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THE HONOURABLE GILDAS L. MOLGAT
SPEAKER

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THE SENATE

Thursday, February 26, 1998

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

Prayers.

THE HONOURABLE RICHARD J. DOYLE

TRIBUTES ON RETIREMENT

Hon. John Lynch-Staunton (Leader of the Opposition):

Honourable senators, I doubt if anyone here was surprised that media reports of last week's decision by the Senate to suspend one of its members gave priority to the fact that a number of senators were absent when the vote was taken. This allowed our flourishing cottage industry in Senate-bashing to renew its campaign to convince Canadians that the only criterion for evaluating the contribution of senators is the number of times they are present in the chamber. Attendance is attainment; absence is abdication.

In the minds of these Senate pit bulls, whose excessive rhetoric is surpassed only by their ignorance of the workings of this place in particular, and of Parliament in general, tally sheets of attendance form the sole valid record by which one is to be evaluated. No longer is what a senator does a measure of responsible participation; it is the number of times one's name is recorded on sitting days — not what do you do but why were you not there? A death in the family, a seriously ill spouse, a teenage child suffering from substance abuse, attending to a patient in the intensive-care unit, membership in an official delegation abroad, participation in a committee seeking views across the country on important proposed legislation: These and similar personal preoccupations and political responsibilities are not to interfere with what the self-styled promoters of Senate behaviour have determined to be acceptable senatorial conduct.

As a result, none of us is immune from the wrath of these misguided parliamentary purists, whose pocket calculators at this very moment are no doubt updating our attendance records.

Take Senator Doyle, for instance. During his time here, the Senate will have sat 902 times, and he will be recorded as having been present only 790 times — a paltry attendance record of 87.6 per cent.

Hon. Senators: Hear, hear!

•(1410)

Senator Lynch-Staunton: How the ever-vigilant anti-Senate SWAT team has managed to miss Senator Doyle from its hit list is a mystery. It must be an oversight, particularly when one examines what he was up to while playing hooky. He was an

active and conscientious member of the Joint Committee on Free Trade. He was an active and conscientious member of the Joint Committee on Canada's International Relations. He was an active and conscientious member of the Joint Committee on the Library of Parliament. He was an active and conscientious member of the Standing Senate Committee on Legal and Constitutional Affairs. He was an active and conscientious member of the Internal Economy Committee and chaired its Subcommittee on Budgets and Personnel. He was an active and conscientious member of the Standing Senate Committee on Foreign Affairs. He was an active and conscientious member of the Standing Senate Committee on Social Affairs, Science and Technology. He was — but enough. The list of his non-chamber activities continues, but I fear that what already has been revealed is already enough to arouse our detractors.

In any event, why should anyone be surprised at Dic Doyle's record when one recalls that he was named to the Senate by none other than former prime minister Brian Mulroney who, as we are repeatedly reminded, gleefully filled vacancies here with such party hacks and blind loyalists as Senators Beaudoin and Keon?

Just look at his background. His entire career was involved with journalism, starting with the *Chatham Daily News* until 1942, when he joined the Royal Canadian Air Force and served overseas with the RAF in Bomber Command until the end of the war. He then returned to the newspaper business and joined *The Globe and Mail* in 1951, where he occupied many senior positions, including those of managing editor, editor, editor-in-chief, and Editor Emeritus.

In 1983, when he was made a member of the Order of Canada, the following citation was read:

As managing editor and, since 1979 until recently, editor-in-chief of the *Toronto Globe and Mail*, Richard Doyle has been the guiding intelligence behind the development of the influential editorial policy and the national and international coverage of Canada's leading English-language newspaper. Largely through his guidance, the paper has set high standards of writing and ethics in journalism.

Colleagues may be interested to know that since 1967, 3,848 Canadians have been inducted into the order, and fewer than 100 are identified as journalists. I will resist a temptation to speculate on why this profession has been given so little recognition by the selection committee except to comment that it certainly must be nigh impossible to find many in this field who can match the ethical standards which Dic Doyle brought to a profession to which he is so deeply attached.

By the way, of the 100 present members of this chamber, 10 are members of the Order of Canada. I thought I would throw that out as more grist for the mill of the Senate reformation movement.

One of his close colleagues on *The Globe and Mail* describes Senator Doyle while at the newspaper as being renowned for a conservatism that was heavily coloured by compassion, a social conscience, a strong civil libertarian streak, and a catholic love of humanity. Fortunately for us, these principles guided him here, too, to the benefit of both sides of the chamber. In addition, as caucus colleagues, we have had the benefit of his wisdom and sage advice. Many are the times his counsel avoided us taking a course of action which, in time, could well have been regretted.

The Globe and Mail's founding goes back to George Brown who, to many, is the real father of Confederation. If you have been to Senator Doyle's office, you will have noticed that Brown is very prominent on its walls. Senator Doyle makes no effort to hide his admiration for his distinguished predecessor, and mention of his name will inevitably lead to a learned discourse on his hero and regret at his not receiving the wide recognition that he deserves as a key architect of Confederation. In his book *Hurly Burly*, Senator Doyle quotes the then-editor of the *Globe*, John Willison, as believing that,

Brown would have been a better politician if he had not been a newspaperman and a better newspaperman if he had not been a politician.

Brown would certainly have been delighted to know that Senator Doyle was and is an excellent politician and newspaperman. We will miss the benefits that we all derived from his being so competent in both. We will miss his stern warnings, his generous counsel, and his marvellous sense of humour. We will miss his hand-written notes with their cryptic observations — an appreciation for a speech well given, caustic references to erratic performances, including the recipient's, and always encouragement and support, particularly when things were not going well.

In particular, we will miss his reminding us of our responsibilities as parliamentarians — the need to avoid excesses in our carrying them out and to avoid restraint in upholding them. Somerset Maugham once wrote of conscience as being the guardian of community rules. Senator Doyle was the guardian of ours.

Senator Dic Doyle gave all of himself to this place, even when the last few years were not kind to him physically. While we will all miss him, we wish him many years of a well-deserved retirement as he looks forward to spending more time with his family, of whom he is so fond — his most charming wife, Flo, their two children Judith and Sean, and their granddaughter Kaelan. Nearly four years old, Kaelan sat in Dic's chair last week and announced that she, too, would be a senator some day. If she does make it, we can only hope that she will learn and profit from her grandfather's attendance record.

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, Edmond Burke once said that there are

three estates in Parliament, but that the fourth estate was more important than them all. When Senator Richard Doyle first joined the Senate in 1985, he brought with him the gifted and inquiring mind of a critic and reformer, of an editor of rectitude and honesty. As someone who had fought politicians of all stripes, he would have heartily agreed with the old expression that, "The day you write to please everyone, you are no longer in journalism. You are in show business."

Show business was never Senator Doyle's style. An Officer of the Order of Canada and a distinguished member of the Canadian News Hall of Fame, Senator Doyle always made conscience his guide. In this sense, the decision of the University of King's College in Halifax, as well as that of my own alma mater, St. Francis Xavier University in Antigonish, Nova Scotia to grant Senator Doyle honorary doctorates of law were clearly most appropriate. Honourable senators will agree, I am sure, that the Senate is a far better place because Richard Doyle has remained in heart and soul a member of the fourth estate and a deep believer in an educated public which serves as a juror over it.

Bruce Hutchison once called the creation of a daily newspaper a daily miracle. Senator Doyle, who knew by the age of seven that he wanted a newspaper career, translated his childhood dreams into an important career in which he would serve as editor and later editor-in-chief of *The Globe and Mail* for over two decades, and therefore understood the daily miracle of production from the bottom up.

Starting as a copy editor in 1951, he experienced the dynamic impact of George McCulloch's pioneering leadership at the helm of one of Canada's most important newspapers, even if, one remembers, it was founded originally by, as mentioned by Senator Lynch-Staunton, the brilliant George Brown, a Father of Confederation. For all you senators here today who may have forgotten, and something which Senator Lynch-Staunton did not mention, George Brown was a clear Grit to boot.

Senator Lynch-Staunton: We will not hold that against him.

Senator Graham: Senator Doyle went on to work with Howard Webster —

Senator Lynch-Staunton: Who was not a true Grit.

Senator Graham: — succeeding the great Oakley Dalgeish as editor. His advice to the fourth estate, of which he was such a distinguished member for so many years, was always the same. It was that news writers should never judge political issues in print. That was a job for commentators, he said. The educated public would vote as it pleased without editorial advice.

• (1420)

One of the funniest and most insightful books of our contemporary history remains *Hurly Burly*, Senator Doyle's account of his time at the *Globe*. This is an insider's view of Canada's life and times which flows from his experiences with the 115th Squadron, RAF Bomber Command during World War II through his struggles with governments over the decades and his firsthand accounts of some of the greats in print journalism.

As an editor, Senator Doyle led the battle for a free press that would police itself. As an editor who long grappled with misplaced convictions and inaccuracies in print journalism, he understood the crucial role of the public in serving as independent editors and jurors over the democratic process; over the ongoing events of the Canadian body politic.

In a recent series of reflections published in *The Globe and Mail* on the coming millennium, Senator Doyle made the important point that watching, in the political sense, is one of the most useful services the citizens of this country can perform. He argued that ordinary citizens must engage in the process of reform, and must take the time to serve as watchdogs over our children and their right to be protected by governments. "Perhaps" he said, "we should pledge ourselves to visit the Indian reserves closest to our homes to see for ourselves whether they are getting a fair share — and pass that information on to our governors."

However, at the depth of this distinguished critic, editor and reformer, so jealous of our rights and freedoms, as shown by the acute and insightful commentary we have been so privileged to hear in this chamber, lies a wonderful love for Canada and a passion for his country which comes from the heart of a distinguished RCAF veteran who flew with Bomber Command.

Winston Churchill once said that the only guide to a man is his conscience: the only shield to his memory is the rectitude and sincerity of his action.

In defending many of his old comrades in the RCAF, those airmen who opened the windows of freedom over Nazi-occupied Europe, he denounced the distortions of recent docu-dramas in this country which he felt spoke from narrow points of view, and were so often and so sadly mistaken for the real story. He wrote movingly that distortion and despair are no tribute to the 46,000 Canadians who died in World War II, 13,000 of them from the RCAF. He reminded us that *per ardua ad astra* or "through travail to the stars" is the motto of a proud and distinguished service in which over 5,000 Canadians won individual decorations for gallantry.

On that issue, as on some others, he has enlightened this nation and this chamber. Very few would know better than Richard Doyle the fundamental truth of Ben Bradlee's famous remark that news is the first rough draft of history. We really only have one chance to get it right, no matter to which estate we are called.

Senator Doyle, you have made a very significant contribution to the work of this place. I know that your mind and your pen will continue to be active in pursuing justice and truth. You and Flo and your family take from this place our warmest best wishes, and we hope that you will keep in touch and come back soon.

Hon. Lowell Murray: Honourable senators, Senator Doyle's speeches in this place have elevated many a debate and enlivened many a dull day. His prose adorns the pages of Hansard, there to delight the future scholar who may come across those gems

while ploughing through the more arid oratorical efforts of the rest of us.

His prose also has a special place in my files. Over a period of years Senator Doyle has sent me dozens of personal and private memoranda — pithy, pungent, irreverent, iconoclastic, not-quite-libellous commentaries on politics and certain politicians, on parliamentary perks, on his interpretation of sacred scriptures, on journalism and certain journalists, and on so much else. I am saving these memoranda for possible future publication and profit, a source of supplementary income if ever my financial situation becomes unbearable.

Needless to say, I will give first refusal on these documents to Senator Doyle himself. He will have motive and ample means to bid for these documents as he will soon be living high on the hog, not only on the lavish annuity bestowed on him by Lord Thomson of *The Globe and Mail*, but also on his "obscene" Senate pension.

I like to think that the Senate has been quite an education for Senator Doyle. He came here thinking himself worldly-wise, without illusions, the hard-nosed newspaperman who had seen everything and tried most of it. A few months into his apprenticeship on the Internal Economy Committee with Senator Colin Kenny revealed Senator Doyle to be a terminal naïf, an innocent abroad, a young man who still had a lot to learn. He turned for comfort and reassurance to Senator Lavoie-Roux, herself a veteran of Montreal and Quebec politics but she, too, had never seen anything like it. Senator Doyle came here suspecting that power corrupts, and found only that it scandalizes.

Honourable senators, Senator Doyle's participation in the work of the Senate has been distinguished not only by his elegant and eloquent prose but by the quality and substance of his contribution. There has been wisdom and moderation but also a passion for fairness, justice and respect and, not surprisingly for one so revered in his profession, a passion for truth. He has been an asset to the Senate and, needless to say, to this political party.

Before bidding him au revoir, I wish to acknowledge the debt of my personal gratitude, deeply felt, for his many acts of kindness and consideration. I have been many times renewed, indeed revived, by his thoughtful encouragement and support, extended, as he must have known, when it was most needed. I know I am not alone in this chamber in my warm appreciation of his generous friendship.

Hon. Joyce Fairbairn: Honourable senators, saying farewell to Senator Doyle today is very difficult for me, because it is no secret to anyone in this place that we are kindred souls. We have regularly expressed our admiration and affection for each other, and neither Mike nor Flo cares because they understand it perfectly.

Dic and I are not just old friends; we are scribes of the old school — ink-stained wretches who truly believe that the greatest time of our lives was spent knocking around a newsroom through all hours of the day or night; out on assignments that were filled with pith and substance, but earned only a couple of paragraphs and no by-line in whatever notable publication we called home.

We share that special, almost mystical feeling that newspapers then, at least, were living, breathing creations with a heart, a soul and a conscience. We were privileged to be allowed to be part of them.

•(1430)

Senator Doyle has always believed that journalism must be about fact and truth, and not about speculation and rumour.

Honourable senators, there is a bit of an age difference between Senator Doyle and myself, but that is of no account. There is also that slight distinction that he has held every possible newspaper position, ending up at the height of power as the editor-in-chief of the mighty *Globe and Mail* in Toronto, while I was but a working stiff who, by several quirks of fate, ended up at a ridiculously early age writing about the awesome activities of this Hill from the Parliamentary Press Gallery. None of that matters. He teathed on the *Chatham Daily News* and I on *The Lethbridge Herald*. We learned a lot of very special things which transcend any consideration of age or titles.

It was with great expectation that I learned he would be a senator about a year after I entered this place. I accepted with regret, of course, but no surprise, that he chose to sit as a Conservative. Many were startled by this appointment. They wondered what allure this chamber could possibly offer after the incredible rush of life at the pinnacle of *The Globe and Mail*.

