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Tuesday, March 13, 2001

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THE HONOURABLE DAN HAYS
SPEAKER

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THE SENATE

Tuesday, March 13, 2001

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

[*Translation*]

Prayers.

I would like to welcome our new colleague, Dr. Yves Morin, to the Senate.

NEW SENATORS

[*English*]

The Hon. the Speaker: Honourable senators, I have the honour to inform the Senate that the Clerk has received certificates from the Registrar General of Canada showing that the following persons, respectively, have been summoned to the Senate:

We are truly honoured today to have such a distinguished colleague in our midst. Dr. Morin's appointment to the Senate is the latest position in a long and remarkable career in scientific research. He has also contributed a great deal to medical education in Canada.

Dr. Yves Morin, M.D., O.C.
Elizabeth M. (Libbe) Hubley
Jim Tunney

[*Translation*]

INTRODUCTION

The Hon. the Speaker having informed the Senate that there were senators without, waiting to be introduced:

Dr. Morin is an internationally renowned researcher in internal medicine and cardiology. He earned a B.A. and an M.D. — both *magna cum laude* — from Laval University and has published more than 300 scientific articles. Dr. Morin has filled numerous distinguished medical posts, mainly in Quebec. He has served as Chairman of the Department of Medicine and Dean of the Faculty of Medicine at Laval University, Director of the Institut de Cardiologie de Québec, Chief of Cardiology at the Centre hospitalier universitaire de Québec, President of the Conseil de recherches médicales du Québec and Vice-President of the Medical Research Council of Canada.

The following honourable senators were introduced; presented Her Majesty's writs of summons; took the oath prescribed by law, which was administered by the Clerk; and were seated:

[*English*]

Hon. Yves Morin, of Quebec City, Quebec, introduced between Hon. Sharon Carstairs and Hon. Lise Bacon.

Hon. Elizabeth M. (Libbe) Hubley, of Kensington, Prince Edward Island, introduced between Hon. Sharon Carstairs and Hon. Catherine Callbeck.

For his many accomplishments and contributions to medical and scientific endeavours, Dr. Morin became an officer of the Order of Canada in 1991. Dr. Morin was also made an officer of the National Order of Quebec and was honoured by France when he became a Chevalier, Ordre National du Mérite.

Hon. Jim Tunney, of Grafton, Ontario, introduced between Hon. Sharon Carstairs and Hon. Isobel Finnerty.

[*Translation*]

The Hon. the Speaker informed the Senate that each of the honourable senators named above had made and subscribed the declaration of qualification required by the Constitution Act, 1867, in the presence of the Clerk of the Senate, the Commissioner appointed to receive and witness the said declaration.

As Leader of the Government in the Senate, I welcome you to the Senate, Dr. Morin. I do not doubt for one moment that your exceptional accomplishments will make a valuable contribution to your Senate colleagues and to the work of this chamber.

[*English*]

• (1420)

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, it is my great honour today to welcome three new senators to sit with us here in the chamber. As I introduce our honourable colleagues to you, I ask that you extend the same warm welcome to them that you have to all new colleagues in the past.

I also welcome today to the Senate the Honourable Elizabeth Hubley. Senator Hubley was first elected to office in Prince Edward Island in 1989. As a member of the Prince Edward Island Legislative Assembly she served the constituency of 4th Prince. After regaining her seat as MLA, she was appointed to the position of deputy speaker of the legislature. Senator Hubley was an active member on many standing committees, including economic development and tourism, health and social services, fisheries and aquaculture, and agriculture.

[Translation]

Senator Hubley has long been involved in the Prince Edward Island cultural community. She founded the Stepping Out Studio, a traditional Island dance studio, and is its artistic director. She has also held a number of other positions in the cultural community of P.E.I.

[English]

Senator Hubley has been a member of the P.E.I. Council of the Arts, coordinator of Traditional Island Dance Forms, Tanzfest, president of the P.E.I. Fiddler Society, president to the Kensington Cultural Foundation, and concert series coordinator of the Prince County Fiddlers and Lady Slipper Step Dancers.

Senator Hubley has lived not only in Prince Edward Island but also in other provinces, including Alberta, Quebec and Nova Scotia. Senator Hubley's experience as a member of the legislative assembly, her background in our unique Canadian culture and her understanding of our provincial and regional diversity are inimitable assets to our work here in the Senate. On behalf of all my colleagues, I welcome you here today, Senator Hubley.

Honourable senators, the Honourable Jim Tunney was appointed to the Senate because of his extensive background and experience in agriculture in the province of Ontario. He is the fourth generation of farmers from Northumberland County, and has worked on his own family dairy farm for 30 years. He has also represented other farmers and agricultural issues in international discussions. His knowledge of the agricultural and dairy industry in Canada and experiences abroad will be beneficial to the Senate and to fellow senators.

[Translation]

Senator Tunney was director of the Dairy Farmers of Canada for 18 years and of the Dairy Bureau of Canada for 8 years. He was also a director of the Ontario Milk Marketing Board, representing farmers in six counties, including his native Northumberland County.

[English]

Senator Tunney shared his experience in our Canadian agriculture industry with Russia and Ukraine, where he worked as a consultant for five years. He assisted with the establishment and operations of farm marketing and production boards. He also became guest lecturer at the Kharkov Dairy Agricultural College.

Senator Tunney has also held a position as trustee with the Peterborough, Victoria, Northumberland and Clarington Separate School Boards.

Honourable senators are looking forward to working with you, Senator Hubley, Senator Morin and Senator Tunney. We encourage you to make our acquaintance and not to be reluctant to play an active role or to share your knowledge with us. We are confident that your collective expertise and experience will prove to be great assets in this chamber.

[Senator Carstairs]

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, I am pleased to join with the Leader of the Government in welcoming our three new colleagues.

[Translation]

Dr. Morin's appointment will bring with it a wealth of knowledge and experience that will certainly be useful to us at a time when the debate on health is in the forefront. The Senate has benefited from the presence of a number of medical greats, including the late Paul David and our colleague Wilbert J. Keon. I am sure that we will also benefit from Senator Morin's vast store of knowledge in this field.

[English]

With Senator Hubley's arrival, we now count two recent members of the P.E.I. Legislative Assembly amongst us, and not the least prominent either. The Senate, first and foremost, it must be remembered, despite the criticism aimed at it usually by those who deliberately remain ignorant of its work, is an essential part of the parliamentary process whose major responsibility is evaluation of government legislation. Senator Hubley's experience as an active MLA will be of great value to the Senate. By the way, her knowledge of the dance will be of particular value to her as she joins what I have been told on good authority can occasionally be a heavy-footed caucus.

Canadian agriculture is now going through its worst period since the Depression, so that the appointment of another member with direct knowledge of that industry is both as timely as it is welcome. If there is one issue where partisanship has no place, it is in the plight of many farmers who are faced with rising costs and low commodity prices. Senator Tunney is identified as an able voice for farmers, and I trust it will be heard loud and clear.

To our three new colleagues, welcome to the Senate.

[Translation]

My very best wishes for success.

[English]

SENATORS' STATEMENTS

JUSTICE

EXTRADITION OF CRIMINALS FACING DEATH PENALTY IN COUNTRY WHERE CRIME WAS COMMITTED

Hon. Serge Joyal: Honourable senators, last Friday a letter was released from Mr. Norm Maleng, the state prosecutor in King County, Washington State, to the U.S. Justice Department. This letter confirmed that the state prosecutor was giving assurances that Canadian citizens Burns and Rafay will not face capital punishment if they are found guilty in the United States of the murders of Mr. Rafay's parents and sister.

This commitment was requested by the Attorney General of Canada following the unanimous decision on February 15 of the Supreme Court of Canada. The court's ruling established that section 7 of the Canadian Charter of Rights and Freedoms guarantees the principle of "the right to life, liberty and security of the person" over any other discretionary authority or limitations.

The decision of the Washington state prosecutor puts an end to the fear expressed in this chamber that Canada would become a "safe haven" for criminals. It was repeated many times during our debate on Bill C-40 that a refusal to extradite criminals facing the death penalty would allow them to escape prosecution altogether by fleeing to Canada.

It was argued that maintaining that these assurances would always be given "was a bit naive." However, the letter of prosecutor Maleng demonstrates once again that such assurances are forthcoming. Prosecutor Maleng's letter states, in part, the following:

I am personally troubled by the idea that a foreign government can restrict the application of our state law for a crime that occurred within our borders.

However, I also have an interest in seeing these men brought to justice and in achieving finality in this tragic case.

Honourable senators, this is, in fact, the heart of the issue.

Confronted with the prospect that alleged criminals could avoid prosecution, Crown prosecutors, who are foremost servants of the interests of justice, will always take whatever steps are necessary, first, to bring the accused to trial, second, to obtain their conviction and, third, to impose on them an adequate sentence, even if this means forgoing the imposition of the death penalty. In other words, the interests of justice will take precedence over the mere choice of punishment.

The Supreme Court of Canada was right in its unanimous judgment, which stated, in part, the following:

Whether fugitives are returned to a foreign country to face the death penalty or to face eventual death in prison from natural causes, they are equally prevented from using Canada as a "safe haven."

Honourable senators, I am of the deep conviction that section 44 of Bill C-40 should be amended to impose on the Minister of Justice of Canada the inescapable obligation to seek assurances of the respect for the inalienable principle of the sanctity of life.

[Translation]

CANADIAN HUMAN RIGHTS COMMISSION

SPECIAL REPORT ON PAY EQUITY

Hon. Lucie Pépin: Honourable senators, as Senator Erminie Cohen did it so well on February 20, I rise to speak to you about the special report on pay equity by the Canadian Human Rights Commission entitled "Time for Action." This report, which is an assessment of the statutory measures taken on the matter over the past nearly 20 years, deserves our careful attention.

This report enables us to better understand the thorny issue of pay equity, and it proposes interesting avenues for exploration in the effort to eliminate this discrimination, which flies in the face of the equality and dignity of Canadians.

We learn in the report that, despite the existence of a whole range of statutory instruments intended to close the salary gap separating women and their male colleagues, we are not out of the woods yet. In terms of the various forms of discrimination, we are truly at an impasse. There is no way around this fact.

According to the conclusions of the report, the problem arises from the existing system. The approach of the system is based primarily on the lodging of complaints. This system constitutes a major difficulty and has shown its limits. There are a number of reasons for its shortcomings. Allow me to set out a few.

Complaints are not appropriate in fighting subtle and at times intentional discrimination. Cases of complaints drag on, and years may go by before the courts reach a final decision. The complaint lodged by Bell Canada employees in 1988 is fairly indicative of this problem. After 12 years, innumerable ups and downs and legal battles, no decision or judgment has yet been given.

The lack of clarity of certain standards and concepts included in provisions of the act also creates difficulties.

The Human Rights Commission suggests that the legislation be updated. This seems perfectly legitimate to me, since federal provisions have not been reviewed since 1977. It is time for a review, and I hope the government will act quickly.

The commission suggests that a proactive model be created, based not on the lodging of complaints but on better established criteria, in order to correct the system's problems. To do this, there must be an independent body to implement the legislative provisions, greater involvement of employees and the unions in the process of establishing pay equity and, finally, education and training for the various parties involved.

If all these conditions are met, we will then be able to say that there is no more room for discrimination in our fine country and we will finally be able to speak of "equal pay for work of equal value."

[English]

SUMMIT OF THE AMERICAS

FAIRNESS TO GUESTS AND PROTESTORS

Hon. Lois M. Wilson: Honourable senators, I speak both as a senator and a Vice-President of the Canadian Civil Liberties Association. At a recent meeting of the association, a concern surfaced regarding the plans that the federal and Quebec governments are making for the Summit of the Americas slated to occur this April. According to press reports, this will be “one of the largest security operations in Canadian history.”

I understand some of what lies behind government planning, in view of the history of previous trade conferences, as among the protesters there were some whose agenda apparently included resort to violence. The Canadian government, therefore, has taken precautionary measures.

The Canadian Civil Liberties Association, however, asked its general counsel, Alan Borovoy, to write a letter to the Solicitor General of Canada, making the following points, with which I concur. For your information, I quote parts of that letter.

Just as it is important to ensure the security of the Summit, it is no less important to protect the viability of the protests. In certain cases, the protesters were kept so far from the conference that they could not effectively communicate. Protesters must be sufficiently close to convey ethical disapprobation, and that Summit participants are able both to see and hear some of the protest point of view. That is, demonstrators must have a reasonable opportunity to convey political and social censure on conference participants.

We of the Civil Liberties Association hope, therefore, that at your earliest convenience, you will make public how the authorities plan to protect the community and the conference participants from the possibility of violent protest, AND simultaneously ensure the integrity of non-violent protest.

It will also be important for the government to assure the public that there will be no more arrests than are reasonably required by the need to enforce the law and protect the community. It would be helpful for the government to distribute the attending RCMP officers a series of guidelines that would remind them of legal restrictions, and assure the public that duties will be carried out according to law. We ask that such guidelines be made public.

We are hopeful then, that the government may strike that delicate balance that this occasion requires. We like to think

that Canada will model how a democracy can exercise hospitality to those it welcomes at the conference table AND to those who protest in the streets. Fairness to BOTH must be our working goal.

Honourable senators should know that the Canadian Civil Liberties Association has requested an early response.

ALBERTA

MORINVILLE—THIRD ANNUAL SENATORS BALL

Hon. Thelma J. Chalifoux: Honourable senators, it gives me great pleasure today to announce the Third Annual Senators Ball, to be held in Morinville, Alberta, April 7, 2001.

This year, the celebration is a very special one. Morinville has become a military town, as the major army base is situated in our county. When our peacekeepers go to Bosnia, our town flies the NATO flag. This year, we are celebrating the resting of the NATO flag. We will be honouring our veterans with a military drum line by the Loyal Edmonton Regiment and, it is hoped, a First Nations drum group with an honours song.

Our major and council and the top military brass are joining me in this very important celebration. A 15- to 20-piece Loyal Edmonton Regiment dance orchestra will be honouring the participants. For dancing, the Crystal Hall at La Maison in Morinville is the place.

I urge all senators to try to take the time to join in this great occasion. If honourable senators cannot attend, we would greatly appreciate a donation of \$50 so that a veteran may attend.

[Translation]

- (1440)

ROUTINE PROCEEDINGS

ADJOURNMENT

Hon. Fernand Robichaud (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 tomorrow, Wednesday, March 14, 2001, at 1:30 p.m.;

That at 3:30 p.m. tomorrow, if the business of the Senate has not been completed, the Speaker shall interrupt the proceedings to adjourn the Senate;

That should a division be deferred until 5:30 p.m. tomorrow, the Speaker shall interrupt the proceedings at 3:30 p.m. to suspend the sitting until 5:30 p.m. for the taking of the deferred division; and

That all matters on the Orders of the Day and on the Notice Paper, which have not been reached, shall retain their position.

[English]

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

Hon. Senators: Agreed.

Motion agreed to.

PRIVACY RIGHTS CHARTER BILL

FIRST READING

Hon. Sheila Finestone presented Bill S-21, to guarantee the human right to privacy.

Bill read first time.

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

On motion of Senator Finestone, bill placed on the Orders of the Day for second reading two days hence.

CANADIAN NATO PARLIAMENTARY ASSOCIATION

DEFENCE AND SECURITY COMMITTEE MEETINGS FROM JANUARY 30 TO FEBRUARY 6, 2001— REPORT OF CANADIAN DELEGATION TABLED

Hon. Bill Rompkey: Honourable senators, I have the honour to table the first report of the Canadian NATO Parliamentary Association, which represented Canada at the meeting of the Defence and Security Committee of the NATO Parliamentary Assembly held in Washington, D.C. and Colorado Springs from January 30 to February 6, 2001.

ABORIGINAL PEOPLES

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO PERMIT ELECTRONIC COVERAGE

Hon. Thelma J. Chalifoux: Honourable senators, I give notice that on Wednesday next, March 14, 2001, I will move:

That the Standing Senate Committee on Aboriginal Peoples be empowered to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO ENGAGE SERVICES

Hon. Thelma J. Chalifoux: Honourable senators, I give notice that on Wednesday next, March 14, 2001, I will move:

That the Standing Senate Committee on Aboriginal Peoples have power to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject matters of bills and estimates as are referred to it.

