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THE HONOURABLE NOËL A. KINSELLA
SPEAKER

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THE SENATE

Wednesday, February 11, 2009

The Senate met at 1:30 p.m., the Speaker in the chair.

Prayers.

[Translation]

THE SENATE

MOTION TO EXTEND TODAY'S SENATORS' STATEMENTS AND SITTING OF THE SENATE ADOPTED

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, there have been consultations, and I believe there is consent for the following motion.

Honourable senators, with leave of the Senate, and notwithstanding rule 58(1)(a), I move:

That for today's sitting the period available for Senators' Statements shall be extended to a total of one hour;

That up to the first thirty minutes shall, if necessary, be used for tributes, and any balance for other statements; and

That, notwithstanding the Order adopted by the Senate on February 10, 2009, the Senate continue its proceedings today beyond 4 p.m., and follow the normal adjournment procedure according to rule 6(1).

The Hon. the Speaker: Honourable senators, is leave granted?

Hon. Senators: Agreed.

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

(Motion agreed to.)

SENATORS' STATEMENTS

TRIBUTES

THE LATE HONOURABLE GÉRALD-A. BEAUDOIN, O.C., Q.C.

The Hon. the Speaker: Honourable senators, the Leader of the Government in the Senate has requested that tributes be paid today to the Honourable Gérald-A. Beaudoin, who died on September 10, 2008. I would remind honourable senators that, pursuant to our rules, each senator will be allowed three minutes and may speak only once. Pursuant to the order adopted this day, the time for tributes shall not exceed 30 minutes.

[English]

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): Honourable senators, I rise today to offer a

sincere and heartfelt tribute to our former colleague, the Honourable Gérald Beaudoin, who passed away last September.

Senator Beaudoin was one of the most accomplished individuals I have ever had the honour of knowing. He was awarded the Order of Canada in 1980, the Commander of the Order of the Crown in 2001 and even the French Legion of Honour in 2004.

• (1335)

Senator Beaudoin served as the Dean of Civil Law at the University of Ottawa from 1969 to 1979. He was clearly one of our country's outstanding constitutional experts. It is not widely known, but it was he who translated the Canadian Charter of Rights and Freedoms.

I could continue to list his many awards and accomplishments, but that would take some time. Rather, I wish to speak about a man who brought so much to our chamber.

From the time he was named to the Senate over two decades ago, my colleagues and I had many opportunities to consult with Senator Beaudoin. I know this is also true of colleagues opposite.

Senator Beaudoin always impressed me with his tremendous intellect and understanding of constitutional law. I also came to understand why academics are not always called on to offer strategic advice. On more occasions than I can remember, Senator Beaudoin would be asked a question. He would go on at some length to provide a thoughtful and reasonable response.

Just as the thought entered one's head: "Good; this makes sense; let us proceed," he would pause and continue, "on the other hand," and provide a thoughtful and reasoned case for an entirely different course of action. From the acknowledgements in the chamber, I know for certain that many of us lived through this experience.

My predecessor as Leader of the Government in the Senate, the Honourable Jack Austin, once said:

There was no sharp edge to Gérald Beaudoin. . . . I've heard lots of bad things said about lots of people but never once did I hear anything bad said about him.

Of course, Senator Austin was absolutely right. Gérald Beaudoin was a valued Conservative colleague, but he always put Canada and his passion for the rights and freedoms enjoyed by Canadians ahead of partisanship.

Senator Beaudoin was a gentleman and a scholar in every sense of the words. It was a sad day indeed when he parted from this earth.

Hon. Yoine Goldstein: Honourable senators, I could begin my remarks by saying that I was summoned to fill the seat vacated by the Honourable Gérald Beaudoin when he retired as a senator. However, that would be untrue. In fact, there are few, if any, Canadians who can ever fill that seat or fill the great shoes he left behind.

Senator Beaudoin was not an ordinary Canadian. He was a passionate Canadian. He loved Canada; he loved the fabric of this nation. He loved the young people who were trained in the law faculty, which he headed for a decade. He loved the constitutional complexities of this country and the beauty and symmetry of its constitutional and institutional workings.

Senator Beaudoin was not a man who readily abandoned himself to frivolity. His life was filled with significant serious work, noteworthy creativity and ongoing deeply meaningful interpretations of the Constitution, which he served so faithfully.

[Translation]

A fervent proponent of bilingualism and Canadian unity, this distinguished statesman gracefully rose above the most bitter constitutional debates of our time.

[English]

Appointed to both the Pépin-Robarts task force on national unity in 1977 and later to the Beaudoin-Edwards and Beaudoin-Dobbie committees in 1991, he always charted the waters of constitutional reform with dazzling intellectual prowess and with a deep-seated attachment for his native Quebec.

As a distinguished legal scholar who immersed himself in the intricacies of human rights and constitutional freedoms, he helped edit two editions of the Canadian Charter of Rights and Freedoms, an enduring contribution to all Canadians and one that will not soon be forgotten.

[Translation]

Needless to say, his work as a legal scholar and politician will forever remain a testament to his deep sense of independence and humanity, guiding values that governed all aspects of this pioneer's life.

Lawyer, law professor, dean, author, Officer of the Order of Canada, Officer of the Order of Quebec, Queen's Counsel, husband, father, grandfather and friend, the Honourable Gérard Beaudoin was an inspiration to us all, still is an inspiration and always will be.

• (1340)

Hon. Pierre Claude Nolin: Honourable senators, the Honourable Gérard Beaudoin was a leading expert on constitutional law with an impressive career and an international reputation. Indeed, he delivered one of his last speeches to a group of his peers in France, who listened to him talk about the value of nations.

For me, Senator Beaudoin was first a professor. He was also my dean, and I had the pleasure of sitting with him on the University of Ottawa's Faculty of Law Council. When our paths crossed again in Ottawa, I was very happy, and it was like old times again.

He was a professor emeritus and the author of a large number of documents on constitutional law and civil liberty. He was indeed a very prolific author, with some 100 articles, 10 co-authored books and above all, three fundamental textbooks on constitutional law to his credit.

[Senator Goldstein]

It has been estimated that he made over 300 presentations on the Canadian Constitution and the Canadian and Quebec Charters of Rights and Freedoms.

In our late colleague's opinion, Quebec's refusal to sign the Victoria Charter was the biggest mistake ever made by that province. It is quite possible that, had it not been for this refusal, Senator Beaudoin might not have become such an important author on Canadian constitutional law.

Gérald Beaudoin had a major impact on Canada's political life over the past 30 years because he was very closely associated with the constitutional debate.

Twice, he was at the forefront of national consultations on federalism and the Constitution. We have listed his numerous achievements.

He took part in the discussions that led to the Meech Lake Accord and to the Charlottetown Accord in 1992. He was among those who believed, and who still believe, that, had it been ratified, the Meech Lake Accord could have changed everything. He was truly disappointed by this failure.

He was at the forefront of all our constitutional wrangling. As a great educator, he had faith in a thoughtful and pragmatic approach, and he left it to the politicians, a group from which he readily dissociated himself, to quarrel about what to make of his views on the future of Canada.

In an interview with the *Journal du Barreau*, he candidly stated that a balance needed to be struck between the various powers. In his opinion, Montesquieu was quite right when he said that balance between the legislative, judiciary and executive powers is the only way to guarantee democracy.

Queen's Counsel, Officer of the Order of Canada, Chevalier de l'Ordre de la Pléiade, Officer of the Order of the Legion of Honour in France and Officer of the Order of Quebec: these well-deserved honours in no way affected his inherent personal qualities, such as his unfailing objectivity, his charm, his intelligence, his smile and his infectious enthusiasm.

His colleague, Professor Errol Mendes, said, and I quote:

He leaves behind a great legacy and will always be a giant in the constitutional and human rights arena in Canadian history.

He will always be regarded as a champion of the effective implementation of the division of powers between the federal and provincial governments in Canada and the Canadian Charter of Rights and Freedoms.

It was a privilege for the Senate as an institution to be able to count on his presence and involvement. Fortunately for all honourable senators, the current formula for Senate appointments gave the Senate someone who has made a lasting mark on the history of Canada, Senator Gérard Beaudoin.

• (1345)

Hon. Lucie Pépin: Honourable senators, today we pay tribute to a great Canadian who served his country well through his lifelong passion, the law.

Senator Beaudoin was a passionate and good-hearted man whose intelligence and inexhaustible energy left an indelible mark on the Senate. A tireless worker, he did not stop until the moment he drew his last breath.

Senator Beaudoin was an outstanding expert on constitutional law. He trained generations of legal experts and remains, to this day, their benchmark. He produced many works and essays on our Constitution, the Charter of Rights and Freedoms, and human rights in Canada and abroad. Our former colleague, Senator Gauthier, used to talk about how he met Senator Beaudoin in the 1960s when he was seeking support for official language minority communities that wanted to be in charge of their own schools. Senator Beaudoin gave him some very good advice and supported his efforts.