I, however, knew exactly what Dic Doyle would do — he would work hard. He would do it with skill and accuracy, with eloquence and tenacity, with humour and with honour. No one could have anticipated also that in the face of a frightening illness he would be forced to work on with immense courage and great heart.

Hon. Senators: Hear, hear!

Senator Fairbairn: Honourable senators, we have shared duties. My personal favourite was on the Standing Senate Committee on Legal and Constitutional Affairs. I treasure the memories of our cross-country tour with the late Senator Earl Hastings as we — perhaps naively — sought the grass-root views of inmates in federal penitentiaries on the merits of changes to the Parole Act.

Senator Doyle has been a loyal and constant supporter of the cause of literacy, which has become a major part of my life on and off Parliament Hill. I thank him profoundly for that. He has fought fiercely for the rights of victims of the tainted blood tragedy, as outlined in the Krever inquiry, and I congratulate him on that.

Altogether, honourable senators, Dic Doyle has been a truly fine senator, as he continues to be a truly fine journalist. He is an unabashed patriot for his country, a proud veteran, and a strong and persistent voice — Lord was he persistent during Question Periods — for his province of Ontario and the city of Toronto.

Senator Doyle is a very kind gentleman, and I cheerfully admit that I will always have a crush on him. I will miss him very

much. To he and Flo, I wish happy years ahead; full of music, writing and instructive sessions with his granddaughter Kaelan, who wants to be a senator just like him!

Hon. Noël A. Kinsella (Acting Deputy Leader of the Opposition): Honourable senators, it has been my good fortune to have been the seat-mate of Senator Doyle. I am, however, not privy to the reason why he had the misfortune to have me at his right. Perhaps it was penance for some unpublished deed.

For some time now, Senator Doyle has been keeping on his desk copies of the wonderful mural inscriptions that adorn the Speaker's chambers. The following is a passage from Seneca: *Nihil oridinum est quod praecipitur et properat* — nothing is well ordered that is hasty and precipitate. Perhaps this is the lesson he has been struggling to teach me.

Certainly by his thoughtful interventions in this place over the years, Senator Doyle has been attempting to teach us the wisdom of prudence and careful consideration. He has been a good teacher, and I wish to place on the record my deep appreciation for the many lessons he has taught us. His speeches were pregnant with good lessons, for he did not merely present to us information that we did not have, but, rather, he would remove, for those who listened, the blinkers of repression that often prevent us from knowing what we potentially already know. This former flying officer would readily engage us in a militant operation against the forces that create all those blinkers, repressions, clichés and prejudices — for all of this, we are indebted to Senator Doyle.

Honourable senators, the art of the English language finds creative expression in the writings of this Officer of the Order of Canada who has presided over *The Globe and Mail*. This Editor Emeritus, like all editors, compiled, garbled or cooked up materials into literary shape. We have often been, as has been alluded to by others this afternoon, the recipient of his cryptic and not so cryptic notes, all of which underscore his mastery of literary art.

In saluting my friend and seat-mate, I wish to turn to some lines from J.R. Smart's poem entitled *The School Magazine Editor*.

The Editor sat in the Editor's chair;
 Paper and pen and ink were there;
 (Not in the chair: that wouldn't be fair
 On the Editor's case!) On the table round
 They lay; and the Editor looked and frowned,
 And carking care, and black despairs
 seemed settled for good as the Editor's share;
 On trousers and boots, pulled out by the roots,
 Were crumpled-up masses of Editor's hair!
 'Now riddle me one and riddle me two'
 (Which meant what only the Editor knew),
 'By all that's blue, if ever anew'
 I take the job of a School review!
 I'll eat my hat, and swallow my bat,
 Ere ever again I proof such a flat;
 For nobody cares how the magazine fares,
 Or what trouble the Editor anguishes through!

Honourable senators, the readership of *The Globe and Mail* and the members of this chamber are fortunate that Senator Doyle cares deeply about his country and the system of governance wherein the practice of freedom has been kept aflame.

To you, my friend, God's speed: *Ad multos annos*.

Hon. Philippe Deane Gigantès: Honourable senators, I have had the privilege of knowing Senator Doyle longer than any of you. I worked for him back in 1956, 42 years ago. He was my boss, one of the best I ever had, and as such always showed good judgment and a great sense of fairness. Any of the faults that you have seen in me since then are not his. He did not teach me any of my bad habits.

He was able to deal with the fractious lot that journalists are, to keep us in line, and to make sure that we did our duty without pushing the limits of fairness, of knowledge and of decency. It has been mentioned here that while he was editor of *The Globe and Mail*, it was rated as one of the 10 best newspapers in the world. He made it what it became. It is a newspaper that is quoted around the world — at least it was when he was there.

•(1440)

He reproached me in his book for kissing his wife's hand. How could I help it? She was — and is — so enchanting. She did not seem to mind. I think he did.

I have long admired him, and I still do. You are a great guy.

Hon. Consiglio Di Nino: Honourable senators, I am pleased to rise to pay homage to someone who is universally respected for his integrity, his intellect and his common sense.

Senator Doyle has championed causes on behalf of Canadians which have not always been popular or had the full support in this chamber, even among his own colleagues, and those who have offended his sensitivities for fairness, justice and truth have felt the sting of his prose.

For me, Senator Doyle has been a teacher and a friend, and I am richer for having known him.

Dic, I pray that you and Flo enjoy a long and fruitful retirement in the midst of your loving family. We will all miss your wisdom and your wit.

[Translation]

Hon. Thérèse Lavoie-Roux: Honourable senators, I would like to pay tribute to our colleague Senator Richard Doyle on the occasion of his departure.

[English]

Honourable senators, when Senator Doyle was offered and accepted his appointment to the Senate in 1985, he decided to sit on the PC side of the floor. The legend is that his sympathies for minorities prompted him to do so. His appointment was

applauded by all. Senator Doyle's reputation as one of Canada's foremost journalists held the promise of the new senator touching this institution with his wand of distinction. Indeed, he has.

As editor of *The Globe and Mail*, Senator Doyle was not politically active before he became a senator, but he certainly was politically powerful. When he came to the Senate in 1985, he had to learn the ways of Beauchesne, but he was not a complete stranger to parliamentary procedure.

Some senators in this room are certainly aware that Senator Doyle has the dubious distinction of being the only senator to serve in this chamber who has been censored by Parliament. It will come as no surprise to learn that the incident, which occurred in 1977, revolved around freedom of the press, and the public's right to know.

This same concern for the public's right to know prompted him to persuade his Senate colleagues to open the doors of our Internal Economy Committee to the public at a time when the lack of transparency of the committee was being seriously questioned. It was at the time of our work together on the Internal Economy Committee that I first developed a true appreciation for Senator Doyle's many outstanding qualities.

Today, I wish to take the opportunity to thank him publicly for his wonderful and constant support, his wisdom and his total integrity. Senator Doyle's strong sense of duty in wanting to support this institution and his colleagues is surpassed only by his sense of responsibility and duty to the taxpayers of our country. It has always been evident that he holds a very strong belief and deep concern that Canadian citizens must be our first and greatest concern as parliamentarians.

Senator Doyle's service to our country and its people has been outstanding. In the Second World War, he served in the Royal Canadian Armed Forces in Bomber Command, and retired in 1945 with the rank of Flying Officer. He has made literary contributions as author of two books of which many of you know; *The Royal Story* and *Hurly-Burly: A Time at the Globe*, to which reference was made earlier. Senator Doyle was also appointed an Officer of the Order of Canada in 1983. His prominent career, most notably as editor-in-chief of *The Globe and Mail* certainly speaks to his service to the people.

His talents as editor have also been of profit to the Senate. Senator Doyle's facility with words and his strong capacity for analysis have undoubtedly distinguished him among the rest of us. We have had countless opportunities to hear Senator Doyle speak in the Senate, and to appreciate how he has both mastered the English language and given us an appreciation for its subtleties.

I recall an incident when we were working on the Special Senate Committee on Euthanasia and Assisted Suicide. Senator Doyle was not a member of that committee but he followed its work. During a discussion on assisted suicide, Dic slipped me a note on which was written a sentence that struck me with its depth of meaning. Our concern was for the impact that legalized assisted suicide would have on the social conscience. The sentence, as I recall, read:

Is one form of suicide linked to another — at least by the bond of increased acceptance?

[English]

Hon. Gérard-A. Beaudoin: Honourable senators, I should like to say a few words about the remarkable contribution of Senator Doyle, as a member of the the Standing Senate Committee on Legal and Constitutional Affairs.

I was appointed to the Senate in 1988, nearly ten years ago. From the beginning, I was fascinated by the Standing Senate Committee on Legal and Constitutional Affairs, of which I became a member. Senator Doyle was already sitting on that committee. Members of the Standing Senate Committee on Legal and Constitutional Affairs must have a certain expertise in law, but it also includes people who have different training, like, for example, Senator Doyle. I shall say that the work of Senator Richard Doyle in the legal committee has been very regular and very exceptional.

[Translation]

Before coming to the Senate, our colleague was editor-in-chief at *The Globe and Mail*, a highly regarded daily that has been part of the history of Canada since the time of George Brown, whom both sides of the floor have praised this afternoon. A good editorial writer must have both good ideas and a knack for putting them down on paper. Our colleague Senator Doyle possessed those qualities, and, of course, he continued to demonstrate them in the Senate. His speeches here have always been very interesting.

Among his honours, he was made a member of the Canadian News Hall of Fame in 1990.

[English]

Senator Doyle is a man of great humour, of very sound judgment, d'une logique impeccable, «une tête bien faite», as we say in French, and much more, a philosopher! We need people like him on every committee and in the Senate.

[Translation]

If you ask me, Senator Doyle will be a hard man to replace.

[English]

Hon. A. Raynell Andreychuk: Honourable senators, it appears that I am the only senator who hesitated and did not want to speak at this point about Senator Doyle. I did not want my words compared with his, as I understand he will get the last word.

As I have spent many hours reading and rereading his speeches, I find that many others, particularly mine, pale in comparison. In this house, no one has had the ability with words and the sincerity to live by those words on a daily basis as has Senator Doyle.

When I first came to the Senate, through the same nefarious route as apparently he did, as well as Senator Beaudoin and Senator Keon, I went to Senator Doyle on many occasions for advice, for comfort, for the occasional scolding, for the occasional dose of optimism. Like Senator Fairbairn, a slight

That was a sort warning against accepting assisted suicide because then this link would be too easily made. Dic's note captured the idea that the acceptance of assisted suicide threatens to reduce to triviality the notion of suicide.

For your innumerable contributions, Dic, only a few of which I have touched upon today, I wish to thank you most warmly and wholeheartedly. You have so many talents. I am sure they will remain with you in your retirement years and continue to make a difference in the lives of those around you. Your granddaughter Kaelan is most fortunate to be a beneficiary of her grandfather's wisdom and qualities.

Although I speak of retirement, I have more than a sneaking suspicion that we have not heard the last of Senator Doyle. I am certain that his watchdog habits and deep feelings for Canada will be ceaselessly monitoring political events.

We welcome you to be in contact with us, particularly, if I might make the request, with respect to social issues.

May you find more time to enjoy your extensive music collection, as well as more time to enjoy Flo, your family and your close friends.

Dic, I want to assure you that for the years I will continue to serve in the Senate, I will always be faithful to the goals and principles we share in common. I will endeavour to hold high your banner of justice and fairness, and transparency in the eyes of the public.

To have known you and worked with you has made my time in the Senate worthwhile.

[Translation]

Thank you for your friendship, your confidence, and your constant support, sometimes through difficult times.

Let me assure you that you have a good friend in Quebec and that you will always be welcome there. My wish for other colleagues is that they may have as positive and meaningful an experience as I did, in working with someone of your calibre.

Dic, thank you for everything.

[English]

•(1450)

I thank you for everything you have contributed to the Senate and to your fellow citizens for these many years. I wish you well. You will certainly be greatly missed, as many have said before.

[Translation]

But, as the song says "We'll meet again." We will be seeing each other soon.

crush was developing on Senator Doyle. I thought that this was a unique experience for me, perhaps because of the route that I had taken. However, I was not here for very long before I learned that that kind of special relationship that Senator Doyle had with me was not so special. He kept it for all senators.

There are many examples of good senators in this chamber. We have heard, as Senator Doyle would say, quite enough about Senator Doyle's success and his contributions to this chamber. I wish to underscore his position as a role model, as a friend and as an example to all of the senators here. The fact that he gave of his time to the rest of us not only exemplifies his own integrity and commitment to the Senate but, I think, through his various methods — his small notes, his humour, his questioning — he has made all of us better senators.

I wish him well. I know that he will continue to be a friend to the Senate and a friend to the democratic process, however he sees it. I know he has spent many hours and many days pondering, not how politicians perhaps will see Canada but how individuals will see Canada. Long after many of us retire, many people will continue to respect the Senate as they read and quote from the words of Senator Doyle.

Senator Doyle, I extend my best personal wishes, and I trust that most of us can live up to your example.

Hon. Richard J. Doyle: Honourable senators, you have heard what I have heard. You have heard the evidence; so I say to you: Four more years!

At the same time, I wish to remind honourable senators that there are two sides to every story. You have heard one and now you will hear another.

I wish to take you back a bit, to when late middle age and early ennui brought me to this shimmering place 13 years ago — I thought it prudent to have both youth and experience identified with my arrival. I asked to be dragged down the threadbare, crimson carpet by Duff Roblin, the government leader and the only Canadian I have ever known to wear the kilt and not look silly. To assist him, I picked Lowell Murray, who, years later, would lead a beleaguered Senate boldly and gracefully through the GST crisis.

It was not my intention to spend more than one year, or two, exhausting the opportunities that the upper house had to offer to a wilted journalist; wilted and wounded. Someone — someone opposite, I am sure — had his jollies during my welcome by circulating a column I had written not long before at *The Globe and Mail*. It started out innocently enough with a mention of the fact that the editors of *Playgirl* magazine had been in Toronto, my hometown:

•(1500)

...making it starkly evident that very little is left to chance in the choice of centrefolds. They advertised for specimens to appear in a photo layout on Canadian men.

Five hundred candidates appeared at the hiring hall at the appointed hour, stripped to the waist, did whatever they could with their pectorals and smiled for the camera. In good time, the 500 were picked over and an even dozen were chosen to pose in frontal altogether.