[Translation]

THE SENATE

PROPOSED CHANGE TO RULE 90—NOTICE OF MOTION

Hon. Jean-Robert Gauthier: Honourable senators, pursuant to rule 57(1), I give notice that on Thursday next, March 15, 2001, I will move:

That the *Rules of the Senate* be amended, by adding after rule 90, the following new Rule:

90(1) Within 90 days of the presentation of a report from a select committee, the government shall, upon the request of the committee, table a comprehensive response thereto.

[English]

STATUS OF LEGAL AID PROGRAM

NOTICE OF INQUIRY

Hon. Catherine S. Callbeck: Honourable senators, I give notice that on Tuesday next, March 20, 2001, I will call the attention of the Senate to the status of Legal Aid in Canada and the difficulties experienced by many low-income Canadians in acquiring adequate legal aid for both criminal and civil matters.

QUESTION PERIOD

TREASURY BOARD

ATLANTIC CANADA—REQUEST FOR INFORMATION ON INFRASTRUCTURE PROGRAM

Hon. J. Michael Forrestall: Honourable senators, my question is for the Leader of the Government in the Senate. I will wait until tomorrow to ask her a few questions about a recent decision of the Federal Court of Canada on the helicopter proposals, but I have some questions for her today regarding infrastructure.

Prior to the election, the Government of Canada promised Atlantic Canada a truckload of money for infrastructure and such, to the tune of well over \$100 million. Last year, Atlantic Canada — that is, four provinces — received \$19 million, which is quite a difference. Even the whip agrees with me.

We have heard the announcements and the pronouncements, *ad nauseam*, over and over. My questions are: Where is the beef? When is it coming?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I thank the honourable senator for his question. I am surprised he asked where is the beef and not where is the fish.

In terms of the reality of what was promised during the election campaign, I must tell the honourable senator to be patient. The plans are unfolding and the programs are beginning. The commitments that were made to Atlantic Canada — that part of this country that he and I love with a great passion — will soon see the benefits of having a Liberal government returned.

Senator Forrestall: I would invite honourable senators to take a look at what this government means when it says “soon”, “immediately” or “be patient.” Tell that to the sailors at Shearwater.

VETERANS AFFAIRS

MERCHANT NAVY VETERANS—COMPENSATION PAYMENTS— STATUS OF SECOND PAYOUT

Hon. J. Michael Forrestall: Honourable senators, the other point that I wanted to raise is equally serious. Merchant Navy war veterans were promised compensation by the government for the disrespect that they suffered after the war. However, this government, in true fashion, has only provided the veterans with half of what they were promised as a compensation package. It was split into two different payouts.

• (1450)

Honourable senators, could the Leader of the Government explain where the second disbursement of compensation to Merchant Navy veterans is and when might they expect their cheques, or has the government run out of money?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I thank the honourable senator for his question. It is indeed a very serious question. The announcement made to the Merchant Navy veterans was long overdue.

The honourable senator should take a great deal of credit for the fact that the government moved in the way that it did. I am convinced that his constant interactions in this chamber went a long way to ensuring justice for these individuals.

Honourable senators, the issue is that the government has made payments to over 6,600 Merchant Navy veterans as of this time. It was announced in February of 2000 that \$50 million would be required. By October, it was discovered that this figure had been underestimated and that many more members of the Merchant Navy deserved to receive compensation. Another \$20 million was provided. A further \$35 million will be needed, and I assure the senator that it will be forthcoming.

Thus far, 13,928 applications have been received; 6,713 applicants were successful. These applicants have received in the first cheque 60 per cent of the maximum payment, amounting to \$48.3 million. Approximately 2,400 original negative decisions are currently being reviewed. The full review is not expected to be completed until the end of this month.

INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

DAVIS INLET TREATMENT PROGRAM FOR NATIVE CHILDREN

Hon. Bill Rompkey: Honourable senators, I wish to bring to the attention of the Leader of the Government in the Senate the situation of the Innu children from Labrador presently housed in the former Grace Hospital in St. John's, Newfoundland. They are there, as she will know, as a result of a request from the Innu Nation in Labrador. That facility was reopened to house the children.

There are reports that the children are not receiving the attention that they require or deserve. The images of the gas sniffing in Davis Inlet have been seared into all of our minds. I know that all honourable senators are interested in knowing the situation and whether the children are receiving the best treatment that can be given. There are reports that perhaps federal programs, which could be available to them, are not being made available as quickly as they might be.

Will the government leader intercede with the Minister of Indian Affairs and Northern Development to ensure that everything that can be done by the federal government is being done and that it is done as quickly as possible?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I thank the honourable senator for his question. He is quite right. The pictures of children who seem to have no hope and no future have been seared on the minds and hearts of all Canadians. These children have placed their limited amount of faith in gas sniffing. Clearly, those children need help.

If the reports are correct that those children are not receiving treatment, and I sincerely hope that they are not, I will do my best to ensure that the government understands that treatment must be forthcoming.

I will also go beyond what the honourable senator has requested today. I am convinced that if those children return to the same communities and the same conditions without alternative activities to pursue, unfortunately their success in hospital will quickly become lack of success in the community. I will raise that with the honourable minister, as well.

CAPE BRETON DEVELOPMENT CORPORATION

REQUEST FOR UPDATE ON SALE

Hon. John Buchanan: Honourable senators, I have a question for the Leader of the Government in the Senate. Would the leader provide us with an update on the status of the sale of the assets of Devco to the Oxbow Corporation, an American corporation based in Florida?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I thank the honourable senator for his question. I regret that I do not have that information at this time. I would hope to provide that update as soon as possible, as I know that this matter is of interest to a number of senators on the other side, including the Honourable Senator Murray.

Senator Buchanan: When the leader makes the inquiry, could she also determine the status of the new Donkin mine? Is the Oxbow Corporation prepared to proceed with the Donkin mine? In addition, are there ongoing negotiations with the Cape Breton group that made a proposal a few years ago to develop the Donkin mine?

Senator Carstairs: I thank the honourable senator for that question. I will add the issue of the Donkin mine, including the issue of the American participants and also the issue of the Nova Scotia group that came forward with a plan.

JUSTICE

COST OF GUN CONTROL REGISTRATION

Hon. Terry Stratton: Honourable senators, my question is addressed to the Leader of the Government in the Senate. The Finance Committee met this morning to study the Supplementary Estimates. During that session, we discovered that the cost of gun control registration is approaching \$500 million.

The previous time I stood up to ask a question on this topic, the cost was \$400 million. The time previous to that, the cost was at \$300 million. The original promise by the minister was a cost of approximately \$65 million.

Would the leader tell us when this will end? Is this it, or should we expect the cost to be \$100 million a year?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I thank the honourable senator for his question. It is important to note that the licensing process that is more or less complete has resulted in a very high rate of individuals obtaining a licence to be in possession of firearms. The next stage is the registration of those firearms.

Honourable senators, I have spoken with Minister McLellan about this issue. She assures me that they are moving quickly to ensure that this be done in the most efficient manner possible, not only with respect to cost but also with respect to delivering the service to those individuals whose licensing applications were clear and to the point. Those who made applications that were not complicated should be able to proceed with the registering of their firearms through a short form, which could be done at a reduced cost.

Senator Stratton: Honourable senators, my concern is that in approaching the \$500-million cost, we do not know if the increased monies given to the RCMP form part of that number. The workload imposed on the RCMP to manage this system has been considerable. Anyone who has gone to a shopping centre, as I have, to obtain a mail-in form would note that the lineups are long. The RCMP has been greatly overloaded.

I ask the leader again to inform us of the final cost, including the RCMP costs? I do not think that cost of the RCMP is included in the \$500 million. Would the leader ask the minister to answer that question?

Senator Carstairs: I think that the honourable senator is right. The cost to the RCMP would not be included in the licensing procedures that have taken place to date or the cost of those licensing procedures. I will inquire as to whether those costs include both items. My information at this point suggests that the figure does not include the additional cost and time required of the RCMP for this process.

- (1500)

GUN CONTROL REGISTRATION— NUMBER OF GUNS TO BE REGISTERED

Hon. David Tkachuk: Honourable senators, when the minister introduced Bill C-68, he mentioned that there were 5 million firearms to be registered. My understanding is that the government, in order to meet its high percentage rate for registered firearms, has downgraded that number to 2 million guns requiring registration. Do we have the government's estimated number?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, the government estimates indicate that there are 2.4 million guns to be registered. The original estimate appears to have been higher. The estimate of 2.4 million guns, by the way, was established by an independent committee that prepared a poll and conducted a statistical analysis to determine the number of weapons out there. The success rate to date indicates that over 2 million owners of guns have registered their weapons, or have been licensed. We also have approximately 300,000 that still need to be registered. There are about 100,000 people who chose to turn in their weapons. That action, therefore, resulted in decreased numbers to put through the licensing process.

Senator Tkachuk: The number now is 2.4 million, gauged by an independent study. On what basis did the minister provide the other inflated numbers when he introduced the bill?

Senator Carstairs: The understanding was that, from anecdotal reports of the number of guns available, it was closer to the 5 million target. However, the proof has been in the pudding, and it appears that there are not that many guns. With that, I must say that I am absolutely delighted.

ENVIRONMENT

EMISSIONS FROM ONTARIO POWER GENERATION INC. PLANTS— RESPONSE TO LETTER FROM ATTORNEYS GENERAL OF NEW YORK AND CONNECTICUT

Hon. Mira Spivak: Honourable senators, the Attorneys General of New York and Connecticut have invoked a section of the Canadian Environmental Assessment Act to request that the Minister of Environment conduct an environmental assessment of Ontario Power Generation's three coal-fired plants. They say that U.S. federal research has "conclusively demonstrated" that emissions from these plants significantly harm wildlife and the health of Americans. Spiralling rates of asthma, premature deaths, acid rain — these problems are being laid at our doorstep. Of course, we also have the issue of the Clean Air Treaty that was signed between Canada and the United States.

Does the Honourable Leader of the Government know what the government's response was to the allegations in the letter of January 31, 2001, from Attorneys General Blumenthal and Spitzer? Will the Minister of the Environment accede to their request?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, as may be assumed, I do not have a response to the January 31, 2001, letter from the Attorneys General of New York and Connecticut. I will try to obtain that response. The most important consideration is that the Clean Air Treaty has been signed. It imposes mutual obligations on the United States and Canada. Neither of us walks into this with

clean hands. There is a desire on both sides of the border to clean up our air and our environment.

RECOGNITION OF UNITED STATES EMISSIONS REGULATIONS

Hon. Mira Spivak: Honourable senators, last week the U.S. Supreme Court unanimously rejected the legal challenge from electric utilities in the U.S. against the EPA rules to reduce smog-producing emissions. Thus, reducing those emissions in the U.S. Midwest will help people in Ontario. Ozone levels north of the border could fall by as much as 20 per cent. I would hope that in requesting this information from the Minister of the Environment, the Leader of the Government would use her good offices to see that, indeed, Ontario returns the favour to the Americans who must breathe our emissions that travel south.

Hon. Sharon Carstairs (Leader of the Government): The honourable senator raises an interesting question. It is a point that needs to be made to not only Canadians but to all Americans as well — that air and water hold no respect for international boundaries; they flow back and forth. Senator Johnson has a serious issue of concern about waters flowing north into Canada, and I share that concern with her. Another senator from Manitoba has raised a significant problem: When an industrial complex in Canada or in the United States pollutes the air, that air does not remain in the narrow area of the industry, but rather flows north or south. I would be pleased to raise those questions with the Minister of the Environment.

[*Translation*]

HEALTH

LACK OF COHESIVE PALLIATIVE CARE PLAN—RESPONSE TO RECOMMENDATIONS OF SPECIAL SENATE COMMITTEE

Hon. Eymard G. Corbin: Honourable senators, my question is for the Leader of the Government. She will recall that, on January 31, I asked her whether the government would provide a full response to the report of the special committee she chaired on palliative care in Canada.

At the time, she reported that she had talked to the Minister of Health, but that no firm commitment to provide a detailed response had been obtained. A month and a half has gone by, and I am wondering whether, today, the Leader of the Government is in a position to tell us whether this house may expect a full response, as she had formally wished.

A Canadian medical journal contains an article on the lack of coordination of government policies on palliative care in this country, a situation it considers most regrettable. On this question, I give notice that tomorrow I will speak in the debate on the Address in Reply to the Speech from the Throne.

I think, honourable senators, that time is slipping by and it is time to act.

[English]

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I thank the honourable senator for his question. I do not have a commitment for an immediate response from Health Canada on the issue of palliative care. The Minister of Health has not fulfilled his responsibilities for the past five weeks because he had surgery and is recuperating. I have not put any pressures on the minister or the department, in his absence, to provide a comprehensive plan.

However, I do want honourable senators to know that there are some exciting initiatives taking place in the field of palliative care. The Minister of Health in the province of Manitoba has undertaken to make the Senate report an issue for the next meeting of the provincial ministers of health. Other ministers have agreed with Mr. Chomiak, and our report will be on the agenda of that meeting. I am very positive about that initiative.

I am also positive about the initiative announced in the Speech from the Throne that a parent with a child who requires palliative care will be provided with both the job security and the funding that is required while caring for this child who is receiving palliative care.

Progress is being made. However, as soon as the minister returns to his position, I will again put on the pressure for a response to our specific recommendations.

Hon. Lowell Murray: Honourable senators, I am certain that this is a matter of public knowledge, but for the record, could the Leader of the Government please tell us who the acting Minister of Health is?

Senator Carstairs: Honourable senators, the acting Minister of Health is the Honourable Herb Gray.

[Translation]

PALLIATIVE CARE FUNDING

Hon. Roch Bolduc: Honourable senators, am I to understand that the Leader of the Government has less influence with the Minister of Health than many of the members of the other place, who, of late, have been receiving subsidies for all sorts of things? If it is not for diabetes, it is for heart disease.

• (1510)

I am always impressed by the series of grants given out. Last week, it was Ontario's turn. The province received at least \$2 billion in grants in a variety of fields. This week, the Minister of Health was handing out grants here and there throughout the country for very specific purposes — I do not know whether he is rewarding the people who will be looking after his next election campaign ahead of time. In any event, these people seem to me to have more clout than the minister and this bothers me. I should like to hear what the Leader of the Government in the Senate has to say about this.

[English]

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I hope that will prove not to be the case. In order that honourable senators will know that some of that money is flowing to palliative care, it was recently announced that funding will be provided to the University of Alberta for palliative care research. That is a start and I anticipate that there will be more funding to come.

I have not forgotten the honourable senator's earlier question with regard to a Senate calendar. We now have a mock-up of the calendar. I will be sharing that with the leaders on the other side and it is to be hoped that before we leave in April the honourable senator will be able to make his plans for the remainder of 2001.

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Fernand Robichaud (Deputy Leader of the Government): Honourable senators, I have three delayed answers. I have a response to a question raised by the Honourable Senator Cohen on February 20, 2001 concerning Bill S-11. I have a response to a question raised by the Honourable Senator Cochrane on February 21, 2001 regarding the management plan for Gros Morne National Park and funding for management plans for national parks. I have a response to a question raised by the Honourable Senator Robertson on February 20, 2001 regarding the Greater Moncton Airport Authority.

CANADIAN HUMAN RIGHTS ACT

AMENDMENTS TO INCLUDE SOCIAL CONDITION AS PROHIBITIVE GROUND OF DISCRIMINATION— GOVERNMENT POLICY

(Response to question raised by Hon. Erminie J. Cohen on February 20, 2001)

This government recognizes the principles and complexities of the legal and policy issues regarding "social condition." As a result, the Minister of Justice indicated during the debate of Bill S-11, that the Canadian Human Rights Act Review Panel would include the issue of "social condition" in its review of the Act.

As you know, the review has now been completed and a report entitled the Canadian Human Rights Act. ("Promoting Equality: A New Vision 2000") was released in June 2000.

The Report, however, contains 165 recommendations covering various issues from process to additional grounds of discrimination, including "social condition."

This issue is crosscutting, as are many others in the Report, and affects the mandates of a number of departments. Officials in Justice are currently working in collaboration with other federal departments on this complex report, including addressing the issue of social condition.

