senate, and said report shall thereupon be deemed to have been tabled in this Chamber.

**The Hon. the Speaker:** Is leave granted?

**Hon. Senators:** Agreed.

Motion agreed to.

**QUESTION PERIOD****FOREIGN AFFAIRS**CANADA-ISRAEL FREE TRADE AGREEMENT —LACK OF  
NOTIFICATION TO PARLIAMENT—GOVERNMENT POSITION

**Hon. Marcel Prud'homme:** Honourable senators, in view of the fact that we are almost at the end of this session, and since I have learned from experience that many things take place as soon as we go away, can the Leader of the Government in the

Senate tell us if the information is correct that cabinet is about to sign, or has already signed, a free trade agreement with Israel?

**Hon. Joyce Fairbairn (Leader of the Government):** Honourable senators, I am sorry, I cannot answer that question.

**Senator Prud'homme:** Honourable senators, that, of course, is the preliminary. I had expected that answer.

Would it not be advisable to delay this signing, in view of the fact that the situation has changed considerably since the Right Honourable Prime Minister Jean Chrétien made overtures to Prime Minister Rabin, a man much respected for his commitment to the peace process?

There is now a new government in Israel, whose true intention has not been made clear — far from it. The first statements are extremely worrisome on policies touching on Canada. Canada's policy has been yes to Resolution 425, withdrawal from South Lebanon; yes to peace; yes to withdrawal from the Golan Heights.

The declaration of the new Israeli Prime Minister's cabinet is such that I must ask the leader to transmit to the Prime Minister and his cabinet my concern that it would be highly advisable that the signing of such an agreement not take place. I do not say it should be cancelled, but it should at least be suspended — that is the least we could ask — until we know the true intentions of this new government.

**Senator Fairbairn:** I will be pleased to convey the comments of my honourable friend to the ministers involved, as well as to the Prime Minister.

**Senator Prud'homme:** Honourable senators, free trade is of immense importance, and I know that senators are extremely concerned about agriculture. This sort of agreement should not be considered without knowing what we are getting into. Would it not be advisable for the Standing Senate Committee on Foreign Affairs to examine exactly what we are getting into? Canada has such a good reputation. This sort of agreement should not be signed, since we do not know enough about it. There have been no public studies, just a few statements made. I am of the strong view that cabinet has taken the decision to sign, and that it is only a question of days before it will be announced.

Would you consider asking the Standing Senate Committee on Foreign Affairs to look into this matter immediately, because will it change considerably — and I repeat “considerably” — our trade pattern with the United States, Mexico and, eventually, with Chile? Parliament should be fully informed prior to the final signing of this deal.

**Senator Fairbairn:** Honourable senators, as I said initially, I cannot answer or comment upon the honourable senator's question, as far as the cabinet process is concerned on this issue.

On the question of the Standing Senate Committee on Foreign Affairs looking into this matter, I will be pleased to speak to Senator Stewart about that subject.

## ANSWERS TO ORDER PAPER QUESTIONS TABLED

JUSTICE—VEHICLES PURCHASED—REQUEST FOR DETAILS

**Hon. B. Alasdair Graham (Deputy Leader of the Government)** tabled the answer to Question No. 18 on the Order Paper—by Senator Kenny.

NATIONAL REVENUE—VEHICLES OPERATED—  
REQUEST FOR DETAILS

**Hon. B. Alasdair Graham (Deputy Leader of the Government)** tabled the answer to Question No. 43 on the Order Paper—by Senator Kenny.

JUSTICE—VEHICLES OPERATED—REQUEST FOR DETAILS

**Hon. B. Alasdair Graham (Deputy Leader of the Government)** tabled the answer to Question No. 46 on the Order Paper—by Senator Kenny.

PUBLIC WORKS AND GOVERNMENT SERVICES—  
VEHICLES OPERATED—REQUEST FOR DETAILS

**Hon. B. Alasdair Graham (Deputy Leader of the Government)** tabled the answer to Question No. 48 on the Order Paper—by Senator Kenny.

GST CENTRE AT SUMMERSIDE, PEI—  
EMPLOYEES—REQUEST FOR PARTICULARS

**Hon. B. Alasdair Graham (Deputy Leader of the Government)** tabled the answer to Question No. 54 on the Order Paper—by Senator Phillips.

STANDARDS COUNCIL OF CANADA—  
VEHICLES OPERATED—REQUEST FOR DETAILS

**Hon. B. Alasdair Graham (Deputy Leader of the Government)** tabled the answer to Question No. 103 on the Order Paper—by Senator Kenny.

CANADA DEVELOPMENT INVESTMENT CORPORATION—  
VEHICLES OPERATED—REQUEST FOR DETAILS

**Hon. B. Alasdair Graham (Deputy Leader of the Government)** tabled the answer to Question No. 105 on the Order Paper—by Senator Kenny.

CANADA MORTGAGE AND HOUSING CORPORATION—  
VEHICLES OPERATED—REQUEST FOR DETAILS

**Hon. B. Alasdair Graham (Deputy Leader of the Government)** tabled the answer to Question No. 128 on the Order Paper—by Senator Kenny.

• (1650)

## ORDERS OF THE DAY

## STANDARDS COUNCIL OF CANADA ACT

BILL TO AMEND—SECOND READING

**Hon. Peter Bosa** moved the second reading of Bill C-4, to amend the Standards Council of Canada Act.

He said: Honourable senators, I have the privilege of rising in my place today to address Bill C-4, to amend the Standards Council of Canada Act.

These amendments, the first substantive ones since the Standards Council of Canada was established a quarter of a century ago, will revitalize the organization and help it to meet new and evolving challenges.

The amendments will equip the council with the modern tools it needs to effectively fulfil its responsibilities as the coordinator of Canada's national standards system and the focal point for voluntary standardization.

The evolution of the global marketplace has underscored the pivotal role that standards play. As international barriers to trade are being reduced, standards are taking on increasing importance as a determining factor in market access. Our ability to develop a standards system to meet the needs of domestic markets and the demands of international trading partners is crucial to our ability to compete in the global economy.

In this new competitive context, where both corporations and technological know-how are increasingly footloose, what we produce and how we produce, relative to our competitors, will play an increasingly important role in determining our prosperity. These same trends are shaping our standards needs and, by the same token, our standards system.

Standards help to establish the ground rules for commerce and to protect consumers, labour and environmental interests. They also level trade barriers and provide benchmarks against which to evaluate an organization's management system. In short, standards have played a critical role in shaping the quality of life Canadians have come to enjoy.

There is a reason that software developed by a Canadian high-tech company can be purchased in Africa, loaded into a computer assembled in Taiwan from components imported from the U.S. and Japan, and then have that computer plugged into an electrical outlet in a Mexican hotel. The reason is standardization.

Honourable senators, the changes we are proposing today were designed with the needs of tomorrow in mind.

Government can and must work with industry to create a balanced regulatory framework which protects public and private interests. It is important that we remain vigilant to developments elsewhere and to ensure that we have in place the structure and mechanism to influence those developments. National and international coordination in setting standards for products and services can do more than just eliminate artificial barriers to trade which penalize both producers and consumers.

Participating in the development of international standards can serve as an important vehicle for technology development and diffusion and for best-practice processes. Indeed, our ability to trade globally will depend in part on whether the national standards we set meet the standards of our buyers.

The existing council includes six federal and ten provincial government representatives. The 41 other members represent a variety of individual companies as well as consumer, business and professional organizations. In its present form, the council is too large to serve as a catalyst for effective partnership between shareholders.

Accordingly, the government is proposing a significant streamlining of the council. Under these proposals, the size of the council will be reduced from 57 members to 15. The majority of the membership, 11 members out of 15, will be drawn from the private sector. The bill specifies that appointed members must be representative of a broad spectrum of interests in the private sector and have the knowledge and experience necessary to assist the council in fulfilling its mandate.

Under these proposals, there would be one federal representative on the council rather than six. The federal representative will be mandated to speak on behalf of the Government of Canada. Rather than 10 provincial members on the council, Bill C-4 proposes that the number be reduced to two. However, the bill establishes a mechanism that will allow provincial input to the Standards Council of Canada. A provincial-territorial advisory committee on standards will be established, the chair and vice-chair of which will represent the provincial and territorial interests at the council.