It is a puzzle to me that in so many aspects of Canadian life the many aren't called before the few are chosen. Even more puzzling is the fact that we accept such exclusivity of choice when we obviously have no lack of confidence in our capacity to compete for the worthwhile and fulfilling tasks that need doing. Goodness knows, the editors of *Playgirl* could do a better job of choosing senators than we do in this country. The choosing here is the prerogative of the Prime Minister and nowhere does he indulge his whims with such abandon. Only occasionally does he take anyone's advice on a Senate appointment. The last time Pierre Trudeau did, he deferred to the Premier of Ontario who gave the lollipop to his bagman. As far as the rest of us are concerned, we're not even sure the fellow has pectorals.

Well, that is what this guy wrote, and for the first time in my long career, I had people crying, "Author! Author!" Only the whip of the day — that self-effacing friend of veterans, Orville Phillips — recognized the dangers I faced. He seated me between the two men in the Senate best equipped to handle divine interference with my freedom of speech. Senator Phillips put Dr. Paul David on one side of me and Dr. "Staff" Barootes on the other. If the heart should explode, or the bladder splatter, I was sitting pretty.

I used the time to learn something about bagmen other than what I had picked up on the street and in newspaper washrooms. Jack Godfrey was never embarrassed by his party-activated acquisitiveness. Nor was he bashful when it came to flailing outrageous absenteeism within his own party. Guy Charbonneau, over here on our side, was one of the few champions we had in a long spell of political drought in Quebec. For me, his calm courage in the GST debate contributed mightily to our survival of the crisis.

There are faults and weaknesses in the Senate, but the good men who come to the pecuniary aid of their parties are not the ones to be blamed.

Did I say "men"? Working with Nate Nurgitz and Derek Lewis on the Standing Senate Committee on Legal and Constitutional Affairs, I rarely could fault the leadership of a woman, Joan Neiman, or the pizzazz of Anne Cools. To have served on the Rules Committee under Brenda Roberston was hard work — productive and valuable. The high point of my 13 years — and very often the most demanding experience I enjoyed — came with a breathless stint on the Internal Economy Committee with the help of Bill Doody and under the tight leadership of Thérèse Lavoie-Roux. Anyone who called Lavoie-Roux "chair" was off base. She was a whole damned houseful of parliamentary furniture! In the great recession, she saved the Senate millions of dollars without forcing the departure of a single employee of the Senate.

Any place in this farewell would be a good place to say something about Lowell Murray. How he managed to run this joint and serve as Brian Mulroney's point man on national unity and comfort our new Tory senators — many of whom seemed to be away from home for the first time — how he managed to do all of these things simultaneously still astonishes me. Only one of his qualities — and I suppose most of us could forgive it — disgusts and infuriates. I am speaking, sadly of course, of his capacity to leap to his feet without notice, and speak for an hour without notes in baroque sentences that parse. My great friend Senator Barootes used to say that Lowell stood out because so many people around him spent their time trying to pick the fly poop out of the pepper. My wife goes further than that. Just the other day she described Murray as a fine-looking man — for 36.

•(1510)

There are many of Senator Murray's accomplishments to be noted, but none will stick in my mind longer than his remarks in the chamber the other day when he apologized to the country for the Senate's failure to act sooner in the Thompson affair.

In comments I made here earlier this week, I quoted at length from speeches made by Senator John Lynch-Staunton. The quotations had to do with Senator Lynch-Staunton's central role in the Pearson affair. Like Senators Lazarus Phillips and Grattan O'Leary before him, he believes that the real function of the Senate is to see that the rights and the liberties of the individual are respected and protected.

Not long ago, I had spoken up in the Senate to register my admiration for another of our leaders. I am indeed a fan of Joyce Fairbairn. Just the other day I remarked to my wife that Senator Fairbairn is a fine looking woman — for 32! Should I confess now that there were occasions earlier on when, by agreement, Senator Fairbairn and I both ignored party lines to steer committees to the service of justice and the splendours of truth?

In this place, we should seek the truth and pray for justice. What a terrible mess we all made on the Airbus affair, where our former prime minister's accusers did not show contrition for injury done, and his defenders did not secure a springboard to fight back in the long haul. Brian Mulroney is the man who "brung" me to this house of opportunities. I persuade myself that, in the end, he will be freed of the efforts to dirty his name, and will be accepted as one of the great ones of Canadian history.

I had hoped here today to more than just mention many others to whom I am indebted. Raynell Andreychuk has bolstered my hopes for a more conscientious Senate, and shares my concerns for truth and justice. Jim Balfour does not need to raise his voice, nor raise it often to be heard on both sides of this chamber. It has been an honour for me to sit in the same room as Wilbert Keon, whose contributions to Senate knowledge of the risks and dangers facing health care may turn the Senate into new avenues of advocacy. Don Oliver makes me stop and think. My buddy Con Di Nino has made me argue until I am sure that I am right. Bill Kelly and Trevor Eyton are my vicarious board rooms. Gérald Beaudoin is the university I never attended.

Michael Meighen is the link with party heritage. Norman Atkins and I mourn the passing of the same lost causes.

It has been a privilege to share this seating cluster with Noël Kinsella and Eric Berntson, who have tried to educate me in the lore of the East and the West, while leaving my heart in Toronto where it belongs.

Janis Johnson, Mira Spivak, Eileen Rossiter and Ethel Cochrane have kept me safely in line with social and cultural causes from the great outside, David Angus notwithstanding.

My good friend Duncan Jessiman remains in the Senate until early summer. At that time, he will be unceremoniously kicked out like the rest of us. However, in that interval of time, I depend on him to take all my calls from the marijuana crowd.

•(1520)

I leave with a confession for my whip — the party loyalist, Senator DeWare. It is time to tell you, Mabel, that Senator Gigantès was my friend when I came here and remains my friend today! What's more, I like Al Graham and I admire John Stewart. And I wish Senator Lorna Milne well in the difficult job of chairing the Standing Senate Committee on Legal and Constitutional Affairs, my favourite committee over the 13 years I have been in this place.

Marjorie LeBreton and I, for some time now, have been publishing an underground newspaper. May it continue to flourish and to participate in the pure and certain rise of Jean Charest.

When I first came to the Senate, committee clerk Paul Bélisle took me by the hand and explained that most things in the Senate on most days were not what they seemed to be. Paul, who began his career as a page in this place and is now Clerk of the Senate, Clerk of the Parliaments and Keeper of the Flame for this institution, is aided splendidly at the Table by Richard Greene, Blair Armitage, Gary O'Brien, Heather Lank and Charles Robert. They, I can tell you, could finish the rest of us in a day if they chose to. Lord help me if my shy assistant, Cheryl Hannaford, ever turned against me.

Make a list: Committee clerks, library staffers, department heads, messengers, security officers, secretaries, researchers, all those cheerful people in the restaurants and cafeterias, the good people who keep the place spotlessly clean and shiny, the folks who teach English and French and suffer when we get it wrong in spite of their best efforts — they are all on my list!

I remember an incident that occurred a few years ago when a noon-hour kitchen fire forced all of us down the staircases and out into the precincts where it was trying hard to rain. Senator David Walker, a lifer and a gentleman, not knowing what the day would bring, left the restaurant with a freshly filled glass in hand. Out in the cold, he looked around at the bunches of people who were collectively the Senate and raised his wine glass in a gallant toast. "What a fine lot they are," said he, and the lot of us agreed.

As for me, I have special reasons to be grateful for the patience of the people who work here — inside the chamber and out. The peculiarities of radiation treatment have blessed me with a voice that is strained through pads of SOS pot cleaners and you, my friends, have been kind enough to sit through the consequences.

I have news for you — Brenda Robertson and the Rules Committee are on the brink of introducing an electronic device that will come to the aid of the voice handicapped, thus removing another of the dreaded barriers to public service. At the proper time, Brenda and her committee-mates will announce the details.

Oh, yes, I have forgotten one thing. I must mention my old committee adversary, Senator Colin Kenny. I have been charged to do this. You see, my Grandmother Doyle, bless her soul, who was born here in the Valley, was a Kenny. A family tree surgeon tells me that Colin and I might be cousins. Will my debts to Brian Mulroney never be paid!

Hon. Senators: Hear, hear!

ORDERS OF THE DAY

Leave having been given to proceed to Order No. 1:

CANADIAN WHEAT BOARD ACT

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Taylor, seconded by the Honourable Senator Pépin, for the second reading of Bill C-4, to amend the Canadian Wheat Board Act and to make consequential amendments to other Acts.

Hon. Noël A. Kinsella (Acting Deputy Leader of the Opposition): Honourable senators, on our side, we have concluded the analysis of Bill C-4 at second reading and are therefore supportive of the bill proceeding to committee.

Motion agreed to and bill read second time.

REFERRED TO COMMITTEE

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

On motion of Senator Carstairs, bill referred to the Standing Senate Committee on Agriculture and Forestry.

AGRICULTURE AND FORESTRY

COMMITTEE AUTHORIZED TO MEET
DURING SITTING OF THE SENATE

Leave having been given to proceed to Motion No. 57:

Hon. Leonard J. Gustafson, pursuant to notice of February 25, 1998, moved:

That the Standing Senate Committee on Agriculture and Forestry have power to sit today at 3:30 p.m., even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

Motion agreed to.

[Earlier]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I should like to draw your attention to the presence in the gallery of a group of Russian aboriginal leaders, who are in Canada to participate in the Institution Building for Northern Aboriginals of Russia Project, sponsored by the Inuit Circumpolar Conference, Canada.

On behalf of all senators, I wish you welcome to our Senate chamber.

THE HONOURABLE STANLEY HAIDASZ, P.C.

TRIBUTES ON RETIREMENT

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, Senator Stanley Haidasz was born the son of Polish immigrants who learned both our official languages in school and went on to eke out an ability to understand Slovak and Ukrainian. Stanley never forgot the proprietor of a small shop who denied him a job because he did not like the sound of his name, or a campaign official who tried to get Stan to change his name in preparation for the 1957 election campaign when he was first elected to the House of Commons.

There is an old saying that goes like this: In the country of the blind, the one-eyed man is king. Senator Haidasz set out to ensure that Canada was not to be the preserve of the one-eyed king. By his side was his lovely Polish-born wife, Natalie, with whom Stanley fell in love when he first saw her, and heard her singing that great Polish melody *When Irish Eyes are Smiling*. Natalie is in the gallery with their extended family today. Together, they spent long hours working for a country where openness of minds and openness of hearts was as much a part of the social fabric as the air that we breathe.

As a medical doctor and a general practitioner for working people, most of whom were from ethnic minorities, he understood the costs of discrimination and poverty, and the need to have a system of good health care available to all Canadians.

Shall we judge a country by the majority or by the minority? "By the minority, surely," said Ralph Waldo Emerson. As a member of Parliament, Stanley represented a tiny microcosm of the planet itself. With evangelical fervour he began to take up the cause of Canada's cultural minorities in Parliament. Speaking to minority communities across the country, he praised their determination to maintain their culture and their identity. He praised their loyalty and dedication to their new country, the virtues of sharing and service to others, commitments to family values, and hard work and education for the young and, most especially, commitment to the right to grow up equal. He emphasized the fact that minorities, in many ways, often hold the key to a better society, a better community, a better country. It is only through those who are unafraid to be different, it was once said, that advance comes to human society.

Appointed Canada's first Minister of State for Multiculturalism in 1972, he fought for that right — for the right to be different. He pushed for funding to develop the cultural programs which enshrined that right, which became the leavening agent of progress and advance in Canadian life and society, enriching all Canadians and further strengthening national unity in the process. He understood that national unity was very much a question of strengthening and revitalizing the values highway that links Canadians from coast to coast.

For Polish Canadians, most of whom immigrated here in several major waves throughout this century, this was particularly true. Poland is a country which suffered cruelly over the centuries from occupation and division, perhaps the cruellest being the Nazi occupation during World War II, and the devastating Soviet invasion from the east which occurred in the closing months of the war.

The young Karol Jozef Wojtyla may be one of the best known world leaders to have fought in the resistance, but as the post-war gates opened to a new wave of Polish immigrants to this country, most had had experiences similar to those of His Holiness, the present Pope John Paul II, knowing at first hand tales of suffering and anguish, of hunger and family separation, of torture and persecution and fear. Many had lost everything. They came to Canada with hope and commitment. They brought with them a special genius for music and literature, and a rich historic culture. All sought a better life and new beginnings. They knew that freedom is not a gift bestowed but a reward hard won.

Because of the values Polish Canadians so cherish in this country, the values all minorities so cherish in this country — values such as peace and cooperation, tolerance and commitment to human rights; values which were themselves part of the normative foundations of our nation — each new wave strengthened the values highway, making our country very much more than the sum of its parts.

In the dark hours of Communist rule in his mother country, Stanley kept hope alive. From the early years in which he was

Parliamentary Secretary to Paul Martin Senior, he kept up Canadian-Polish contacts, whether as president of the Polish Millennium Fund, through Canadian-Polish medical exchanges, or through the fight to win rights for Polish airlines to charter flights from Poland to Canada.

Honourable senators will recall as well Senator Haidasz's attempts in the late 1980s to get more Canadian aid for the Independent Trade Union government of Solidarity.

Today, we see a free Poland evolving from an unhappy past. One of the children of this new democracy is Aleksandra Brylant who came to Canada several years ago, at the age of two, for life-saving surgery. She was born with three holes in her heart, and was afflicted with Down's syndrome as well. While the Herbie Medical Fund for disadvantaged children covered most of the medical costs, Senator Haidasz was instrumental in bringing little Aleksandra here for a new lease on life, as he has done for so many others.

We all share the great pride, Stanley, that you justifiably felt one week ago today when you were awarded, in Warsaw, the Order of Merit of Poland.

Stanley, you kept the struggle alive in the darkest hours. Little Aleksandra and the others you have helped will face a new millennium in a country where new hope stirs and, because of you, Canada is less a kingdom of the blind than most other places on the planet. Your work has kept the one-eyed king in permanent exile. Rather, it is a place to which little Aleksandra can return one day; a place where openness of hearts and openness of minds will be as natural as the air that we breathe.

Senator Haidasz, you are truly a man of passion, principle and conviction. You have made an enormous contribution to this chamber. You will be missed. All honourable senators join in wishing you and Natalie good health and much happiness in your retirement.

Dovidzenia. Goodbye. Au revoir. Dovidenia. Dosvidania.

•(1540)

Hon. Consiglio Di Nino: Honourable senators, it is with pleasure that I rise in tribute to the Honourable Senator Stanley Haidasz.

Senator Haidasz has ably served Canada, particularly his constituents and his community, for four decades and then some, both as a Parliamentarian and as a fine medical practitioner. During all these years, he has been faithful to his constituents and to his beliefs.