This is the first comprehensive review of the CHRA in over twenty years. The government needs time to review the Report carefully and give it the consideration it deserves in close consultation with other federal departments.

HERITAGE

MANAGEMENT PLAN FOR GROS MORNE NATIONAL PARK— FUNDING FOR MANAGEMENT PLANS OF NATIONAL PARKS

(Response to questions raised by Hon. Ethel Cochrane on February 21, 2001)

QUESTION:

When can we expect the tabling of the Gros Morne National Park of Canada Management Plan?

ANSWER:

As honourable senators will know, the Canada National Parks Act was proclaimed on February 19, 2001.

As the Minister of Canadian Heritage indicated when the Act was proclaimed, Gros Morne National Park of Canada will be formally established when regulations are in place to provide for traditional harvesting activities by local people.

The management plan for Gros Morne National Park of Canada is currently in draft form and certain elements require further discussion with local residents and stakeholders. Parks Canada expects to recommend a revised management plan for approval by the end of this year.

Once the management plan has been approved by the Minister of Canadian Heritage, it will be tabled in Parliament in accordance with the provisions of the Canada National Parks Act.

QUESTION:

Will the government provide funding to carry out the development of management plans?

ANSWER:

Management plans set the future direction for the management of national parks consistent with the provisions

of the Canada National Parks Act, including the measures to ensure the maintenance or restoration of ecological integrity.

There is a program in place for management plans, which Parks Canada continues to implement.

TRANSPORT

PRIVATIZATION OF MONCTON AIRPORT

(Response to question raised by Hon. Brenda M. Robertson on February 20, 2001)

A formal response to the Greater Moncton Airport Authority (GMAA) will be provided once a thorough review of the arguments presented by the GMAA at the meeting held February 8th is completed.

A decision on the need to re-negotiate the deal that privatized the Greater Moncton Airport will be made only once the Department has completed reviewing similar agreements across the country.

ORDERS OF THE DAY

THE SENATE

MOTION ON PROPOSED CHANGES TO RULE 86— DEBATE ADJOURNED

Hon. Fernand Robichaud (Deputy Leader of the Government), pursuant to notice of February 20, 2001, moved:

That Rule 86 of the Rules of the Senate be amended:

1. by deleting subsection 86(1)(h) and replacing it with the following:

(h) The Senate Committee on Foreign Affairs, composed of twelve members, four of whom shall constitute a quorum, to which shall be referred, if there is a motion to that effect, bills, messages, petitions, inquiries, papers and other matters relating to foreign and Commonwealth relations generally, including:

- (i) treaties and international agreements;
- (ii) external trade;
- (iii) foreign aid;
- (iv) territorial and offshore matters.

2. by deleting subsection 86(1)(m) and replacing it with the following:

(m) The Senate Committee on Social Affairs, Science and Technology, composed of twelve members, four of whom shall constitute a quorum, to which shall be referred, if there is an order of the Senate to that effect, bills, messages, petitions, inquiries, papers and other matters relating to social affairs, science, and technology generally, including:

- (i) Indian and Inuit affairs;
- (ii) cultural affairs and the arts;
- (iii) social and labour matters;
- (iv) health and welfare;
- (v) pensions;
- (vi) housing;
- (vii) fitness and amateur sports;
- (viii) employment and immigration;
- (ix) consumer affairs; and
- (x) youth affairs.

3. by adding new subsections 86(1)(r) and 86(1)(s) after subsection 86(1)(q) as follows:

(r) The Senate Committee on Defence and Security, composed of nine members, four of whom shall constitute a quorum, to which may be referred, as the Senate may decide, bills, messages, petitions, inquiries, papers and other matters relating to national defence and security generally, including veterans affairs.

(s) The Senate Committee on Human Rights, composed of nine members, four of whom shall constitute a quorum, to which may be referred, as the Senate may decide, bills, messages, petitions, inquires, papers and other matters relating to human rights generally.

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, this initiative is the result of a desire to establish two new committees in this chamber: a standing committee on defence and security, and a standing committee on human rights. There is considerable background to this motion before the Senate. I wish to go through some of that background with you so that you understand clearly how this motion was initiated.

We have been working on committee reform and restructuring since at least 1994. Some senators tell me that it has been going on even longer than that, but I have been an active participant in much of that review discussion since that time. Under the excellent leadership of Senators Robertson, Maheu and Austin we have undertaken numerous exercises on the restructuring of the committee system.

The whole process started with a questionnaire sent to every senator under the chairmanship of Senator Robertson in 1994.

Over the past seven years, the committee has met on many occasions to consider the results of that questionnaire. Research and analysis was obtained from the research staff of the Library of Parliament and from our own Committees Directorate. As discussions evolved, many individual senators submitted comprehensive proposals for restructuring.

I recall that in 1998, for example, elaborate packages were presented by Senator Maheu and Senator Kenny, and I myself submitted a proposal. A series of meetings took place to discuss and consider all of these proposals. A subcommittee was established to examine the proposals. Discussion, reflection, consideration and reconsideration have all been ongoing for the past seven years. Only one item has emerged from the restructuring debate as a consistent recommendation of the Rules Committee, and that is the recommendation for the creation of two new committees.

Two separate reports have recommended the establishment of new standing committees, one on human rights and one on defence. In June 1999 and again in June 2000 reports were presented to the Senate recommending such committees. Both were presented near the end of a session and they died on the Order Paper because we did not deal with them quickly enough.

We on this side do not view this item as a government initiative. We view it as a Senate initiative. Let us have a free vote on this issue. Let the Senate decide, but let us not delay any further. Some would suggest that this issue should be sent yet again to committee. Of those who make that suggestion I must ask, "Why?" After all, we have twice had a recommendation from our Rules Committee. Let us finally make a decision whether to implement or to reject that recommendation.

Others would argue that we are restructuring in a piecemeal way with this motion, and that is a fair comment. However, honourable senators, I personally see no other way. We have tried the other way for seven years and it has resulted in failure to make decisions and implement change. This issue has been thoroughly discussed and analyzed. In my view, senators need no further study or reflection. Senators are now in a position to make an informed decision. Let us proceed to do so.

To those who would argue that this is a partisan debate, I will say the following, in conclusion: I attended a Rules Committee meeting where members of the other side turned out in great numbers to advocate the establishment of a human rights committee. They had strong support from members of our side. With respect to a defence committee, the numbers were somewhat reversed. The majority in support happened to be from this side, but there was strong support from the other side. These two committees are desired by a large number of senators on both sides of the chamber who want to do work in this area. Is it a majority of senators? I do not know. However, let us finally bring this issue to a vote and find out once and for all whether the majority of members in this chamber wish to have the two new committees established. Let the Senate decide.

Hon. Sheila Finestone: Honourable senators, I am most delighted, as I think most senators are, with the motion before us today for the establishment of a standing committee on human rights. We are in a new millennium, and it offers people around the world an opportunity to reflect upon our common destiny as we find ourselves interconnected as never before. Consider the changes brought about by technology and the Internet.

While the benefits of globalization seem obvious — growth, education, better standards of living, and expanded opportunities — a backlash of inequality is also emerging as the benefits of globalization are not evenly distributed.

• (1520)

In particular, the human rights community faces a number of critical challenges as people are becoming more and more aware of the injustices and the brutalities that exist around the world. Honourable senators, to give an international example of some of the concerns that seem strange but real, the President of the Committee on Human Rights of Parliamentarians at the 165th session of the Inter-Parliamentary Union held in Berlin reported that we had to consider the cases of abuse against 200 parliamentarians in 33 countries in every region of the world. I submit that this is a very significant point — democracy needs rights and needs these rights to be manifest.

Honourable senators, if we advocate the elimination of gross disparities of wealth, strive to eradicate the miserable conditions in which over 1 billion people live, promote the preservation of our natural environment and decry conflict, we cannot turn a blind eye to the compelling need to protect the vulnerable, enforce human rights and ensure that gross violations do not go unpunished.

Canada is not unblemished; however, we are distinguished and distinguishable among the nations of the world. We believe that we should raise the issues, examine the circumstances and speak out with a voice that is clear. We should speak out on pertinent issues and address them so that what we assess and evaluate signifies what we value. Refining our policies would be like gaining new senses and providing additional insights for oversight and for guiding the governing process.

Honourable senators, we face the urgent need to encourage and support the universal values of human rights and the promotion of democratic institutions and practices, both here as well as overseas, as defined in the United Nations Universal Declaration of Human Rights and the International Convention on Civil and Political Rights.

I hope that this proposed standing committee of the Senate will be endowed with the tasks of monitoring the invisibility of abuses, identifying the perpetrators and monitoring the adherents to human rights treaties, both nationally and internationally.

I should like to point out that there is an example here in Canada that was brought to our attention recently, through an

initiative of both Houses of Parliament, by Irwin Cotler and Senator Wilson at a luncheon meeting held on Monday, February 26. Many members of this house were at that meeting, at which the new parliamentary non-partisan human rights group was formed. At that meeting were many people from NGOs, as well as civil society representatives. The guest speaker at that luncheon was Professor Guy S. Goodwin-Gill, who made a presentation on the topic of domestic implementation of international law, with a specific focus on the 1951 convention relating to the status of refugees. I point out to honourable senators that Canada played an important role in the drafting of that particular document.

Professor Goodwin-Gill analyzed Canada's international legal obligations, highlighted the cases of refugees, the delays in getting landed immigrant status to them and the hardship that this imposes. We heard very moving testimony by a most delightful young woman. Our hearts went out to her. She represented about 10,000 refugees caught in this particular dilemma. Professor Goodwin-Gill found Canada's practices on identity documents of convention refugees, as well as the Immigration Department's refusal to grant travel documents to undocumented refugees, to be inconsistent with articles 25, 27 and 28 of the 1951 convention.

I hope that this proposed Senate committee on human rights will be able to look into this and similar problems and evaluate Canada's practices and their results. As I said before, how we act expresses the values we hold dear.

A Senate committee on human rights should not be seen as a humanitarian activity. It should not be curtailed because of numbers. It must be regarded as an investment in our future and that of our children, as well as a tangible expression of sincerely felt moral duty of all those who have spoken to this issue.

Hon. David Tkachuk: Honourable senators, I should like to ask a question of the honourable senator. Are there any issues that cannot be dealt with in our other committees?

Senator Finestone: My experience, honourable senators, indicates that committees do a thorough and proper job of investigating the responsibilities that are allocated to them but that they do not really look at other issues. These issues are vital and important. Human rights, along with other fundamental rights, take a certain kind of deliberative approach. They require a different responsibility than those apportioned to other of our committees.

Senator Tkachuk: Honourable senators, I am not sure whether or not I support the resolution. When we were asking questions about China, I noticed that the Prime Minister and senators opposite were all quite adamant about the fact that trade can continue, and we sent Captain Canada there while these abuses were taking place, especially among many of the Christian groups in China. Is it a fact that this committee would now look at such issues, issues that another committee was not prepared to look at a number of months ago?

Senator Finestone: Honourable senators, if we made a mistake and did not examine it earlier, shame on us. If we make the mistake again, then double shame on us.

[English]

• (1530)

I suggest to the honourable senator that the issue of international human rights obligations is a serious one. When I served in the other place, I was asked to form a subcommittee to examine some of those issues.

Hon. Bill Rompkey: Honourable senators, I rise to support the motion, particularly as it applies to defence. We had this debate last spring, and I had hoped that, by last fall, we would have reflected well enough to take action, but we have not.

The plate is full with other important issues as well. These matters seem to get lost. I think that issues such as those involving the Falun Gong, and other problems that we see around the world, need special study, special observation and special input. There are issues right here in Canada that need to be seriously addressed.

Three weeks ago, I was in Brussels attending some NATO meetings. I called home, as I usually do. When I asked my wife what the news was, she told me that the *Ottawa Citizen* was carrying a story by Tim Naumetz about Senate committees and how good they are. I asked my wife to repeat what she had just said, and she did. Sure enough, there was a story by Tim Naumetz about the excellence of Senate committees. It began by referencing Senator Grafstein, who said that Senate committees are better than House of Commons committees. Mr. Naumetz then went to the House of Commons, where he got three members of that House to agree that Senate committees are better. So, I rest my case on Senate committees.

[Translation]

Hon. Jean-Robert Gauthier: Honourable senators, would it be possible to include “la Francophonie” in this wording? Or we could drop “Commonwealth” and leave the entire matter before the Senate. But we should not use just the word “Commonwealth.” The Francophonie is just as important as the Commonwealth. It includes 50 countries and is important for Canada. I wonder whether the Deputy Leader of the Government in the Senate understood the point I was making two weeks ago, whether he has given it thought and whether he would agree to an amendment which would include the Francophonie explicitly or implicitly in the motion.

Senate committees have a track record. Senate committees can do a job. Senate committees are worthwhile and that fact is recognized. That is my first point.

[English]

The Hon. the Speaker: Honourable senators, just to ensure that our procedures are followed, Senator Finestone has the floor. We were dealing with questions to her. Senator Gauthier has posed a question to another senator, namely, Senator Robichaud. For Senator Robichaud to deal with that question, leave would have to be granted.

When I returned from Brussels, I went to hear Tony Blair. I thought Mr. Blair gave a great speech. I have heard speeches from a number of heads of state and I thought that his speech was outstanding. The part that struck me most was his comment about others feeling more comfortable when Canada is there. To paraphrase him: We know that when Canada is there the job will be well done.

Those of us who have travelled abroad were not surprised at that, because that is Canada’s reputation.

That afternoon, I attended the Conference of Defence Associations at the Château Laurier Hotel. Three honourable senators attended, Senators Pépin, Molgat and myself. There were also three members of the House of Commons in attendance. In that week, neither chamber was sitting, yet our representation equalled that of the House of Commons.

Is leave granted, honourable senators?

Hon. Senators: Agreed.

The Hon. the Speaker: Senator Robichaud, do you wish to comment?

I mentioned that Senator Gil Molgat was at that conference. I did not take the opportunity to say a few words about him when others did. I just want to remember that he was there that day. He was there because he believed in what they were doing. He was a lifelong supporter of the army and more particularly of the Royal Winnipeg Rifles. He went because he cared. I knew that about him for some time.

[Translation]

• (1530)

Senator Robichaud: Honourable senators, since Senator Gauthier’s question does not deal with a matter now before us, I would prefer to wait until the appropriate time, at which point I would certainly be more than willing to discuss it. Senator Gauthier has the best intentions in the world, and since the matter concerns the Francophonie, I have no problem joining his team.

I remember the defence review done by Senator De Bané and myself in 1993. I discovered, as a member of the House of Commons, that senators had research budgets that could be used for research on all sorts of things. I went to see Senator Molgat at that time and he readily agreed to participate, to help us in our research efforts through his office budget. That was the kind of man he was. He took every opportunity that he could to be of help.

Last year, when Senator Molgat was Speaker, he would from time to time invite some of us — Senator ForreSTALL, Senator Wiebe among them — to discuss defence policy, what was going on and particularly the reserves, where he had a particular interest. He invited John Fraser to a supper meeting where we could go over his report to the Minister of National Defence about reserves and what was coming out of it and what we could do in our own way to help. He did that because he cared. It was not because he wanted to lecture, but simply to provide a forum where we could discuss an important issue.

I wanted to remember Senator Molgat today because of his contributions, particularly to the military, over his career.

I return to the matter of the defence association meeting. I heard Tony Blair's speech in the morning about how people wanted Canada at the table. Then I went to listen to the comments of the soldiers, former airmen and former naval officers. They have gone through a tough time; they have been under siege. I heard, for example, about the sharing of uniforms because there were not enough to go around. That is not a new issue. In 1993, in Bosnia — and Senator ForreSTALL was there — soldiers were sharing flak jackets. Things have not changed since 1993. We are asking soldiers to go to Ethiopia and to defend the border with Eritrea when they are already stretched beyond their limits.

What a contrast between the morning as Mr. Blair said that they want Canada at the table and the afternoon when we heard that our Armed Forces are under siege. There have been many articles recently on the same topic. *The Globe and Mail* in February had an article by Sunil Ram who stated that the cuts to the Air Force demonstrate that the Canadian Forces remain underfunded in NATO. Only Luxembourg spends less. Ram stated that our forces are undermanned, underequipped, underpaid and, worst of all, badly led.