The bill also modernizes the mandate of the council itself. It will have a more explicit responsibility for promoting the broad strategic policy thrusts identified as priorities by participants in the consultation process. It will also reflect the priorities outlined in the federal plan "Building a More Innovative Economy." These priorities include technology diffusion, international trade, internal trade and regulatory reform.

In order to increase technology diffusion, we want the Standards Council of Canada to improve its capacity to disseminate important standards-related information and we want it to explore ways to enhance the participation of Canadian business in the development of standards for their products, both at home and abroad.

With respect to international trade, we want the Standards Council of Canada to promote more aggressively the adoption of

Canadian practices in international standards and of international standards in Canada.

For internal trade, we want the Standards Council of Canada to serve as the focal point for the development of common nationwide standards which encourage the free flow of goods and services across jurisdictions.

Finally, in the area of regulatory reform, we want the SCC to promote the greater use of the national standards system services by federal departments as an alternative to costly regulations.

In addition, we are proposing that the scope of the council's activities be extended to include such fields as services where voluntary standards have become more relevant since the act was first proclaimed in 1970. These changes to the council's mandate are long overdue.

To be successful, a revitalized SCC will have to be more strategic in its outlook, more focused in its activities, better able to anticipate trends and more open and responsive to the needs of its stakeholders.

It will have to facilitate the formation of new partnerships between regulators and standards developers and among governments, industry, labour and environmental and consumer groups.

I emphasize the fact that the federal government is committed to enhancing Canada's competitiveness in rapidly changing world markets and has identified standards policy at both the national and international level as critical to this effort.

The changes we are proposing are long overdue. I ask honourable senators to support this legislation.

[*Translation*]

**Hon. Jean-Maurice Simard:** Honourable senators, I support the government's initiative to amend the Standards Council of Canada Act. This bill has been in need of review for some time. I liked Senator Bosa's suggestions. He explained the nature of the bill. He mentioned that in future —

[*English*]

• (1700)

This deals with more than just government regulation or standardization. This bill, if passed, will place the focus on voluntary standardization, which is good.

For the government to introduce this piece of legislation after three years in government is not too soon. As Senator Bosa has said, I do not agree that it is a startling bill. He said that this bill does not contain the first substantive changes since the Standards Council Act of Canada was proclaimed in 1970. However, they are good changes.

We agree that this council must be streamlined, downsized and modernized. With this bill, the government is going in the right direction. I am known as a partisan senator, but when the government acts in the interests of the nation and forgets its own partisanship, I applaud. This is a good piece of legislation. I invite some Liberal senators to be less partisan at times — perhaps in a few minutes.

In the process of reducing the size of this council, I hope that the government, while choosing representatives from the private sector, will ensure that not all appointments are Liberals. We know that they are not being paid, but I want the representative of the private sector and provincial governments to be open to change, open to new standardization, and open to the world.

Speaking of the world and the new partners that this improved act will draw, I hope that the provincial government will play a stronger role. They have done a good job in the past. Surely, this reduced council should be a real national council. It should not be a made-in-Ottawa council. It should not be a council of the federal government. It should be representative of the industry, provincial governments, the federal government and other partners.

We applaud this measure. Speaking from our side, we are prepared to send the bill almost immediately to the committee for study, but I would not try to limit its study. Because we on our side are with the majority in the house and the Senate, we should consult with independent senators. If it cannot be done immediately, perhaps it can be done in the days and weeks ahead. There are those independent senators who are quite informed. They often participate in our studies, and they have made a valuable contribution. I am sure they will continue to make a contribution toward improving bills and legislation and support the government.

Honourable senators, I invite you to do your usual good work in committee. I am sure there will be further debate at the report or third reading stage. Again, before we send it to committee, we should check with some independent senators as to whether or not they wish to have some input.

**Senator Bosa:** Honourable senators—

**The Hon. the Speaker:** Honourable senators, I must inform the Senate that if the Honourable Senator Bosa speaks now, his speech will have the effect of closing the debate on second reading of this bill.

**Senator Bosa:** Honourable senators, I would thank Senator Simard for the conciliatory words that he expressed regarding this bill. I can assure him that we will invite the independent senators to the committee so that they may express their views on the subject matter.

**The Hon. the Speaker:** Is it your pleasure, honourable senators to adopt the motion?

**Hon. Senators:** Agreed.

Motion agreed to and bill read the second time.

REFERRED TO COMMITTEE

**The Hon. the Speaker:** Honourable senators, when shall this bill be read the third time?

On motion of Senator Bosa, bill referred to the Standing Senate Committee on Banking, Trade and Commerce.

## INCOME TAX BUDGET AMENDMENT BILL

BILL TO AMEND—THIRD READING

**Hon. Céline Hervieux-Payette** moved the third reading of Bill C-36, to amend the Income Tax Act, the Excise Act, the Excise Tax Act, the Office of the Superintendent of Financial Institutions Act, the Old Age Security Act and the Canada Shipping Act.

Motion agreed to and bill read third time and passed.

• (1710)

## FEDERAL COURT ACT JUDGES ACT TAX COURT OF CANADA ACT

BILL TO AMEND—SECOND READING

Leave having been given to revert to Item No. 2 under Government Business:

On the Order:

Resuming the debate on the motion of the Honourable Senator Lewis, seconded by the Honourable Senator Rizzuto, for the second reading of Bill C-48, An Act to amend the Federal Court Act, the Judges Act and the Tax Court of Canada Act.

**Hon. Anne C. Cools:** Honourable senators, I should like to say a few words on this bill. What we have before us is a bill which essentially attempts to correct or to alter the eligibility for appointment to the Federal Court and, obviously, to make an amendment to the Federal Court Act.

The bill is prompted by a worthy purpose, namely, to correct some errors that have been made. I also think that it is a worthy purpose that these facts be recorded in debate here. In particular, the issue is the appointments of two judges: Mr. Justice Douglas Campbell to Federal Court Trial Division in 1995 and Mr. Justice Dean Hamlyn to the Tax Court of Canada in 1990.

Basically, honourable senators, the bill is attempting to give their appointments full validity and full legal force. One might question why this sort of activity is happening retroactively and why there is need for a statute at all. I posed these questions to members on our side. I had wanted the bill put into committee for a more intense study. I have been persuaded that most of us are of the opinion that the bill should pass. Therefore, I am prepared to let the bill proceed.

I am especially persuaded by Senator Andreychuk, who has had much experience in this field as a former provincial court judge, by Senator Nolin, the deputy chairman of the committee, and by my deputy leader, Senator Graham.

With most of us in attendance here today, I take this opportunity to urge honourable senators to pay more attention to these sorts of matters. There seems to be commonly a sense that these changes involve technical details, departmental needs or simply administrative house-cleaning and that they are simply being dealt with in the form of bills placed before us. Quite often, they are matters of significant change and of enormous profundity. I understand that the business of making judicial appointments is extremely difficult.

I would also add that the Senate has made no attempt to examine the new procedure of making judicial appointments through the judicial committees of each province, which were implemented by the then minister of justice, the Honourable Ramon Hnatyshyn in 1990 and expanded in 1993 by the current Minister of Justice, the Honourable Allan Rock. I believe that those particular initiatives are in serious need of examination. It had been my intention to shed some light on that whole sphere of activity during the committee's study on Bill C-48.

There was a time when every judicial appointment had to pass the scrutiny, so to speak, of the political minister of the particular province or the particular city. I am no longer certain that internally, within the party processes, these issues get the attention they need and deserve. I simply take this opportunity to put these remarks before honourable senators.

It is important that these two judges be validated. I do not know either of them, but Senator Andreychuk tells me that at least one of them is a fine gentleman. I think this is a worthy legislative action and that the fineness of that gentleman as a judge should be validated by us in statute.

However, I urge caution as we pass some of these bills. I especially urge the Minister of Justice to proceed in these appointments with a greater sense of caution and care. It is a serious matter when Parliament is called upon to pass bills basically to correct mistakes or errors that have happened within the political process of making appointments to the bench.

Honourable senators, while I am persuaded to let the bill proceed, I do hope that we will revisit these important issues at some point in time within a broader context.

**The Hon. the Speaker:** Honourable senators, I regret to interrupt, but unless I have the agreement of the house, I have no alternative but to call for the bells for the vote. Is there agreement?