I met Senator Beaudoin under similar circumstances when I was the chair of the Canadian Advisory Council on the Status of Women. In the 1980s, we were putting a lot of pressure on Parliament to enshrine women's rights in the Constitution. Professor Beaudoin was our principal legal advisor. He helped us a lot and did so graciously and without a fee. We were certainly not the only ones to benefit from his valuable advice, which he shared so generously. He always supported initiatives to improve the lives of minority groups and those seeking respect for their rights. He always worked toward making Canada a nation that respected the rights and freedoms of all its citizens.

When we met again in the Senate, we were not members of the same party, but we have always been on the same wavelength. Professor Pierre Thibault was right when he said that Senator Beaudoin was more progressive than conservative, with a distinctly liberal way of thinking.

Senator Beaudoin was an open-minded man and a very progressive lawyer who understood early on that it was dangerous to interpret the Constitution in a restrictive way. He considered the reference on the meaning of the word "person", which would become the *Edwards* ruling, as the most despicable ruling in the history of the Supreme Court of Canada. To him, it was an overly legalistic ruling that was corrected by the Privy Council. He did not share the views of some of his colleagues, who felt that minority groups have had too much influence on our Supreme Court.

There is an African saying that the death of an old man is like a library burning down. That proverb applies perfectly to our former colleague.

In closing, I would like to say to his wife, Renée Desmarais, and his daughters, Viviane, Louise, Denise and Françoise, that Senator Beaudoin will forever live in our memories as a great Canadian.

Hon. Pierre De Bané: Honourable senators, I am very happy to rise and honour the achievements of our late colleague, Gérard Beaudoin.

Senator Beaudoin had three main activities in his working life: he occupied important positions in the federal public service in the Department of Justice and as legal counsel to the House of Commons; he was a professor and dean of the law faculty at the University of Ottawa; and finally, he sat in the Senate, where he became one of our most esteemed colleagues.

When I was in the government, I sought his advice many times on various programs I wanted to introduce. I found that he was very sensitive to the federal nature of our country.

Senator Nolin talked about how sad Senator Beaudoin was when the Meech Lake Accord failed. He often spoke to me about what a huge mistake he felt the Government of Quebec had made when it withdrew its support for the Victoria Charter.

• (1350)

The Victoria Charter would also have given Ontario and Quebec a permanent constitutional veto right. The formula provided that any province that had 25 per cent of the Canadian population in 1971 would have a veto forever. It contained many other provisions, including bilingualism in most of the legislative assemblies in Canada. All that is a part of history.

In addition to his learnedness and his writings, I was impressed by his good humour and his respectful relations with all his colleagues on both sides of the chamber. He was truly above partisan politics and he passionately loved — after his wife and his four princesses — the discipline of the Constitution. He was not only honoured in Canada by the Académie canadienne française, the ACFAS, which gave him its Marcel Vincent award and by the Assemblée parlementaire de la Francophonie, which awarded him the Order of La Pléiade, but he was also made a Commander of the Order of the Crown of Belgium, received the Walter S. Tarnopolsky Human Rights Award from the International Commission of Jurists, was named an Officer of the Order of Quebec, and so forth.

This man will not be forgotten. His writings remain as a testament to his extremely important contributions to Canadian law, which have enhanced the good governance of our country.

[English]

Hon. Joan Fraser: Honourable senators, the list of Senator Beaudoin's accomplishments and honours is far too long to read. Even an abbreviated form takes an entire column in *Who's Who*. Students of history who wish to consult his achievements will stand in awe of them.

[Translation]

We remember his kindness, generosity, warmth and extraordinary intelligence. Senator Beaudoin had what I call the simplicity of the wise — the ability of some leading experts to be clear and simple for the lay people listening to them. They make the most complex concepts and subjects easy to understand. They are so familiar with their field that, for them, talking about it is just like breathing.

We know that Senator Beaudoin learned to be partisan, but I do not think that it always came easily to him. He was loyal to his party, but I remember many a time in committee when someone put forward an idea, an opinion that was against that of his party, and Senator Beaudoin would smile immediately, his eyes would light up, he would lean forward and exclaim, "How interesting!"

• (1355)

And off we would go in a great debate. It was extraordinary. We had many unforgettable experiences. When we were with Senator Beaudoin, we could not possibly think of the law as being dry, neutral, technical or boring. When we listened to him, the law seemed to be more like a field of flowers, each more beautiful than the last. For him, our legal system was one beauty after another. He loved the Constitution, minority rights and especially language rights. He loved them as we love our children. He loved our Charter of Rights and Freedoms. I can still hear him talking about our wonderful Charter, with love in his voice. When one listened to him, one learned to share his love of the legal and constitutional fabric of this country.

[English]

When he was in this chamber responding to the tributes that were paid to him on the occasion of his retirement, Senator Beaudoin said, "I have been happy in the Senate." Well, he made the Senate and, I dare say, the world, a happier place, and we honour him for that.

Hon. Lorna Milne: Honourable senators, I want to add a few words in tribute to a good friend and an invaluable colleague, Senator Beaudoin.

When I first arrived in the Senate, I was lucky enough to become a member of the Standing Senate Committee on Legal and Constitutional Affairs, which Senator Beaudoin chaired at that time. His knowledge and his respect for constitutional issues in Canada was unsurpassed. He revelled in the study of our constitutional law and he positively loved the Canadian Charter of Rights and Freedoms. I had not known until today that he translated it.

He would often say, "The Charter is beautiful; the Charter is perfect." He treated all witnesses who appeared before the committee with the same measure of dignity and respect. Senator Beaudoin treated his colleagues in the Senate with a similar measure of respect, regardless of their political affiliation.

The Standing Senate Committee on Legal and Constitutional Affairs both benefited from and gained stature through his presence and his knowledge. This knowledge was routinely revealed during any discussion of the Canadian Charter of Rights and Freedoms. Senator Beaudoin believed that the evolution of the Charter would fundamentally change the way the executive, legislative and judicial branches of government in Canada functioned and the way they interacted with one another, and he was right. Years later, we see that it is nearly impossible to view law in Canada without fixing an eye firmly on the Charter.

Senator Beaudoin was one of the four senators from Quebec who were appointed in the spirit of the Meech Lake Accord. I understand that, in this instance, the Prime Minister worked in consultation with the Premier of Quebec.

Senator Beaudoin will be sorely missed by all who knew him, but he will be remembered by those who share a passion for the legal system in Canada. He will be remembered for years to come.

[Translation]

Hon. Jean-Claude Rivest: Honourable senators, I join my colleagues in paying tribute to the memory of our beloved Gérard

[Senator Fraser]

Beaudoin. Wherever he went, he was greatly loved, as everyone has very eloquently pointed out. During his career, thousands and even millions of Quebecers had the opportunity to read his newspaper columns, hear him on the radio or see him on television expressing his passion for rights and freedoms, constitutional issues and the future of Canada. The main focus of all his work was his relentless search for a place for Quebec within Canada from a constitutional perspective, the Constitution being his favorite subject.

In that sense, Gérard Beaudoin can certainly be said to have been an undeniably genuine Quebecer. He was also a very great Canadian, who endeavoured to bring the Canadian family to an appreciation of the values and uniqueness Quebec brings to the Canadian federation. Gérard went about this task in his own way, a very giving, detached and simple way, as was rightly pointed out.

• (1400)

He was passionate about constitutional issues and was often teased about it. I remember meetings of the Progressive Conservative caucus in the Senate when technical matters that had absolutely nothing to do with constitutional issues were discussed. The leader of the caucus would ask jokingly, "Is there not a constitutional problem with that, Senator Beaudoin?" And he would think about it and say, "Yes, well, there might be a problem."

Senator De Bané referred to our friend's opinion of the Victoria Charter. Tried as I might, over a million times, to explain to him that the Government of Quebec was right not to accept the Victoria Charter, I never managed to change his mind. He would just listen to me with wide eyes, very open, very polite, very serene, but he would not budge.

Our friend has now joined some former colleagues who were very close to him, and I like to think that, wherever they may be, they must be discussing constitutional matters. I am thinking of the Honourable Solange Chaput-Rolland and the Honourable Arthur Tremblay, two outstanding senators whom we dearly miss and who, like him, represented Quebecers very well in this chamber.

I extend my heartfelt sympathy to his family.

Hon. Marie-P. Poulin: Honourable senators, we are aware of the numerous and substantial contributions made by our late colleague, the Honourable Gérard Beaudoin, to major issues that were debated both here in this chamber and in various Canadian and international arenas.

His contributions have been eloquently and warmly recounted today, and I fully agree with what was said. In addition to his experience, his expertise, his dedication to public service and his sense of humor, he was, above all, a good man.

I had the opportunity of benefitting from his kindness on numerous occasions. Let me share one personal experience. When I was studying law, I would often meet him in the evening in the

corridors of the university, where he was a professor. He would stop, look me in the eyes, put his hand on my arm and say, "Senator Marie, you look tired, but do me a favour, do not give up; it is worth it!"