Now, I do not agree with the final part of his comment, that the forces are being badly led. I have a lot of time for General Maurice Baril. General Baril will tell you, as he told CBC the other night, that when he took over he had a tough job to rebuild from what he found. I give him absolute credit as the leader, who started that important process.

The rest of Mr. Ram's comment holds a lot of truth. There is much work to be done to review our defence policy. We need to be sure that the people who helped make this country in the Second World War and earlier have their proper place in our society. Our soldiers must be properly paid and properly equipped and they must have the tools to do their jobs properly.

That is why we need a defence committee in the Senate. We need a vehicle. There are senators who know what questions to ask. We just need the vehicle by which to ask those questions.

I ask honourable senators not to let the "perfect" be the enemy of the "good." As Senator Carstairs has said, we have been talking about this for seven years. We want to do the perfect

[Senator Rompkey]

thing, in terms of committees, regarding committee size and membership and numbers of committees. We want the system to be as good as we can make it. Please do not let the perfect be the enemy of the good. We have an opportunity now to put in place a committee on defence and a committee on human rights. The possibility, the opportunity, is now. I say seize the opportunity. Seize the day and do the job because it needs to be done, not just for the Armed Forces but for the people whom they serve in this country.

Senator Tkachuk: Honourable senators, I notice that Senator Carstairs, who said that the issue should be settled in the Senate and not in committee, left immediately after her speech, so I move the adjournment of the debate.

The Hon. the Speaker: I have on my list another senator who wishes to speak.

Senator Tkachuk: I move the adjournment of the debate.

Some Hon. Senators: Oh, oh.

The Hon. the Speaker: It is not a debatable motion. It is moved by Senator Tkachuk —

[Translation]

Senator Robichaud: Honourable senators, it would be no more than a simple courtesy to allow senators so desiring to express their opinions on this matter, after which we shall move on to the motion for adjournment, which would be totally in order.

In response to the statement by Senator Tkachuk concerning the absence of the Leader of the Government in the Senate, although it is not appropriate to make such comments, I would respond by informing him that Senator Carstairs had to leave us to attend a cabinet committee.

[English]

Senator Tkachuk: Fine.

The Hon. the Speaker: Is it in order for me to recognize Senator Wilson?

Senator Tkachuk: If others wish to speak, I shall withdraw my motion.

• (1540)

Hon. Lois M. Wilson: Honourable senators, my speech is probably shorter than debate on a motion to adjourn.

I wish to speak in support of the motion made by the government to establish two new committees. In particular, I should like to address the issue of the human rights committee. I would hope this committee would assist Canada in honouring the UN international treaty commitments it has made on behalf of our country.

First, legislators have a special obligation, as Canada has also ratified these UN committees and treaties. This means we must take the necessary legislative measures to implement the rights contained in them domestically. We are in a position to do that.

Second, the human rights treaties include federal and provincial components. Since senators come from various regions in Canada, we are in a good position to look at those components. Often when we go to the UN there is no agreement between the federal and provincial jurisdictions. Senators can do something about that.

Formal standing committees are one instrument by which we parliamentarians examine issues, receive testimony from civil society and formulate legislation. Absent in the treaty report process is any committee to do that. No existing committee has this focus.

Honourable senators, I welcome this proposal, and I hope that the human rights committee will fill this gap. I trust that it will be freestanding in order to do that job.

On motion of Senator Tkachuk, debate adjourned.

SPEECH FROM THE THRONE

MOTION FOR ADDRESS IN REPLY—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Cordy, seconded by the Honourable Senator Setlakwe, for an Address to Her Excellency the Governor General in reply to her Speech from the Throne at the Opening of the First Session of the Thirty-seventh Parliament.—(*Pursuant to Order adopted March 1, 2001—7 sitting days remaining*).

MOTION IN AMENDMENT

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, I move, seconded by the Honourable Senator DeWare:

That the following be added to the Address:

We respectfully affirm to Your Excellency that the Speech from the Throne would have captured the imagination of the people of Canada if it contained the following words:

Canadians are the finest people in the world community today. Our common citizenship speaks to many ways of being Canadian and affords us unique opportunities to be leaders for freedom and dignity for every person with whom we share Planet Earth in the 21st Century.

My government recognizes that we are blessed with an incomparable landscape, natural and human resources, and an historical foundation of freedom, peace and civility. Canada has always been a place where people, seeking opportunity, fairness and security can build a future.

Despite these enduring strengths, many Canadians feel they no longer share in the Canadian dream. The world is changing rapidly around us, but we face an uncertain and challenging future without a plan. There is a growing sense we have lost our direction.

We need to restore a “common purpose” to this country — to recapture the sense that we are acting together in the interests of the whole community, and to encourage those acts of will that have defined Canada and moved it forward at critical times in our past.

My government’s blueprint for this country’s future is a plan to strengthen Canada’s communities, build a vibrant economy, and govern with integrity.

Strengthening Canada’s communities

Canadians feel that the fabric of Canada’s communities and institutions has been weakened in recent years.

Canadians’ faith in their health care system has been shaken. Health care cuts have closed thousands of hospital beds, jammed emergency rooms and created unacceptable waiting lists for critical services and treatments.

Cuts to post-secondary education funding have resulted in higher college and university tuition fees, and intolerable debt loads for students. Access to higher education is being lost in Canada, even as the knowledge economy raises the premium on higher qualifications.

At a time when Canadians do not feel safe in their communities, the RCMP has been starved for resources. Meanwhile, the gun registration program is costing Canadians hundreds of millions of dollars, while treating law-abiding gun owners as if they were criminals.

Canadians want to see their common values reflected in Canada’s social programs: self-reliance and personal responsibility balanced by compassion, investments in a healthy and well-educated populace, safe communities and fiscal responsibility.

Canadians want their national government to provide leadership in protecting the environment.

My government’s Plan for Canada addresses all these issues to build a stronger Canada through stronger communities.

My government will:

- Immediately restore the cash portion of the Canada Health and Social Transfer to at least 1993-94 levels. This would restore completely the health and post-secondary education dollars cut from transfers to provinces.
- Add a sixth principle to medicare — guaranteed stable and predictable long-term health care funding — through legislation. Never again will a government be able to scoop billions of dollars out of health care.
- Increase and make refundable the caregiver credit, in consultation with groups representing seniors and Canada's disability community.
- Change the repayment terms for Canada Student Loans to provide that loans are repaid as a percentage of net after tax income starting the first full working year after graduation.
- Introduce a tax credit for post-secondary students repaying Canada Student Loans to a maximum of 10 per cent of the loan principal, per year, for the first 10 years after graduation, provided they remain employed in Canada.
- End the taxation of scholarships awarded to students in colleges and universities.
- Provide the RCMP with stable funding, and with an explicit priority to defeat organized crime, particularly money laundering, human and contraband smuggling, fraud and computer crime.
- Replace the federal Young Offenders Act with new legislation that reflects the principles of protection of the public, deterrence and denunciation balanced with rehabilitation, and the greater use of restorative justice.
- Repeal the current long gun registration system and uphold and enforce provisions that control criminal and unsafe use of firearms.
- Make the health of Canada's children an explicit priority of environmental legislation by introducing a Safe Water Act and a Safe Air Act.

Building a stronger economy

The average Canadian today loses about 47 per cent of his or her income to taxes. High taxes have eroded the standard of living of Canadian families. They have made our businesses less competitive. And they are driving young professionals and entrepreneurs to seek their futures in other countries.

Canadians know that today's balanced budget and growing economy were only achieved through their sacrifice and hard work. They want to share in Canada's prosperity, but they want tax reductions to be fair and benefit all Canadians.

Canadians also know that success in today's world requires that we be competitive with our trading partners, that the new economy demands we reward investment, innovation and creativity.

Canadians want the burden of the national debt — now totalling \$560 billion — lifted from the shoulders of their children.

And Canadians want strategic investments targeted towards their priorities.

My government will:

- Cut taxes for all Canadians by raising the basic personal exemption from the current level of \$7,231 to \$12,000 by 2005. This tax cut will remove 2.3 million low income Canadians — those least able to pay taxes — from the tax rolls. It will also deliver across-the-board tax relief of up to \$1,100 (federal/provincial) to the average taxpayer.

- Increase the married and equivalent spouse amount to \$12,000 by 2005. When this change is fully implemented, a single earner family would not pay income tax until their income reached \$24,000 per year.

- Introduce a child tax amount of \$1,176 to assist Canadian families. This will create a tax cut for families with children of \$200 per child.

• (1550)

- Eliminate the personal capital gains tax immediately. This will free venture capital, reward personal initiative and help reverse the brain drain by encouraging entrepreneurs to build their future in Canada.

- Cut excise taxes on gasoline, diesel fuel and home heating fuels to help ease the burden of rising energy costs.

- Eliminate the national debt — the mortgage on our children's future — within 25 years and pay down the principal of the debt by \$25 billion over the next five years.

- Implement an annual "Red Tape Budget" detailing the estimated total of each new proposed government regulation, including the enforcement costs to the government and the compliance costs to individual citizens and businesses.

– Actively expand global trading partnerships with other nations, while promoting human rights and the environment, and protecting our culture.

– Establish the Federal Agriculture Stabilization Transfer (FAST), a comprehensive national safety net program, to include a revenue/income stabilization component and a reliable disaster relief fund.

– My government will work with the international community to protect trans-boundary fisheries from unsustainable harvesting practices on our east and west coasts.

Governing with integrity

A strong democracy is essential to everything we want to do as a country.

What makes democratic government work or fail is the public's willingness to accept or support decisions made on their behalf. Just as we need wealth to prosper, we need trust to govern. That trust has been missing in Ottawa.

Intolerance of legitimate dissent has dramatically weakened the role of Members of Parliament. We cannot continue to inspire our most able citizens to stand for public office if they are shut out of involvement and influence after they have been elected.

My government would restore integrity to the governing of Canada by increasing democratic accountability of government to Parliament.

The government will:

– Strengthen the role of MPs by allowing more free votes in the House of Commons. MPs must be able to represent the views of those who elected them.

– Empower Parliament to scrutinize the spending practices of federal departments without a time limit.

– Introduce comprehensive “whistle-blower” legislation.

– Increase annual defence spending over the next five years to support adequate strength levels, improve the quality of life of armed forces personnel and support the procurement of new equipment.

A balanced and prudent plan

My government's plan for Canada is a balanced and prudent blueprint to restore purpose and direction to Canada, to point us toward a successful future in a changing world.

The numbers add up for Canada. In my government's five-year plan:

– We've placed the greatest emphasis — over \$55 billion — on reducing taxes to leave more money in the hands of Canadians. It is their money, and we want to leave it up to them to save, spend or invest as they see fit.

– Our mandatory debt repayment plan will eliminate the debt mortgage on our children's future within 25 years. Over the coming five years, our plan will reduce the federal debt by \$25 billion. As part of this plan, we will reallocate 1.3 per cent of the current annual program budget to reducing the debt.

– We have identified targeted new investments in programs totalling \$7.4 billion.

Members of the House of Commons:

You will be asked to appropriate the funds required to carry out the services and expenditures authorized by Parliament.

Honourable members of the Senate and the House of Commons:

May Divine Providence guide you in your deliberations.

That, honourable senators, is the speech that should have been delivered at the opening of this 37th Parliament and is my amendment, seconded by the Honourable Senator DeWare.

Some Hon. Senators: Hear, hear!

Hon. Shirley Maheu (The Hon. the Acting Speaker): Honourable Senator Kinsella, I would request that you name someone else to second your motion. Senator DeWare is not in the house.

Senator Kinsella: Senator Rossiter.

The Hon. the Acting Speaker: It is moved by the Honourable Senator Kinsella, seconded by the Honourable Senator Rossiter — may I dispense?

Senator Graham: Dispense.

Senator Kinsella: Dispense.

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

Some Hon. Senators: No.

The Hon. the Acting Speaker: Is the house ready for the question?

Hon. B. Alasdair Graham: Honourable senators, I look forward to the remarks of Senator Di Nino and his participation in the debate.

Honourable senators, I wish to begin by congratulating the mover and the seconder of the Address in Reply to the Speech from the Throne. Both Senator Cordy and Senator Setlakwe touched on issues that have regional and national significance and implications.

I also commend other honourable senators who have participated in this very important part of our parliamentary agenda.

His Honour the Speaker brings to the Speaker's chair an outstanding record as a parliamentarian. The depth of his experience, his sound judgment and his sense of fairness will serve the best interests of all honourable senators.

I am pleased to have the opportunity to publicly applaud the appointments of the Leader and the Deputy Leader of the Government in the Senate, Senator Carstairs and Senator Robichaud. Both senators are not only long-time friends but have extensive parliamentary experience, which equips them very well for the challenges and responsibilities they will face in the future.

The whip, Senator Mercier, brings his own pervasive charm to his onerous duties as the chief government whip.

I am more than pleased to welcome back the opposition leadership team, a trio with which I am quite familiar from an earlier and I might say quite enjoyable period in this chamber. The first line of Senator Lynch-Staunton, his deputy, Senator Kinsella and the able whip, Senator DeWare, while not destined to win the Stanley Cup, is indeed formidable and greatly strengthens the opposition benches in this chamber.

I also wish to extend the warmest of welcomes to the three new senators introduced today, Senator Morin, Senator Hubley and Senator Tunney. The wide and impressive array of talents and skills they bring from their respective occupations speaks well for the future of this place and will aid immeasurably in meeting the challenges and opportunities presented by the legislative work of this chamber.

Honourable senators, in the recent Throne Speech, the government captured the essentials of what might be termed "the Canadian way." We heard that economic and social success must be pursued together and that we cannot lead in innovation and new ideas without healthy and secure citizens. Further, we must not pursue our interests in the world without strengthening our distinct culture and values here at home. We were told that this

government, which has already laid a solid foundation for success in the new economy, creating economic fundamentals which are some of the best in the world, took its responsibilities very seriously in terms of deepening and strengthening the social fabric of our great Canadian democracy.

The idea of ensuring that every region, every province and every individual can contribute to building our nation, and that government must ensure that their voices are heard, has a particular resonance to me. In a pragmatic and logical fashion, this government has developed and consistently advocated a host of policies based on the first principles that this country is all about. It has done so with the clear recognition that the nurturing of our rich civil culture is a powerful check to the forces of the dark side of globalization which could, if left to run their course unimpeded by government, threaten the values and the identity that Canadians hold dear.

• (1600)

For a number of reasons, one of the principal being the impact of the successful CBC series, *A People's History*, Canadians have become more interested in that identity of late. Viewing audiences have far surpassed expectations. When we reflect upon the Speech from the Throne of 2001 in this chamber, it may be meaningful to consider the long roots the address had in the wonderful, over four centuries long, story of Canada.

Honourable senators, I invite you to think back, well before the period of responsible government and the epic age of Confederation, to the earliest adventurers who set out to explore a continent, writing about its unimaginable potential and endless geographical expanses. Think back to the meeting of minds between cultures and ancient inheritances formed in a frontier which knew no end. Think back to the seeds of accommodation that would flourish with each wave of immigration over the course of centuries, and then forward through history, and the spirit of Canada takes shape.

[*Translation*]

Take, for example, the extraordinary alliance between Robert Baldwin and Louis-Hippolyte Lafontaine, which led to the historical alliance in the Assembly of the Province of Canada in 1841.

[*English*]

Those two uniquely talented individuals from French and English Canada respectively, along with the gifted Joseph Howe from my province of Nova Scotia, shared a passion for parliamentary government and freedom. These statesmen, the fathers of responsible government, ensured the peaceful transfer of power from the colonial elites to the Canadian people way back in 1848, thereby creating one of the oldest democracies in the world.

During the course of that struggle, Lafontaine identified his vision of Canada. I quote from one of his earliest writings, wherein he stated that:

The only way in which the authorities can prevent us from succeeding (in the quest for responsible government) is by destroying the social equality which is the distinctive characteristic of much of the populations of Upper Canada as of Lower Canada. This social equality must necessarily bring our political liberty...no privileged caste can exist in Canada beyond and above the mass of its inhabitants.