**Hon. B. Alasdair Graham (Deputy Leader of the Government):** Honourable senators, I believe that Senator Cools is in the process of wrapping up her remarks. Perhaps we could have the indulgence of the Senate with unanimous consent. It is our intention to proceed to third reading of this bill and then have the ringing of the bells.

**The Hon. the Speaker:** Then it is agreed that I not see the clock.

**Hon. Finlay MacDonald:** Honourable senators, I have one question for Senator Cools.

**Senator Cools:** Certainly. But this is not part of my time.

**Senator MacDonald:** Am I to understand that the validation, as you put it, of this other gentleman will be personally conducted by Senator Andreychuk?

**Senator Cools:** Honourable senators, I am being advised not to answer that question. Nevertheless, Senator Andreychuk is qualified to make many judgments.

I suggest that the Senate undertake some serious studies in these troubling areas. One does not have to look too far in the daily newspaper before one reads something concerning a judge or other judicial officials.

In conclusion, honourable senators, I shall let Bill C-48 pass today.

**Hon. A. Raynell Andreychuk:** Honourable senators, I wish to put on the record three points with respect to Bill C-48.

First, I believe that when a provincial court judge is appointed to serve he or she should have a broad knowledge of the law. That experience is worthy of being constituted as a practice of the law as it would validate and give provincial court judges some acknowledgement of their service and their competence. This bill addresses that point.

Second, since my name was used in connection with one of the judges, I feel I must clarify. I was a provincial court judge for 12 years. The gentleman named here was a provincial court judge in British Columbia. I knew him to be much concerned about judicial education and the quality of the court. I understand why he was appointed. Concerning the other gentleman, I am not certain of his qualifications; I did not have the opportunity to serve with him.

Finally, I think it is a shame that their names had to be raised. Surely, the minister or his department could have addressed the issue in such a way that this would not have occurred, saving the judges and the provincial court the embarrassment.



Therefore, in the interests of justice, I believe that pushing the bill through quickly serves to save these people from undue harm because they have gone through a judicial process. This amendment should have been made with the attention required. It is the responsibility of the department and the minister to do so.

I hope that this bill will lay to rest further problems of this nature in the future.

**The Hon. the Speaker:** Is it your pleasure, honourable senators, to adopt the motion?

**Hon. Senators:** Agreed.

Motion agreed to and bill read second time.

#### THIRD READING

**The Hon. the Speaker:** Honourable senators, when shall this bill be read the third time?

**Hon. P. Derek Lewis:** Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(b), I move that Bill C-48 be read the third time now.

**The Hon. the Speaker:** Is leave granted, honourable senators?

**Hon. Senators:** Agreed.

Motion agreed to and bill read third time and passed.

• (1720)

### EMPLOYMENT INSURANCE BILL

#### THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Rompkey, P.C., seconded by the Honourable Senator Bosa, for the third reading of Bill C-12, An Act respecting employment insurance in Canada;

No. 1.—On the motion of the Honourable Senator Murray, P.C., seconded by the Honourable Senator Robertson, that Bill C-12 be not now read the third time but that it be amended in Clause 15

(a) on page 23, by deleting lines 30 to 47;

(b) on page 24, by deleting lines 1 to 3; and

(c) by renumbering clauses 16 to 41.1 as clauses 15 to 41 respectively and by renumbering any cross-references thereto accordingly.

No. 2.—On the motion of the Honourable Senator Phillips, seconded by the Honourable Senator Oliver, that Bill C-12 be not now read the third time but that it be amended in clause 14, on page 22, by

(a) replacing line 1 with the following:

“(2) Subject to subsection (2.1), a claimant’s weekly insurable earnings”; and

(b) adding, after line 29, the following:

“(2.1) In calculating a claimant’s weekly insurable earnings under subsection (2), weeks with less than 15 hours of insurable earnings and the insurable earnings attributable to those weeks shall be excluded, but no week shall be excluded where the exclusion would reduce the divisor determined in accordance with paragraph (2)(a) to a number less than the divisor determined in accordance with paragraph (2)(b).

(2.2) Weeks shall be excluded under subsection (2.1) in the order of number of hours of insurable earnings, starting with the week with the lowest number of hours.”

No. 3.—On the motion of the Honourable Senator Cohen, seconded by the Honourable Senator Doyle, that Bill C-12 be not now read the third time but that it be amended in clause 5, on page 8, by adding immediately after line 22, the following:

“(d.1) the employment of a student who is in full-time attendance at a high school, university, college or other educational institution providing courses at a secondary or post-secondary school level and who has elected to exclude the employment to which their first \$5,000 of earnings in the year is attributable;”

No. 4.—On the motion of the Honourable Senator Lavoie-Roux, seconded by the Honourable Senator Oliver, that Bill C-12 be not now read the third time but that it be amended in clause 14, on page 23, by replacing lines 1 to 29 with the following:

“(4) The rate calculation period is

(a) the period of 26 consecutive weeks in the claimant’s qualifying period to which can be attributed the most insurable earnings, or

(b) where the claimant’s qualifying period consists of less than 26 consecutive weeks, the claimant’s qualifying period,

but a prescribed week relating to employment in the labour force shall not be taken into account when determining what weeks are within the rate calculation period.”

No. 5.—On the motion of the Honourable Senator Simard, seconded by the Honourable Senator Phillips, that the Bill be not now read a third time but be read a third time this day, six months hence.

**The Hon. the Speaker:** Honourable senators, under an order of the Senate, with respect to this order we are to have a vote at 5:30. According to the rules, I was to call for the ringing of the bells at 5:15. We are now five minutes past that. Is it your wish that we have a 10-minute bell, or shall we have a 15-minute bell, as the rules provide? Is there agreement from the Whips?

**Hon. Noël A. Kinsella:** The bells should ring until 5:30.

**The Hon. the Speaker:** Is it agreed that the bells should ring until 5:30? I must have agreement from the Whips. Unless I have an agreement, I will declare a 15-minute bell and the vote will take place at twenty-five minutes to six o'clock.

**Hon. Eric Arthur Berntson (Deputy Leader of the Opposition):** Honourable senators, I understand, and the order is clear, that the vote will take place at 5:30, unless otherwise agreed to.

**Hon. Marcel Prud'homme:** Honourable senators, did I hear 5:30 for the bells? It was agreed yesterday that the vote would be at 4:30. Tell us what time. Make up your mind.

**The Hon. the Speaker:** Honourable senators, apparently it is impossible to reach an agreement. Therefore, the vote will take place, by order of the Senate, at 5:30. In other words, in ten minutes time.

Call in the senators.

• (1730)

**The Hon. the Speaker:** Honourable senators, are you ready for the question?

**Senator Berntson:** Honourable senators, there was an agreement to hold the votes independently, one amendment after another, and then the final question.

**The Hon. the Speaker:** I was not here last evening, but I understand that that is the agreement.

**Hon. B. Alasdair Graham (Deputy Leader of the Government):** That is the agreement.

**The Hon. the Speaker:** We are voting on amendment no. 5.

**Hon. Orville H. Phillips:** My understanding from last evening, honourable senators, was that we would vote on the amendments in the order in which they were presented. This is important because amendment no. 5 may be irrelevant if amendments 1, 2 or 3 are successful. I submit to you, with great deference, that I specifically recall the Speaker *pro tempore* asking for clarification last evening. The voting was to take place in the order in which the amendments were presented. I raised a point of order and asked whether, because there had been a ruling on an amendment, my motion would become a sub-amendment. The explanation of the Speaker *pro tempore* at that time was very explicit — no. The voting will be on the order in which the

amendments were moved. Honourable senators, I request that we proceed in that order.

**The Hon. the Speaker:** Honourable senators, I was detained on another matter last evening. I am not familiar with the exact agreement. The normal procedure is that the last amendment is the one voted on first. However, if there is agreement in the Senate that we proceed with the first amendment, I can put it that way. Is it agreed?

**Hon. Senators:** Agreed.

**The Hon. the Speaker:** Honourable senators, the Honourable Speaker *pro tempore* informs me that was his understanding last evening, and we will vote on the first amendment proposed by the Honourable Senator Murray.

**Senator Phillips:** Honourable senators, last evening there were about 15 senators in this chamber. I am sure they have not read the debates. How can they vote if they have not heard the amendment? I would ask that the amendment be read in full.