I wish to salute his spouse, best friend and partner, Renée.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, before proceeding to Senators' Statements, I would like to draw your attention to the presence in the gallery of Ms. Renée Beaudoin and members of the Beaudoin family.

• (1405)

[English]

THE HONOURABLE MARCEL PRUD'HOMME, P.C.

CONGRATULATIONS ON FORTY-FIFTH ANNIVERSARY AS MEMBER OF PARLIAMENT

Hon. Rod A.A. Zimmer: Charming, debonair, romantic, political adventurer, sympathetic, classy, suave, fiery, compassionate, focused, warm-hearted, gallant, graceful, noble and a champion with steely brown gunslinger eyes that make men cringe and women swoon: Honourable senators, those words describe Senator Marcel Prud'homme.

Honourable senators, I rise today on the occasion of the forty-fifth anniversary of the election of my dear friend Marcel Prud'homme in the riding of Saint-Denis in Montreal. Senator Prud'homme will have served just over 45 years and 9 months by his retirement day. I was not surprised to hear him ending his interview on Radio Canada this past Sunday with Daniel Lessard by cautioning viewers not to be surprised if he runs in the next municipal or provincial election. On this note, I urge my honourable colleague to consider running in the next federal election to continue serving Canadians in the other place where there is no restriction on the maximum age. Maybe there should be an age restriction as there is in the Senate.

Honourable senators, I am proud to say that Senator Prud'homme is the only sitting parliamentarian who was appointed to the Privy Council by Her Majesty Elizabeth II, Queen of Canada on July 1, 1992, on the occasion of Canada's one hundred and twenty-fifth anniversary. In 1993, Prime Minister Brian Mulroney appointed Marcel Prud'homme to this chamber after 30 years of service in the House of Commons, and to date, he has served uninterrupted for 45 years.

He is the longest serving parliamentarian today and is a champion of dialogue and equality. Every time a Senate appointment is made, he repeats that we have the option to appoint women to this chamber until they reach 50 per cent representation. To ensure dialogue, Senator Prud'homme created 22 interparliamentary groups with the objective of involving parliamentarians from all parties across Canada. I am honoured to serve on the executive committees of the Canada-Arab World Parliamentary Association and the Canada-Russia Interparliamentary Group.

Honourable senators, I was proud to be present last year when the Prime Minister of Russia awarded Marcel the Order of

Russia, following the decree of President Vladimir Putin, in honour of Senator Prud'homme's contributions, and to hear that he received the Commander level medal of the Order of the Throne of Alaouite on behalf of His Majesty King Mohammed VI by the Moroccan ambassador in Ottawa, His Excellency Mohamed Tangi.

Senator Prud'homme's passion for disarmament was born when he was appointed Canada's parliamentary representative in 1978 and 1982 to the first and second United Nations General Assembly extraordinary session on disarmament. He also played a key role in the other place as Chair of the Standing Committee on External Affairs and National Defence, a position to which he was elected in 1976 and that he held for nearly 10 years, until 1984. He was also elected chair of the Inter-Parliamentary Union Committee on Political Questions, International Security and Disarmament.

Honourable senators, Senator Prud'homme's political path has given him the invaluable experience of Canadian political life and a solid understanding of international affairs, about which he was already passionate at the age of 20.

On a personal note —

The Hon. the Speaker: The honourable senator's time has expired.

PAY EQUITY

Hon. Grant Mitchell: Honourable senators, last week I asked a question of Senator LeBreton in which I contrasted President Obama's legislation on what I called pay equity with Mr. Harper's intention to prohibit women from taking pay equity cases before the Canadian Human Rights Commission.

Senator Tkachuk stood, as is tradition in this chamber, and tried to make the point that I was wrong. He said that President Obama's legislation did not address pay equity. It was fair debate, but it was difficult to track his argument because in one breath he said pay equity has nothing to do with equal pay for equal work whereas in the next breath he said pay equity is equal pay for equal work. I am not making that up.

To be kind, I think he was trying to draw the distinction between equal pay for equal work and equal pay for work of equal value. If that was the case, then I accept his point and I stand corrected. However, in making this very nuanced distinction he misses one critical point, which is that both of these concepts are integral to gender equality. They both address a single core issue, which is that all too frequently women are paid less, not because their jobs are less significant or less important, and not because their jobs are at a different level that is less significant or less important, but because they are women and they face structural disadvantages.

It is very interesting to note in this context that the Senate was intimately involved in one of the most successful and important victories for women's rights and equality in this country's history. The *Persons Case* established that women could be members of this Senate. It is even more interesting to note that the granddaughter of the lawyer who won that case sits in this Senate amongst us, and I am referring of course to Senator Nancy Ruth.

• (1410)

The bar on this issue, whatever one wishes to call it — pay equity, equal pay for equal work, equal pay for work of equal value — is very high for senators and for this chamber. I thank Senator Tkachuk for engaging in this debate, for grappling with these issues, for furthering the debate and giving us the chance to clarify.

I will close by saying that I encourage him to engage in this debate much more frequently. In doing so, I encourage him to be very careful not to fight it, but to further it.

Senator Tkachuk: I was never very good at nuance.

INDIA

CONGRATULATIONS ON SIXTIETH ANNIVERSARY OF REPUBLIC DAY

Hon. Consiglio Di Nino: Honourable senators, Sunday, February 1, 2009, in Mississauga, Ontario, I participated in the celebration of India's Sixtieth Republic Day. The event was attended by thousands of men, women and children representing all regions of India, as well as many friends of this fascinating land that I have had the pleasure of visiting several times over the past 20 years.

India, with its vibrant and ancient culture, over millennia has made enormous contributions to mankind, one example of which was illustrated by Albert Einstein:

We owe a lot to the Indians, who taught us how to count, without which no worthwhile scientific discovery could have been made.

Honourable senators, Indians have continued to make valuable contributions to society throughout history, from buttons to chess, from animal-drawn plows to dentistry, and from the concept of zero to crucible steel.

These celebrations also mark the resurgence of India as a global economic powerhouse, the impact of which will be a positive influence worldwide.

Sadly, this wonderful celebration was marred by a small group of protestors who I understand are seeking independence from India. The protestors strategically placed Indian flags on the ground at the entrance of the venue where the event was taking place, proceeded to stomp on the flags, and made it impossible for automobiles and pedestrians to enter without desecrating the symbol of India. When asked to pick up the flags, the protestors aggressively refused, blocking any attempt by others, including myself, to retrieve them. The local police officers were also unsuccessful in their attempt to have the flags removed.

I found the actions of the protestors and their behaviour offensive and inflammatory. They totally failed if their actions were meant to garner sympathy or support. On the contrary, I suspect their unacceptable desecration of India's flag will further isolate them.

[Senator Mitchell]

On the other hand, I extend my praise to the many Indo-Canadians who attempted calmly and with reason to engage the protestors, who were obviously looking for a confrontation, which was denied them.

To my Indo-Canadian friends and indeed to all of the community, I express my admiration for the peaceful handling of this difficult issue and extend to them my best wishes and congratulations on India's very special anniversary.

[Translation]

OFFICIAL LANGUAGES

FORTIETH ANNIVERSARY OF PASSAGE OF OFFICIAL LANGUAGES ACT

Hon. Maria Chaput: Honourable senators, in 1969 Parliament unanimously adopted the Official Languages Act, which established the principle of the equal status of English and French within the Canadian government. Shortly thereafter, a French-language daily newspaper reported that the fact that all political parties supported the legislation meant that the vast majority of Canadians were in favour of the initiative.

Now, 40 years later, more and more Canadians are learning to speak French, and the vast majority of Canadians are in favour of bilingualism.

According to a 2006 survey, 72 per cent of Canadians support bilingualism. The survey also showed that 77 per cent of Canadians are willing to allocate more resources to schools for linguistic minorities in an effort to achieve fairness in providing quality education.

The fortieth anniversary of the Official Languages Act gives us an unparalleled opportunity to take stock of what we have accomplished in terms of official languages and of what remains to be done, and to work toward achieving the tremendous goal of making Canada a proudly bilingual country.

• (1415)

As the Supreme Court of Canada stated, and I quote:

The importance of language rights is grounded in the essential role that language plays in human existence, development and dignity... Language bridges the gap between isolation and community, allowing humans to delineate the rights and duties they hold in respect of one another, and thus to live in society.

There are many people who can attest that the Official Languages Act provides vital protection for official language minority communities. This act, whose quasi-constitutional status is recognized by Canada's courts, contributes enormously to the vitality of official language minority communities, including my Franco-Manitoban community.

I hope that the celebrations around the passage of the Official Languages Act 40 years ago will serve as a springboard for a discussion on the current status of the official languages in Canadian society. The topics we need to discuss include the positive measures federal institutions should take to honour the government's commitment under the act to promote the equality of the official languages.

[English]

THE HONOURABLE JEAN CHAREST

CONGRATULATIONS ON RECEIVING FRENCH LEGION OF HONOUR

Hon. Michael A. Meighen: Honourable senators, I rise to draw the attention of this chamber to a significant honour bestowed last week upon the Premier of Quebec.