The residents of the Toronto area of Parkdale elected Senator Haidasz no less than six times. During his first two terms as a member of the other place, I spent my formative years, together with my family, in the Parkdale area. It was heavily populated by recent immigrants, mainly from Northern Europe, but sprinkled with the odd southerner — and "odd" is the key word there — like myself. My boyhood friends were principally of Polish, Ukrainian and Baltic backgrounds.

During these particularly trying years, Senator Haidasz was a role model who made us believe in ourselves and inspired us to strive for our goals. As the first minister responsible for multiculturalism, he developed and articulated positions on issues that better reflected the make-up of Canada then — no easy task during a period when Canadians were still debating the virtues of biculturalism.

Honourable senators, I have been both a witness and a victim of those early days, when many of us were seen by too many of our neighbours as some strange and substandard race. It was leaders like Senator Haidasz who provided a ray of light and the ray of hope needed to go on.

Senator Haidasz, I express to you my congratulations and thanks, and I extend my best wishes for many more good years surrounded by the love of your family and friends.

Hon. Sharon Carstairs (Deputy Leader of the Government): Honourable senators, when I listen to tributes such as these given today, I sometimes think we should pay tribute halfway through the senator's career so that we may have a better understanding of the capacity of the individuals with whom we serve in this chamber.

As someone who is interested in the whole field of multiculturalism, I knew of the contributions that Senator Haidasz made to this important and significant undertaking in this country. I experienced it firsthand several years ago, when Senator Haidasz came to Winnipeg, to the opening of a newly built church on the site of an old church, originally built in 1870, of the Polish Catholic Community in the city of Winnipeg.

The opening of the new church, far more elaborate than the older church had been — and very impressively decorated with a series of leaded windows depicting the stations of the cross — was a moment of very special and unique history in the city of Winnipeg. The special guest of the day was Senator Haidasz.

I was amazed that every man, woman and child in that room knew Senator Haidasz' name. They knew about his contribution to their community, nationwide. They knew that he had kept hope alive for so many of them in the dark days of communism in Poland. Their admiration, their affection and their outright love for this man was very eloquently expressed — orally by some, and just by the looks of admiration that they gave him as they passed by in both awe and gratitude for the fact that this man was in their midst.

Honourable senators, the Polish community of Canada is indeed grateful for the eloquence with which he has represented their cause.

I will end my tribute on a humorous note. The other night, at a party in honour of Senator Haidasz, he told us a bit of his history that I did not know. Apparently in his early youth, he had spent a year in the noviciate. That led to some interesting observations by other members of the Liberal caucus, including Senator Losier-Cool, who announced that she, too, had spent a year in the noviciate. As you know, in service of the church, one must take three vows, namely, the vows of obedience, poverty

and chastity. Somewhat to my surprise, Senator Losier-Cool said that she had no difficulty with the vows of obedience and poverty, but had real problems with the vow of chastity. She wanted to know which problem Senator Haidasz had with membership in the noviciate. Senator Haidasz smiled and said, "I had problems with all three!"

Hon. Wilbert J. Keon: Honourable senators, I, too, rise to pay tribute to our honourable colleague Stanley Haidasz. His departure from this chamber will mark the end of a rich and illustrious career as a parliamentarian and, more particularly, as a humanitarian.

When our honourable friend was first chosen by the constituents of Trinity, and later Parkdale, Toronto, to represent them in the House of Commons in 1957, his elected power, his tireless efforts and his genuine concerns went toward Canada's most vulnerable: newly arrived immigrants and refugees, war orphans, prisoners in Nazi concentration camps and labour camps, displaced persons, the elderly and the disenfranchised. Indeed, his firm commitment to the disadvantaged, as well as his continuous efforts to reinforce Polish Canadian relations, must have been fuelled by the same fire that led him to establish a long respectable practice as a family physician.

While gaining his licentiate in philosophy at the University of Ottawa, Dr. Haidasz heard the call of medicine, at which point he went to pursue his medical studies at the University of Toronto. As a young intern of 28 at St. Joseph's Hospital, he would swiftly move on to do surgical training at the renowned Shouldice Hospital. This was later followed by qualifying in cardiology at Chicago's Cook County School of Medicine and geriatrics at the University of Saskatchewan. Indeed, our honourable friend's medical devotion and contribution is something of great pride for all of us, myself included, in the medical profession.

Dr. Haidasz ran his own medical practice in Toronto for the last 40 years and was, until last May, operating a week-end practice and making house calls to his older patients.

Needless to say, Senator Haidasz' endeavours in consolidating his political and medical career for the betterment of Canadians, Eastern Europeans, and all of human kind, are numerous and outstanding. As a parliamentarian, both in the House of Commons and, since 1978, in the Senate of Canada, he has been an avid defender of rights overlooked. He has been a consistent force towards establishing a market-place for affordable pharmaceuticals, and was the pioneer in facilitating the import of generic pharmaceutical products to less advantaged patients in Poland and other countries.

•(1550)

In 1978, Dr. Haidasz represented our country as a senator at the First International Meeting of Primary Health Care at Alma-Ata in the then U.S.S.R., and in the same year established a Canada-Poland medical exchange program. In 1984, as the co-founder of the Polish Scoliosis Fund, at the Toronto Hospital for Sick Children, Dr. Haidasz inaugurated humanitarian visits to Polish centres, treating childhood scoliosis with the surgical colleges providing support along the way.

Honourable senators, our colleague has proven himself to be a staunch defender of access to medicine as a basic human right. In initiating several bills, he has sought to safeguard motherhood and the sanctity of human life. As a delegate to Bucharest for the first UN International Conference on Population, in 1974, he has endorsed the rudimentary right to life and brought forth the necessity for primary health care development and an end to exploitation of women by misinformation, mutilation, forced sterilization, and abortion.

Forty-five years as a physician and politician, stalwart fighter for preventive medicine, the honourable senator has waged, for the last 40 years, an uphill war on tobacco. In directing government policies towards countering nicotine addiction at its inception, his private member's bill, S-5, was one step forward in restricting noxious constituents of tobacco products. With Bill S-71, the Tobacco Act, Senator Haidasz emphasized the role of government to directly regulate nicotine content, carcinogens and other toxic subjects. In addition, he strongly advocated tax incentives for cigarette users to use off-nicotine therapies.

Today, with Bill S-8 before the Standing Senate Committee on Social Affairs, Science and Technology, Senator Haidasz's combat against the abuse of tobacco products is as vigorous as ever. With this initiative, he and many others, such as myself, are anxious to see the reduction in the use of harmful additives contained in the product, coupled with a clear display of nicotine and tar content. As stated before, the battle against tobacco is one in which physicians have been on the front lines for a very long time. Dr. Haidasz has paved an extraordinary and exemplifying path to follow.

Honourable senators, with these remarks, I stand here before you in recognition of Senator Haidasz, whose countless and tireless contributions to this chamber, to the Polish and Canadian community, to the medical profession and to the plight against tobacco, among many other things, are permanent marks of the wisdom and expertise we have been so fortunate to have encountered. Indeed, his presence in this chamber will be greatly missed and we all wish him the very best.

Hon. Richard J. Stanbury: Honourable senators, I would like to add a few words of tribute to those expressed to my long-time friend Stan Haidasz. I do not wish to repeat what has been said by others, because the fact that he has had such a remarkable career, I think, is obvious to anyone who has ever read any of his biographies, which are tremendously impressive.

Stan Haidasz is a scholar, a beloved physician, a respected politician, a community leader, an international diplomat, a wonderful senator, and a gentleman loved by all.

My own recollection of my relationship with Senator Haidasz goes back to the election of 1957, when he resisted the first Diefenbaker election success by being elected in Trinity. Unfortunately, no one in the Toronto area survived the second Diefenbaker sweep.

Senator Grafstein: But wait! That is not the whole story!

Senator Stanbury: It was not until 1962 that Senator Haidasz had the opportunity to run again. By that time, I had the responsibility for the Toronto area and Dr. Haidasz was one of the leaders of the Pearson sweep, which brought 14 of the 17 Toronto ridings into the Liberal fold. That was the election that converted Toronto from Tory Toronto to Liberal Toronto and, may I say, we have never looked back.

Senator Lynch-Staunton: I cannot hear you, cannot hear a word.

Senator Stanbury: I will not attempt to quote the unending list of positions, public and private, which Stan has occupied, nor the many honours that he has received. Those have already been mentioned substantially. All I can say is that whenever, as an elected officer of the Liberal Party at the Toronto and district level, the provincial level or the federal level, I needed support from our members of the House of Commons, which was very often, I always knew I would get enthusiastic help from Stan.

Again, when I was assisting in the Canada Business Council and the Canada-Eastern Europe Trade Council to expand Canadian exports, Senator Haidasz, who knows that part of the world so well, was of tremendous help.

I want particularly to mention Stan's family and their importance to him. Natalie, his bride of 48 years, has always been a charming presence in Stan's public career, but I know her importance to him is so much greater in their private life. I also know how deep is Stan's devotion to the members of his family.

My wife, Marg, has asked me to include her in my tribute to Stan and Natalie, and I do so happily. Our very warm personal wishes to Senator Haidasz and to his entire family.

Hon. Anne C. Cools: Honourable senators, I join my colleagues in this farewell tribute to Senator Haidasz. I was deeply touched by Dr. Keon's remarks and, as he spoke about Dr. Haidasz, I was reminded that Dr. Bonnell has only recently left this chamber. With Senator Haidasz's departure, we will be left with only one Doctor-Senator, Wilbert Keon. I encourage the Prime Minister to appoint some doctors to this chamber in their place. Doctors bring a special experience to this chamber.

Senator Haidasz's achievements and contributions are numerous. He has been an enormous credit to his family, to his race, to his community, to his province and to his country; this country, Canada. He is a good man, a kind man, and a noble man.

Senator Haidasz's devotion to his church, the Roman Catholic Church, is well known. His defence of the unborn and the sanctity of life is notable and equally well known. Senator Haidasz's force of conviction is to be admired by all of us. He was also Canada's first minister of multiculturalism.

Honourable senators, I am honoured to have known Senator Haidasz and to have worked with him. It may be said that Senator Haidasz did much for many people. Senator Haidasz, as physician healer, as politician minister, as a senator, as a Knight of Malta, has truly spent his life in public service. It may be said that he served God, Queen, and country.

I wish him and his family, his loved ones, in particular his daughter, whom I know well, God speed and good luck.

Hon. A. Raynell Andreychuk: Honourable senators, I want to add my wishes for Senator Haidasz in his retirement and his future endeavours. I have not been fortunate enough to sit on any Senate committees with Senator Haidasz. My knowledge of and my involvement with the work of Senator Haidasz is in the communities across Canada. As I come from one of the Slavic communities, I am well aware of the balancing act between trying to encourage people who have come to this country to participate in the daily life and daily issues of Canada, and the difficulty of maintaining a continued commitment to see change in the country from where you have come.

•(1600)

It is often said in the Slavic community that you have to know from whence you came to know where you are going. We have often said that it is difficult to know our roots because we were precluded in many cases from going to the countries from which our ancestors came, or from which we came. We therefore looked to role models and people within the community who could excel and achieve in Canada, and continue to work through the Canadian government to effect the changes in the countries of our origin. Senator Haidasz is often referred to as a role model of what Canada allows its people to achieve, and how it allows Canadians to continue to contribute to the values and to the issues that are important to us and to those of us who fight for the issues in the Universal Declaration of Human Rights.

I am very pleased that Senator Haidasz has had the opportunity to culminate a unique and very rewarding career as a professional, as a community leader, and now as a senator. I trust that he will continue to contribute to the fabric of Canadian society, and to the citizens in Poland and their wish to continue their democratic progress, and I trust that he understands that we respect and certainly acknowledge the contribution that he has made to the communities across Canada. As a role model, as a spokesperson, and as a Canadian citizen, he has contributed to Poland and other Slavic countries as an activist and as example.

I wish you and your family well in your future endeavours.

Hon. Philippe Deane Gigantès: Honourable senators, Senator Haidasz comes from a long tradition of the doctor-philosopher, and statesman, and leader. They existed everywhere, but were more noticed in corridor countries such as his country of origin, where every monstrous invasion would go through, and in other

countries in Europe, and elsewhere, where the physician, not asking for money, would tend wounds, help people, bring children into the world, and try to understand and explain why fate was so unkind at the time.

He is one of them, as was Senator Johnson's father, and as is Senator Keon.

There is something else for which I would thank him. Because of who he is and what he has been, older Canadians who were here before us more recent immigrants have been conditioned by people like him to think well of immigrants. I was welcomed in this country mainly because Senator Haidasz and people like him taught the people who then lived in this country that we, the immigrants, could love the country and serve it. Thank you, sir.

Hon. Jeremiah S. Grafstein: Honourable senators, I should like to add words of tribute to Stanley Haidasz. I first met him in 1961 in his riding in the heart of Toronto, which was really a Central European enclave. As President of the Young Liberals at that time, I organized the Young Liberal organization in his riding. It was in that process that I came to know him, his riding organization and members of his family.

Shortly thereafter, the Toronto and District Liberal Association established what we called the ethnic committee, which was really a multicultural committee, to focus on multicultural issues. I think that was the first time within the bosom of a national party that a microcosm organization of this type was established. The thrust of that organization really came from Stanley's riding and from Senator Haidasz himself. It is interesting how ideas filter up from a riding association, from the grass roots to the senior echelons, and finally become part of the fabric of the country. It was from those early days and that experience of various groups working in a concerted area, from various ethnic and multicultural groups led by Senator Haidasz and his colleagues, that those ideas ultimately filtered up into the federal government, and then into national policy.

Senator Haidasz was a pioneer at the grass-roots level, and one of the originators of our multicultural policy. In that sense, when we talk about the bilingual and multicultural essence of the country, Senator Haidasz is one of the leaders in that formulation.

We also shared another interest. He and I have deep but different roots in Poland. We share a common hero, Jozef Pilsudski, who was the first leader after the First World War in Europe, and at that time in Poland, who believed in the idea of European federalism. Therefore from time to time, Stanley and I have talked about our interests in the culture, the history, if not the different pasts that we share with respect to Poland, and in that sense I shall miss him.

To you, Stanley, I say you are a great gentleman, a great scholar, a man of strong principles and stronger beliefs, and you will be sorely missed.