**The Hon. the Speaker:** I understand that the wish from the Senate is that we dispense and proceed.

**An Hon. Senator:** Dispense.

Motion in amendment by the Honourable Senator Murray negated on the following division:

YEAS  
THE HONOURABLE SENATORS

Andreychuk	Kelleher
Angus	Keon
Atkins	Kinsella
Beaudoin	Lavoie-Roux
Berntson	LeBreton
Bolduc	Lynch-Staunton
Buchanan	MacDonald ( <i>Halifax</i> )
Carney	Murray
Cochrane	Nolin
Cogger	Oliver
Cohen	Ottenheimer
Comeau	Phillips
DeWare	Rivest
Di Nino	Roberge
Doody	Robertson
Doyle	Rossiter
Forrestall	Simard
Ghitter	Spivak
Grimard	Stratton
Gustafson	Tkachuk
Jessiman	Twinn—43
Johnson	

## NAYS

## THE HONOURABLE SENATORS

Adams	Landry
Anderson	Lewis
Austin	Losier-Cool
Bacon	Lucier
Bonnell	Maheu
Bosa	Marchand
Bryden	Milne
Carstairs	Molgat
Cools	Pearson
Corbin	Petten
Davey	Pitfield
De Bané	Poulin
Fairbairn	Riel
Forest	Rizzuto
Gauthier	Robichaud
Gigantès	Rompkey
Grafstein	Roux
Graham	Sparrow
Haidasz	Stanbury
Hays	Stewart
Hébert	Stollery
Hervieux-Payette	Taylor
Kirby	Watt
Kolber	Wood—48

## ABSTENTIONS

## THE HONOURABLE SENATORS

Nil

**The Hon. the Speaker:** Honourable senators, it is possible for honourable senators to leave in between votes. It is not possible for honourable senators to leave while a vote is being taken.

Honourable senators, we are now on the motion in amendment moved by the Honourable Senator Phillips.

Motion in amendment by Senator Phillips negatived on the following division:

## YEAS

## THE HONOURABLE SENATORS

Andreychuk	Keon
Angus	Kinsella
Atkins	Lavoie-Roux
Beaudoin	LeBreton
Berntson	Lynch-Staunton
Bolduc	MacDonald ( <i>Halifax</i> )
Buchanan	Murray
Carney	Nolin
Cochrane	Oliver
Cohen	Ottenheimer
Comeau	Phillips
De Ware	Prud'homme
Di Nino	Rivest
Doody	Roberge
Doyle	Robertson
Forrestall	Rossiter
Ghitter	Simard
Grimard	Tkachuk
Gustafson	Twinn—39
Kelleher	

## NAYS

## THE HONOURABLE SENATORS

Adams	Landry
Anderson	Lewis
Austin	Losier-Cool
Bacon	Lucier
Bonnell	Maheu
Bosa	Marchand
Bryden	Milne
Carstairs	Molgat
Cools	Pearson
Corbin	Petten
Davey	Pitfield
De Bané	Poulin
Fairbairn	Riel
Forest	Rizzuto
Gauthier	Robichaud
Gigantès	Rompkey
Grafstein	Roux
Graham	Sparrow
Haidasz	Stanbury
Hays	Stewart
Hébert	Stollery
Hervieux-Payette	Taylor
Kirby	Watt
Kolber	Wood—48

## ABSTENTIONS

## THE HONOURABLE SENATORS

Nil

**The Hon. the Speaker:** Honourable senators, we are now on the motion in amendment moved by the Honourable Senator Cohen.

Is it your pleasure, honourable senators, to adopt that motion in amendment?

**Some Hon. Senators:** Yea.

**Some Hon. Senators:** Nay.

**The Hon. the Speaker:** In my opinion, the nays have it.

**Some Hon. Senators:** On division.

Motion in amendment of Senator Cohen negatived, on division.

**The Hon. the Speaker:** Honourable senators, we are now on the motion in amendment moved by the Honourable Senator Lavoie-Roux.

Is it your pleasure, honourable senators, to adopt that motion in amendment?

**Some Hon. Senators:** Yea.

**Some Hon. Senators:** Nay.

**The Hon. the Speaker:** In my opinion, the nays have it.

**Some Hon. Senators:** On division.

Motion in amendment of Senator Lavoie-Roux negatived, on division.

• (1750)

**The Hon. the Speaker:** Honourable senators, we are now on the motion in amendment by the Honourable Senator Simard.

Is it your pleasure, honourable senators, to adopt that motion in amendment?

**Some Hon. Senators:** Yea.

**Some Hon. Senators:** Nay.

**The Hon. the Speaker:** In my opinion, the nays have it.

**Some Hon. Senators:** On division.

Motion in amendment of Senator Simard negatived, on division.

**The Hon. the Speaker:** Honourable senators, we are back then to the main motion, which is for third reading.

Motion agreed to on the following division:

#### YEAS

##### THE HONOURABLE SENATORS

Adams	Landry
Anderson	Lewis
Austin	Losier-Cool
Bacon	Lucier
Bonnell	Maheu
Bosa	Marchand
Bryden	Milne
Carstairs	Molgat
Cools	Pearson
Corbin	Petten
Davey	Pitfield
De Bané	Poulin
Fairbairn	Riel
Forest	Rizzuto
Gauthier	Robichaud
Gigantès	Rompkey
Grafstein	Roux
Graham	Sparrow
Haidasz	Stanbury
Hays	Stewart
Hébert	Stollery
Hervieux-Payette	Taylor
Kirby	Watt
Kolber	Wood—48

#### NAYS

##### THE HONOURABLE SENATORS

Andreychuk	Kelleher
Angus	Keon
Atkins	Kinsella
Beaudoin	Lavoie-Roux
Berntson	LeBreton
Bolduc	Lynch-Staunton
Buchanan	MacDonald ( <i>Halifax</i> )
Carney	Murray
Cochrane	Nolin
Cohen	Oliver
Comeau	Ottenheimer
DeWare	Phillips
Di Nino	Rivest
Doody	Roberge
Doyle	Robertson
Forrestall	Rossiter
Ghitter	Simard
Grimard	Tkachuk
Gustafson	Twinn—38

#### ABSTENTIONS

##### THE HONOURABLE SENATORS

Prud'homme—1

**Hon. Marcel Prud'homme:** Honourable senators, I rise on a point of privilege. I abstained simply because some years ago I was part of a demonstration in Montreal of over 60,000 people against the arrival of Prime Minister Mulroney on the same issue. I should like to show I have some consistency.

Motion agreed to and bill read third time and passed, on division.

[Translation]

## ROYAL ASSENT

### NOTICE

**The Hon. the Speaker** informed the Senate that the following communication had been received:

### RIDEAU HALL

June 20, 1996

Sir,

I have the honour to inform you that the Right Honourable Antonio Lamer, Chief Justice of the Supreme Court of Canada, in his capacity as Deputy Governor General, will proceed to the Senate Chamber today, the 20th day of June, 1996, at 6:45 p.m., for the purpose of giving Royal Assent to certain bills.

Yours sincerely,

Judith A. LaRocque  
*Secretary to the Governor General*

The Honourable  
The Speaker of the Senate  
Ottawa

[English]

## BUSINESS OF THE SENATE

### ADJOURNMENT

Leave having been given to revert to Government Notices of Motions:

**Hon. B. Alasdair Graham (Deputy Leader of the Government):** Honourable senators, we will have Royal Assent at seven o'clock. The bells will commence ringing at 6:45. We will carry on with the Order Paper, as long as any honourable senator wishes to speak, until 6:45.

Accordingly, with leave of the Senate and notwithstanding rule 58(1)(h), I move:

That when the Senate adjourns today, it do stand adjourned until Tuesday, September 24, 1996, at 2 p.m.

**The Hon. the Speaker:** Is leave granted, honourable senators?

• (1800)

**Senator Graham:** I should say, honourable senators, that it is understood, of course, that the *Rules of the Senate* provide that we can be recalled at any time at the request of the Speaker.

**Hon. Gerald R. Ottenheimer:** Honourable senators, I appreciate the explanatory remark of the Deputy Leader of the Government in the Senate who said that the Senate can be recalled at the invitation of the Chair at any time prior to the date of September 24, presumably on the advice of the government. The way it goes is that the government advises the Speaker, who then informs honourable senators that the Senate will be in session on such and such a date.