Surrounded by family and friends, amongst whom my wife and I were honoured to be included, Premier Jean Charest was awarded the title of Commandeur de la Légion d'honneur by the President of the French Republic, Nicolas Sarkozy.

Honourable senators, Premier Charest's affection for and service to Canada and to Quebec is well known and widely admired. During his career in the public life of our country, he has served both as minister in a number of senior portfolios and as deputy prime minister. Between 1993 and 1998, he was leader of the Progressive Conservative Party of Canada, a responsibility he discharged with consummate skill and determination, notwithstanding the extraordinarily difficult circumstances of the time.

In addition to chairing a special parliamentary committee to study a companion resolution to the Meech Lake Accord in 1990, honourable senators will vividly recall the truly decisive role that Jean Charest played on behalf of the "no" forces in the 1995 Quebec referendum.

In 1998, Jean Charest answered the call and succeeded Daniel Johnson as leader of the Quebec Liberal Party. Since 2003, he has been elected no less than three times as Premier of Quebec.

[Translation]

Honourable senators, when President Sarkozy bestowed this honour, he seized the opportunity to praise the Premier's personal qualities. He said, and I quote:

More than anyone, through your humanity, your energy, your simplicity, your humour and your sense of family, you embody everything about Quebecers that appeals to the French people.

Furthermore, he dared to set aside his prepared text to express his thoughts on the question of Canadian unity and did not hold back when referring to those who oppose it, and once again, I quote:

I do not believe they have understood the message expressed through the francophone community and through the universal values espoused in Quebec and in France alike: a rejection of sectarianism, division, closed-mindedness, a rejection of this compulsion to define one's identity through ferocious opposition to the other.

What better proof that his remarks struck a chord than to see the outcry they provoked among the sovereignists, both in Quebec and in Ottawa?

Honourable senators, this was a great day for Quebec and for Canada. Even the weather joined in the celebration, by dusting Paris with three inches of snow, which gave a decidedly Canadian feel to this memorable day.

All Canadians should be proud of and delighted by this great honour France has bestowed on one of Quebec's sons.

[English]

I am sure I speak for all honourable senators in extending warmest congratulations to Premier Charest on this richly deserved honour.

• (1420)

SYDNEY ACADEMY

PRESENTATION TO STUDENTS

Hon. Jane Cordy: Honourable senators, on November 28, 2008, I had the privilege of speaking to a Grade 12 political science class at Sydney Academy. Since I grew up in Sydney, I was thrilled when their teacher, Neeta Kumar-Britten, extended an invitation to me to speak about the Senate. I did so in a non-partisan and informative way.

Honourable senators, imagine my surprise to read in the *Cape Breton Post*, on December 16, 2008, a letter from Senator Donald Oliver saying that I had presented a one-sided and partisan view of the finance minister's economic statement to a classroom of students, and could I please leave the Liberal spin at home if I plan to speak to high school students.

Senator Oliver said in his letter that the students are entitled to have the full story. Honourable senators, here is the full story, as written by the students in their letter to the *Cape Breton Post* on December 20, 2008, and headlined "Class heard no partisan jibes from visiting Senator."

Our Grade 12 political science class at Sydney academy is very appreciative of the time that Senator Jane Cordy, Sydney native, spent with us providing insight on how the Senate works. She answered our numerous questions during her hour-long visit.

We would like to bring to Senator Donald Oliver's attention that Senator Cordy engaged in open, non-partisan discussion, and even when pressed by our teacher regarding the Liberal stance on events on the Hill at the time she declined to take a partisan approach.

Her comments, as quoted in the *Cape Breton Post* piece (Senator Comes Home, Nov. 29) as well as by Senator Oliver in his letter to the editor (Senator Omits to Mention Economic Steps Already Taken, Dec. 16), may in fact be true, but they were likely made in the lobby in a one-on-one discussion with the Post reporter, not in front of our class.

We have our own beliefs and own ideologies. No one changes them. We are free-thinking people.

It is the kind of petty finger-pointing Senator Oliver displays that has caused the utter mess in our House of Commons and we are very disappointed to see it in the Senate as well.

We encourage Senator Oliver to be a little more pro-active when engaging youth in political thoughts, instead of reacting to another senator's goodwill.

These are the students' words.

Senator Tkachuk: Yeah, right. I bet.

Senator Cordy: The letter is signed by: Brent MacAdam and Skylar Erickson on behalf of the Sydney Academy, Political Science 12.

Honourable senators, while I am pleased that Senator Oliver reads the *Cape Breton Post* and took the time to write a letter to the editor, I am disappointed that he would use an amazing, articulate and well-informed group of high school students for partisan reasons. However, honourable senators, I am sure that Senator Oliver's letter also taught the students of Sydney Academy a political lesson.

RUSSELL WANGERSKY

CONGRATULATIONS ON RECEIVING BRITISH COLUMBIA'S NATIONAL AWARD FOR CANADIAN NON-FICTION

Hon. Ethel Cochrane: Honourable senators, I rise today to congratulate Newfoundland-based writer Russell Wangersky for winning British Columbia's National Award for Canadian Non-Fiction. Mr. Wangersky's memoir, *Burning Down the House: Fighting Fires and Losing Myself*, won the \$40,000 prize last Monday, in a field of more than 160 nominated books.

• (1425)

The author, who also edits *The Telegram* in St. John's, served as a volunteer firefighter for eight years, first in Wolfville, Nova Scotia, and later in Portugal Cove-St. Philips, Newfoundland and Labrador. Wangersky says that fighting fires is "the most colourful, exciting, bright, astounding work, but it burrows in under your skin and comes back out at bad times."

That is the experience he portrays in vivid detail in his celebrated second book. He not only describes what he saw as a first responder at fires and other emergencies, but he gives insight into the trauma he experienced as a result.

Not surprisingly, readers and critics have embraced this book. In fact, it also won the 2009 Drummer General Award for Non-Fiction, was a finalist for the Writers' Trust Non-Fiction Prize and was named one of *The Globe and Mail's* Top 100 Books of 2008.

The jury of British Columbia's National Award for Canadian Non-Fiction described the book as an astonishingly insightful and harrowing depiction of modern-day firefighting, in which fighting actual fires is not the half of it. The result, they say, "is an account

so relentlessly lucid and visceral that the reader emerges from the experience almost as exhausted and traumatized as the writer himself."

Honourable senators, I commend Russell Wangersky for his courage in writing this powerful and important story. I congratulate him on the well-deserved accolades and wish him continued success.

[Translation]

THE LATE JEAN PELLETIER, O.C.

TRIBUTE

Hon. Céline Hervieux-Payette: Honourable senators, it is with a great deal of emotion that I rise today to pay tribute to an exceptional individual who was both a great servant of the state and a skilled builder of this country. With his many accomplishments and remarkable personality, Jean Pelletier leaves an undying memory for all those who knew him.

For 40 years, he served his fellow citizens at the municipal, provincial and federal levels. In speaking of his friend, companion and the man who was his Chief of Staff for 10 years, the Right Honourable Jean Chrétien said that Jean Pelletier was a hard-working, devoted, faithful, skilled man, with unrivalled class. This great public servant was an inspiration to young people, an adviser to leaders and the conscience of an extraordinary team.

Faced with difficult decisions that he often had to make with the prime minister, Jean Pelletier said of himself, in an interview conducted a few months before his death, that the boss is always alone when he makes the final decision. Others remarked that his personal style was to rule with an iron fist. Yes, he ruled with an iron fist, but his smile was warm and welcoming.

In 1995, when he called to offer me a Senate seat, on the eve of the Quebec referendum, he really had to insist and use his iron fist to convince me. I was vice-president of a private company but I thought I was too young and I believed that the Senate had a very bad reputation and was only for old people.

Thirteen years after taking Mr. Pelletier's advice, I have changed my mind about the Senate. It is with pride that I speak about Jean Pelletier today.

He entered the working world as a journalist. Then he moved into politics — but not Liberal politics — when he became press secretary first to Maurice Duplessis and later to Paul Sauvé and Antonio Barrette. In the private sector, he became chair of the Quebec Winter Carnival in 1973. This position had an impact on the events that determined his future. It was as mayor of Quebec City that he was first recognized with admiration in Quebec, in Canada and abroad.

He was Chief Magistrate of Quebec City for 12 years. To list all of his accomplishments would take too long. However, we cannot overlook the enormous success he achieved in having the Historic District of Old Québec declared a UNESCO world heritage site. I must also point out the courage and imagination he showed in forcing the Canadian government's hand in order to bring passenger trains back to Quebec City's downtown core.

[Senator Cordy]

I would like to take this opportunity to once again express our deepest sympathies to his family and his wife, and to thank them for sharing Jean with us for so many years in service to his community.

• (1430)

[English]

Hon. Terry M. Mercer: Honourable senators, on January 10, 2009, Canada lost one of its most loyal and dedicated public servants. Monsieur Jean Pelletier passed away in Quebec City after losing his battle with colon cancer. I was privileged to attend, along with thousands of others, his funeral in Quebec City on January 17.