[Translation]

Hon. Marcel Prud'homme: Honourable senators, before talking about my good friend Senator Haidasz, whom I know better, I did not want to take part in the tributes to Senator Doyle, to keep our proceedings as short as possible. However, I want to tell Senator Doyle that I appreciate having known him. Only yesterday, when he replied to me, I realized I was having a hard time keeping up with his wit. Only this morning, after reading the transcript, did I realize all he had said yesterday in reply to my questions. He understood my point very well regarding the issue of independent senators.

I wish him a nice time with his family.

[English]

If he would be kind enough to help me out before his departure, he could give me the list of the senators in his party who are considering joining the independents. I would be more than happy to explain to them the difficulties they may encounter.

Senator Haidasz, I wish you the best of retirement. I know you will enlighten us by continuing with your writing. I will shock some Liberals by saying I favour *The Globe and Mail* by a mile over *The Toronto Star*. I do not want to start a debate, but I have always, like my father, read *The Globe and Mail*, and I find that I usually disagree with *The Toronto Star*.

Having said that, I want to pay tribute to a man I know better. I do not want to say more about him than the rest of you, but when I came into the House of Commons in 1964, Senator Haidasz was already a Member of Parliament. He helped me out. It was not easy to come in alone. I did not come in at a general election where everybody is on an equal footing. Everybody wanted me to win that by-election and they knew that a young Liberal, especially me, could be elected during these times. Everybody was very kind during my campaign — not before my nomination, but once I won the nomination — but I was on my own as soon as I arrived in Ottawa. Such is life.

However, Senator Haidasz came to me and said, “Vous êtes du Québec.” I was surprised, having participated in many debates across Canada, to hear him welcoming me in a very slow, beautiful, charming French, “Vous êtes le nouveau député. Je vous souhaite la bienvenue,” and it always struck me that the man was a real gentleman.

I know he ran in 1957 and was elected. Unfortunately, he had to go back home in 1958 when there was a big Conservative sweep, but he did not give up easily, and that is an example to people. He fought and came back in 1962, if I am correct, and then on into 1963 and 1965. Someday, you will have to write about this.

•(1610)

We were sure to go to election in 1978. Many people were appointed, and many by-elections took place because we did not call an election, and Senator Haidasz's riding was lost. However, immediately after the general election of 1980, even though the Conservatives were elected, the Liberals retook that riding

because Senator Haidasz would not allow that seat to be in foreign hands, “foreign” being non-Liberal.

I learned a lot from him. I learned that if you are a profoundly religious person, you should not hide it. If you believe in God, if you are attached to a faith, whatever that faith, you should be a messenger among people. Senator Haidasz has done that in his own way. He has always been that kind of light.

[Translation]

Senator Haidasz is a light in the dark who never hesitates to show his deep attachment to his religion. We know he is a devout, well-known and honoured Catholic, who never campaigned across the country to defend one faith or another, but who affirms, in his own way, his affiliation with the Roman Catholic church. I thank him for that. He is an example to those who have problems affirming their faith.

[English]

I would like to say to you, Dr. Haidasz, that I profoundly believe in your bill which was studied in committee this morning. You knew my father. He was a doctor, and he delivered 9,000 babies. That has nothing to do with the debate on abortion. We should protect people. They should not be forced to commit acts that they would not otherwise be doing unless they were asked to do it.

You can leave and rest, come back anytime, and be well received by us. However, other senators will continue the work you have started. I wish you the very best. I thank you for the way you received me in the House of Commons on February 18, 1964. You made me feel welcome after I was introduced by Mr. Pearson to the new chamber. Everyone was wondering about the new member. Please, come back and see us. My office is yours at any time.

Hon. Stanley Haidasz: Honourable senators, I am deeply touched this afternoon by the many words of tribute, praise, encouragement for the future, and your best wishes. I am deeply thankful for these wishes.

As I leave this very beautiful chamber and this building where I have spent almost 40 years, more than half of my life, it is with great gratitude not only to providence but also to many people, people like my teachers at the University of Ottawa and other schools who inspired me to enter the life of politics, people who helped me once I got here, people like you in this chamber, my colleagues to whom I am very grateful for all their support and good example.

Mention was made by Senator Carstairs of my year as a novice. During that time, as well as my time at St. Joseph Scholastica in east Ottawa, we, who belong to the Congregation of Missionary Oblates, lived a community life, and our first commandment was to love our neighbour. I remember living in a big community of 300 to 400 students, and we were encouraged to get down on our knees and confess our offences or sins against our neighbour. Although I will not do it on my knees here at this time but standing, I confess that I have probably irritated or offended many of you here, and for all these faults of mine, I ask forgiveness.

I am very grateful also to people like Prime Minister Trudeau who appointed me to this chamber. As many senators have indicated, I came here first as a St. Laurent Liberal in 1957, as a novice, a stranger almost, not to Ottawa, but to this building. I had only visited this building once when I was a student at the University of Ottawa, one evening, in the company of my classmate Jacques Rinfret, whose father was the Chief Justice of the Supreme Court of Canada, Thibaudeau Rinfret. It was dark here because there was nothing going on in the evening. However, there was something going on in the other place. After the debate in the other place, my friend brought me to meet the first senator I saw in my life, Thomas Vien of Montreal, who sat as the Speaker in that Chair from 1943 to 1945. That was my first and only visit to this chamber.

I never dreamt of politics when I was a student in university or in the seminary. I had other ideas and other duties. However, I do not regret that somehow or other I was steered into politics. It was a great opportunity for me to get to know my country better from coast to coast to coast. I visited Newfoundland several times, Signal Hill, for example. Every Canadian should have the privilege of visiting Signal Hill and watching the waves of the Atlantic hit those cliffs. During one visit to Newfoundland, when I was the main speaker at the unveiling of a statue of the first Methodist minister in that province, Joey Smallwood came along, at the end of the ceremony, and spoke for an hour, off the cuff, about the early missionaries and the religious customs and fights in Newfoundland. It was a great education.

I am grateful to those who brought me into politics because, as I said, I got to know my country and its people and how the country is run. I wanted to do something. I actually entered politics, being talked into it, because of the then MP for Trinity, Mr. Don Carrick, who gained his seat in a by-election. C.D. Howe had promised him he would be the justice minister. Don Carrick ran in a by-election because the previous member of Trinity, Lionel Conacher, Canada's greatest athlete, played softball on the front lawn with the press and tried to stretch a triple into a home run. Turning around third base he fell and died of a coronary, so never try to stretch a triple into a home run.

•(1620)

It was a great honour for me to represent Trinity at least for one Parliament. I did not return until 1962. Unfortunately, in 1962 I defeated one of my best friends, Arthur Maloney, a great criminal lawyer and a friend of Senator Atkins. He was a great friend of mine, and I was most embarrassed when I defeated him. I was embarrassed because he was a classmate of mine at St. Michael's. I was also friends with his future wife. Nonetheless, these things happen.

I only recall these things at this time to tell you how much I appreciate the life of politics.

Once again, I say that it was a great privilege to serve in Parliament. I am grateful to all those who helped me both before

I came here and when I came here. I see in the gallery one of my former secretaries, Kay O'Meara, who was my secretary for almost 17 years. I only had three secretaries. She was the second one. She is here today, along with my wife and family, to whom I pay my respects for their support.

As a physician I tried to be helpful in that field and bring in some new ideas. I really entered politics to bring in medicare. I was pushing my minister, Judy LaMarsh. I was her parliamentary secretary.

Then there was Allan J. MacEachen, the father of medicare. I am very proud that my party brought in the Hospital Insurance Diagnostic Act, then medicare, the Canada Pension Plan, the improvements to family allowances, and many other pieces of legislation. However, I think the most worthy and helpful to Canada was the enlightened policy on multiculturalism announced by Mr. Trudeau on October 8, 1972. After the election of 1972, he asked me to be its first minister and to implement the program of multiculturalism, which I did my best to do.

I also wish to pay tribute to the other ministers who followed me. Many were from the party opposite. Actually, the Conservative Party brought in the Ministry of Multiculturalism. I believe that was the most enlightened social policy of any Government of Canada.

It was a privilege for me to take part in the work leading up to these policies, and I want to thank everyone who sat with me on committees or on caucus task forces to bring in legislation that would help to make Canada a better country in which to live.

I am leaving about a year and a half before the third millennium, at a time when Canadians have their own crisis, worries and anxieties. I am talking about the spectre of another referendum and the so-called sovereigntist movement in the province of Quebec, where I lived for four years among French Canadians. I came to know them well and to love them. I am sorry to see that they are unhappy. We have a challenge, honourable senators, to make them feel happier in Canada so that they will remain a part of this great country of which we are proud and which we in this chamber serve.

Honourable senators, I throw you the torch to continue what we have done here in the past 20 years. I truly hope you are successful in your endeavours to keep Canada strong and united, to keep the people of Canada happy, and to provide that to which our young generations aspire or look forward to — a better future for everyone in this country.

In this work I say God bless you all, and I wish you a fond farewell. Adieu and dovidzenia. Thank you for your assistance and counsel. I will be back again, not to criticize you, but to help you in any way I can. I love Ottawa. I have spent so much time here that I will not be able to stay away. Bear with me if you see me again.

Hon. Senators: Hear, hear!

[Translation]

SENATORS' STATEMENTS

THE NEW CIVIL CODE OF QUEBEC

CLAUSE 35

Hon. Jacques Hébert: Honourable senators, I would like to draw the attention of this house to a legal case that has been in the news here for a year and a half. The proceeding is calling into question two basic democratic principles: freedom of expression and the public's right to information. A writer and renowned historian, Pierre Turgeon, twice a winner of the Governor General's award, may well have one of his books, which was to be released in the spring of 1996, banned and destroyed. The work, entitled *P.H. le magnifique, l'éminence grise de Duplessis*, paints a lively and well-documented portrait of the reign of the Union Nationale through the biography of one of its greatest beneficiaries, Paul-Hervé Desrosiers. I would note in passing that this information on Mr. Desrosiers may be found in the biography of Maurice Duplessis published by Conrad Black over 20 years ago.

Who then is seeking a permanent injunction against Mr. Turgeon's book in Montreal Superior Court? Pierre Michaud, the great-nephew of Paul-Hervé Desrosiers, who died in 1969, and the president of Réno-Dépôt, a huge hardware firm with annual sales of half a billion dollars. Réno-Dépôt grew out of Val-Royal, a firm founded by P.H. Desrosiers, the great-uncle of Pierre Michaud and a friend of Maurice Duplessis. Millionaire Pierre Michaud is quoted in the *Gazette* of December 13, 1996 as saying:

We are talking about political bribery. Maybe there was some. I am not criticizing the source that said there was — and in any case that was the practice at the time. But why talk about it in a book? My employees are going to read that and say:

Holy jumping! He was a bloody thief. He paid out money to buy contracts.

That is not the image I want to present.

That is how Mr. Michaud put it in his delicate way.

What is Pierre Michaud's basis for demanding that a book that took one of Canada's most renowned authors three years to write be banned? According to a research and a publishing contract, the details of which I will not get into, Pierre Turgeon never gave Pierre Michaud any right to edit the book's contents, nor did he ever transfer to him his inalienable copyright under the federal copyright legislation.

Realizing how weak its contractual arguments were, Réno-Dépôt decided to invoke clause 35 of the new Quebec Civil

Code, which states that the privacy of a deceased person cannot be breached.

The Hon. the Speaker: I am sorry, but I have to interrupt. Is this matter currently before the courts? According to our rules, matters currently in dispute before a court should not be raised in this House. In this respect, let me quote Citation 505 of *Beauchesne*, which states:

Members are expected to refrain from discussing matters that are before the courts or tribunals which are courts of record. The purpose of this *sub judice* convention is to protect the parties in a case awaiting or undergoing trial and persons who stand to be affected by the outcome of a judicial inquiry. It is a voluntary restraint imposed by the House upon itself in the interest of justice and fair play.

Therefore, if this matter is currently before the courts and has not yet been decided, I believe, Senator Hébert, that we cannot hear your statement.

If that is the case, I would ask you not to continue.

Senator Hébert: It is quite possible that the case is before the courts; it has dragged on for three and a half years. I wonder whether I might give an opinion, not on the case in question, but on clause 35 of the Civil Code, which applies to everyone. It is a clause which, in my opinion, is an infringement of individual rights, whether they be the rights of Mr. Desrosiers or anyone else. It has nothing to do with the case.

The Hon. the Speaker: I would think we could debate a piece of legislation, but not with specific reference to a case before the courts.

Senator Hébert: If you had stopped me earlier, the case would not have come up. Now it has. What I wish to say is that my purpose was not to speak about the case, but about clause 35, which, in my view, is extremely dangerous. I merely wanted my colleagues to know that it is clause 35 of the new Civil Code, which does not mention Mr. Desrosiers.

The Hon. the Speaker: Very well.

Senator Hébert: So then, of all the ridiculous pieces of legislation I have ever seen in my life, clause 35 takes the cake. If clause 35 is enforced, it makes it impossible for the story ever to be written. I would like to tell you about the life of Jacques Cartier. It could be interesting, but wait, I must look up all his descendants to find out whether they will let me.

The Hon. the Speaker: I am sorry but I must interrupt you again because your three minutes are up. Is leave granted, honourable senators?

Hon. John Lynch-Staunton (Leader of the Opposition): No.

Senator Hébert: We understand why you say no.

Senator Lynch-Staunton: I will raise a point of order at the first opportunity.

[English]

NATIONAL UNITY

THE HONOURABLE LUCIEN BOUCHARD—POLITICS IN QUEBEC

Hon. Jeremiah S. Grafstein: Honourable senators, on February 8, 1994, I drew the attention of the Senate to the question of nationalism; on March 22, 1994, to the question of nationalism and democracy; and then on June 8, 1994, to the contradictions of Quebec nationalism. Regrettably, contradictions continue to abound.

Last week, Premier Bouchard demanded from Quebec City that the federal government, federal ministers or federal members of Parliament, even from the Province of Quebec, should not participate in Quebec provincial elections or Quebec political issues. Sternly, he issued a warning of dire consequences if federal politicians even so much as intervened in Quebec provincial politics. Yet when Mr. Bouchard was a federal appointee, federal member, federal minister of the Crown, federal Leader of the Opposition, and the leader of the Bloc here in Ottawa, he intervened freely and openly in Quebec politics every day — first, from his perch overseas and then from his perch here in Ottawa.

Last week, his federal colleagues in the Bloc raced from Ottawa to attend on every provincial legislature across Canada, and federal Bloc members continue to intervene in Quebec provincial politics daily.