This belief in social equalities and the common good, this confidence in the people and the principles of moderation, tolerance and inclusion, were all part of the constellation in which this nation was nurtured at the origins. We must think back. Honourable senators, we must explore the connections between our history and our rich civil society. How do we continue to make Canada ours, to keep the spirit of Canada alive in a globalizing world?

Canadian economist Thomas J. Courchene recently outlined a blueprint to answer those critical questions. In a one-sentence mission statement, the content and tone of which might have come as welcome surprise to some close observers, he explained that the challenge is,

...to design a sustainable, socially inclusive and internationally competitive infrastructure that ensures equality of access to all Canadians so that they may development, enhance and employ their skills and human capital in Canada, thereby enabling them to become full citizens in the information-era Canadian and global societies.

His message about social inclusion and equality of access builds on the core ideals of the Canadian culture. Those ideals were expressed at another time of great change in this country. When Robert Baldwin warned about the national consequences that would spring from the failure to win parliamentary institutions and the "first principles" of democracy and justice, he was speaking about ideals that have made this country much more than the sum of its parts.

Those first principles are the Canadian identity, honourable senators. Those first principles have not changed and will not change. The role of government, whether it was in 1848 or in the year 2001, is fundamentally the same. It is to nurture and invigorate and renew a compact with freedom, equality and the common good. In 1848, Canadians won political freedom and citizens took power from the old family compacts. In the year 2001, the continuing challenge is to build a knowledge democracy based on the principle that access of all communities and regions, whether rural or remote, access of all Canadians to the power of knowledge is the God-given right of all of our people.

Honourable senators, I repeat, all of our people. That is why the Speech from the Throne hammered away at the theme of social inclusion in the new economy. The government promised to increase funds for the National Child Benefit program over the

next four years, calling it "the single most important social program to be introduced in this country since the 1960s." It has expanded programs for Aboriginal Head Start, for adult learners and literacy programs and for the disabled.

The government recognizes that a country divided between those who have the opportunity to learn and those who do not have that same privilege, between those who have access to information and those who do not, ceases to be a real country at all. Indeed, the future of this great country will be very closely bound to the creation of a fair society that is united in the opportunity to access information — a true democracy, a knowledge democracy in which all Canadians have the freedom to travel the information highway first class.

Honourable senators, the bold and adventuresome initiatives taken by this government have and will contribute to one of most mature knowledge democracies on the face of the earth. Facilitated by SchoolNet, for example, all of our schools and libraries have Internet access. We are now on the verge of establishing 10,000 community access portals providing non-school age children with Internet access.

We must work hard to keep up with the continuing challenge of keeping Canada ours, of keeping up with the energies of our people. As a Cape Bretoner, I am proud to say that the winds of change are sweeping across a region where the transition from a steel and coal economy has meant tremendous challenges for families and communities. The people of this very special place are responding to those challenges by arming themselves with the power that knowledge brings. On Cape Breton Island alone, the number of companies in the information technology sector have grown by over 50 per cent over the last few years.

• (1610)

All across the province of Nova Scotia, our talented new "Netizens" of the 21st century are like the shipbuilders and the sailors of the 19th century, are able to live anywhere and able to succeed anywhere.

Honourable senators, I might add that, today, as Nova Scotians enter the early years of the new century, Sable natural gas resources have provided new hope and economic prosperity for the region. Potential gas fields to the east and the north of the province promise reserves greater than Sable. For example, the Laurentian field off Cape Breton's north coast between Nova Scotia and Newfoundland is said to contain between 8 trillion and 9 trillion cubic feet of recoverable natural gas resources, nearly three times the Sable reserves. In addition, there are 600 million to 700 million barrels of recoverable oil in the Laurentian Basin. Yes, there is the promise of new life for the region after "old King Coal." All the signs indicate that Nova Scotia, along with other Atlantic provinces, will become the new national oil patch, producing tens of billions of dollars in revenues over the next few years.

Honourable senators, how times change.

The Hon. the Speaker: Before you continue, I must draw to your attention that your time has expired. Are you asking for leave to continue?

Is leave granted?

Hon. Senators: Agreed.

Senator Forrestall: Failure would result in severe penalties.

Senator Graham: I hope that what Senator Forrestall has just said has been recorded because he has been asking me to fight for the rights of Nova Scotians. As I proceed, he will see that that is exactly what I am trying to do. It is part of a senator's job to represent his or her region.

Honourable senators, to illustrate my point, I will tell a story to reinforce and to reassure Senator Forrestall of the points that I will make and what my intentions are.

In the mid-1970s to late 1970s, I was making a tour of Alberta in my capacity as president of the Liberal Party of Canada. I was invited to speak at a downtown luncheon in Calgary, not exactly a bastion of heavy liberal support. I was reminded of that fact when I appeared on an early morning open-line radio show. The first caller welcomed me by saying, "So, you're the president of the Liberal Party of Canada." "Yes, sir," I replied, tentatively. The caller continued. He said, "And you're out here in Alberta meeting with all the Liberals." "Yes, sir," I responded politely, waiting for the big shoe to drop. He then said, "And where are you having your meetings, in the telephone booth?" I could sense his big grin at the other end of the line. "Yes, sir," I acknowledged again. "But remember, there are 168,973 telephone booths in Alberta — and they are all worth a call."

By the way, that was the exact number of votes the Liberal Party received in Alberta in the previous federal election.

"Touché," he laughed, "and welcome to Alberta."

Honourable members, I return to the part of the story of the noon luncheon, which was naturally billed as a non-political event. As president of a major political party, I was invited to give my views, so to speak, on the state of the nation, as it were. I was introduced as a Maritimer, more specifically as a Nova Scotian. At the conclusion of my remarks, the chairman said that I was prepared to take a few questions. The next voice I heard came from near the back of the hall.

"We are tired of feeding the Maritimes," this gentlemen boomed, to the embarrassment of more than a few in the

audience. I wondered, before commenting, if I could ask him a question. "Go right ahead," he replied. "Are you a native of Alberta?" I asked politely. He responded, "What's that got to do with my comment?" "Answer!" someone yelled. "As a matter of fact, I am not," he said. "How long have you lived here?" I asked. Another silence. "Answer!" said someone else. "I've lived in the this beautiful province for 12 wonderful years," he boasted. "And what part of the Maritimes did you originally come from," I asked. More silence, and then, finally, came the reply, "New Brunswick," to which I responded, "I suppose you were born and raised in New Brunswick and educated at Dalhousie Law School in Nova Scotia." "Right on!" came from another corner of the room.

I agreed that Alberta was indeed one of most beautiful parts of the country and that the citizens among the most hospitable to be found in the world. I told him that I meant no disrespect but that I thought it was regrettable that after 12 short years he had forgotten his roots. I did not go so far as to speak about the Great Depression and how, during that period of time, the people of Maritime Canada worked extra hard to send food and clothing to Western Canada.

Honourable senators, those are lessons that should never be forgotten. It is important for the future of our country that each generation understands and appreciates the helping hands, the many sacrifices that the people in one part of this country, yesterday and today, have made to help people in other regions of Canada, in good times and in bad.

That is how this great country was built. That is how this great country must continue to work.

Honourable senators, those stories about zero-sum thinking and unfettered selfishness are not what Canada is about. The story of Canada is a story of tolerance, compassion and the vision of a better world. We must stand united because we have promises to keep.

I thought deeply about those promises to all of our regions, to all of our people and to the world community. I thought of those promises several years ago on a trip to Quebec City, a short time after the 1995 referendum. During my stay, I wondered how I could convince more of my fellow Canadians to visit that beautiful city, which symbolizes all the drama and passion of our past.

Honourable senators, as I related on another occasion in this chamber, I took my walk in the snow along the Plains of Abraham. A little plaque caught my eye. I wiped away the snow to better read the caption. Surprised to see the words "O Canada," I read on.

[*Translation*]

Our national anthem, with the words of Sir Adolphe Routhier set to the music of Calixa Lavallée, was sung for the first time at the Congrès catholique canadien-français on June 24, 1880, Saint-Jean-Baptiste Day.

[English]

How many of our citizens today know, understand and appreciate that our national anthem, written and composed by a French Canadian, was first sung in French in Quebec City on the Feast of Saint-Jean Baptiste? I have reflected many times on what it would take to have that great event of 121 years ago repeated. I wondered how we could renew and nurture the kind of confidence, that simple faith and respect between every region of this country that rekindled the desire of our ancestors long ago to lift their voices together in a moving tribute to our home and native land, to a country that belongs to each and every one of us.

Honourable senators, Canada is a democracy built on the courage of early explorers and the wisdom of our First Nations, a democracy of raucous regions and a multitude of voices from across the globe singing, speaking, arguing and agreeing in the confines of one great nation-state, a democracy where accommodation of differences was, is, and always has been the rule, not the exception. I like to think of it this way. Over our long history, there have been boundaries drawn that divide us into specific provinces and territories, but as a Canadian I want to feel at home in every part of the country.

• (1620)

As we reflect upon the roots and origins of the ideals that have been built into the Throne Speech — and the rich civic culture that makes us one — we see that we must better understand the fascinating adventure that our country really is. We must understand how it was built. We must understand the dreams of the early explorers. We must remember the sacrifices, the persistence, the determination and the strength of generations of Canadians who envisioned and mapped out the boundaries of a special community in a vast land. Yes, all those who mapped out the vistas of our geography, whether it was political, spiritual or regional, were caught up in the spirit of discovery that Canada was, is and always will be.

We must remember the consecutive waves of immigration over time that made Canada a world in one country, a place where the old politics and the old worlds of *realpolitick* and shared selfishness were left behind. Yes, we must remember all those strangers at the gates of freedom, all those who saw the light of a better place from afar, all those who travelled long days and nights to build better lives for themselves, their families and their children's children.

Yes, honourable senators, we must remember, and we must think back. We must, each of us, make all of Canada our home because all of this great country belongs to each of us. The sea of trees and the majesty of our Rocky Mountains belong to all us. The historic coastlines of British Columbia and Newfoundland and the rich culture of Cape Breton belong to all of us. Our

thousands of shimmering lakes and the grandeur of our whispering maples belong to all of us. The huge blue sky over the Prairies and the golden vistas of wheat that run into eternity belong to each of us. Our Atlantic beaches and the wondrous cliffs and the sugar bush of Quebec belong to all of us. The gentle twilight over the streets of Old Montreal and the magnificent diversity of Toronto and Vancouver belong to all of us. The treasures that are Nunavut, the Yukon and the Northwest Territories — all of our Arctic expanses — the majesty of great waterways and national parks — all of that belongs to each and every one of us. We must all take the time, as the Speech from the Throne encouraged all Canadians, to discover, to rediscover and to make them ours.

It seems that at times our federation surges and almost bursts with intolerable tensions, unreasonable fears, diabolical disagreements and mischievous mythologies. Our regions variously progress and decline over time; but we regularly pull ourselves up by the roots to see that we are still growing. Yes, we find that, in spite of all the odds, all the challenges and the vicissitudes, our talented and courageous people have shown the determination and the will to keep this country ours.

Now, today, in the year 2001, in the early hours of a new century, we reflect together on the frontiers of our citizenship. We find in those reflections that the frontiers of our citizenship are still clear. The frontiers of our citizenship, our demarcation lines, our boundaries are the boundless expanses of our spiritual geography and the values that make us one. Our frontiers, our boundaries, are about the power of a great nation conceived in the adventure of building a better place. Our frontiers, our boundaries, are about an endless adventure into freedom. The frontiers of our citizenship, our boundaries, are about the magic of being Canadian. For all of us, for each of us, that magic is the same.

Hon. J. Michael Forrestall: Honourable senators, I am always moved when Senator Graham addresses the Speech from the Throne. Perhaps if I am here for another four or five years, I will hear him get around to addressing the speech itself.

Honourable senators, I wish to extend my most sincere congratulations to the mover and seconder of the motion, in particular to the mover because she is a resident of my hometown.

I wish to welcome our three new senators. As has been pointed out, they enrich our work and our activities. I know they will be very active.

I wish to start by saying how deeply disappointed I was in the Speech from the Throne. It was hurtful in the extreme that the Canadian Armed Forces received but two sentences in the Throne Speech. We see just going out of the chamber now air cadets who have been listening to the debate. I am glad they heard Senator Graham's expressions. I am pleased that they listened to him and will not listen to the words of disappointment that I have in my government.

I wish to quote two sentences from the Throne Speech:

The Government will continue Canada's proud record of peacekeeping. In Budget 2000, the Government provided funding increases for the Canadian Forces to help ensure that they are equipped and prepared to respond quickly to calls for help at home and abroad.

I have had a couple of weeks to reflect on those two comments and the state of our military in general. I am reminded of the comments of William Pitt concerning the defeats Great Britain was suffering in the Seven Years War prior to 1757 when he summed up the past by saying, "The maxims of our government have degenerated, not our natives." This government is either through intention or benign neglect allowing for the dismantling of the Canadian Armed Forces.

This is the government that sent military families eviction notices in the dark of a Friday night so that they had no one to call to whom to voice a concern or complaint. This is the government that allows our peacekeepers to return from missions sick from unspecified causes and which does nothing to help. This is the government that brings our soldiers home from peacekeeping, especially our young reserve soldiers, and provides them little or no follow-up counselling, which is so very necessary. Many honourable senators have heard me express concern about this before.

This is the government that leaves our soldiers abandoned on the airfields of Macedonia after a peacekeeping mission. The government says, on the one hand, "Here is a raise," while within hours it says, "Yes, and by the way here is an increase in the cost of your housing, shelter and your rations in quarters." This is the government that sends them away on operations wearing hand-me-downs or threadbare uniforms. As our colleague Senator Rompkey mentioned today, this is why there is a need for a Senate committee on defence. This is the government that allows these men and women to exchange flak jackets because they do not have enough to go around. Given the size of me, the only parts of me that are protected by a flak jacket are my underarms.

• (1630)

This is the government that, after several years of bickering, tells 18- and 19-year-old men and women on the armoury floor, who are interested in the military and are trying to serve their country, that they still have another two to three years of evaluation before they will know whether the units they have joined will survive or die.

This is the government that spends millions, if not billions, to upgrade our TRUMP destroyers, particularly the HMCS *Huron*, and then ties them to the dock because we do not have the people in the forces to man our ships and new submarines.

[Senator Forrester]

This is the government that hides behind equity issues to man our submarines. As senators are all aware, it was once a volunteer service, but now both sexes will be conscripted to crew the Victoria class of submarine.

This is the government that stretches a force of less than 51,200 to the very limits of its capacity and the capacity of its leadership to properly fulfil the mandate that has been given to it by this country. In my opinion, based on reliable methods of measuring, the number of personnel in the Canadian Armed Forces is probably closer to 46,000 than to 51,200.

This is the government that leaves 10 per cent of its army equipment stuck on the high seas.

This is the government that is planning to cut the army by one full brigade.

This is the government that has ruined the Canadian army to the point that our most famous peacekeeper says that it is unable to fight a war.

This is the government that offers "marines" for East Timor, only to discover that we do not have marines in the Canadian Armed Forces.

Honourable senators, Mr. Pitt would have thought that 1757 looked good if he had the occasion to see the state of the Canadian Armed Forces today.

Had my party been elected to government, we would have done a number of things to help the Canadian Forces.

A Progressive Conservative government would have committed funding for adequate strength levels, quality of life initiatives and the procurement of new equipment for the Forces.

A Progressive Conservative government would provide the Department of National Defence with immediate additional annual funding for the next five years to maintain current capabilities and implement proposed long-term capital programs.

A Progressive Conservative government would give general focus and direction to the military leadership, while empowering them to make strategic operational decisions.

A Progressive Conservative government would purchase modern, effective maritime helicopters in accordance with the approved departmental statement of requirement: fair and open competition based on "best value for the dollar" to the Canadian taxpayer, not lowest cost compliance.

Returning to the Sea King for a moment, honourable senators, the state of our Sea King fleet and the government's ill-fated planned replacement program brings tears to the eyes of some of us. We have the makings of a scandal-plagued project. It may make Sam Hughes and the "shovel shield" look timid.