Honourable senators, the point I wish to make is that, in my opinion, it is important that shortly after the Standing Senate Committee on Legal and Constitutional Affairs completes its work with respect to Term 17 and finalizes its report this body deal with that report. I realize that the Senate can be recalled to do that. I realize that this motion does not preclude that.

What I wish to know is whether it is the intention of the government to call the Senate back shortly after — and I am not saying the day after or two days after — that report has been completed. If the answer is “no,” I should like to be able to make a few other remarks. I can only speak once; but I think it has been interpreted that I am asking a question and would have the opportunity to continue briefly afterwards.

**The Hon. the Speaker:** Honourable senators, it is now six o'clock. Is it your wish that I not see the clock?

**Hon. Senators:** Agreed.

**Hon. Jean-Maurice Simard:** Honourable senators, I hate to be partisan, again; however, this Liberal government can never do anything right. The latest symbol of their not being able to do anything right is that the deputy leader wants us to adjourn until Tuesday the twenty-fourth. There is no such date as Tuesday the twenty-fourth. It is Tuesday the twenty-fifth.

**The Hon. the Speaker:** Honourable senators, I recognized Honourable Senator Simard. However, the Honourable Senator Ottenheimer had asked a question of the Deputy Leader of the Government.

**Senator Simard:** I asked a question, too.

**Hon. Marcel Prud'homme:** On the same question, honourable senators —

**The Hon. the Speaker:** Is yours a question as well, Senator Prud'homme?

**Senator Prud'homme:** It has to do with Senator Ottenheimer's question.

**The Hon. the Speaker:** Let us finish with the question that was asked of the Deputy Leader of the Government by Senator Ottenheimer.

**Senator Prud'homme:** It is true that the report must be tabled by Wednesday, July 17, whether or not the Senate is sitting. Everyone has an agenda for the summer, one which is prepared long in advance. Could we at least have an indication that, whatever the outcome, we will not be called before Tuesday the twenty-fourth? I am not asking for a long time. In the summer, it is difficult to plan for airlines. Some honourable senators are very far from this place, and that does not mean that they are going to China.

Having said that, honourable senators, I am sure that the deputy leader can give us at least some indication that if we are to be recalled, it will not be before, I would suggest, Tuesday, July 22. Some of us are going away. We may think that we may be recalled on July 18, the day after the report is tabled. That would be quite a surprise.

**Senator Graham:** In response to Senator Simard, honourable senators, perhaps the honourable senator and I have different calendars.

**Senator Simard:** I thought you said June; I am sorry.

**Senator Graham:** No, I said, Tuesday, September 24. We are now at June 20.

When I move a motion for adjournment, I have to give a specific date. It is customary for the Senate to return a week after the other place resumes. That is precisely why I said September 24, which is exactly a week after the House of Commons is due to return.

**Senator Berntson:** Quite properly.

**Senator Graham:** I have had discussions with the Deputy Leader of the Opposition and explained that that date would be included in my motion. However, we must understand, Senator Ottenheimer and Senator Prud'homme, that we will be mindful of Term 17 and the committee proceedings. Indeed, I will be moving a motion in the name of Senator Carstairs with respect to the work of that committee later in the sitting.

It is understood, of course, that the Senate can be recalled at any time between now and September 24. I wish I could be clearer on that. However, as honourable senators can appreciate, it is impossible for me to be clearer at this particular time.

**Senator Ottenheimer:** I thank the honourable senator for his answer. I assure him that I am using the Gregorian calendar, not the Julian calendar, or any previous one.

There has been some speculation, or supposition, that the determining factor as to whether or not the Senate will deal with the matter shortly after the report of the committee is tabled will depend on what the report of the committee might be, or on the government's assessment of what the outcome of a vote might be. It is that which I feel the Senate must avoid. Irrespective of the result of the vote, whether members vote for or against the amendment to Term 17 it should be voted on within a reasonable period of time after the committee has made its report.

I am not asking the Deputy Leader of the Government to name a date. I am asking him if he shares the point of view that the matter should be dealt with within a reasonable period of time after the committee has made its report, irrespective of one's judgment as to what the outcome of the vote might be.

**Senator Graham:** Honourable senators, I have not heard any of the speculation to which Senator Ottenheimer alludes. He may be privy to more information than I have. Perhaps he is closer to the situation, being a distinguished senator from Newfoundland. I wish I could gaze into my crystal ball and be more definitive. However, I suggest we let the committee, which has already held two hearings, do its work.

• (1810)

As I said earlier, the Senate will be called at an appropriate time, if it is deemed necessary, before the date which I outlined earlier.

**Senator Ottenheimer:** I am probably trying the patience of the Chair, of the Honourable Deputy Leader of the Government in the Senate and of other honourable senators, but I will take that risk.

I do not know what agreements have been made between the leaders on both sides. I am expressing my view, as a senator from Newfoundland, that it is essential that the matter be disposed of, be it in the affirmative or in the negative, within a short period of time after the committee reports.

The committee must report by July 17. We know that the Senate can be recalled by the Speaker, upon the advice of the government, at any time before September 24. It may be that my understanding is faulty, but I do not think the Honourable Deputy Leader of the Government in the Senate has been as frank in his reply to my question as he usually is.

Does he agree that, within a short period of time after the committee reports, irrespective of its findings or recommendations, the Senate should have an opportunity to vote on the matter?

**Senator Graham:** As I said earlier, I know that the committee will do its work here and in Newfoundland and Labrador very competently. I regret very much that I cannot be more definitive at this time.

**Senator Ottenheimer:** I have heard that the government is giving consideration to a certain plan, and I hope that the Honourable Deputy Leader of the Government in the Senate will be able to inform me that I am incorrectly advised. Has a decision been made, or is serious consideration being given to the following: If it appears that the recommendations of the committee would not be in accord with the wish of the Minister of Justice, or if it appears that the outcome of a vote in the Senate would not be in accord with the wish of the Minister of Justice, that the Senate would not be recalled and the six-month period which has already started running would be allowed to expire, precluding the Senate from fulfilling its obligation of voting on the matter?

**Senator Graham:** Honourable senators, I regret very much that Senator Ottenheimer has found it necessary to extend his remarks as he has. It would be improper for me to comment on any rumours which Senator Ottenheimer may have heard, which rumours I certainly have not heard, with respect to the government's intention. I was as clear as I could possibly be. I said that I regret very much that I cannot be more definitive at this time.

**Senator Prud'homme:** Would the deputy leader at least give us his undertaking that the Senate will not be recalled the day after the committee reports? This is an extremely important matter. Everyone takes it seriously, but some are very emotional and passionate about it.

We want to have sufficient time to read all the testimony heard by the committee. I am asking for only a few days to read and understand the testimony, and to call more witnesses, if necessary, for more precision.

I would be willing to return on Tuesday, July 22. Give us some time to read the evidence. We must show that the Senate is not like the House of Commons. We must show that the Senate is more responsible than the House of Commons. As I have said, I was in the gallery of the other place during the entire day on which this matter was dealt with there and at no time was there a quorum. No one called for a quorum count. There existed a happy, circus-like atmosphere.

The House of Commons now wants to attack the Senate. I am more than happy to clash with them in public about their comportment as compared to ours. We must show some seriousness.

I know that the Deputy Leader of the Government always favourably receives reasonable proposals. Give us at least a few days to review the testimony that will be given. That is not asking for the moon, and it does not force him to take sides.

**Senator Graham:** I thank Senator Prud'homme for his observations. I assure all honourable senators that their concerns and views will be taken into consideration.

**The Hon. the Speaker:** Is it your pleasure, honourable senators, to adopt the motion?

**Hon. Senators:** Agreed.

Motion agreed to, on division.

## THE SENATE

### TRIBUTES TO DEPARTING PAGES

**The Hon. the Speaker:** Before we proceed to the next item of business, I wish to make a statement with regard to our page program. The information comes to me from the General Usher of the Black Rod who is responsible for the page program.

Unfortunately, two of our pages will not be with us after the summer recess. Oneal Banerjee, who is from the province of

Quebec, has been a page for two years. He graduated this spring from the University of Ottawa with a degree in political science.