Turning — and, I do this with some delicacy — to the reference to the Supreme Court of Canada, Mr. Bouchard warns the federal government that it cannot exercise its constitutional duty and democratic right to even seek legal advice on questions of constitutional process and the rule of law under the Constitution respecting a unilateral declaration of secession —

The Hon. the Speaker: Honourable senators, the Honourable Senator Grafstein is referring to a case that is before the Supreme Court. It has not been decided yet.

Senator Grafstein: I am not referring to the case itself, I am referring, by way of reference, to a premier who is referencing that decision. I will not deal with subject-matter, as I will deal with his comments.

The Hon. the Speaker: You may refer to the premier and to any actions that you do not agree with, but not with reference to a court case that is not settled.

Senator Grafstein: Let me go on to say that Mr. Bouchard uses his sculptured thesis of democracy to support a unilateral declaration of secession, without understanding or recognizing that the very essence of democracy means equal treatment under the rule of law. According to his thesis, equal treatment is not applicable. Democracy can only be employed in his own way and for his purposes but not for others.

About two weeks ago, Mr. Bouchard thanked the people of the United States, in an advertisement placed in a Boston daily

newspaper, for their help during the current storm crisis in Quebec but failed to mention the help given by thousands of Canadians through personal efforts, the emergency contributions by the federal government, and the invaluable help given by Canadian Armed Forces.

Also two weeks ago, Mr. Bouchard claimed that the federal government is acting beyond its powers in its reference to the court and refused to participate in that trial. Last week, he claimed that the very trial before the Supreme Court of Canada which he refused to recognize was a mistrial.

Last week, Mr. Bouchard repeated the canard that the 1982 Constitution had no effect in Quebec and then, just last fall, as all honourable senators will recall, he sent ministers, including his Minister of Education and his Minister of Provincial Affairs, to Ottawa.

The Hon. the Speaker: Honourable senators, I am sorry to interrupt the honourable senator, but his three minutes has expired. Is leave granted for the honourable senator to continue?

Hon. Senators: Agreed.

Senator Grafstein: They were sent to seek from the Parliament of Canada an amendment to the Constitution on the Quebec school question, that very same 1982 Constitution.

Also two weeks ago, Mr. Bouchard confused the youth of Quebec even further when he attended at the University of Montreal Law School to preach to law students that one province's unilateral actions can alter the configuration of a federation without regard to the rule of law under that federation's Constitution.

Honourable senators, it seems to me that if Mr. Bouchard can only persuade the population of the province of Quebec by contradiction, surely that in itself is a contradiction of democracy. Yet the contradictions continue. Stay tuned.

THE LATE W.O. MITCHELL, P.C.

TRIBUTE

Hon. Sharon Carstairs (Deputy Leader of the Government): Honourable senators, I know the hour is getting late, but I could not let today pass without paying a very brief tribute to W.O. Mitchell, an author from the west. He certainly opened my eyes and ears to the Prairie provinces when I first met him and was given a copy of his book, *Who Has Seen the Wind*. Following that reading, I read *Jake and the Kid*, and all the other books with which this beloved author of Western Canada endowed the people of Canada.

What is less known about W.O. Mitchell is the fact that he was an orchid grower. I was also privileged to have been in his home in the Rideau Park area of Calgary, in particular, his greenhouse where I saw the magnificent orchids he grew.

Honourable senators, if you wish to have a somewhat better understanding of Western Canada and Western Canadians, do yourself a favour and read *Who Has Seen the Wind*.

[Translation]

THE SENATE

PRIVILEGES OF SENATORS

Hon. Eymard G. Corbin: Honourable senators, on this occasion as two colleagues are leaving us who were great defenders, each in his own way, of civil liberties and democratic principles, and great exemplars of the highest patriotism, again each in his own way, who served within an institution, one of the roles of which is to defend the right to free expression, I could relate one incident connected with Senator Haidasz. One day, he rose to introduce a bill that no one would support. He could find absolutely no sponsor for that bill.

In the name of freedom of expression, that hallowed basis of democracy, I rose to second his bill. Otherwise, he would never have been able to bring the question of concern to him before us. And that was his absolute right.

Today, the lines are getting blurred between the jurisdiction of the Supreme Court and that of the two Houses of Parliament. Certain incidents have been raised, by Senator Cools among others. She mentioned cases in which the Court appears to be interfering in an area that belongs to Parliament. But the Court strongly denies that is the case. We, however, question such behaviour.

I believe that a senator's freedom of speech in bringing a matter to our attention ought to be respected, absolutely.

Citation 505 in *Beauchesne* refers, not to a strict rule, but rather to a voluntary restraint imposed by the House of Commons upon itself. In my opinion, this is such an important matter that we ought to ask the Senate Committee on Privileges, Standing Rules and Orders to examine application of Citation 505 with respect to our absolute right to express ourselves within these precincts on any question concerning the democratic interests of Canadians.

ROUTINE PROCEEDINGS**SCRUTINY OF REGULATIONS**

SECOND REPORT OF STANDING JOINT COMMITTEE TABLED

Hon. Céline Hervieux-Payette: Honourable senators, I have the honour to table the second report of the Standing Joint Committee for the Scrutiny of Regulations on sections 56 and 57 of the Royal Canadian Mounted Police Regulations.

The Hon. the Speaker: Honourable senators, when shall this report be taken into consideration?

On motion of Senator Hervieux-Payette, report placed on the Orders of the Day for consideration at the next sitting of the Senate.

[English]

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

THIRTEENTH REPORT OF COMMITTEE PRESENTED

Hon. Bill Rompkey, Chair of the Standing Committee on Internal Economy, Budgets and Administration, presented the following report:

Thursday, February 26, 1998

The Standing Committee on Internal Economy, Budgets and Administration has the honour to present its

THIRTEENTH REPORT

Your committee has examined and approved the supplementary budget presented to it by the Standing Committees on Energy, the Environment and Natural Resources for the proposed expenditures of the said Committee for the fiscal year ending March 31, 1998:

Professional and Special Services	\$ 3,570
All Other Expenditures	<u>18,285</u>
TOTAL	\$22,285

Respectfully submitted,

WILLIAM ROMPKEY
Chair

The Hon. the Speaker: Honourable senators, when shall this report be taken into consideration?

On the motion of Senator Rompkey, report placed on the Orders of the Day for consideration at the next sitting of the Senate.

ADJOURNMENT

Hon. Sharon Carstairs (Deputy Leader of the Government): Honourable senators, 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, March 17, 1998, at 2 p.m.

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

Hon. Senators: Agreed.

Motion agreed to.

TOBACCO INDUSTRY RESPONSIBILITY BILL

FIRST READING

Hon. Colin Kenny presented Bill S-13, to incorporate and to establish an industry levy to provide for the Canadian Tobacco Industry Community Responsibility Foundation.

Bill read first time.

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

On motion of Senator Kenny, bill placed on the Orders of the Day for seconding at the next sitting of the Senate.

QUESTION PERIOD

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Sharon Carstairs (Deputy Leader of the Government): Honourable senators, I have a response to a question raised in the Senate on February 10, 1998, by the Honourable Senator Ethel Cochrane, regarding the Young Offenders Act; I have a response to a question raised in the Senate on February 12, 1998, by the Honourable Senator Leonard Gustafson, regarding the Wheat Board; and I have a response to a question raised in the Senate on February 18, 1998, by the Honourable Senator Mira Spivak, regarding the cancellation of research study on seniors with osteoporosis.

JUSTICE

YOUNG OFFENDERS ACT—REQUEST FOR CHANGES BY PROVINCE OF SASKATCHEWAN—GOVERNMENT POSITION

(Response to question raised by Hon. Ethel Cochrane on February 10, 1998)

At the December meeting of the federal-provincial-territorial ministers responsible for justice, the provinces of Alberta, Manitoba, Ontario and Prince Edward Island tabled a number of amendments to the Young Offenders Act. They proposed lowering the age of criminal accountability in selected cases to address serious offences committed by children under the age of 12 years and for those exhibiting a pattern of offending. Other proposals include providing for easier transfer to adult court to address serious and chronic offending; for post-conviction publication of the identity of serious violent and chronic offenders; for greater judicial discretion with respect to the admissibility of statement evidence and for the restriction of court appointed counsel to circumstances where youths or their guardians cannot afford to pay for legal services.

The Communiqué from the 1997 Premiers Conference states that “the Premiers, with the exception of the Premier of Quebec, agreed that the federal government should move expeditiously to introduce meaningful amendments to the Young Offenders Act to combat youth crime, protect communities and restore public confidence in the youth justice system. Premiers also agreed that the federal, provincial and territorial governments should cooperate to improve preventative and rehabilitative programs for young offenders.”

In 1995, representatives from federal, provincial, and territorial governments formed a Task Force on Youth Justice and worked cooperatively to propose changes to the system. There is general agreement for alternatives to incarceration and a range of specific measures that would improve the administration of the Act.

All these recommendations, as well as those put forward by the Standing Committee on Justice and Human Rights, are being carefully considered by the Minister of Justice as she prepares to launch the Government’s proposed strategy on youth justice. Cooperative federal-provincial approaches are essential in order to protect society and meet our common commitments to children and youth.

AGRICULTURE

WHEAT BOARD—AMOUNT OF UNPAID BALANCE OWING—GOVERNMENT POSITION

(Response to question raised by Hon. Leonard J. Gustafson on February 12, 1998)

The CWB currently has an outstanding balance of approximately \$6.6 billion in credit grain sales under the Credit Grain Sales Program (CGSP). All countries with the exception of Iraq are current on their repayments.

Where grain is sold under the Credit Grain Sales Program, the full value of each sale is guaranteed by the federal government and credited to that year’s pool account. Were there to be any losses they would be assumed by the federal government and therefore there would be no losses to producers. In cases where the Government of Canada has agreed to reduce a country’s debt for reasons of government policy, the government of Canada has absorbed the cost of the write down and the CWB has been fully reimbursed.

Yes. Any interest charges which accrue from credit sales become part of the balance owing by the purchasing country. These amounts do not have any negative impact on the CWB pool accounts.

HEALTH

CANCELLATION OF RESEARCH STUDY ON SENIORS WITH OSTEOPOROSIS—POSSIBILITY OF RESTORATION OF FUNDING— GOVERNMENT POSITION

*(Response to question raised by Hon. Mira Spivak on
February 18, 1998)*

The federal government is committed to the health and well-being of Canada's seniors and to research into seniors' issues.

Osteoporosis is a major health concern for Health Canada. Health Canada is aware of the significant cost to women, to the health care system and to society of this devastating disease.

Health Canada provided \$3.6M for the pilot and Phase I of a research project, the "Canadian Multicentre Osteoporosis Study (CAMOS)" through the National Health Research and Development Program (NHRDP) and through the Seniors Independence Research Program (SIRP) which has now terminated. The objectives of Phase I were to evaluate the effectiveness of ultrasound measures of bone density in comparison with more expensive technology, to provide estimates of the prevalence and incidence of the main fractures associated with osteoporosis, and to analyse the socio-demographic and lifestyle risk factors associated with this disease. Other partners are Merck Frosst, Eli Lilly, the Medical Research Council (MRC), the Dairy Farmers of Canada, Proctor and Gamble Pharmaceuticals and the Osteoporosis Society of Canada. Funding commenced in March 1993 and ends on March 31, 1998. CAMOS is now requesting funding for Phase II of the project, bringing the total request to \$9M.

Clinical research, such as the CAMOS study, has always been fundable by the Medical Research Council. For some years, the National Health Research and Development Program (NHRDP) also accepted such projects. However, due to budget reductions in recent years and due to the recommendations of Program Review II to avoid duplication of efforts by federal agencies, clinical research is no longer eligible for funding by the NHRDP. The MRC continues to be the appropriate Canadian government agency to address requests for clinical research funding. The most recent applications from CAMOS to the MRC and other funding agencies have been unsuccessful in obtaining support, but MRC has encouraged CAMOS to reapply, and has provided detailed assistance in the preparation of a revised and improved application.

Health Canada has adopted a population health approach to further its mandate to maintain and improve the health of

Canadians. This approach integrates action on a broad range of factors that affect the health of all Canadians (such as the physical, economic and social environments). Seniors' health will continue to be addressed using this approach.

ORDERS OF THE DAY

•(1650)

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

TWELFTH REPORT OF COMMITTEE OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the twelfth report of the Standing Committee on Internal Economy, Budgets and Administration (*budget—Social Affairs, Science and Technology Committee*), presented in the Senate on February 25, 1998.

Hon. Bill Rompkey: Honourable senators, I move the adoption of this report.

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

Hon. Senators: Agreed.

Motion agreed to and report adopted.

NINTH REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the ninth report of the Standing Committee on Internal Economy, Budgets and Administration (*expenditure plan 1998-99*) presented in the Senate on February 12, 1998.

Hon. Bill Rompkey: Honourable senators, the Senate's proposed budget for 1998-99 is \$41,691,000, which represents an overall increase of 9.8 per cent from the 1997-98 estimates. However, as my remarks will detail, the actual overall increase in the spending estimates under the control of the Senate is 5.9 per cent. When compared to the proposed budget increase in the other place, which I understand is above 10 per cent, I believe that the Senate continues to show a large degree of restraint.

Very simply, after several years of reduction, the Standing Committee on Internal Economy, Budgets and Administration is to restore the Senate's budget to a reasonable level in order to permit us to carry out our normal duties. Although some of the reductions we implemented resulted from technological advances and streamlining of operations, others were nothing but false economies. We were merely deferring expenditures on items that were continually deteriorating and which, inevitably, needed to be replaced.

For example, we had experienced for many years a significant deterioration of capital assets, including furniture, office equipment, buildings, not to mention the carpet at the entrance to the Senate. There was always a concern that health and safety issues were not being properly addressed. Our staff had little flexibility to deal with ongoing operations or to adapt to a changing environment.

As I have stated, some of the 9.8-per-cent increase is for matters beyond our control. For example, \$1,106,000, or 2.7 per cent of the increase, is for employee benefit plans. This is a statutory item, and it is calculated as a percentage of overall personnel costs. The percentage is set at the beginning of each year by the Treasury Board. Historically, the final percentage of benefits to salaries has been increasing steadily from 10 per cent to 17 per cent over the four years. Again this year, the Treasury Board has indicated to government departments and agencies that the budget should be set at 21 per cent of salaries for 1998-99. For the Senate, this translates into an increase of \$1,106,000.