Born in Chicoutimi, Mr. Pelletier was educated at the Collège des Jésuites in Quebec City and the Séminaire des Trois-Rivières. He also studied social sciences at Laval University before working as a journalist.

Mr. Pelletier held various positions within the provincial government, notably as press secretary in the Office of the Premier. In 1976, he won a seat on the municipal council in Quebec City and was elected mayor in 1977 where he served for 12 years, through two more elections.

Honourable senators, Mr. Pelletier had been friends with former Prime Minister Jean Chrétien since childhood, having known him in his youth and at school. Both were very much “cut from the same cloth,” as we say in Nova Scotia. There are many stories and antics to be told about the two of them together. Their friendship would develop further into a professional relationship when Mr. Pelletier joined Mr. Chrétien’s office as chief of staff.

Early in his tenure in the office, Mr. Pelletier heard a derogatory remark directed at a French Canadian — it could have been him. The next day, he came to the office with a stuffed frog and put it on his desk. The myth grew that Mr. Pelletier collected these things. Suddenly, the staff in the leader’s office — and subsequently the Prime Minister’s office — brought him frogs from all over the world. If honourable senators ever had the opportunity to visit his office, they would have seen his large collection of these frogs. The collection started purely by accident.

I met Mr. Pelletier in the Prime Minister’s Office. He ran a tight ship there. Always courteous and intelligent, Mr. Pelletier was dedicated to his employees, his Prime Minister, his province and to Canada.

The standards for the PMO chiefs of staff will always be measured against Jean Pelletier. He expected the best we could offer in the job and we always delivered for him.

Honourable senators, Quebec has lost one of its most loyal sons, and Canada has lost one of its most devoted patriots. I am also proud to say that I have lost a good friend. I offer my sincere condolences to Mr. Pelletier’s wife, Hélène, and their two children, Jean and Marie.

HEART MONTH

Hon. Wilbert J. Keon: Honourable senators, February is Heart Month — not only the time to give your loved ones chocolates and flowers, but also the time for the Heart and Stroke

Foundation’s annual fundraising campaign to support vital life-saving research. From its simple roots as a door-to-door initiative called “Heart Sunday,” the campaign has grown over the decades to where it now engages communities and raises awareness while still gathering research funds for a serious health matter.

How serious is this health matter? Every seven minutes someone dies from a heart attack or stroke, and countless more are robbed of productive life. The toll is even worse for Aboriginal Canadians who have twice that rate of death and disability.

High rates of physical inactivity, obesity, diabetes and high blood pressure are all leading contributors to heart disease and stroke. Sadly, evidence indicates that up to 80 per cent of premature death is preventable.

The good news is that we are making inroads through fundraising efforts like Heart Month, which have supported many initiatives, including research that has resulted in the use of clot-busting drugs and many other discoveries.

Since 1956, the foundation has raised and invested more than \$1 billion in leading-edge heart and stroke research. More than 80 per cent of donations directly support research and education programs in the province where the funds are raised.

Our Conservative government is also working to promote the health of Canadians. For example, as announced in our recent budget, \$500 million is being directed to Canada Health Infoway to support the goals of ensuring that half of all Canadians have electronic records by 2010. This is an enormous step forward for all clinician scientists. We are also committing \$305 million over the next two years to improve health outcomes for our First Nations and Inuit individuals.

More can always be done, but I am pleased that we are going in the right direction. This Heart Month, I want to thank the Heart and Stroke Foundation for its efforts to support research and awareness in heart health. It is making a real difference in the lives of many Canadians.

• (1435)

The Hon. the Speaker: Honourable senators, pursuant to the order adopted by the honourable house, the one hour for tributes and statements has been expended.

[Translation]

ROUTINE PROCEEDINGS

INFORMATION COMMISSIONER

ACCESS TO INFORMATION ACT AND PRIVACY ACT— 2007-08 ANNUAL REPORTS TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table, in both official languages, the 2007-08 annual reports of the Information Commissioner, pursuant to section 72 of the Access to Information Act and section 72 of the Privacy Act.

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I will move three motions to help the chamber's work move more quickly. These motions will allow us to avoid repetition.

BUSINESS OF THE SENATE

NOTICE OF MOTION TO PERMIT ELECTRONIC COVERAGE OF ALL SELECT AND JOINT COMMITTEES FOR REMAINDER OF CURRENT SESSION

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I give notice that, at the next sitting of the Senate, I shall move:

That, for the remainder of the current session, all select and joint committees be authorized to permit coverage by electronic media of their public proceedings with the least possible disruption of their hearings.

NOTICE OF MOTION TO ENGAGE SERVICES OF ALL SELECT COMMITTEES FOR REMAINDER OF CURRENT SESSION

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I give notice that, at the next sitting of the Senate, I shall move:

That, pursuant to section 1(2) of chapter 3:06 of the *Senate Administrative Rules*, all select committees have power, for the remainder of the current session, to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of their examination and consideration of such bills, subject-matters of bills and estimates as are referred to them.

NOTICE OF MOTION TO AUTHORIZE HUMAN RIGHTS, OFFICIAL LANGUAGES AND NATIONAL SECURITY AND DEFENCE COMMITTEES TO MEET ON MONDAYS FOR REMAINDER OF CURRENT SESSION

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I give notice that, at the next sitting of the Senate, I shall move:

That, pursuant to rule 95(3), for the remainder of this session, the Standing Senate Committees on Human Rights, Official Languages, and National Security and Defence be authorized to meet at their approved meeting times as determined by the Government and Opposition Whips on any Monday which immediately precedes a Tuesday when the Senate is scheduled to sit, even though the Senate may then be adjourned for a period exceeding a week.

CRIMINAL CODE

BILL TO AMEND—FIRST READING

Hon. Jean Lapointe presented Bill S-226, An Act to amend the Criminal Code (lottery schemes).

(Bill read first time.)

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

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

[English]

INCOME TAX ACT EXCISE TAX ACT

BILL TO AMEND—FIRST READING

Hon. Charlie Watt presented Bill S-227, An Act to amend the Income Tax Act and the Excise Tax Act (tax relief for Nunavik).

(Bill read first time.)

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

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

• (1440)

QUESTION PERIOD

FINANCE

STATE OF ECONOMY

Hon. James S. Cowan (Leader of the Opposition): Honourable senators, my question relates to the all-important relations between Canada and the United States, our most vital economic partner. Statistics Canada announced today that Canada recorded its first trade deficit in 33 years. This is a frightening statistic for Canadian workers.

The Conservative government's inaction has cost Canadians nearly 250,000 jobs in the last three months; 129,000 of those jobs were lost in January alone. It is time for the government to act.

Knowing that 80 per cent of our exports go to the United States, what specific proposals will the Prime Minister bring to the President of the United States to reverse this devastating trend?

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): Honourable senators, there is no denying that the situation started by the subprime issue in the United States, followed by the collapse of U.S. financial institutions and the worldwide economic crisis has resulted in severe consequences for all countries in the G20. Of course, Canada is in the same situation.

With regard to the trade numbers announced today, these numbers would not surprise anyone who has been watching the worldwide markets. Canada is a trading nation and exports 80 per cent to 90 per cent of all of her goods. The major consumer of our exported goods is the United States, but we also conduct trade with China. Both of those economies have

suffered severe losses and it is reasonable that the numbers from Statistics Canada would reflect those losses. In answer to the honourable senator's question, the government has brought forward a number of measures in our economic action plan. The budget has passed in the other place and the budget implementation is before the house. I urge all members of Parliament to do everything possible to pass the proposed budget implementation bill. Quick passage of the bill will guarantee the speedy implementation of the programs set out in our economic action plan. The Canadian public supports these programs. I urge all parliamentarians to pass this legislation so that the government can begin to provide stimulus to this country. Passage will allow us to support our manufacturers and our various communities to create jobs.

Indeed, the news from the United States was disturbing and a result of the market reaction to the proposals of the Secretary of the Treasury. We met with the G20 in Washington on November 15 and at that time, all governments agreed to work together to provide a stimulus package. We have done so and now it is important for this measure to pass through Parliament and get to the implementation stage.

• (1445)

Hon. Jeremiah S. Grafstein: Honourable senators, the United States Congress — the House of Representatives and the Senate — is in conference today to settle the stimulus package. Yesterday, the Governor of the Bank of Canada, Mark Carney, gave evidence in the other place that his rosy projections are conditioned with one major caveat: the implementation of the stimulus package in the United States. Essentially, we are dependent on the stimulus package in the United States.

Has the Government of Canada analyzed the U.S. stimulus package to determine which part will be helpful to us, which part will be hurtful to us and what we will do to the parts of the stimulus package that will affect Canada even further?