Honourable senators, how well we remember the days of “soon” in this chamber and “immediately” in the Liberal 1994 white paper. The Liberal definition of “immediately” is six years. You can count the number of days yourselves. I remember our esteemed Minister of National Defence telling us repeatedly that we would see the Sea King fleet replaced by 2005. Now we know that there is no mandatory date for that to take place. We may see Sea Kings flying past — well past 2008, not by 2005 as we were told.

Estimates place the cost of cancellation at over \$1 billion. We heard earlier today of \$500 million being thrown into gun registration. That would have given us the helicopters that we need to complete this program.

Why will it cost over \$1 billion? That is because the EH-101 is likely the only aircraft that will be available in sufficient numbers by 2005 to replace the Sea Kings. If something should happen to a Sea King crew on a mission, this government will have to live with the consequences and all members of this chamber and of the other place who remain quiet in their seats will have to share in that unhappy burden.

Honourable senators, in my judgment, the government has made quite a mess of the Sea King replacement. During the 1993 election campaign, then Leader of the Opposition Jean Chrétien said, “I will take out my pen and will write ‘Zero helicopters, Chrétien,’” and “no one will die because of helicopters.”

Thank God nothing has happened yet with a Sea King, but we do know the tragedy of the Labrador. It is only by the grace of God that it has not happened with a Sea King.

Upon taking power in the fall of 1993, Mr. Chrétien cancelled, as he said he would, the EH-101 and sent us down the trail to scandal and potential disaster. That one act of irresponsible and cynical electioneering has cost this country dearly in terms of the operational effectiveness of our maritime forces. Now this has come home to roost on the present government.

We all know that an effective operational maritime helicopter is a necessary complement to our modernized destroyers and modern frigates; that is, those that are not tied up at dock for lack of crew.

Canada has one of the most modern and effective surface fleets in the world, built at a cost of billions of dollars. These ships will never reach their full potential until they receive an effective, robust, modern maritime helicopter to replace the Sea King. In plain and simple terms, the result of the 1993 cancellation is that the aging and unreliable Sea King is being stretched to the limits of its usefulness and its life.

The last two years have seen several high-profile operational failures in the Sea King, including aborted NATO exercises,

failed medical evacuations at sea, and the impaired high seas seizure of the GTS *Katie*, as we all recall. The unreliability of the Sea King is hampering the operational effectiveness of our navy, despite valiant efforts of maintenance crews. This is a scandal — something of which we cannot be proud.

Until August of this year — six years of failure, six years of risk — the Chrétien government stalled the Sea King program that is so important to our navy, our air crews and their families. Worse was to follow. Consider, for example, the fact that the procurement process calls for four separate contracts, all independent of one another: basic vehicle, mission systems, support for basic vehicle, and support for mission systems to the tune of \$2.9 billion.

The government capped the value of the 28 basic vehicles at \$925 million and made the decision dependent upon a “lowest priced compliant” criteria. This has had two immediate effects. First, it means that no matter what aircraft competes, even if it is of only marginal ability, as long as it meets the statement of requirement and is the cheapest helicopter, it will be selected as the replacement. This will happen in spite of the fact that another marginally more expensive aircraft might be more effective.

• (1640)

This will also eliminate professional military judgment from the competition. If an operationally marginal competitor is one dollar cheaper than a helicopter with 100 per cent more operational capacity, then the saving dollar will win out. This is against Treasury Board guidelines and we need only look to the Supreme Court of Canada decision late last week to understand what they felt about the tendering process. They called it “patent politicization.” Well, so did I, two or three weeks ago. Along Treasury Board guidelines, due to the lowest price compliant guidelines, the competition virtually eliminates the EH-101 before the competition even starts.

The EH-101 was awarded the contract to replace the Labrador Search and Rescue helicopter in 1998, based on “best value for dollar” to the Canadian taxpayer and at great embarrassment to the current government. At one time, however, I was prepared to give the Prime Minister every bit of support for having finally admitted his mistake and carrying on.

The Hon. the Speaker: Honourable senator, your time has expired. Are you requesting time to continue?

Senator Forrestall: Yes.

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

Hon. Senators: Agreed.

Senator Forrestall: Honourable senators, the cost of the Canada search helicopter is approximately \$550 million for 15 “bare bones” EH-101s. One can easily see why it would be difficult for EH Industries to provide 28 at \$925 million for the Sea King replacement.

Additionally, the LOI rules limit Sikorsky's new S-92 from competing for the contract. Of course, they have supplied us with helicopters since I was too young to vote. The competition guidelines state that the competing helicopters must be certified prior to the basic mission vehicle portion of the contract being awarded in the summer of 2001. It was well known in government circles that the S-92 would not be certified before the summer of 2002. Thus, the S-92 would be eliminated from the maritime helicopter competition before it even started. This is an unheard of requirement — to demand certification of an aircraft three years before it is even scheduled for delivery by firms that have international reputations, such as that which Sikorsky enjoys.

The only group not disadvantaged by the competition is Eurocopter and its Cougar MK2. It is the cheapest aircraft and is based on 1970s technology and design. Indeed, the Cougar was just excluded from a four-nation Scandinavian maritime helicopter competition in the challenging North Sea and Arctic Ocean environment, which is so similar operationally to our cold, hazardous North Atlantic. It is not a proven naval helicopter, but it is the cheapest. Under this government we will end up with a more effective helicopter for search and rescue than we will get for combat operations at sea. We have the EH-101 for search and rescue operations and the Cougar MK2 for combat operations. Why, you ask? I have my suspicions, but perhaps you might ask the Ministers Gray, Eggleton, Gagliano and, perhaps, the Prime Minister himself why the Cougar was the only helicopter not disadvantaged by this competition. It is, to say the least, outrageous, not to mention the fact that the skewed procurement process — rigged in my opinion — was done without the departments and with no supporting recommendations from DND.

Honourable senators, there are a few other facts worth noting. The Basic Vehicle, or Green Helicopter, will be purchased separately from the mission systems. What happens if this system and the aircraft are incompatible, possibly because of magnetic anomalies and electronic emissions? Add an additional 70 per cent, according to aerospace firms, to the \$2.9 billion program.

What happens to airworthiness certification when large holes are cut into the airframe, such as for sonar, or when weight and balance changes when mission systems are integrated into the aircraft?

As there are four separate contracts, there is no prime civilian contractor to push for successful, efficient completion of the project. The government, by default, becomes the prime contractor, and who pays the difference? The Canadian taxpayer, of course, pays the difference.

This is not the best way to procure defence equipment that the navy will be stuck with for 40 years if the Sea King is any guide on replacement timelines. In all of this, there is not one word in the Throne Speech about the largest defence procurement program of this government, not one word about the state of the

forces. I remind those on the other side that when we were in power, we had a real brigade in Germany. We could dispatch three ships to the Persian Gulf and they left in days, not weeks. Do not attempt to tell us how much better off the forces are today. We did not evict military families from their PMQs as this government — a Liberal government — is doing. What the Throne Speech said to the Canadian Forces members, their families, public supporters and me is plain and simple — no more money, not one penny. The government will simply cover your operations and maintenance deficits in supplementary estimates and be done with you for another year. You will not get the \$1 billion more that you need this year and the next for capital expenditure to avoid rust out.

That is my response to the Speech from the Throne on behalf of those in this country who support a strong, effective Canadian Forces. It comes from another great historic British leader, Oliver Cromwell, who said “I have not the particular shining bauble or feather in my cap for crowds to gaze at or kneel to, but I have the power and resolution for foes to tremble at.”

Hon. Thelma J. Chalifoux: Honourable senators, I welcome and congratulate our three new colleagues to this illustrious chamber. I am certain that you will find it challenging, powerful and interesting.

Honourable senators, I am pleased today to respond to the Speech from the Throne. The government was given a third mandate by Canadians. The goals of this government mandate are to build a stronger, more inclusive Canada, and to secure a higher quality of life for all Canadians. I will comment on the statements of the Speech from the Throne in respect of the government's commitment to the Aboriginal nations of Canada.

The term “Aboriginal” is not fully defined. Is the government accepting the definition of section 35 (2) of the Constitution which reads: “In this Act, ‘aboriginal peoples of Canada’ includes the Indian, Inuit and Métis peoples of Canada.”

In the Speech from the Throne, there is no mention of Inuit or Métis. There are many Inuit who do not live in Nunavut — their homes are all across the North, in Northern Quebec, Labrador and parts of Manitoba. All treaty First Nations do not live on reserves — they live in the villages, towns and cities of Canada. The Métis people also live in the cities, towns and villages of Canada, both North and South. They have had little opportunity to take advantage of the programs and services offered to other Aboriginal groups.

The non-status First Nations really do fall between the cracks. A good example of this is a 50-year old woman in a Northern Alberta community, whose nationality is Cree. She has lived her whole life in the traditional way. However, she does not qualify for benefits because she has no status. She found bits and pieces of lumber to build a shack. She found cardboard boxes to insulate it. When community leaders tried to get her a trailer, they were turned down because they have no status either. They do not fit the criteria.

[Senator Forrester]

• (1650)

It is sad that this is not an uncommon situation. This is happening across Canada in Inuit, Métis and non-status communities.

Alberta, through the Métis Settlements Act of 1990, has the only legislated definition of Métis and a requirement for land entitlement. I repeat: Alberta is the only province in Canada that has land set aside for the Métis.

The historical Métis of Western Canada are defined by their genealogical records dating back to Rupert's Land and the provisional government of Riel. Where do they fit in the federal government's commitment to Aboriginal peoples? The government's commitment to work with Aboriginal people to strengthen their entrepreneurial and business expertise has been most successful in this area. Many financial institutions have been established. There are Aboriginal development banks, the Inuit financial agency, Métis business services and, for the Alberta Métis settlements, the Settlement Sooniyaw Corporation, to name a few. It is interesting to note, though, that if you are on the reserve, a band council resolution will give you access to the banks. If you are not on the reserve, you have no access to the banks and no access to the credit. The government is doing its best to live up to this commitment, but there are still Aboriginal people who fall between the cracks and do not qualify for these programs.

The government is committed to support the community access program and SchoolNet. These programs are critical in bringing rural, remote and Aboriginal communities to a par with the southern half of Canada. To date, many northern schools have been connected to SchoolNet for programs specific to science, thanks to the Canadian Museum of Nature and with the assistance of one of the major hardware and software suppliers in Canada. It is interesting that we can bring this technology to our northern schools, but the children still go to school in horse-drawn wagons. There is no infrastructure for the communities, but the schools have sewers and water supplies. Meanwhile, our old people still have to slog through the snowdrifts to go to the bathroom.

The Speech from the Throne mentions only First Nations in strengthening governance. That is a wonderful commitment, but what about the Inuit who reside outside of Nunavut, the Métis and the Métis settlements of Alberta? The Métis settlements maintain that Alberta's Métis Settlements Act of 1990 gives them the existing right to be protected. The Métis Settlement General Council is developing a governance model that must be recognized by our federal government.

The Aboriginal Head Start program is one of the best programs for our children, but, once again, the program has put a greater emphasis on reserves, even though the greater Aboriginal

population lives in urban and remote communities. Every child should know his or her history, culture and heritage.

The Métis have their own language, history, culture and heritage. The Inuit have their own language, history, culture and heritage. All First Nations are different in language, culture and history. All children should have the opportunity to participate in this program, to learn their own unique identity and to be proud of who they are as Aboriginals and Canadians.

Health concerns, including FAS, diabetes, AIDS and tuberculosis, are very serious issues facing all Aboriginal communities. I am encouraged that this government has placed a top priority in this area. By training Aboriginal people in the health sciences, we will make gains. I was impressed when a professor at the University of Alberta commented that there were 20 Aboriginal students training to be doctors. First Nations students receive funding for this; Métis students do not. This is just another example of the disparity affecting Métis people.

The Speech from the Throne mentioned the high incidence of Aboriginal people in conflict with the law. The government is researching and working toward a solution to address this tragic reality; yet it has existed for over 50 years. More justice and preventive solutions must be developed and provided.

When every child grows up in a home with no poverty, where there are working parents, where there is a stable environment and a strong sense of identity — only then will all First Nations, Métis and Inuit peoples be able to stand tall. To that end, we are addressing this challenging issue.

In conclusion, all Aboriginal Canadians, regardless of their status or their political affiliation, must be heard. Services must be made equitably available to all. The Speech from the Throne addresses many of the issues that touch the lives of all Aboriginal peoples, but we must recognize the three separate nationalities of Aboriginal people so that all services can be available to all Aboriginal people as identified in the Constitution of 1982.

In the words of our grandmothers, "The road is hard, the struggle is great, but with our faith and our humour we will survive and prosper."

Hon. Mira Spivak: Honourable senators, a number of good environmental proposals can be found in the Speech from the Throne. One of them is the government's intent to develop new standards for toxic substances and contaminants, standards that will reflect the special vulnerabilities of children.

This move is in keeping with the motion unanimously passed by the Senate some 15 months ago, urging the government to establish an office of children's environmental health. We do not yet know how the government plans to proceed, whether by creating the office that we recommended or by revisiting the Canadian Environmental Protection Act or through some other mechanism. I would hope that the details of these plans would be released expeditiously.

The Speech from the Throne also addresses Canada's water and promises that the government will develop stronger national guidelines for water quality, fund improvements to municipal water and wastewater treatment, and invest in research and development. Post-Walkerton, we know there is an urgent need for better stewardship of fresh water and better consumer protection, but it is an open question whether stronger national guidelines will give us more real protection.

Other jurisdictions, such as the United States, have enforceable, legally binding water-quality standards. It is important to see what legislation and program measures are forthcoming to support these policy initiatives. It is also crucial to know what level of new funding will be available for municipal water and wastewater treatment. In the 2000-2001 budget, the government committed \$2.65 billion over the next six years for all types of municipal infrastructure projects. The Federation of Canadian Municipalities, however, identified \$16.5 billion — more than six times the amount committed — needed to replace or upgrade water mains, storage tanks and water treatment plants alone.

Do the government promises in the Speech from the Throne include new funding based on the identified needs?

Similarly, the pledge to invest in research and development to protect surface and ground water is welcome news. How large will it be? What are the funding mechanisms? Will any of this investment find its way to our freshwater research scientists, who have been starved of support for years? Canada has world acclaimed freshwater scientists, but they have been abandoning hope of doing good work in this country because of the design of our grant programs. Their work is not in the interests of corporate partners, and without partners with deep pockets the freshwater researchers do not qualify for federal support.

Dr. David Schindler, the most renowned among these aquatic specialists, has proposed a sane and simple solution. Let researchers receive grants in partnership with Environment Canada, with the Department of Fisheries and Oceans, or with other federal or provincial agencies. Do not make corporate sponsorship a pre-condition of federal support. I hope the Government of Canada will finally listen to those suggestions when determining how to spend its research dollars.

There are other welcome pledges in the speech. There is a promise to quickly implement the Canada-U.S. agreement on smog reduction. There is a promise to invest in new parks and to restore existing parks to ecological health. This is particularly good news for Manitobans who have been waiting for years for the Manitoban lowlands national park to come to fruition and for Manitobans concerned about the Riding Mountain National Park, one of the 10 most threatened national parks in Canada.

• (1700)

The Speech from the Throne also promises legislation to protect species at risk and measures to reduce greenhouse gas

[Senator Spivak]

emissions. On the face of it, who could ask for anything more? Unfortunately, it has been repeatedly demonstrated that looks are deceiving.

The Leader of the Government reminded us that the Speech from the Throne is not a specific outline of all legislation. For more specifics, she suggested we look to the Red Book.

On the environmental front, I respectfully suggest that successive Red Books have been a steady source of disappointment. If the government had lived up to its earlier Red Book promises, Canada would be well on its way to achieving a 20 per cent reduction in greenhouse gas emissions. Instead, we have seen emissions climb steadily.

If Red Book promises had been kept, our national parks system would have been completed last year, and the ecological integrity of our older parks would not be threatened. We are very far from achieving either objective.

If past promises had been fulfilled, we would have timetables for phasing out the most persistent toxic substances. Enforcement of pollution standards would be stronger. Economic instruments would be advancing environmental protection. None of that has happened in the eight years after those Red Book pledges were put in writing.