Another increase in the budget is for security and other operational costs involving the East Block, which, again, is beyond our control. In April 1996, the Senate accepted from the House of Commons the responsibility for overall security and fire prevention at the East Block. This initiative is now in its second year of implementation and the security coverage has been extended to the refurbished 1910 wing, which has been reopened this year, and the new freight entrance. These new costs add at least 1.2 per cent to our 1997-98 budget.

Honourable senators, this is not a perfect budget from the Senate's point of view. There are many areas which will continue to be underfunded. For example, senators' research and office budgets are still 22 per cent below authorized levels of funding. The amount set aside for committees remains insufficient to fund our ever-increasing committee activity which, as we all know, is the hallmark of the Senate. Additional funds which may be required to cover operational shortfalls in 1998-99 may need to be the subject of a request for Supplementary Estimates later in the year.

As far as future years go, although I cannot speak for the Standing Committee on Internal Economy, Budgets and Administration for next year, I think it is reasonable to assume that additional increases will be asked for so that we can have a phased-in approach to reinstate the Senate budget to its proper level.

What, then, are the significant changes in this 1998-99 budget? There are a number of increases compared to last year's budget. These include the budget items which were reduced last year to reflect election year expenditure trends, such as senators' travel and committees. These have been partially reinstated to non-election year levels. As I mentioned, resource requirements related to the Senate's takeover of the East Block security and the reopening of the 1910 wing have been added. Budget items related to the repair and upkeep of the Senate's capital asset base have been increased.

As I have described, on the advice of Treasury Board the Senate, like all government departments, has increased its budget for the employer's contribution to the Public Service Superannuation Plan, the Canada-Quebec Pension Plan, supplementary death benefits and the unemployment insurance account.

Finally, additional moneys amounting up to \$500,000 have been set aside to fund caucus research. While each senator has access to a budget to cover staff, office expenses and research work, the full amount is usually needed to fund the expenses related to regular Senate duties, leaving little money to undertake special research studies and other work on behalf of one's party.

In the House of Commons, recognized political parties are provided with special funding. These funds are used for staff salaries, research contracts and special services such as media assistance. Party research offices are also given all necessary office accommodation, such as equipment and telephones.

The Standing Committee on Internal Economy, Budgets and Administration feels the time has come to provide some funding to both party caucuses, as well as perhaps independent senators. It was for this reason that it was agreed that an envelope should be created within the Senate budget for caucus research, but that this envelope would be decided on only after decisions are taken by the individual caucuses in the next few weeks, and in consultation with the independent senators.

Honourable senators, a summary of the Senate's 1998-99 expenditure budget was attached to the report of the Standing Committee on Internal Economy, Budgets and Administration tabled in the Senate on February 10. Further detail can be found in the document entitled "The 1998-99 Expenditure Plan Executive Summary," also tabled on February 10.

• (1700)

Additional information on the operations of the Senate, including its 1998-99 budget, will be found in the report on planning and priorities, to be tabled next month shortly after the government presents the Estimates for the coming fiscal year. This document will focus on the priorities, plans, and expected results of the Senate administration in supporting senators and the institution of the Senate of Canada. It will also provide information on the remuneration, allowances, and budgets provided to individual senators. This, honourable senators, is what the Standing Committee on Internal Economy, Budgets and Administration envisions as the Senate budget for 1998-99.

Are Canadians getting value for this money? As someone who has sat in both Houses of Parliament, I can honestly say I believe so. Many Canadians would not expect to hear that, on a per capita basis, the Senate costs them far less than any other legislative body in the country. The per person cost of the Senate is \$1.50, compared to \$7.13 for the House of Commons. Even if the Senate were the same size as the other place, it would only cost Canadians \$4.50. These numbers may be compared with the per capita costs of provincial legislatures which range from \$6.97 to \$17.79. Most, weighted by population, are in the \$9 range.

The Senate, while it appears as a legislature *pas comme les autres* due to its un-elected but nonetheless representative basis, contributes a great deal to the public policy process of this country. Many senators have developed areas of specialization on social, economic, and cultural matters — we have heard about some of them today — and actively promote awareness of issues about which they care. Veterans affairs, children rights, education, literacy, and drug dependency are among the many topics associated with individual senators.

Our committees have played influential roles in a number of issues such as post-secondary education, the Cape Breton Development Corporation, European integration, corporate governance, the mass media, child poverty, transportation, and veterans, to name only a few. As we are all well aware, our committees investigate key social issues, make recommendations for new policy initiatives, and help build social consensus around possible solutions. One university professor, C.E.S. Frank from Queen's, has written in his 1989 book that Senate committee's investigations are "usually of a higher standard than those of the committees of the House of Commons." There is no doubt in my mind that the Senate is a vital part of our parliamentary system, promoting better policies and investigating a wide range of social, economic and cultural issues.

Honourable senators, I ask you to support the adoption of this report. In closing, I thank all of my colleagues who have served and are serving now on the Internal Economy Committee, in particular, Senator De Bané, who heads our Subcommittee on Information Technology, and Senators Nolin and Poulin, who sit with me on the steering committee. To all of you, I express my deep appreciation.

Before I close, I also want to pay tribute to my colleague who preceded me as chair of the Internal Economy Committee, that relation of Senator Doyle, Senator Kenny. I believe it will be acknowledged on both sides of the chamber that Senator Kenny, during his period of stewardship, gave outstanding service to this chamber as a whole and to the individual senators who serve in it. The facilities that we have and the ambience within which we work is much better as a result of the outstanding work that he did, and I pay tribute to him today.

Hon. Noël A. Kinsella (Acting Deputy Leader of the Opposition): Honourable senators, I have a question of clarification. The ninth report, which is a two-page document and can be found in the *Journals of the Senate*, strikes me as an executive summary. The chairman's speech just now provided a great deal more detail. Is there a detailed report, and has that detailed report been circulated to all senators?

Senator Rompkey: The answer to that is yes, it has.

Senator Kinsella: Some of us did not get a copy of it. When was that detailed report circulated? It is my understanding that what was tabled is a two-page document that is in the *Journals of the Senate*. What was not tabled is the detailed proposal, and I am wondering if we can get a copy of that.

Senator Rompkey: The executive summary was tabled, and the detailed report is forthcoming and will be circulated to everyone.

Senator Kinsella: The detailed report has yet to be circulated. It is forthcoming.

Senator Rompkey: That is right.

Senator Kinsella: We are being asked to approve a report, but we are at somewhat of a disadvantage in examining the detail. I do not recall whether this has been the practice in the past. Perhaps others might participate in the debate so we are all very clear in what is happening.

Senator Rompkey: It is my understanding that this is exactly the same procedure as has been followed in the past.

Hon. John B. Stewart: Honourable senators, I have a question. Is Senator Rompkey saying that, in the past, the motion for concurrence in the report was accepted before the detail of the report was made available to the Senate?

Senator Rompkey: I can only repeat what I said before, Senator Stewart. The practice being followed now is exactly the same practice that has been followed in the past.

Senator Kinsella: I understood that Senator Kenny wants to speak. Perhaps he could provide more information that would enlighten us.

The Hon. the Speaker: If there are further questions to Senator Rompkey, they should be posed now, and then I will entertain another speech. Afterwards, I will not be able to entertain questions to Senator Rompkey.

Senator Kinsella: It is my understanding that another senator intervening and questioning the last speaker does not obviate the opportunity for me to ask another question of the first senator.

The Hon. the Speaker: Not if that honourable senator is asking a question, but if he is making a speech, then we are into the next debate. If Senator Kenny wished to ask a question, that would leave it open for anyone else to ask a question of Senator Rompkey.

Senator Rompkey: May I clarify? I will read again the pertinent part from the remarks I just made.

A summary of the Senate's 1998-99 expenditure budget was attached to the report of the Internal Economy Committee tabled in the Senate on February 10, 1998. Further detail can be found in the document entitled 1998-99 Expenditure Plan Executive Summary also tabled on February 10. Additional information on the operations of the Senate, including the 1998-99 budget, will be found in the report on planing and priorities to be tabled next month shortly after the government presents the Estimates for the coming fiscal year.

Hon. Colin Kenny: Honourable senators, I would like to pose a question. My understanding, Senator Rompkey, and correct me if I am wrong, is that in the past, a fairly succinct summary has been tabled in this institution. There have been large iterations available to both sides on the committee and to the caucuses. Would the honourable senator confirm for us that, in fact, what he has tabled here today is the same as what has been tabled the past two previous times and provides the same level of detail that we have had on those two occasions?

Senator Rompkey: Yes, I would like to confirm that.

[Translation]

Hon. Marcel Prud'homme: Honourable senators, I am torn between calling for adjournment of the debate and asking a question.

[English]

•(1710)

I have not heard of this special item on caucus research. I am not a member of the Standing Committee on Internal Economy, Budgets and Administration, and nothing has been circulated to me on that subject. I did see a document and inquired of its meaning. I did make overtures to Senator Rompkey, the esteemed chairman, requesting that independent senators be addressed. However, I have no assurance that this will be done.

I am still not sure that agreement on this issue today will complete the matter. Discussion about how to redistribute research money may be a nice wish, but there may be no decision. There might be a good understanding to redistribute it according to pro rata of the official parties, or pro rata of the senators in the Senate, or, if it is pro rata, by party. Of course, you will eliminate those who are not yet appointed, and you will eliminate those who are independent.

Does it make a bigger pro rata, or is it half-and-half to both caucuses? I do not know. I wish to know more before I give my consent. Senators may do what they wish; however, I can also object.

I did not hear about this until I heard a rumour that there was a special item that could be of some interest to me. I had to discern what the item of concern to me might be. No one informed me, and I did not go to the Internal Economy Committee. I should like to have a response to my query.

Senator Rompkey: Honourable senators, an amount was put in the budget for caucus research. Absolutely no decisions at all have been taken on how that money is to be spent or administered. No decision will be taken until there is adequate discussion within the caucuses.

I wish to assure my colleague, as I tried to do earlier this day in an informal way, that in my own mind, clearly the independent senators must be given consideration. I do undertake to keep him

informed on the progress of the discussions, so that when the time comes, his responsibilities as an independent senator and his rights as an independent senator are fully considered.

Senator Kenny: Honourable senators, I have a question for to the Chairman of the Standing Committee on Internal Economy, Budgets and Administration. I share the concerns that some other members have about this particular item in the budget. I seek the assurance of the Chair that he would bring that particular item to the chamber so we could deal with it here.

I am happy with the rest of the budget. However, that particular item merits further clarification and discussion. Is the Chair prepared to entertain my proposal?

Senator Rompkey: Yes, I am, honourable senators. Clearly, it merits full discussion in both caucuses and in the chamber. It is an amount for senators and, therefore, senators should take the final decision on how it is spent and administered.

Senator Prud'homme: Honourable senators, I wish to be very clear: Earlier this afternoon, I walked into the Senate and someone said that there is a line in the budget that might be of interest to me. That is fine, but it confirmed what I had done before. I am very pleased to have been informed earlier, as the senator mentioned. I usually do not mention my conversations, but since he mentioned it, I will repeat it. Earlier this afternoon, I was given that line.

I am of the same opinion as Senator Kenny that the matter should be discussed in this chamber. As the chairman, you may decide that it is your wish that you will proceed the way you have expressed, yet it may not be the wish of the committee. Committee members may wish to decide, in committee, that funds will be shared between caucuses.

If you wish to have this report adopted today, perhaps you should give us your commitment that this section will be suspended from your budget, in order that it may be discussed by the full Senate. It should not pass simply on the basis that if there is agreement all round, there is no need for discussion. As a last resort, I wish to ensure that it is not passed today. There will be ample discussion because I know some members do not agree with this measure. Members of both parties do not agree as to the redistribution of that money. I do not know how the other independent senators feel. Before I agree to this, I would appreciate hearing some commitment that there will be ample opportunity to discuss the matter in the Senate chamber. Otherwise, I will ask for the adjournment of the debate and, if I have someone second that motion, I will adjourn the debate and speak much longer on the other items of the budget.

[Translation]

Hon. Pierre Claude Nolin: We discussed the case of independent senators several times in committee. We did not wish to impose the rule of the majority of two caucuses on three or four senators, who had no chance to defend their point of view.

Unfortunately, you were not present during these discussions. It was never the committee's intention to deny you access to this money. The problem is finding the best way to do so. That is the commitment you received from the Speaker earlier and it is also that of the entire committee.

Senator Prud'homme: I am certainly glad to hear I was not at the committee meeting, since I am not a member. I have attended more committee meetings as a non-member than senators who actually are members.

[*English*]

I have been present in more committees than some senators who are members of committees. That means I attended out of goodwill, because I am interested. I cannot be told simply that I was not at the committee. Please be advised that I am not a member of any committee.

I still have an interest because I worked hard in the House of Commons on their committee as chairman of the member's services. I certainly have something to offer. Senator Kenny invited me to all the meetings, provided me with all the documentation and I cooperated with him, as I hope to cooperate with Senator Rompkey. However, I will not use the excuse that I did not go to as many committees as I should have because I had a heart attack.

•(1720)

I am good friends with Senator Nolin and Senator Rompkey, but I know people who have experience, and who seem to be puzzled. If I see senators who are puzzled, needless to say that I am too.

I do not want to have a full debate in public if we are all in agreement; that takes care of it. If not, make a commitment here that there will be a debate in the Senate as to how to redistribute this research money.

I want a Senate that functions, and I believe major political parties have the right to have caucus research funds because they are carrying the majority of the work. I am not against it, per se. However, I want a commitment that you will do what you say you intend to do, but I want it to be very official.

Senator Rompkey: Honourable senators, in response to Senator Kenny, I said that we would bring the item back to the Senate before any expenditures were agreed to. There is a notional amount in there. No moneys have been spent, no decisions have been taken, and none will be taken until we bring the matter back to the chamber.

In response to Senator Prud'homme, as far as the committee is concerned, you have two-thirds of the steering committee here. I think that is as solid an undertaking as we can give you that the committee will continue to be sympathetic to your position as an independent senator, and that we will keep you informed and

allow you to participate in the final decision of the expenditure of those funds.

The Hon. the Speaker: If no other honourable senator wishes to speak, is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

Motion agreed to and report adopted.

ABORIGINAL GOVERNANCE

CONSIDERATION OF REPORT OF ABORIGINAL PEOPLES COMMITTEE REQUESTING AUTHORIZATION TO TRAVEL AND ENGAGE SERVICES—REPORT ADOPTED

Leave having been given to revert to Reports of Committees, Order No. 4:

Resuming debate on the motion of the Honourable Senator Watt, seconded by the Honourable Senator Chalifoux, for the adoption of the second report of the Standing Senate Committee on Aboriginal Peoples (budget—study on Aboriginal governance), presented in the Senate on February 18, 1998.—(*Honourable Senator Kinsella*).