Christine Lenouvel, who has been with us for three years, is from the province of Ontario. She was a page for two years and the chief page for one year. Christine is entering her fourth year of political science at the University of Ottawa, so she will remain in the region.

The status of Kelsey MacTavish is uncertain at this time. Kelsey has been with us for two years and is applying to be chief page. If she is chosen as chief page, she will be back with us in the coming year. Kelsey is entering her fourth year in political science at Carleton University.

Those pages who will remain with us are Erin Clow, from Prince Edward Island; Gregory Doiron, Leigh Lampert and Andrew Barnsley, from New Brunswick; and Natacha Leclerc, from the province of Quebec.

• (1820)

I take this occasion to thank all of them for their very good service, to wish good luck to those who are leaving us, and to tell the others how pleased we will be to have them back next year.

[*Translation*]

**Hon. Marcel Prud'homme:** Honourable senators, perhaps you would allow me to add a word, not only to thank the pages — which His Honour has done so elegantly — but to thank him for restoring civility in the Senate. This is very important. The atmosphere in the Senate is changing.

Honourable senators, at the same time, I should like to thank the very competent personnel: those who write patiently and those with whom we may quarrel, the highly qualified staff of the Speaker's office and of all the committees.

I am very happy to be a senator under your speakership. That does not in any way detract from my friendship with the speakers who preceded you. I like the atmosphere of discipline, and I know it must not be easy at times. I believe that if we continue in this way, we may show that —

[*English*]

The Senate is much different from the House of Commons, and people will eventually end up respecting us, as I believe they should.

## PRESENT STATE AND FUTURE OF AGRICULTURE IN CANADA

### SECOND REPORT OF AGRICULTURE AND FORESTRY COMMITTEE ADOPTED

The Senate proceeded to consideration of the second report of the Standing Senate Committee on Agriculture and Forestry (budget—study on agriculture in Canada), presented in the Senate on June 19, 1996.

**Hon. Dan Hays** moved the adoption of the report.

Motion agreed to and report adopted.

PRESENT STATE AND FUTURE OF FORESTRY—  
THIRD REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the third report of the Standing Committee on Agriculture and Forestry (budget—study on forestry in Canada), presented in the Senate on June 19, 1996.

**Hon. Dan Hays** moved the adoption of the report.

Motion agreed to and report adopted.

## LEGAL AND CONSTITUTIONAL AFFAIRS

CHANGES TO TERM 17 OF CONSTITUTION—  
REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the twelfth report of the Standing Senate Committee on Legal and Constitutional Affairs (budget — Term 17 of the Terms of Union of Newfoundland with Canada), presented in the Senate June 19, 1996.

**Hon. B. Alasdair Graham (Deputy Leader of the Government)**, for Senator Carstairs, moved the adoption of the report.

Motion agreed to and report adopted.

## OFFICIAL LANGUAGES

SECOND REPORT OF STANDING JOINT COMMITTEE ADOPTED

The Senate proceeded to consideration of the second report of the Standing Joint Committee on Official Languages (Implementation of Part VII of the Official Languages Act), presented in the Senate on June 19, 1996.

**Hon. B. Alasdair Graham (Deputy Leader of the Government)**, for Senator Roux, moved the adoption of the report.

Motion agreed to and report adopted.

## BANKING, TRADE AND COMMERCE

STUDY OF CANADIAN FINANCIAL SYSTEM—BUDGET  
REPORT—REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the fourth report of the Standing Senate Committee on Banking, Trade and Commerce (budget — study on the financial system in Canada), presented in the Senate on June 11, 1996.

**Hon. Michael Kirby** moved the adoption of the report.

Motion agreed to and report adopted.

## CANADA-UNITED STATES INTER-PARLIAMENTARY GROUP

THIRTY-SEVENTH ANNUAL MEETING HELD IN ALASKA—  
REPORT OF CANADIAN SECTION—DEBATE ADJOURNED

**Hon. Jeremiah S. Grafstein:** Honourable senators, with leave of the Senate, I wish to speak to the report of the Canadian delegation on the Thirty-seventh Annual Meeting of the Canada-United States Inter-Parliamentary Group.

**The Hon. the Speaker:** Is leave granted, honourable senators?

**Senator Grafstein:** Perhaps I might explain, honourable senators.

I tabled that report Tuesday last and asked leave to speak to it later that day. However, there was no opportunity to do so, and no opportunity to speak to it arose yesterday. I have spoken with the house leaders and have been advised that this would be an appropriate time to speak to the report.

**Hon. Marcel Prud'homme:** Where does it appear on the Orders of the Day? I do not object to Senator Grafstein proceeding, but I wish to participate in the debate.

**The Hon. the Speaker:** If I understand correctly, the report was tabled on Tuesday last, so it is in the possession of the Senate. However, it is not on the Orders of the Day. The honourable senator is asking leave to speak to that report now.

**Senator Prud'homme:** Is it understood that if I wish to speak on the same subject, I will be able to do so at the next sitting of the Senate?

**Hon. B. Alasdair Graham (Deputy Leader of the Government):** Honourable senators, at the conclusion of Senator Grafstein's remarks, I think it would be appropriate that Senator Prud'homme take the adjournment.

**The Hon. the Speaker:** Is leave granted, honourable senators?

**Hon. Senators:** Agreed.

**Senator Grafstein:** Honourable senators, what do these well-known Americans and lesser-known Canadians have in common? The Americans are Thomas Jefferson, James Madison and his wife Dolly, James Monroe, John Quincy Adams, William Henry Harrison, Zachary Taylor, Andrew Jackson, Henry Clay, Winfield Scott, Zebulon Pike, Francis Scott Key. The Canadians are John Allen, Bishop John Strachan, Charles Michel de Salaberry, John Beverley Robinson, Laura Secord, John Dixon, William Hamilton Merritt. The Indian leaders I would mention are Tecumseh, John Brant, son of Joseph Brant, Roundhead, Métoss and Blackhawk. All these public figures were active players in the war between Canada and the United States which erupted in 1812 and concluded three years later in 1814 with the Treaty of Kent.

Honourable senators, all forged their political or historic reputation for better or worse on the anvil of that ugly war. The war exploits of Harrison, Taylor and Jackson led to their presidencies later in the century.

Francis Scott Key penned the words "the rockets red glare" watching the fiery battle at Baltimore, so inspired that he then composed the American national anthem "The Star Spangled Banner."



Bishop Strachan emerged as a leader of the Family Compact in Toronto and became the first president of Kings College — later named the University of Toronto, my alma mater — and was the founder of Trinity College. Allan and Robinson became leaders and legislators in Upper Canada. De Salaberry, the hero of the Battle of Chateaugay, became a legislator in Lower Canada.

Tecumseh and the other Indian leaders were transformed into legends, and their ideas are still very much alive with us today. Tecumseh, you will recall, was the very first Indian leader who united the warring tribes into a confederacy that would straddle our borders.

For three years, battles and skirmishes were fought all along the Canada-U.S. border, from the Great Lakes to the Maritimes, reaching deep into heart of the United States, through the Midwest and down through Washington and beyond to New Orleans. Pitched battles were joined in Detroit, York, now Toronto, along the Thames Valley towards my home town in London, Ontario, at the fork of the Thames, along the Niagara Peninsula and Montreal. Massacres were not the exception. Pocket water battles were fought on the rivers and in the lakes of Huron, Ontario, Erie and Champlain.

• (1830)

Washington, New Orleans and York — now Toronto — just to name a few, were bombarded, burned and pillaged until the Treaty of Ghent produced what was called “The Great Peace” in 1814.

In that treaty, the very first Canada-U.S. commission was established, the first bilateral commission and the ancestor of our growing family of bilateral commissions and tribunals. The different public philosophies in Canada and the United States were given even greater definition in that war. Our civic philosophies were forged and burnished. “Peace and order and good government” was implanted in the Canadian body politic while, on the American side, “life, liberty and the pursuit of happiness” became the American activist norm.

The problems on the bargaining table in 1814 are alive and with us today — the fishery, Indian claims and trade. In 1814, our trade was mostly in fish, furs, liquor and tobacco. Smuggling was a problem then and still is today. Our rallying war cries — on the Canadian side, “Push on, York volunteers”; on the American side, “Remember the Raisin” — receded and then disappeared into the shades of history.