Yet, we live in perpetual hope of better things to come. In fact, the government is taking steps not mentioned in the Speech from the Throne or in the Red Books. One of them addresses the urgent problem of water export. Legislation has been introduced to prohibit all bulk water removal from 300 rivers and lakes along the Canada-U.S. border. That is a good first step, if not the whole solution. Now the provinces must act to protect other potential sources of water exports.

What more can the government reasonably be doing to protect our environment? It can take a leaf — several leaves — from another election campaign book, one rated very highly by environmental groups. The Progressive Conservative Party platform also made clean air and safe water priority items. The difference lies in the means to those ends. The party platform goes beyond voluntary guidelines to protect drinking water. Legally binding and enforceable drinking water standards should be enshrined in a safe water act, says the policy. It is also recognized that activities near municipal wells and the storage of products in the area pose problems. Standards on those activities should be set and harmonized with provincial and territorial governments.

I would also add that the link between corporate farming — huge hog operations, for example — and water quality needs urgently to be addressed.

The PC platform also promised to update pesticide laws that are now 30 years out of date, and it promised to put in place pesticide education programs to reduce the cosmetic use of chemicals on lawns and gardens.

On species-at-risk legislation, the PC platform promised a bill that lets scientists, not politicians, decide when species should be listed for protection. That approach to listing does not deny the government's right to do everything — or nothing — to protect an endangered species. The science-based approach, however, does let Canadians know when scientists raise the caution flag. The revised SARA introduced last month takes a somewhat different approach and requires publication of the scientific list, while cabinet would still determine the final list. Jurisdictions that have taken that approach have failed to list threatened species.

The Progressive Conservative vision for a good species law also includes compensation for landowners so that the burden will not fall on the few whose property is home to species at risk.

Honourable senators, I sincerely hope that the Government of Canada will consider amendments to the legislation as it passes through the committee in the other place.

The Progressive Conservative platform had other ideas, such as a safe air act, a tax measure to encourage drivers to purchase low-sulphur fuels, and pollution agreements with industries that would be binding and enforceable. These ideas have not been patented. I am sure that no one would object to the government adopting them.

As good as the PC policy document is — it is hard to remember, the election was so long ago — it does not have a monopoly on good ideas. On climate change, for example, the Pembina Institute for Appropriate Development has both offered a concrete plan for meeting our Kyoto commitment and monitored the results of the government's voluntary plan. In 1998, the last year for which we have data, Canada's greenhouse gas emissions were 13 per cent higher than at the start of the last decade. Meeting our Kyoto commitment will require a 26 per cent reduction below the emission levels that we can expect if we follow the business-as-usual scenario. We have wasted a decade through inaction.

The last Red Book claimed that since 1997 the Government has committed more than \$1 billion to climate change and energy efficiency, but the results, as measured by the increase in emissions, show not only a lack of progress but a deteriorating situation.

The Pembina Institute reported in October that industrial companies, which are responsible for more than 60 per cent of Canada's total emissions, on average increased emissions by 13 per cent. There were notable exceptions. DuPont Canada decreased its emissions by 52 per cent. EPCOR, Ontario Hydro and other electricity generators went the other way. EPCOR's increase stood at 149 per cent.

A month earlier, the institute reported on the performance of provincial governments. All provinces received a very poor, failing grade. The highest score went to British Columbia, and it was a mere 30 per cent grade.

The government's Action Plan 2000, announced last October, if fully implemented, will take Canada only one third of the way to meeting the Kyoto target and only one third of that reduction will be through domestic action. The remainder relies on allowances for carbon sinks and emissions trading.

By contrast, the practical and affordable steps recommended by the Pembina Institute would fill the emissions gap. It recommends better fuel economy for vehicles, expanding transit alternatives and encouraging fuel efficiency. It also recommends fuel taxes, but, of course, no one in his right mind will adopt that. It recommends a switch from coal to natural gas and other sources of energy to produce electricity, an emissions trading system that limits industrial emissions and incentives, and regulations and support for energy conservation. These are common-sense, practical steps.

Clean air is a priority for the Government of Canada, and reliance is placed on the Canada-U.S. agreement to fight smog; but on sulphur, a key ingredient in smog, Canada's plan is much ado about nothing. Carmakers have been pressuring the government for years to upgrade the fuel standards required of refineries. Today, some gas sold in Ontario and Quebec have 23 times the sulphur allowed in California gasoline. Refineries will be required to cut sulphur to 150 parts per million by 2002, but they will not be required to meet the 30 parts per million standard until 2005, by which time other jurisdictions will have reduced sulphur levels even further.

Is it not time, honourable senators, that consumers be given the incentive and the choice to vote with their wallets? A 4 cents-per-litre tax reduction on low-sulphur fuels would do a great deal to advance the move to cleaner air.

While government measures on climate change and smog reduction have been largely ineffective, other parties in Canada have stronger suggestions. In December, a new coalition was formed among oil companies and environmentalists. Calling itself the Clean Air Renewable Energy coalition, or CARE, it recommended to the Minister of Finance two measures that would tackle both climate change and smog and create a thriving renewable energy industry in Canada.

This coalition — with such companies as Suncor Energy, Shell Canada, BP Canada, TransAlta, and environmental groups such as Pollution Probe, the Pembina Institute, and Friends of the Earth — asked the minister to spend unallocated dollars on climate change. They asked for consumer tax credits for people who buy electricity from such renewable resources as wind, solar and biomass. They asked for broader investment tax credits for green power research and development, but there was nothing in the Throne Speech. On that issue, it was silent.

When the Minister of Finance hands down his next budget, I certainly hope that these practical incentives to put Canada on a smart energy path will be included.

Honourable senators, I wish to raise one other matter. It goes back to the first Red Book commitment on the enforcement of our environmental laws and regulations. We can legislate the best environmental laws in the developed world, but they mean nothing if we fail to enforce them.

The Hon. the Speaker: I regret to inform the Honourable Senator Spivak that her time has expired. Is she requesting leave to continue?

Senator Spivak: Yes, I would request leave.

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

Hon. Senators: Agreed.

• (1710)

The Hon. the Speaker: Leave is granted, but before I take my seat, out of respect for Senator Spivak and her remarks, I would remind honourable senators that it is inappropriate to have conversations during the course of a presentation by a senator. I will not name anyone, but I note even the most distinguished among us sometimes forget that courtesy.

Senator Spivak: Last year, honourable senators, there were 32 inspectors to enforce federal laws at 27,000 sites. On average, these operations could expect to be inspected once every 36.8 years. In 1998, there was less than one full-time inspector to keep watch at 800 chemical and biotech companies. Responsible chemical companies requested that the government increase inspections. There were allegations that more than 175 companies were manufacturing and importing new productions contrary to federal rules. What happened? Very little.

Today, we have a mere 150 field officers to enforce our pollution and wildlife laws. In fact, Environment Canada officials estimate we need more than double that number to do the job properly. A new species-at-risk law, new standards for toxic substances or any new measure is not worth the paper it is written on unless we stand by it with proper enforcement.

I should like to quote from the recent report of the Auditor General. He looked back 10 years and came to this conclusion:

While there has been some progress, significant challenges remain. For example, the government needs to better manage new toxic chemicals, urban smog and groundwater contamination. And compared with other countries, we are a large per capita consumer of energy and other natural resources and a large generator of pollution and waste.

In a recent article in the *National Post*, the Auditor General added a postscript, a prescription for action, when he said:

[Senator Spivak]

Finally the government needs to deliver on its environmental promises. There is a decades-old lack of coordination in the federal government, and between the federal government and the provinces.

There is a record of overpromising and underdelivering. And like other programs, there has been inadequate reporting of achieved results.

[*Translation*]

Hon. Marie-P. Poulin: Honourable senators, I am pleased today to have the privilege to reply to the Speech from the Throne delivered by Her Excellency the Governor General.

In congratulating our three new colleagues, Senators Morin, Hubley and Tunney, I would invite them to read the Speech from the Throne.

It is first and foremost a speech for all Canadians, without regard for their social position. It is an edifying program of work for this first Parliament of the millennium. The words in it eloquently paint what Canada's future could be.

The Speech from the Throne talks of a society in which everyone has the opportunity to reach his or her full potential; of a nation attentive and with a hand out to the most disadvantaged; of a country promoting and rewarding success; of a country sharing its wealth; of a country expressing full confidence in the individual and recognizing the vast potential open to us if we work together to realize our shared dream.

We are being invited to play a role in a vision of the future. A vision which is not just some vague notion, but a set of clearly defined goals to help Canada achieve its full potential through a strong sense of confidence in itself and, more important, in its citizens.

We are being invited to take up a challenge, to respond nationally to a rallying cry to all Canadians in the public, private and volunteer sectors to join forces for the common good. One thing is certain and that is that, by placing its trust in its citizens, the government is ensuring that Canada will continue to be a country that others will wish to imitate.

Honourable senators, the government's commitment to its citizens and its confidence in them comes across strongest in its message to our young people, who will build the Canada of tomorrow. In his reply to the Speech from the Throne, the Prime Minister said that, in this era of globalization, high technology, research and development, the race goes to the quick. What I am hearing from young Canadians is that they are quick enough to win the race. However, the Speech from the Throne identified the wide array of tools, opportunities and programs that will be available to them so that all children may reach their full potential and thus contribute to the well-being of their family, their community and their country.

Honourable senators, the Speech from the Throne offers us solid foundations on which we can build the future of Canada with the help of our young people. These foundations are health, education, research and development, the family, the environment, disposable income, economic stimulation, international trade, culture, heritage, security, access to information, daily communication through public and private radio and television, the written press, the electronic press, and the Internet. It is an inclusive plan, in its thinking, its values, its details and its target populations.

[English]

Honourable senators, the attention being paid to the home front, however, has not detracted the government from its international responsibilities. Canada's values continue to be advanced globally in the areas of peace, tolerance, sharing, cooperation, security, stability, respect for democracy, human rights and the rule of law. To meet these objectives set out in the Speech from the Throne, either on the home front or internationally, Canada needs not only a strong political will and clear objectives but dedicated professionals. I quote from the Speech from the Throne:

To assist the Government in fulfilling its responsibilities, Canada must have a public service distinguished by excellence and equipped with the skills for a knowledge economy and society. The Government will seek bright, motivated young women and men to accept the challenge of serving their country in the federal public service. The Government is committed to the reforms needed for the Public Service of Canada to continue evolving and adapting. These reforms will ensure that the Public Service is innovative, dynamic and reflective of the diversity of the country — able to attract and develop the talent needed to serve Canadians in the 21st century.

The Prime Minister responded on January 31 as follows:

We on this side of the House believe that an activist government can be a force for good in society. An activist government requires a first class public service. I am proud of our public service. The government will take all necessary steps to ensure that we continue to have the talent necessary for a public service that is committed to excellence, and we will make the necessary reforms to modernize the public service for the requirements of the 21st century.

Yes, honourable senators, this is an invitation to all of us to ensure that all of our youth, from coast to coast to coast, have an

opportunity to not only take advantage of but also contribute to the objectives set out in this Speech from the Throne.

On motion of Senator Bolduc, debate adjourned.

• (1720)

AGRICULTURE AND FORESTRY

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

On the Order:

Resuming debate on the motion of the Honourable Senator Gustafson, seconded by the Honourable Senator Banks:

That the Standing Senate Committee on Agriculture and Forestry have power to engage the services of such counsel and technical, clerical and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject-matters of bills and estimates as are referred to it; and

That the Committee have power to adjourn from place to place within and outside Canada for the purpose of such studies.—(*Honourable Senator Robichaud, P.C.*)

Hon. Jack Wiebe: Honourable senators, at the conclusion of some very brief explanatory remarks, I should like to move an amendment to this motion.

The motion was presented by Senator Gustafson and seconded by Senator Banks. It deals with setting up the Senate Agriculture and Forestry Committee. There are two distinct parts to this particular motion. In conversation with the chairman of the Agriculture Committee, Senator Gustafson, this morning, we felt it better that we divide the two paragraphs. Thus, we would submit another motion dealing with the actual expenditures and the budget that goes along with the Agriculture Committee.

MOTION IN AMENDMENT

Hon. Jack Wiebe: Therefore, honourable senators, with the cooperation of Senator Gustafson, I would like to move:

That the motion be amended by deleting the word “and” at the end of first paragraph and by deleting the final paragraph.

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

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, for clarity, is it the intent of the mover of the motion that the semicolon following the word “it” be changed to a period and that everything else be deleted?

Senator Wiebe: Yes, honourable senator, that is correct. I felt that if I included that in my amendment it would stretch on for quite a while.

The Hon. the Speaker: I take it, Honourable Senator Wiebe, that you are agreeing to a further change to your amendment, as suggested by the Honourable Senator Kinsella?

Senator Wiebe: Yes.

The Hon. the Speaker: Is leave given, honourable senators, to make that change?

Hon. Senators: Agreed.

Motion in amendment agreed to.

The Hon. the Speaker: I will now put the main motion.

It was moved by the Honourable Senator Wiebe, seconded by the Honourable Senator Banks, that the Standing Senate Committee on Agriculture and Forestry have the power to engage the services —

An Hon. Senator: Dispense!

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

Hon. Senators: Agreed.

Motion as amended agreed to.

BLACK HISTORY MONTH

PRESENTATION TO CANADIAN BAR
ASSOCIATION—INQUIRY—DEBATE ADJOURNED

Hon. Anne C. Cools rose pursuant to notice of February 20, 2001:

That she will call the attention of the Senate to the celebration of Black History Month in Canada, and the Canadian Bar Association of Ontario dinner in Toronto on February 1, 2001, at which she, as the keynote speaker, spoke to the topic “A Room With a View: A Black Senator’s View of the Canadian Senate.”

She said: Honourable senators, February was Black History Month and across this country there were many celebrations in which my name was raised frequently as the first Black person to

be appointed as a member of the Senate of Canada. My role as a senator is important to Black people and all Canadians. Most Canadians are aware that I always stand on issues and never rely on my race or my gender. In my political experience, my skin colour has never been a factor in obtaining public support. My public support is significant. I am honoured that so many Canadians in every province of this country deeply believe in me. To be sure, there are racists, bigots, prejudiced and race-minded persons; however, such persons, wherever they may be, remain a minority in our population. They can be and are oppressive and objectionable as they subject many Black persons to diminution, to hurt and to various privations. However, I believe that this minority embarrasses the majority of Canadians.

Honourable senators, my subject today is my speech on February 1, 2001, to the Canadian Bar Association of Ontario dinner in Toronto in celebration of Black History Month. The history of Canada and its Black peoples is quite different from, even contrary to, American history. The major difference was the notion of the Crown and the Queen. In Canada, unlike in the United States, no civil war had been fought and no Black person had ever been lynched. The reason is no accident. The reason is the powerful, overarching, systemic, mystical, phenomenon called the Crown, with Queen and Parliament. The reason is that unique constitutional relationship of allegiance between Queen and subject, buttressed by its corollary the Queen’s peace. The Queen’s peace, the constitutional precept that every subject’s life is inviolable and sacred, that every subject’s life is owed the Queen’s protection, was a part of Canada’s national psyche and national conscience. Hence, the lynching of Black people was unknowable and unknown in Canada.

Honourable senators, some months ago, Toronto criminal lawyer John Rosen, who chaired the dinner, had asked me to address this bar association gathering on the topic “A Room With a View: A Black Senator’s View of the Canadian Senate.” That evening, I was touched by the excellent attendance and the warm, personal welcome. I was especially pleased to see our Black judges, Mr. Justice Keith A. Hoilett, of the Ontario Superior Court, and Mr. Justice Vibert A. Lampkin and Mr. Justice Gregory Regis, both of the Ontario Court of Justice. I saw Toronto criminal lawyers Walter Fox, Cynthia Wasser, and Law Society of Upper Canada Bencher Gary Lloyd Gottlieb. Former colleague Senator Marian Maloney, whose husband is a judge, sat next to me and the judges. Many lawyers, Black and White, law students and others attended. Toronto barristers Vusumzi Msi and Michelle Hamilton introduced and thanked me.