Hon. Eric Arthur Berntson: Honourable senators, this debate was adjourned by Senator Kinsella yesterday or the day before. He was seeking clarification as to what we were committing to in terms of where this study on self-government is going. Unfortunately, at the time we did not have all our horses here in the house, and we got off topic. Instead of dealing with the budget as it is against the overall study which may have one, two or three phases — who knows — we got into the actual elements of the study. That got us off track.

Last night we had a fairly lengthy committee meeting. Of course, the vast number of our members were there, and many questions were resolved. This phase-one budget is strictly to provide for the fleshing out of the working document that we have before us, to put together a work plan that we believe will take us in the direction we want to go on the question of self-government. If at the end of that exercise it is considered that we ought to come back for a phase-two budget, that will happen. However, by completing phase one, that in no way obligates the Senate to go further. The decision will be made at that time.

The Hon. the Speaker: If no other honourable senator wishes to speak, is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

Motion agreed to and report adopted.

RIGHTS OF THE UNBORN CHILD

MOTION TO ESTABLISH SPECIAL JOINT PARLIAMENTARY COMMITTEE—DEBATE ADJOURNED

Hon. Stanley Haidasz, pursuant to notice of February 12, 1998, moved:

That a Special Joint Committee of the Senate and the House of Commons, to be styled the Special Joint Committee on the Unborn Child, be appointed to examine and report upon the feasibility of legislating in the area of fetal rights and the protection to the unborn child, with particular reference to:

(a) the lack of protection in current Canadian law of the unborn child;

(b) the interests of the state in providing some measures to protect the unborn child, thereby securing the well-being of future generations of Canadians;

(c) the application of the rights and freedoms entrenched in the *Canadian Charter of Rights and Freedoms* and how they relate to the unborn child;

(d) the judgment of the Supreme Court of Canada in the 1997 case, *Winnipeg Child and Family Services (Northwest Area) v. G.(D.F.)*, which signalled a gap in current Canadian law respecting the rights of the unborn; and

(e) the comments made by the Supreme Court of Canada, in the above-noted case, that any measures to provide protection in law to the unborn child have complex ramifications and, as such, should be considered by Parliament, not the Canadian courts, since Parliament is in a better position to assess the desirability, the impact and the consequences of such measures;

That the Committee take into consideration Canadian and international law, and in particular, the *Criminal Code* amendment, in 1969, to the homicide provision concerning the killing of a child before or during its birth;

That the Committee report back to Parliament with proposed alternative measures to protect the unborn child in a manner that is consistent with the Constitution of Canada;

That the Committee also make recommendations to Parliament respecting the desirability of establishing further studies and inquiries into the feasibility of legislating restrictions in the area of experimental treatment of the fetus and of new reproductive technologies;

That the Committee be composed of seven Members of the House of Commons and six members of the Senate;

That a quorum of the Committee be six members, provided both Houses are represented;

That the Committee have the power to sit during sittings and adjournments of the Senate;

That the Committee have the power to retain the services of expert, professional, technical and clerical staff;

That the Committee have the power to report to Parliament from time to time and that it present its final report no later than December 31, 2000; and

That a Message be sent to the House of Commons requesting that House to unite with this House for the above purpose and to select, if the House of Commons deems it advisable, Members to act on the proposed Special Joint Committee.

He said: Honourable senators, if you look at the text of this motion, I think it is clear, simple and self-explanatory. I will not make a speech on the motion; I will, however, put it into perspective for you.

As you know, there have been three judgments of the Supreme Court of Canada in the past two years dealing with the matter of fetal rights. Each time, the judges of the Supreme Court stated that it is up to Parliament — honourable senators in this chamber and our colleagues in the other place — to draft some kind of ruling, statement or legislation to fill the gap that exists with regard to the absence of legislation dealing with fetal rights. Hence, I am introducing this motion. I wanted to introduce a bill, but my legal advisors were unable to come up with one.

This motion asks for a joint committee of the Senate and House of Commons to study the feasibility of legislation insofar as fetal rights are concerned and the protection of the unborn child, including legislative restrictions in the area of experimental treatment of the fetus and of new reproductive technologies.

The Royal Commission on New Reproductive Technologies made their report about two and a half years ago, and we have not heard from any minister of the Crown about any measures or legislation recommended in the report. This motion, therefore, is meant to replace the abdication of the government in this area. It has done nothing on fetal rights and reproductive technologies, as asked of us by the Supreme Court at least three times in their judgments.

I hope an honourable senator present in the chamber today will adjourn this motion in their name and decide whether they would like to take up my challenge to carry the torch of conducting this inquiry.

This motion asks for a report by December 31 of the year 2000; hence, you have a lot of time to study this very important and crucial issue of fetal rights.

Thank you very much for your patience. Adieu and God bless you in your deliberations.

Hon. John B. Stewart: Honourable senators, I should like to ask Senator Haidasz a question.

Am I correct in thinking that the legal vacuum to which he has made reference — not in those words — is the result of the tie vote that took place in this house some years ago?

Senator Haidasz: On Bill C-43?

• (1730)

Senator Stewart: Yes. The government of the day did bring in a bill and, for one reason or another, that bill did not pass this house.

Senator Haidasz: There is no law regarding the protection of the foetus. The court, in three recent judgments, has asked the Parliament of Canada to come up with some legislation because it said that, at some point in the life of the foetus, the state has an interest in the welfare of the unborn child. This has not been resolved by the government nor by any minister with any initiative.

I took the initiative to begin a study on this very important matter, a study to see what action is feasible to fill this gap.

Senator Stewart: As I recall the vote, those who were against abortion at any stage voted against that government bill. Others voted against it because they felt it went too far in restricting what they thought of as the right to an abortion.

Does the honourable senator have any reason to believe that a vote put to this house now would produce a different result? Have the people who were adamantly against abortion changed their position? Is that the implication of his motion, or perhaps the people who felt that the previous bill was too restrictive will now yield? Will we go through the same exercise, with the same frustration at the end? Does the honourable senator have any reason to believe or any evidence to adduce that there has been a change in opinion?

Senator Haidasz: Honourable senators, since the vote on Bill C-43 about six years ago, there have been court cases referred to the Supreme Court of Canada dealing with the rights of the foetus. The latest one was a Winnipeg case where the mother sniffed glue as a bad habit and she was harming her foetus. The social workers took her to court. Another woman here in Ottawa shot herself in the abdomen to try to get rid of her foetus. There was a third case, also.

In each of those cases, the Supreme Court called upon the Parliament of Canada to render some kind of direction or

decision for the court. Even Justice Martha Wilson believed and stated in her judgment that, at some time in the life of a foetus, the state has an interest. The court has asked us on three different occasions to bring in some legislation.

I could not come up with any so I decided to suggest a study on this case. We have since had the deposition of a report from the Royal Commission on New Reproductive Technologies. This motion covers that issue. I am simply calling upon both houses to set up a joint committee to study the feasibility and the plausibility of possible legislation. We need some solution to declare the rights of the foetus.

The Supreme Court said the state has an interest at some point in the life of the foetus. No one has taken up the challenge. I tried to do it with a bill but I could not so I suggest this study on what to do about foetal rights.

Hon. Philippe Deane Gigantès: Honourable senators, as I understand the judgments of the court in those cases, the court said that it is not up to the court to say something; it is up to Parliament. They did not ask us to produce something. They simply said that if someone is to produce something, it must be Parliament. There is a distinction, in my view.

Senator Haidasz: I respect the honourable senator's interpretation of those three judgments as published by the court. My interpretation is that someone should take the initiative to study this matter. New reproductive technology is a burning issue. Parliament has done nothing. Will we abdicate our powers of legislating? That is my challenge.

Hon. Noël A. Kinsella (Acting Deputy Leader of the Opposition): Honourable senators, I have a different dimension from the kind of question posed by Senator Stewart. Mine is from a federal-provincial perspective.

As you know, when Canada became a member of the Organization of American States, and one of its principal instruments on human rights is the Inter-American Convention on Human Rights. For the past eight years, the federal government and the provincial governments have been examining the Inter-American Convention on Human Rights to see whether Canada could ratify that convention.

As you know, before Canada enters into international treaty obligations in areas of jurisdiction that affect the provinces, it must respect the constitutional convention as established in the 1930s with the labour conventions case, which was a ruling of the judicial committee of the Privy Council. That case establishes that the provinces must agree before Canada, federally, can ratify a treaty.

Therefore, there have been serious federal-provincial negotiations on this convention. It is my understanding that one of the major stumbling blocks is Article IV of that convention which recognizes and predicates all of the human rights in the Inter-American Convention of Human Rights to all persons from the moment of conception.

Many provinces are having difficulty complying with that section of the Inter-American Convention of Human Rights.

Does the honourable senator have any reason to believe that provincial governments and territorial governments — because they are involved as well as federal authorities — are close to being able to deal with that issue, which speaks directly to the matter he has brought before us?

Senator Haidasz: On that particular point, honourable senators, I do not have a solution, but in view of the non-action of the government on the recommendations of the Royal Commission on New Reproductive Technologies — which is one of the items in this motion — I believe there should be some kind of initiative to at least study the recommendations of the royal commission. Millions of dollars were spent on the study of reproductive technologies. The government has not issued any substantive long-term statement. In my opinion, it is about time that a joint committee of both houses at least studied the feasibility of some kind of legislation in answer to the challenge put forth to legislators by the commission members.

If there is no interest, then there is no interest. I could withdraw my motion ask for a vote, or ask someone to adjourn the debate. As of this minute, I am leaving this place forever. Good-bye. I have said my last word.

On motion of Senator Chalifoux, debate adjourned.

•(1740)

THE SENATE

TRIBUTES

The Hon. the Speaker: Honourable senators, the Speaker is not supposed to speak when honourable members are retiring

from this chamber, but I wish to express my regrets and best wishes to the two senators who are leaving us today.

I should also like to point out that there will be another departure from the Senate. Our Chief Page, Greg Doiron, will be leaving us. This is his last day of service. He will be close to the Senate but he will not be here in the chamber.

BUSINESS OF THE SENATE

ADJOURNMENT

Hon. Jacques Hébert: Honourable senators, although we will not be sitting for the next two weeks, the following committees will be sitting during the second week: Banking, Legal, Agriculture, Transport, Privileges, Standing Rules and Orders, the Special Joint Committee on Child Custody and Access and, I believe, Foreign Affairs.

Hon. John B. Stewart: Honourable senators, we had intended to meet during that week but, given the fact that the Senate will not be sitting, there was some uncertainty as to the feasibility of going ahead. However, if other committees are meeting, we, too, will meet.

Senator Hébert: We will add the Foreign Affairs Committee to that list, then.

Hon. Shirley Maheu: Honourable senators, the Privileges, Standing Rules and Orders Committee will be meeting during that time period, too.

The Senate adjourned until Tuesday, March 17, 1998, at 2 p.m.

THE SENATE OF CANADA
PROGRESS OF LEGISLATION
(1st Session, 36th Parliament)
Thursday, February 26, 1998

GOVERNMENT BILLS
(SENATE)

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
S-2	An Act to amend the Canadian Transportation Accident Investigation and Safety Board Act and to make a consequential amendment to another Act (Sen. Graham)	97/09/30	97/10/21	Transport and Communications					
S-3	An Act to amend the Pension Benefits Standards Act, 1985 and the Office of the Superintendent of Financial Institutions Act (Sen. Graham)	97/09/30	97/10/21	Banking, Trade and Commerce	97/11/05	seven	97/11/20		
S-4	An Act to amend the Canada Shipping Act (maritime liability) (Sen. Graham)	97/10/08	97/10/22	Transport and Communications	97/12/12	three	97/12/16		
S-5	An Act to amend the Canada Evidence Act and the Criminal Code in respect of persons with disabilities, to amend the Canadian Human Rights Act in respect of persons with disabilities and other matters and to make consequential amendments to other Acts (Sen. Graham)	97/10/09	97/10/29	Legal and Constitutional Affairs	97/12/04	one	97/12/11		
S-9	An Act respecting depository bills and depository notes and to amend the Financial Administration Act (Sen. Graham)	97/12/03	97/12/12	Banking, Trade and Commerce	98/02/24	one			

GOVERNMENT BILLS
(HOUSE OF COMMONS)

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
C-2	An Act to establish the Canada Pension Plan Investment Board and to amend the Canada Pension Plan and the Old Age Security Act and to make consequential amendments to other Acts	97/12/04	97/12/16	Committee of the whole 97/12/17	97/12/17	none	97/12/18	97/12/18	40/97
C-4	An Act to amend the Canadian Wheat Board Act and to make consequential amendments to other Acts	98/02/18	98/02/26	Agriculture and Forestry					
C-5	An Act respecting cooperatives	97/12/09	97/12/16	Banking, Trade and Commerce	98/02/24	none	98/02/25		
C-7	An Act to establish the Saguenay-St. Lawrence Marine Park and to make a consequential amendment to another Act	97/11/25	97/12/02	Energy, Environment and Natural Resources	97/12/09	none	97/12/10	97/12/10	37/97

COMMONS PUBLIC BILLS

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
C-220	An Act to amend the Criminal Code and the Copyright Act. (profit from authorship respecting a crime) (Sen. Lewis)	97/10/02	97/10/22	Legal and Constitutional Affairs					

SENATE PUBLIC BILLS

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
S-6	An Act to establish a National Historic Park to commemorate the "Persons Case" (Sen. Kenny)	97/11/05	97/11/25	Energy, the Environment and Natural Resources					
S-7	An Act to amend the Criminal Code to prohibit coercion in medical procedures that offend a person's religion or belief that human life is inviolable (Sen. Haidasz, P.C.)	97/11/19	97/12/02	Legal and Constitutional Affairs					
S-8	An Act to amend the Tobacco Act (content regulation) (Sen. Haidasz, P.C.)	97/11/26	97/12/17	Social Affairs, Science & Technology					
S-10	An Act to amend the Excise Tax Act (Sen. Di Nino)	97/12/03							
S-11	An Act to amend the Canadian Human Rights Act in order to add social condition as a prohibited ground of discrimination (Sen. Cohen)	97/12/10							
S-12	An Act to amend the Criminal Code (abuse of process) (Sen. Cools)	98/02/10							
S-13	An Act to incorporate and to establish an industry levy to provide for the Canadian Tobacco Industry Community Responsibility Foundation (Sen. Kenny)	98/02/26							

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