Our politicians and citizens took up the task of building a lasting peace. When the Great Peace came, we put down our muskets and took up our economic cudgels. We sheathed our swords and unleashed our ledger books. We buried our tomahawks and replaced them with tariffs. Since that time, we have shared the longest undefended peaceful boarder in western history.

So it is that the Canada-U.S. Inter-parliamentary Group, an honorary offspring of those days, met this year in the northwest

for the thirty-seventh meeting since its inception. Most of the meetings were held in Alaska.

The American hosts were led by Senator Frank Murkowski of Alaska and Representative Amo Houghten of New York. We held meetings in British Columbia, Alaska and the Yukon. Observers concluded that this appeared to be the best attended meeting since the Group’s inception 37 years ago. Senators and congressmen from 22 states and two territories attended, matched by senators and members of the House of Commons from every region of Canada and every party.

Over \$1 billion per day in trade now passes over our border, likely the greatest trading exchange between any two sovereign nations. Our mutual trade benefits far outstrip the trade irritants; yet, the irritants tend to distort the picture. In our working sessions while travelling along Alaska’s waterways, Canadian and American legislators reviewed each and every irritant, exchanged views and developed a much broader perspective and understanding of every issue.

It was my pleasure as co-chair, honourable senators, to table last Tuesday the report of the Canadian delegation which deals with every issue ranging from lumber to steel, grain and energy and beyond. Obviously, there are many points of contention between sovereign nations, many exasperations and irritants. I shall review just a few.

A fundamental difference was grounded on the Helms-Burton bill. I urge interested senators to review the relevant sections of the report since the Canadians discovered, to their surprise, that the Americans shared a deep awareness of the wider implications of this extraordinary departure from the accepted rules of international trade as agreed in the WTO and NAFTA.

We gained, at the same time, a wider perspective from our American colleagues about the vagaries of election year politics. We should not be surprised if, after the American election, the damaging contours of this legislation were moderated. We hope this week’s retaliatory announcements by the Canadian government will bring this unhappy legislative episode to a speedy resolution. We have so much to gain together that we should not allow irritants to impede our larger benefits.

Another lively exchange centred on the Canadian rationale for exempting our cultural sector from our trade agreements. For Canadians, culture remains indivisible from our national identity. We emphasized this to the Americans. We told them that but for this exemption, there would have been no agreement on NAFTA. For Canadians, cultural exemptions do not mean erecting a cultural wall or interfering with the free flow of information across our borders. The cultural exemption is designed merely to allow Canadians to enter on to their own level playing field where production and distribution of Canadian cultural ideas can take place on a fair, equitable and competitive basis in our domestic marketplace. After our lively exchange, a ranking American senator told me that, for the very first time, he clearly understood Canada’s deep concern for its culture.

If there is any continuing fundamental schism, it might be detected in our different attitudes toward trade rules. Canadians believe that our survival as a trading nation depends on multilateral, rules-based trade. Americans tend to resort to mechanisms of domestic sovereignty, such as anti-dumping measures, which impede the freer flow of trade between our countries. While we vigorously debated this issue, it will take continued efforts on our part and on that of other trading nations to convince the Americans to dilute this deep strain of American trade philosophy.

When we reached Whitehorse in the Yukon for our closing meetings, Canada saluted three great American ranking legislators who have been great friends of freer trade and staunch allies of Canada in many of her concerns: Sam Gibbons of Florida, Chairman of the Ways and Means Committee; Harry Johnson of Florida; and Kika de la Garza of Texas. All three are retiring from the House of Representatives after this current session.

While we respect each others' differing views, there is much more that we share in common, not the least being warm hospitality extended to us by Senator Murkowski of Alaska and Representative Houghton of New York, the Co-chairmen of the American Delegation, and by the governments and citizens of Juneau, Ketchikan and Skagway.

I extend special thanks to the Governor of Alaska on the American side and, on the Canadian side, to the mayor and citizens of Prince Rupert and Whitehorse. Their gracious hospitality and welcome were deeply appreciated.

Of course, I should not neglect to thank Richard Rumas and his staff here in Ottawa who provided crucial and invaluable support to the Canadian delegation in all its work and in the formulation of this report.

A closer working entente was constructed between our respective legislators allowing for freer and informal access to the second branch of the American political system and closer, friendlier ties between our parliamentarians and citizens.

The best, honourable senators, is yet to come.

**Senator Prud'homme:** Honourable senators, I would ask that the debate be adjourned in my name.

**The Hon. the Speaker:** Honourable senators, that presents a problem. There is no motion before us. We may have to request that Senator Grafstein propose a motion because we are having a debate on an item which is not before the Senate. An inquiry should have been launched when the report was presented. I am not sure how the Table will deal with this. Perhaps we can ask Senator Grafstein to propose the report which he presented previously.

**Senator Grafstein:** I move that the report be tabled and taken into consideration, which will allow my honourable friends to comment on this subject.

**The Hon. the Speaker:** Is it your pleasure, honourable senators, to adopt the motion?

**Hon. Senators:** Agreed.

On motion of Senator Prud'Homme, debate adjourned.

• (1840)

## THE HONOURABLE ALLAN J. MACEACHEN

HIS LIFE AND TIMES—INQUIRY—ORDER STANDS

**Hon. Anne C. Cools** rose pursuant to notice of Thursday, June 13, 1996:

That she will call the attention of the Senate to the life and times of Allan J. MacEachen, a great Liberal and an outstanding Canadian from Cape Breton Island, Nova Scotia; and to his parliamentary service as a member of Parliament for 43 years in both the Senate and the House of Commons; and to his exceptional contribution to the social and political life of Canada; and to his upcoming retirement from the Senate on July 6, 1996.

She said: Honourable senators, what I propose to do, since we have so little time left before Royal Assent, is to read a few words, perhaps give a summary of some of the things I wish to say, and then, with leave of the Senate, I would ask that my text be taken as read so that it will be on the record. Would that be acceptable to senators?

**Hon. Marcel Prud'homme:** That is quite a precedent.

**The Hon. the Speaker:** I am sorry, Honourable Senator Cools. Obviously the Senate can do what it wishes, but it has not been the practice to take speeches unless they are given. It is a dangerous precedent, but it is up to the Senate to decide.

**Senator Prud'homme:** Can I make a suggestion to Senator Cools? She may give us a summary, and then she could be allowed by consent to speak the next time, and not lose her place on the agenda.

**Senator Cools:** It is not that pressing. It had been my intention to speak about Senator MacEachen in advance of a very important conference that is being held in Antigonish, Nova Scotia. In any event, there is no time.

**The Hon. the Speaker:** There is nothing preventing you, Honourable Senator Cools, from beginning your speech and adjourning the balance to another time.

**Senator Cools:** It seems to me the discussion is somewhat academic. We have exactly three minutes to go.

**The Hon. the Speaker:** What is your wish, Honourable Senator Cools? Should we let the matter stand?

**Senator Cools:** Yes.

Order stands.

The Senate adjourned during pleasure.

[Translation]

### ROYAL ASSENT

The Honourable Antonio Lamer, Chief Justice of the Supreme Court of Canada, in his capacity as Deputy Governor General, having come and being seated at the foot of the Throne, and the House of Commons having been summoned, and being come with their Deputy Speaker, the Right Honourable the Deputy Governor General was pleased to give the Royal Assent to the following bills:

An Act to amend the Canadian Human Rights Act (*Bill C-33, Chapter 14, 1996*)

An Act to provide for the establishment and operation of a program to enable certain persons to receive protection in relation to certain inquiries, investigations or prosecutions (*Bill C-13, Chapter 15, 1996*)

An Act to establish the Department of Public Works and Government Services and to amend and repeal certain Acts (*Bill C-7, Chapter 16, 1996*)

An Act to implement the Agreement on Internal Trade (*Bill C-19, Chapter 17, 1996*)

An Act to implement certain provisions of the budget tabled in Parliament on March 6, 1996 (*Bill C-31, Chapter 18, 1996*)

An Act respecting the control of certain drugs, their precursors and other substances, and to amend certain other Acts and repeal the Narcotic Control Act in consequence thereof (*Bill C-8, Chapter 19, 1996*)

An Act respecting the commercialization of civil air navigation services (*Bill C-20, Chapter 20, 1996*)

An Act to amend the Income tax Act, the Excise Act, the Excise Tax Act, the Office of the Superintendent of

Financial Institutions Act, the Old Age Security Act and the Canada Shipping Act (*Bill C-36, Chapter 21, 1996*)

An Act to amend the Federal Court Act, the Judges Act and the Tax Court of Canada Act (*Bill C-48, Chapter 22, 1996*)

An Act respecting employment insurance in Canada (*Bill C-12, Chapter 23, 1996*)

An Act respecting Queen's University at Kingston (*Bill S-8*)

The House of Commons withdrew.