Senator LeBreton: Honourable senators, the Governor of the Bank of Canada is not the only person to express rosy predictions with conditions. It is obvious, even to people who are not knowledgeable about the intricacies of the economy, that the United States must show signs of recovery because it is our largest trading partner. Even my Tim Hortons husband and his friends understand this point. The stimulus package will initiate projects that include rebuilding sewage treatment plants, water treatment plants, roads, bridges, tunnels as well as work in the areas of broadband and other technologies. Certainly, these projects will help within our borders but the overall recovery of the economy, not only in Canada and the United States but also throughout the world, depends very much on all countries living up to the November agreement to bring stimulus packages to their economies.

With regard to the honourable senator's specific question about what portions of the American stimulus package we would find agreeable and otherwise, we would have to see the final package before we could answer that question.

As the honourable senator said in his preamble, the members of the U.S. Senate and House of Representatives are in consultation so we will wait to see the final package before we judge its parts.

Senator Grafstein: When the conference is complete, which should be later this week or early next week according to reports, would the Government of Canada be prepared to table its analysis of the impact of the U.S. stimulus package so that parliamentarians might address it accordingly?

Senator LeBreton: That is a tall order. We must see what members of the House of Representatives and the Senate have included in their stimulus package. As well, the Prime Minister will meet with the President of the United States next week and I am sure that these matters will be given high priority on both agendas. In the interim, the Minister of Finance, his officials, our diplomats in Washington, other ministers and their officials, as well as representatives from Canadian businesses, have been working diligently over the past month, in particular since the inauguration of President Obama, to monitor all activities in the U.S. Congress.

• (1450)

The Prime Minister and the Minister of Finance will respond to what occurs in the United States. However, I cannot make a commitment on behalf of officials to table a detailed document that may not be suitable for widespread distribution.

I will inform the Minister of Finance of the honourable senator's interest in this area.

FOREIGN AFFAIRS

CANADA-UNITED STATES RELATIONS— STATUS OF OMAR KHADR

Hon. Yoine Goldstein: Honourable senators, Question Period terminated yesterday before I had a chance to ask a supplementary question in connection with Canada-U.S. relations and the Omar Khadr matter.

The honourable leader told us yesterday that Canada is monitoring the situation. At virtually the same moment that the honourable leader was saying that to us in this chamber, Minister Cannon was telling the Foreign Affairs committee in the other place that this government had not looked at any options for repatriation and had not spent a dime examining the case against Omar Khadr.

We also know that Omar Khadr's lawyer, Lieutenant-Commander Kuebler, a courageous military man, was in Ottawa on Monday and twice requested a meeting with Minister Cannon but was not even afforded the courtesy of a return call. This is the very antithesis of monitoring.

Guantanamo Bay is being closed; the trials are not taking place; the other prisoners are being sent to other countries. Keeping track of the news about Guantanamo on television is not monitoring.

Exactly what is this government monitoring and how is it doing so if, as Minister Cannon has stated, the government is not even looking at this issue?

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): Honourable senators, yesterday, I was responding to a question about the situation in Guantanamo Bay.

The Government of Canada is awaiting news on the next steps the American government will take regarding this closure.

I am well aware of today's joint press statement by the foreign affairs critics for the Liberal Party, the Bloc Québécois and the NDP. Mr. Bob Rae, Mr. Paul Crête and Mr. Paul Dewar made a plea to the Prime Minister to put this matter on the agenda for the visit of President Obama. That is a rather interesting request.

I can tell Senator Goldstein that the government has received correspondence from Mr. Khadr's lawyers. However, our position is the same and it is the position held by two previous Liberal governments, despite Roger Smith this morning on CTV trying to excuse the actions of the two previous Liberal governments, but I will not go there.

Mr. Khadr has been accused of very serious crimes including murder, attempted murder, conspiracy, material support for terrorism and spying, all in violation of the laws of war.

We are aware that as of the inauguration of President Obama all trial cases before the military commission at Guantanamo Bay have been halted and the facility is to be closed.

As I said yesterday, we will closely monitor the situation, including the work of the American committee formed to study the fate of Guantanamo and Guantanamo detainees including Mr. Khadr.

To repeat what I have said before, departmental officials have visited Mr. Khadr on several occasions and will continue to do so.

• (1455)

There is nothing more that the government can add at the moment, except to say that we are in receipt of correspondence from the lawyers for Mr. Khadr.

Senator Goldstein: Canadians want Mr. Khadr to be repatriated. They have so indicated in a number of polls, which I assume the government has seen.

President Obama has indicated that he no longer has any faith in the Guantanamo trial processes. Will this government cooperate with President Obama's efforts to bring this process to an end? Will it stop denying this child soldier the right that he has under international law and under a treaty that Canada has signed and ratified to bring him back here to face justice? Notwithstanding what the honourable leader just said, will the Prime Minister raise this issue with President Obama next week?

That question requires a yes or a no.

Senator LeBreton: First of all, we do not deal with serious matters according to what the polls say, especially matters where someone faces serious charges.

An Hon. Senator: Why did you change the budget?

Senator LeBreton: We did not change the budget. It is the other side that wants us to change the budget even before it is passed and implemented.

Obviously, Mr. Khadr faces serious charges. There are strong views on Mr. Khadr from various sources in this country. I think each person is entitled to his or her own view.

I am not privy to, nor would I want to be, the person setting the agenda for the meeting between the Prime Minister and the President of the United States. I am flattered that the honourable senator would think I have that kind of influence; I certainly do not and would not want to have it. I have no way of knowing what items will be placed on the agenda.

Hon. Percy E. Downe: Honourable senators, is the minister indicating that the Prime Minister does not discuss with his cabinet the issues he will be raising with the President? Certainly he would debrief his cabinet after the meeting, so the minister would have that information to provide to this chamber.

Senator LeBreton: Someone of the honourable senator's stature, having once been the Chief of Staff to the Prime Minister, would know that I am in no position to discuss matters that are discussed in cabinet. I simply said that I am not the person responsible for setting the meeting agenda.

NATIONAL DEFENCE

CANADA'S COMMITMENT IN AFGHANISTAN

Hon. Joseph A. Day: Honourable senators, my question is also to the Leader of the Government in the Senate. In particular, it relates to the upcoming visit of President Obama on February 19.

Senator LeBreton will know that the United States has recently announced an increase of between 20,000 and 30,000 soldiers to Afghanistan. The honourable leader will also know that the Vice President has called for NATO allies to increase their contribution to the NATO activity in Afghanistan.

Last week, there was a speculative article in the media that Canada would be increasing its contribution in Afghanistan from 3,000 to 4,000 soldiers. Most of us assumed that this article was based on a leak from the Prime Minister's Office, similar to the new manner of announcing the budget, where all the major features were leaked prior to the formal announcement.

• (1500)

My question to the Leader of the Government in the Senate is: May we expect the Prime Minister to announce formally Canada's increase in its commitment to Afghanistan when he meets with President Obama next week?

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): To begin, I must take issue with the honourable senator's comment about leaks out of the Prime Minister's Office on the budget. One can hardly describe an event announced by various ministers of the government where there is a minister, a podium, a notice to the media, media and public in attendance, a prepared statement and answers to questions as a

leak. If one wants to look at the real definition of a leak, go back to the Martin budgets; that was when information was leaked out like a trial balloon.

With regard to our commitment to Afghanistan, honourable senators know that a commitment was made and ratified by Parliament for our troops to be in Afghanistan until 2011. This decision was made by Parliament, and the intention of the government is to withdraw our troops on that date, as set by Parliament.

Senator Day: The honourable leader will know I was speaking about the increase in the number of troops and not the end date of our commitment.

In any event, the honourable leader will know that the U.S. Chairman of the Joint Chiefs of Staff, Admiral Mike Mullen, was in Ottawa yesterday, and amongst others with whom he met, he met with Minister Peter MacKay.

Can the Leader of the Government in the Senate tell us whether the Prime Minister will discuss the soon-to-be vacated position of Secretary General of NATO with Mr. Obama during his visit, and has the Prime Minister decided to support the campaign to fill that vacancy with Peter MacKay?

Senator Comeau: It will be Gerald Comeau. I am starting a new rumour.

Senator LeBreton: I apologize to the honourable senator. He was asking specifically about numbers, and I am well aware of the visit yesterday of the high official of the U.S. military. If one believes the speculation, since we are basically asking and answering these questions on speculation, Canada has made it clear that we are one of the countries that has carried the load in Afghanistan and, as has been reported publicly, the Prime Minister, in his conversations with President Obama leading up to this visit, discussed this issue; President Obama acknowledged the role that Canada is playing well beyond the commitment of other NATO countries.

With regard to the Secretary General of NATO, the only place I have seen serious speculation about this position has been in the media. I have seen no evidence whatsoever that Minister MacKay is pursuing the position or that we would want him to leave our government. He is a valued minister, and I hope the speculation is not true.

RECRUITMENT

Hon. Norman K. Atkins: My question to the Leader of the Government in the Senate is a follow-up to Senator Day's questions. It is a known fact that our military is stretched to the limit. With attrition in personnel and the further demands that seem to be on our military, can the leader tell this house if there has been an increase in applications to join the military in view of the high unemployment rate in this country?