• (1730)

Honourable senators, I began by citing Sir Lyman Duff, Chief Justice of the Supreme Court of Canada from 1933 to 1944, from his speech to the annual dinner of the Ontario Bar Association in May 1925. Sir Lyman had been talking about the Privy Council and the great lawyers who had been members of Parliament, public men, and who became Lord Chancellors and judges, particularly Sir George Jessel, Britain’s 19th century solicitor general under Liberal Prime Minister William Gladstone.

Sir Lyman said:

There you will meet the name of Jessel, the Jewish son of a fishmonger. He obtained a seat in the House of Commons, made a few political speeches, that attracted precisely the attention they deserved, which was none. But one day a legal question arose, that greatly interested Mr. Gladstone, who was then Prime Minister. On that question Jessel made a speech, and, a vacancy having occurred shortly afterwards in the office of Solicitor General, Jessel was at once appointed on the initiative of the Prime Minister himself. The great Liberal leader used to say that Jessel, speaking in the House of Commons on a legal question, spoke in the accents of an angel; while on politics he was incapable of anything but partisan commonplace. Mr. Gladstone was not particularly fond of lawyers as a profession. He always objected to the salaries of the judges as much too high. He was horrified at the fees earned by the law officers of the Crown. He used jocularly to say, glancing at those same fees, that lawyers in public life had one sovereign infirmity — they could never keep their hands out of the till; and, he was wont to add, there was one exception, and that was Jessel, the Jew. Jessel was the darling of solicitors. He despatched judicial business with miraculous rapidity. Only once, it is said, in his judicial career did he reserve a judgement. Never, I believe, was he reversed.

This evoked much amusement. John Rosen and others chuckled loudly. Reaching out to the younger Black lawyers, I emphasized that Jessel, later the first Jewish judge in England, was made a law officer of the Crown, not because he was a Jew, but because he knew the law and was just. I urged those lawyers, young and old, to know the law and to know the difference between the law, politics and interests, in particular self-interest, and to pursue virtue.

Honourable senators, I spoke about former Liberal Prime Minister Pierre Elliott Trudeau and my 1984 Liberal appointment to the Senate by him, and about many issues, including divorce, the importance of both fathers and mothers in children's lives, and about systemic institutionalized, legalized fatherlessness. I told the lawyers that men and women are equally capable of good acts and bad acts, and that virtue and vice are human characteristics, not gendered ones. This attracted much applause. I also spoke about the Senate and its role in the Constitution.

Honourable senators, I raised the name of William Wilberforce, believing that no Black History Month should pass without mention of this great member of Britain's House of Commons from 1780 to 1825. Wilberforce, an evangelical Anglican, and others had worked in Parliament for 40 years to

abolish the slave trade and slavery. They succeeded. Another abolitionist, John Wesley, an Anglican minister and founder of the Methodist Church, in March 1791, just days before he died, wrote a letter to William Wilberforce, recorded in Samuel Wilberforce's 1868 book *The Life of Wilberforce*, saying:

...I see not how you can go through your glorious enterprise, in opposing that execrable villainy which is the scandal of religion, of England, and of human nature. Unless God has raised you up for this very thing, you will be worn out by the opposition of men and devils; but if God be for you who can be against you...Go on in the name of God, and in the power of His might, till even American slavery, the vilest that ever saw the sun, shall vanish away before it. That He who has guided you from your youth up may continue to strengthen you in this and all things, is the prayer of your affectionate servant,
JOHN WESLEY.

Reverend Wesley cautioned Wilberforce on the insufficiency of trusting in one's own righteousness and worthiness. As a senator, I understand too well that even with the whole force of truth, with being righteous and judicious on one's side, and even with rational argument and the powers of moving eloquence on one's side, victory and justice are uncertain and are often elusive for reasons that are profoundly human. The human psyche and human nature are artful dodgers. Human frailty, weakness, cowardice, vanity and inadequacy will defeat good and will permit and even support a multitude of wrongs. Human insufficiency is sobering and staggering.

Honourable senators, the Bar audience knew that I am Canada's first Black senator, the first Black female member of the Parliament of Canada, the senior female senator, and the Liberal caucus' very first Black member. They were eager to hear of my experiences as a Black person in the Senate, the Liberal Party and in politics.

I told them about being a candidate in the federal general elections of 1979 and 1980 in the Toronto riding of Rosedale. I told them of the great mutual respect and admiration that the late Pierre Elliott Trudeau and I had shared. I told them about being one of his loyal candidates in that very deadly general election in 1979 in which Mr. Trudeau and his Liberals were defeated, and in which Mr. Trudeau was almost destroyed, politically and personally. I told them that, as a Black person, it was indeed novel when I had presented myself in 1978 as a contestant for the Liberal nomination to be the Liberal candidate for Toronto's Rosedale.

Certain Liberals were shocked. Certain Liberals said much, publicly and privately, about me not being the right person for that important riding. The rightness to Rosedale riding revolved around my complexion, my skin colour. Tellingly, then as now, my public support was much more than substantial, especially in Rosedale itself.

Nominations are a battle of numbers. I had regiments, in fact armies of people. This nomination meeting, with only two candidates, was so huge that Liberal Party personnel had had difficulty finding a location large enough to hold it. In fact, the nomination meeting was postponed several times, each time in search of a larger locale and was held finally in the spring, on April 6, 1978.

Honourable senators, the meeting was enormous, the largest ever, attended by many thousands of people. It was widely publicized. In an unprecedented and unusual act, Prime Minister Trudeau himself attended, arriving after the votes had been counted. Mr. Trudeau attended this exceptionally large publicized media event because coincidentally that same day was his tenth anniversary as Leader of the Liberal Party.

Even though I lost that 1978 nomination to John Evans, then President of the University of Toronto, that nomination process burst into public consciousness and was claimed by the public. That Rosedale nomination and those events changed Canadian politics forever.

En passant, the National Film Board made a documentary about that nomination and me. Inspired by certain Liberals' preoccupation with my adequacy for Rosedale, the National Film Board titled its film *The Right Candidate for Rosedale*.

Honourable senators, immediately following that spectacular spring Rosedale nomination meeting and others that publicly displayed backroom manipulation and other Liberal failings, the Liberal Party's fortunes plummeted dramatically. This dramatic downward trend continued unswervingly to the fall and that October's stunning massive by-election losses — 13 out of 15 candidates. In Toronto, some Liberal candidates lost by a margin of almost two to one, including Rosedale's. This culminated in the 1979 Liberal Party's defeat in the general election, in which I, having later won that 1979 nomination, was the candidate in Rosedale.

During that 1979 election, I saw some of the most coarse human behaviours, even people spitting on people, Liberal people. I stood firm in the face of unspeakable and despicable anti-Trudeau actions. I carried his standard raised high. Many of the young Black lawyers were amazed as I said that whenever my campaign signs were defaced by the word "nigger" or other vile terms, that then, as now, I made no issue publicly. I acted to protect my leader, my party and my team. We simply removed those defaced signs and replaced them.

I was determined that there would be no racial or other stain on Mr. Trudeau. That responsibility was put on me by unthinking

[Senator Cools]

Liberals. I successfully averted the negative consequences to Mr. Trudeau and to the Liberal Party of those certain Liberals' backward, unreasonable and short-sighted musings on the rightness and wrongness of my Black skin and their dubious musings that a Black person, a woman at that, was not suitable to be the Liberal Party's candidate in Rosedale. I learned very early, there and then, that my journey in the Liberal Party would be steep and uphill, and that my ground would have to be the high ground, or at least higher ground than my detractors.

Honourable senators, I spoke to the lawyers about being Black in the Senate, mindful that many Canadians are curious about why, as a senior senator with such significant public support, I have never held any senior position in the Parliament of Canada. I told my audience that human nature is imperfect, and consequently, so are society's leaders, and that it is imperative that leaders aspire to ideals and principles that are higher than their own human nature and their own needs. Failure to so aspire will result in leadership based on self-interest, personal fancy, vanity and ambition, what St. Augustine called the *libido dominandi* — the lust for dominion, for personal power. I told the audience that racism and race-mindedness are real, yet eminently conquerable, and that they can and shall overcome it. I told them that in the corridors of Parliament, racism and bigotry are delicate subjects. Human beings have difficulty with their own prejudices and their own insufficiencies. To make this point, I cited Benjamin Franklin at the 1787 American Constitutional Convention. He said, in part, the following:

• (1740)

For when you assemble a number of men to have the advantage of their joint wisdom, you inevitably assemble with those men, all their prejudices, their passions, their errors of opinion, their local interests, and their selfish views.

This provides some insight into the human condition, the paucity in human behaviour, particularly within organizations of public and political life. It also sheds some light on the peculiar set of human relations and dynamics that assemble in the social unit known as political party parliamentary caucuses. Further, human paucity is heightened in the context of party caucuses, because caucuses are a secret, and because secrecy, by its nature, possesses a large element of darkness.

The Hon. the Speaker: Honourable senators, I regret to interrupt the honourable senator but her time has expired. Does the honourable senator seek leave to continue?

Senator Cools: Yes, Your Honour.

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

Hon. Senators: Agreed.

Senator Cools: I thank honourable senators.

Caucuses are ruthless, and that secrecy can and does enhance and shield such ruthlessness. Often, caucus secrecy is a shield for much maltreatment, as some cloak their activities in the justification of party and party discipline, even when there is neither party nor public good involved. Often, the real human forces at work are greed, power, jealousy, and all those other passions that Benjamin Franklin listed. Membership in a party caucus is premised on the harsh fact of take it or leave it, best illustrated as either the total endurance of all assaults, or total abandonment, that is, the yielding of all, the whole ground to the assaulters.

Party caucuses have become a rough and brutal trade where unlimited hardship and injury are meted out to caucus members to the limits only of their ability to suffer them. Oftentimes, those injuries are unchecked by the leaders, sometimes even supported. Party caucuses employ many techniques of injury and maltreatment. These include humiliating, discrediting, thwarting, undermining, embarrassing, maligning, isolating, deceiving, spitefulness and other negative tools. Caucus is a secret and beyond the law. I have known unbridled brutishness. The phenomenon and practices of caucus as a social unit of human relations is needing introspection, principled and critical examination, and enlightened renewal and change.

Honourable senators, I told the lawyers that as a senior senator my seniority and precedence have been continually bypassed. I told them that, for example, as a senior senator I have never been permitted to be a chairman of a single Senate committee. En passant, many wondered why I was bypassed to be the Senate Chair of the 1998 Special Joint Committee of the Senate and of the House of Commons on Child Custody and Access. Public support notwithstanding, the fact is that it was uncertain that I would even be permitted to be a member of that committee. I explained that even though seniority and precedence dictate that senior senators should have first choice of committees that this had not been so in my instance and that I had been excluded from certain committees of my choice. Last year, after years barred, I was finally permitted to serve on one particular Senate committee. Interestingly enough, a particular bill came to the Senate, a bill that I had studied exhaustively. This bill should have gone to that committee. Instead, it found itself in a new special committee, to which I was not named a member, specially constituted to study the bill solely. The obvious result was the exclusion of my voting participation in that committee's study of that bill.

Similarly, in recent years, I had caused the Senate to amend three government bills. Three times, the parliamentary opportunity, that parliamentary action of formally moving the amending motions to those three bills, was denied to me and was denied to the record, Parliament's Hansard, and to our history — remember that this was Black History Month, honourable senators. Uncustomarily, in an unprecedented action, on one of those bills, that parliamentary opportunity denied to me was

granted to an opposition Conservative senator, and that even after some Liberal senators had spoken publicly in the media about removing me from the committee in question. I told of my condition in my Senate Liberal caucus, of my Senate condition. Mindful that caucus is a secret, I spoke only of that which is not a secret. In the lexicon of existentialism, I told my audience that within my own caucus I am a stranger, an exile. A just relation with my caucus is unknown to me.

Honourable senators, I move now to the question of moral leadership. I offered my Bar audience, my lawyers, classical Judeo-Christian principles that founded our society. I offered them the pursuit of virtue. I offered them forbearance, patience and perseverance in the face of adversity. When I told them that I am aware that some individual Liberal colleagues have even described me as a “Black bitch,” they were surprised at my forbearance and magnanimity. I told the Black people there that they should not be deterred, that for every act of racism directed at them there are 10 opportunities available and that they should use them. I assured them that the majority of Canadians are with them and that most Canadians are deeply embarrassed by those Canadians who are racist, bigoted and race-minded. I told them to ignore all slights and insults from those who are tyrannized by their own prejudices. I invited the young Black lawyers to cast off all prejudice and any and all notions of inferiority, limitation, inadequacy and restraint. I told them to aspire to the highest and to the noblest, and to engage in the politics and affairs of our nation. I also told them that virtue should be their goal and that virtue is the highest object.

In challenging my legal audience to pursue virtue, I said that not to pursue virtue is to pursue raw self-interest, raw ambition and greed. I told them that the law should promote virtue. I quoted St. Thomas Aquinas from his opus magnum *Summa Theologia*:

Planning for the general good belongs to the people as a whole or to someone representing them, since those pursuing the goal must do the planning for it. *The aim of legislation, according to Aristotle, is the fostering of virtue.*

On completing my speech, the Bar Association audience then entered into a profound standing ovation of very prolonged applause.

Honourable senators, in conclusion, I speak now to some peculiar forms of race-mindedness, of Black racial stereotypes and the dynamics between the stereotyped and the stereotyping. These dynamics are attended by two impulses, the patronizing impulse, being that tendency to patronizing benevolence, and the hostile impulse, being that tendency and instinct to antagonism. This form of race-mindedness is the intellectual and political subordination of Black persons and their resulting separation.

In a 1991 United States Senate Judiciary Committee hearing, Justice Clarence Thomas identified this phenomenon. He described the expectation of the conformity of Black people to certain stereotypes as “objectionable.” Many Black people simply do not fit the expected Black racial stereotypes because they, like all people, are individuals and differ accordingly. Their demeanour, conceptual framework, their speech styles, their intellectual and political outlook do not necessarily conform to stereotypes. This non-conformity, this difference between them and the stereotype, disrupts those with closely held stereotypes of expected behaviour of Black people. That distress, a form of resentment, is often expressed as antagonism, the hostile impulse, in contrast to the patronizing impulse based in the recognition by colour alone and not merit. Accomplished Black people in professional environments know these forms of race-mindedness and their consequences. The ultimate result is exclusion, separation — it is an apartheid — of Black persons as their intellectual and professional participation is blocked. This systematic blocking of full participation, this persistent absence of such Black persons’ views, usually with no debate, and sometimes with persistent and intense antagonism, is race-mindedness, and it is a particular form of racism.

• (1750)

In closing, honourable senators, I should like to say that racism is real — it exists. The particular form of racism that I just described is one that I know very well, having experienced it often.

However, this is here and now; this is Canada, a great country. I love Canada. I have much support here. I say to Canadians that I love them all. I am with them; I am a soldier; I will fight on.

On motion of Senator Kinsella, debate adjourned.

FISHERIES

COMMITTEE AUTHORIZED TO PERMIT ELECTRONIC COVERAGE

Hon. Gerald J. Comeau, pursuant to notice of March 1, 2001, moved:

That the Standing Senate Committee on Fisheries be empowered to permit coverage by electronic media of its

public proceedings with the least possible disruption of its hearings.

Motion agreed to.

COMMITTEE AUTHORIZED TO STUDY MATTERS
RELATING TO FISHING INDUSTRY

Hon. Gerald J. Comeau, pursuant to notice of March 1, 2001, moved:

That the Standing Senate Committee on Fisheries be authorized to examine and report upon the matters relating to the fishing industry;

That the papers and evidence received and taken on the subject during the Second Session of the Thirty-sixth Parliament be referred to the Committee;

That the Committee submit its final report no later than March 31, 2002; and

That the Committee be permitted, notwithstanding usual practices, to deposit any report with the Clerk of the Senate, if the Senate is not then sitting; and that the report be deemed to have been tabled in the Chamber.

Motion agreed to.

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

Hon. Gerald J. Comeau, pursuant to notice of March 12, 2001, moved:

That the Standing Senate Committee on Fisheries have power to engage the services of such counsel and technical, clerical and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject-matters of bills and estimates as are referred to it.

Motion agreed to.

The Senate adjourned until Wednesday, March 14, 2001, at 1:30 p.m.

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