The Honourable the Deputy Governor General was pleased to retire.

The sitting of the Senate was resumed.

[English]

- (1900)

### BUSINESS OF THE SENATE

**The Hon. the Speaker:** Before I call for the adjournment motion, I take this opportunity to invite you, as usual, to meet his Excellency the Chief Justice in my chambers. In view of the fact that this will likely be the last time we shall meet, for a little while at least, I take this opportunity to also invite the pages and the members of our staff who work directly with us here in the chamber.

Also, I take this opportunity to wish all of you a very pleasant summer.

The Senate adjourned until Tuesday, September 24, 1996, at 2:00 p.m.

**THE SENATE OF CANADA  
PROGRESS OF LEGISLATION  
(2nd Session, 35th Parliament)  
Thursday, June 20, 1996**

**GOVERNMENT BILLS  
(HOUSE OF COMMONS)**

<b>No.</b>	<b>Title</b>	<b>1st</b>	<b>2nd</b>	<b>Committee</b>	<b>Report</b>	<b>Amend.</b>	<b>3rd</b>	<b>R.A.</b>	<b>Chap.</b>
C-2	An Act to amend the Judges Act	96/03/19	96/03/20	Legal & Constitutional Affairs	96/03/21	none	96/03/26	96/03/28	2/96
C-3	An Act to amend the Canada Labour Code (nuclear undertakings) and to make a related amendment to another Act	96/03/27	96/03/28	Social Affairs, Science & Technology	96/05/01	none	96/05/08 referred back to Committee 96/05/16	96/05/29	12/96
C-4	An Act to amend the Standards Council of Canada Act	96/06/18	96/06/20	Banking, Trade & Commerce					
C-7	An Act to establish the Department of Public Works and Government Services and to amend and repeal certain Acts	96/03/27	96/03/28	National Finance	96/05/14	none	96/06/12	96/06/20	16/96
C-8	An Act respecting the control of certain drugs, their precursors and other substances and to amend certain other Acts and repeal the Narcotic Control Act in consequence thereof	96/03/19	96/03/21	Legal & Constitutional Affairs	96/06/13	fifteen	96/06/19	96/06/20	19/96
C-9	An Act respecting the Law Commission of Canada	96/03/28	96/04/23	Legal & Constitutional Affairs	96/05/09	none	96/05/14	96/05/29	9/96
C-10	An Act to provide borrowing authority for the fiscal year beginning on April 1, 1996	96/03/26	96/03/27	National Finance	96/03/28	none	96/03/28	96/03/28	3/96
C-11	An Act to establish the Department of Human Resources Development and to amend and repeal certain related Acts	96/04/24	96/04/30	Social Affairs, Science & Technology	96/05/15	none	96/05/16	96/05/29	11/96
C-12	An Act respecting employment insurance in Canada	96/05/14	96/05/30	Social Affairs, Science & Technology	96/06/13	none	96/06/20	96/06/20	23/96
C-13	An Act to provide for the establishment and operation of a program to enable certain persons to receive protection in relation to certain inquiries, investigations or prosecutions	96/04/23	96/04/30	Legal & Constitutional Affairs	96/05/28	one	96/05/30	96/06/20	15/96
C-14	An Act to continue the National Transportation Agency as the Canadian Transportation Agency, to consolidate and revise the National Transportation Act, 1987 and the Railway Act and to amend or repeal other Acts as a consequence	96/03/27	96/03/28	Transport & Communications	96/05/08	none	96/05/16	96/05/29	10/96

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
C-15	An Act to amend, enact and repeal certain laws relating to financial institutions	96/04/24	96/04/30	Banking, Trade & Commerce	96/05/01	none	96/05/02	96/05/29	6/96
C-16	An Act to amend the Contraventions Act and to make consequential amendments to other Acts	96/04/23	96/04/25	Legal & Constitutional Affairs	96/05/02	none	96/05/08	96/05/29	7/96
C-18	An Act to establish the Department of Health and to amend and repeal certain Acts	96/04/24	96/04/30	Social Affairs, Science & Technology	96/05/08	none	96/05/09	96/05/29	8/96
C-19	An Act to implement the Agreement on Internal Trade	96/05/14	96/05/30	Banking, Trade & Commerce	96/06/11	none	96/06/12	96/06/20	17/96
C-20	An Act respecting the commercialization of civil air navigation services	96/06/05	96/06/10	Transport & Communications	96/06/19	one	96/06/19	96/06/20	20/96
C-21	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 1996	96/03/21	96/03/26	--	--	--	96/03/27	96/03/28	4/96
C-22	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 1997	96/03/21	96/03/26	--	--	--	96/03/27	96/03/28	5/96
C-28	An Act respecting certain agreements concerning the redevelopment and operation of Terminals 1 and 2 at Lester B. Pearson International Airport	96/04/23	96/05/30	Legal & Constitutional Affairs	96/06/10 defeated 96/06/19	seven	defeated 96/06/19		
C-31	An Act to implement certain provisions of the budget tabled in Parliament on March 6, 1996	96/05/28	96/05/30	National Finance	96/06/13	none	96/06/18	96/06/20	18/96
C-33	An Act to amend the Canadian Human Rights Act	96/05/14	96/05/16	Legal & Constitutional Affairs	96/05/28	none	96/06/05	96/06/20	14/96
C-36	An Act to amend the Income Tax Act, the Excise Act, the Excise Tax Act, the Office of the Superintendent of Financial Institutions Act, the Old Age Security Act and the Canada Shipping Act	96/06/18	96/06/19	Banking, Trade & Commerce	96/06/20	none	96/06/20	96/06/20	21/96
C-42	An Act to amend the Judges Act and to make consequential amendments to another Act	96/06/18							
C-48	An Act to amend the Federal Court Act, the Judges Act and the Tax Court of Canada Act	96/06/18	96/06/20	--	--	--	96/06/20	96/06/20	22/96

## COMMONS' PUBLIC BILLS

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
C-243	An Act to amend the Canada Elections Act (reimbursement of election expenses)	96/05/16	96/05/28	Legal & Constitutional Affairs					
C-275	An Act to establish the Canadian Association of Former Parliamentarians	96/04/30	96/05/14	Legal & Constitutional Affairs	96/05/16	three	96/05/16	96/05/29	13/96

## SENATE PUBLIC BILLS

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
S-2	An Act to amend the Canadian Human Rights Act (sexual orientation) (Sen. Kinsella)	96/02/28	96/03/26	Legal & Constitutional Affairs	96/04/23	none	96/04/24		
S-3	An Act to amend the Criminal Code (plea bargaining) (Sen. Cools)	96/02/28	96/05/02	Legal & Constitutional Affairs					
S-4	An Act to amend the Criminal Code (abuse of process) (Sen. Cools)	96/02/28							
S-5	An Act to restrict the manufacture, sale, importation and labelling of tobacco products (Sen. Haidasz, P.C.)	96/03/19	96/03/21	Social Affairs, Science & Technology					
S-6	An Act to amend the Criminal Code (period of ineligibility for parole) (Sen. Cools)	96/03/26							
S-9	An Act providing for self-government by the first nations of Canada (Sen. Tkachuk)	96/06/13							
S-10	An Act to amend the Criminal Code (criminal organization) (Sen. Roberge)	96/06/18							
S-11	An Act to amend the Excise Tax Act (Sen. Di Nino)	96/06/20							

## PRIVATE BILLS

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
S-7	An Act to dissolve the Nipissing and James Bay Railway Company (Sen. Kelleher, P.C.)	96/05/02	96/05/08	Transport & Communications	96/05/15	none	96/05/16		
S-8	An Act respecting Queen's University at Kingston (Sen. Murray, P.C.)	96/06/06	96/06/10	Legal & Constitutional Affairs	96/06/13	none	96/06/13	96/06/20	

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