• (1505)

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): I thank Senator Atkins for his very good question. I believe there has been some fluctuation in the recruitment numbers depending on the region.

I would be happy to approach the Minister of National Defence and get an update for honourable senators on the recruitment numbers.

RESERVE FORCE

Hon. Hugh Segal: Honourable senators, when the Leader of the Government in the Senate is pursuing the precise data on the question of recruitment, perhaps she could also inquire as to whether there are any plans to increase the complement of the national reserves. An increase would mean that young people and others in parts of the country where forestry, fishery, tourism, mining and other industries have been depressed would be eligible for the reserves. These people might be able to join local units and benefit from the training. As we all know, it is a voluntary decision for members of the reserves to go to Afghanistan. This would be an opportunity to assist them in their lives and strengthen the Armed Forces reserves, which are an important backbone for our military effort in Afghanistan and elsewhere.

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): I thank Senator Segal for that excellent question. Thanks to efforts made by the honourable senator, the position of the Armed Forces reserves is now being properly recognized.

I will also be very happy to forward that question to the Minister of National Defence.

FOREIGN AFFAIRS

CANADA-UNITED STATES BORDER STRATEGY

Hon. Terry M. Mercer: Honourable senators, my question is for the Leader of the Government in the Senate. It was recently reported that the new Secretary of the Department of Homeland Security, Janet Napolitano, requested a directive on a northern border strategy, which she should receive this week, on concerns such as border crossings and vulnerabilities.

With almost \$1 million crossing the border every minute between Canada and the U.S., the directive should be a concern for Canada-U.S. relations. We have heard that for the first time in 30 years we are in a trade deficit with the U.S. Minister Day sloughed that information off as a problem relating to the slumping U.S. economy.

What is this government doing to protect Canada's interests concerning border screening and pre-clearance issues? Can the Leader of the Government in the Senate assure this place that the government is not dragging its heels on this issue, as it has with everything else so far?

Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)): Honourable senators, we have not been dragging our heels. There is always great concern about the thickening of the border, a subject with which Minister Stockwell

Day has dealt. Many measures were brought in. I would be happy to provide honourable senators with a list of those measures, although senators are likely well aware of them.

In terms of moving goods, services and people back and forth across the border, Minister Van Loan has been meeting with his American counterparts on these issues. Obviously, the problems at the border are not helpful to the current trade figures. We do not need more barriers to moving our goods, services and people.

Economists and other experts who watch these issues do take some solace in the fact that some of these goods and services will be more attractive to our customers, especially our largest customer, the United States, because of the lower Canadian dollar.

There are many factors, but honourable senators know that there have been many measures brought forward for businesses, manufacturers and producers to move products back and forth across the border. We know how important just-in-time delivery is to the automobile industry. Parts and pieces from the auto industry go back and forth across the border several times before the completion of the product.

I will be happy, honourable senators, to provide the long list of initiatives we have taken to improve access across the borders.

Senator Mercer: I thank the minister. If the government is really paying attention, there is a little problem that the minister can help with in Windsor, Ontario.

• (1510)

The state of Michigan has spent \$300 million to fix the ramps for highways I-75, I-94 and I-96 on the American side of the Ambassador Bridge. This is the single largest highway project in the history of that state. Think about that. Their portion of the new bridge project has been approved, yet on our side it has not been approved. If the government is talking about shovel-ready infrastructure, improving Canada-U.S. relations and protecting the efficiency of our borders, do they not realize that if this project is approved, a private company — no government money would be involved — is ready to spend over \$500 million to build a new bridge? Furthermore, this project would employ — listen to this number — 5,000 direct jobs right now, in a city that is suffering as badly as the city of Windsor. If the government wants shovels in the ground, then why are they not approving this project? Shovels could be in the ground this summer if the project was approved.

Senator LeBreton: The honourable senator raises an issue of great concern. The government has made great progress on the Windsor-Detroit crossing. The government, with its economic action plan, is trying to cut out the red tape between the various levels of government. If a provincial, municipal or federal government conducts an environmental assessment, why must another level of government do the same study?

There has been progress on the Windsor-Detroit crossing. I do not have the information in front of me, but I will be happy to provide Senator Mercer with an update as to the status of that project.

ORDERS OF THE DAY

BUDGET 2009

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Comeau calling the attention of the Senate to the budget entitled *Canada's Economic Action Plan*, tabled in the House of Commons on January 27, 2009 by the Minister of Finance, the Honourable James M. Flaherty, P.C., M.P., and in the Senate on January 28, 2009.

Hon. Nicole Eaton: Honourable senators, this is the first time I have had the privilege of speaking in this chamber since I was sworn in as a member of this august body.

I believe it is altogether fitting that I begin my maiden remarks in this chamber by thanking my good friends and now colleagues Senator LeBreton and Senator Meighen for taking me by my arms and leading me to my seat in this place. I can think of no two Canadians who personify dedication to public service and devotion to the welfare of our country more than these talented, energetic, generous parliamentarians. They have done me a great favour.

Like them, I am deeply humbled and tremendously excited to have the opportunity to serve my country and Canadians from this very distinguished place. I can assure you all that I am keenly aware of the practical value of this body and of the vital role it plays in the functioning of our country's democratic life.

This is a forum not merely of sober second thought; it is a gathering place for serious study, for the consideration of novel ideas, and for the honest, non-partisan exchange of views on pressing issues.

I am also clearly conscious of the transcendent worth of this institution. It is the embodiment of our time-honoured values as Canadians — democratic government, the rule of law fairly applied, and the equality of all men and women. It is a tangible expression of our fervent desire as Canadians to freely steer our own course, shape our future and fulfill or chosen destiny.

• (1515)

At the same time, honourable senators, I recognize that no institution is perfect; no human enterprise is entirely without shortcomings. Armed with that realization, I will work with all of my colleagues to ensure this place becomes ever more representative of the genuine needs and aspirations of Canadians.

Honourable senators, I am also an optimist by nature. I have always been hopeful about the future of our country. How can I not be? Canada has enabled me to enjoy a secure, healthy, meaningful life — just as our country has for countless men and women across the generations, men and women who have fully embraced the unyielding fact that the benefits that come from being Canadian are, and must continue to be, a direct result of our willingness to invest ourselves fully in the life and future of this country.

At the same time, I can assure all honourable senators that I am by no means naive. My understanding of the modern world is not simple. My views on human nature are not entirely trusting. I am fully aware of the daunting challenges that this country now faces — of the perilous economic predicament we find ourselves in as a result of the current global financial crisis.

It is in such times that I am reminded of the wise words of writer Eric Hoffer. He said:

In times of change, learners inherit the earth, while the learned find themselves beautifully equipped to deal with a world that no longer exists.

In times such as these, honourable senators, in which the world we know is undergoing seismic changes, we must be particularly mindful of these words. I can assure honourable senators that I am a learner; a seeker of novel ideas and new ways to solve seemingly impenetrable puzzles. Armed with this self-awareness, I am eager to work with honourable senators to ensure actions taken by this Parliament limit the damage caused by the current crisis.

[Translation]

It is with that sense of practicality and optimism that I wish to discuss the most recent federal budget. I feel privileged to be arriving in this place at a time when Parliament must take care of such an important file.

I am convinced that Canada's economic action plan is a good plan for these exceptional times. This comprehensive plan will stimulate our economy, rebuild the nation's confidence and support Canadian families.

In addition to cushioning the impact of the current global economic crisis, this action plan will invest in the four pillars of sustainable economic growth: lower taxes, modern infrastructure, a competitive economy and highly skilled workers.

Honourable senators, I believe that a skilled workforce is the most important of these pillars. Without that, the other three are not achievable. The budget is clear about that, and it will enable us to take concrete measures to strengthen our labour force. One measure in particular will make it possible for us to create that labour force: improving foreign credentials recognition.

The Minister of Finance explained it very clearly: if we want to attract the world's brightest, we have to modernize our immigration system so that immigrants can make the most of their skills and talents. That need is neither theoretical nor academic.

Many newcomers to Canada have a hard time finding work that is compatible with their training and skills, partly because their credentials are not always fully recognized in our country.

[English]

I was pleased to learn that real progress has been made to improve foreign credential recognition through the Foreign Credentials Referral Office and the Foreign Credential Recognition Program.

At the same time, Canada's first ministers and territorial leaders recently agreed to take concerted action to provide timely assessment and recognition of foreign qualifications. To be more precise, our national, provincial and territorial leaders asked their labour ministers to develop a common framework by September of this year.

[Translation]

I am delighted to say that Canada's economic action plan has allocated \$50 million over the next two years for this common approach to credential assessment and for ensuring that immigrants are better integrated into the Canadian workforce. After all, our country is one of a few in the world that has reached its potential thanks to the hard work of its immigrants.

• (1520)

[English]

Indeed, immigrants are the flesh, the muscle and the sinew on the Canadian bone. As Richard Gwyn so intelligently pointed out, without a longstanding commitment to immigration, Canada would be quite different from what it is now: smaller, poorer, much more parochial, less powerful and less optimistic.

However, improving foreign credentials recognition does not tell the whole story. Taking this kind of action is not done merely to place a check mark on our national to-do list and move on to other matters.

All men and women in this country must fully embrace the unyielding fact that the benefits that come from being Canadian must be a direct result of our willingness to invest ourselves fully in this country. Canadian citizenship has never been — and must never become — a flag of convenience for the so-called citizens of the world. Our country may have become a majority of minorities, but it must never be defined by its constituent parts alone.

To ensure it does not, all Canadians must get rid of the cultural silos in which we have placed ourselves. Let me repeat that — in which we have placed ourselves. No one else has put us in this position. In fact, I can think of no other country in the world that acts as we do; a country that encourages immigrants not to become Canadians, but to become hyphenated Canadians.

Yes, we must continue to be a safe harbour for refugees fleeing violence and oppression. Yes, we must continue to be the shining pole star of the north — a beacon of opportunity to people from around the world — just as we were a refuge for slaves who followed the drinking gourd to freedom.

However, this affirmation is only one side of the coin. We must work equally hard to fully integrate new arrivals and encourage them to take on the responsibilities of citizenship that all Canadians must assume to earn the benefits of citizenship.

Of course, governments at all levels have a role to play in this effort, but so do our schools, our volunteer and not-for-profit organizations, local sports clubs, hospitals and library groups. We must encourage immigrants to play an active role in these organizations, and we must encourage these organizations to play an active role in seeking the involvement of immigrants. How well

we do this mutually reinforcing effort in the next decade will have a telling effect on the direction and, indeed, the future of this country. Of that I am convinced.

[Translation]

My convictions stem from a very unique perspective. I am a direct descendent of Louis Hébert. I like to believe that he was the first immigrant to our country. Samuel de Champlain's confidant, Hébert was an apothecary and is known as the first colonist who successfully survived off the harvest from his new land.

Hébert received this great honour because Champlain was somewhat fussy about the abilities of the people he welcomed to New France. He knew that, in order to build a flourishing community, there needed to be a specific mix of men and women from every background — fishermen, entrepreneurs, tradesmen and famers. There is a very clear parallel between the first colonies of New France and our nation state.

Hébert's granddaughter, Guillemette Couillard, was my grandmother — 11 generations back, of course. She was the first woman born in New France. Extremely pious and generous, she saw with her own eyes the transformation of these fragile outposts into permanent colonies. She also greatly contributed to populating this new land. At the time of her death in 1684, she had more than 250 descendents. This number is incalculable today.

[English]

I am proud to say that a branch of my husband's family tree is equally distinguished. He is the great grandson of Timothy Eaton — an apprentice shopkeeper who left Ireland for Southern Ontario in 1854. Fifteen years later, young Mr. Eaton purchased a dry goods business that he transformed into a retail empire that would one day span the country, employ 70,000 Canadians and establish the now-universal business principle of "goods satisfactory or money refunded."

[Translation]

I am not sharing these stories because I believe that my family tree is more remarkable than others. Every one of us has a unique story to tell.

I can say, however, that I am proud of my ancestors and of my heritage. My history and my ancestors clearly depict the indestructible force and the great satisfaction of those who choose to invest in their country.

[English]

Armed with this knowledge, I believe I am meant to be here in this place at this time. I do not adopt this stance in the spirit of party or partisanship. On the contrary, I am inspired by the power and the genuine satisfaction that comes from working with others and achieving great things together.

Goethe said that "a man remains of consequence, not so far as he leaves something behind him, but so far as he acts and enjoys, and rouses others to action and enjoyment." I would remind Herr Goethe that the same applies to the other half of the species as well.

[Senator Eaton]

Looking back, honourable senators, I realize that I have led my life guided by that thought. Looking forward, I realize my true strength — my true mission — lies not in striving to leave a legacy, but in working with others today, right now, in rousing them to action and enjoyment. I can think of no better place than this wonderful institution to put that commitment into practice.

As my father, Jacques Courtois, always used to say: seek the work and the challenge, not the reward and the thanks.

(On motion of Senator Comeau, debate adjourned.)

SPEECH FROM THE THRONE

MOTION FOR ADOPTION OF ADDRESS IN REPLY—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Fortin-Duplessis, seconded by the Honourable Senator Gerstein:

That the following Address be presented to Her Excellency the Governor General of Canada:

To Her Excellency the Right Honourable Michaëlle Jean, Chancellor and Principal Companion of the Order of Canada, Chancellor and Commander of the Order of Military Merit, Chancellor and Commander of the Order of Merit of the Police Forces, Governor General and Commander-in-Chief of Canada.

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's most loyal and dutiful subjects, the Senate of Canada in Parliament assembled, beg leave to offer our humble thanks to Your Excellency for the gracious Speech which Your Excellency has addressed to both Houses of Parliament.

Hon. James S. Cowan (Leader of the Opposition): Honourable senators, just over two months ago I spoke in this chamber to another Speech from the Throne — a speech that we thought was setting out the government's agenda for an active session of Parliament. We would all get down to the business of helping Canadians weather the economic storm that was sweeping across large parts of the world.

Regrettably, what followed was not action but government panic, which culminated in the Prime Minister running to the Governor General to beg her to shut down Parliament so he could avoid a vote that he promised would take place but which he knew he would lose.

Mr. Harper has repeatedly demonstrated his reluctance to face Parliament. In 2007, he chose to end the First Session of the Thirty-ninth Parliament just before Parliament was set to resume after a summer recess. This delayed our return to work as we waited for a Speech from the Throne.

The Second Session of the Thirty-ninth Parliament lasted just eight months because Mr. Harper took yet another trip to the Governor General, once again waiting until the end of the

summer recess. This time, he declared that Parliament — which was not sitting at that time — was dysfunctional and he required a general election.

We all know the reason for that dysfunction: organized obstruction by the government's own supporters. The early election call was completely at odds with Mr. Harper's own, much trumpeted, fixed-date election law. It was an indulgence that cost Canadians \$300 million, and the only job that was saved was Mr. Harper's. How many real jobs would have been saved by a more responsible application of that money?

Everyone here knows what happened next. Parliament finally returned last fall after yet another long recess caused by Mr. Harper.

• (1530)

On November 26, 2008, during debate on the last Address in Reply, I said that we on this side of the chamber were eagerly looking forward to the start of the session. I said that we were ready and willing to fulfil our constitutional responsibilities by being an active, aggressive and progressive opposition. I said we were set to go — ready to scrutinize the government's legislative agenda carefully and to propose legislative measures of our own.

I spoke at length about the serious economic problems facing our country and expressed our determination to get to work to address those problems. I stated my belief that Canadians wanted us to dare to do things differently, to work together for the public good. I invited the government to throw out its manual directing parliamentarians to obstruct Parliament's work. I challenged the government and supporters in Parliament to dare to listen, especially those who disagree.

Instead of listening, Mr. Harper shut us down eight days later. Instead of agreeing to work together for all Canadians, the Harper government chose to prevent parliamentarians from doing their job. Instead of facing Parliament and accepting the judgment of Canada's elected representatives on his government's actions, Mr. Harper ran to the Governor General and asked her to prorogue Parliament.

Honourable senators, that was one of the most shameful episodes in Canadian democratic history. In this Speech from the Throne, the Governor General reminded parliamentarians that our "... predecessors, too, were summoned to this chamber at times of great crisis. ..." This government seems unaware of the irony in that statement. Previous governments summoned parliamentarians to help address great crises in Canada's history. By contrast, the Harper government sends them home and silences their voices.

Let us be clear; Canadians have suffered as a result. On January 24, James Bagnall, Associate Business Editor of *The Ottawa Citizen*, who for 26 years has been writing for some of Canada's leading financial papers, wrote:

Had the Conservatives moved to stimulate earlier, there's little question they could have helped to soften the downturn that began in the last months of 2008.

Unfortunately for all Canadians, during the last months of 2008, as was made perfectly clear in its November economic and fiscal statement, the Harper government's priority was not economic stimulus. The priority was ideological political warfare.

This Speech from the Throne sounded a very different tone. The government now is speaking of a dialogue "in a spirit of open and non-partisan cooperation." Honourable senators will understand why I am a little bit skeptical.

Until faced with losing a confidence vote, this Prime Minister was anything but open and non-partisan. However, conversions are possible. An epiphany on the road to Damascus is available to us all, even to Mr. Harper. If true, this transformation and these new words of cooperation by the Prime Minister are welcome. We can hope they signal a positive change of direction for Mr. Harper and his government.

Frankly, Canadians expect and they deserve a different approach.

This current downturn is not some abstract concept; it is real. Tens of thousands of Canadians have lost their jobs; businesses are shutting their doors; parents worry about their ability to buy medicine for their children; families are turning to food banks in ever-greater numbers; and senior citizens who have worked hard all their lives, contributing to the Canadian economy and building this country, have lost their retirement savings.

As we move to deal with this economic crisis and as our Prime Minister once again faces Parliament, I hope that this time his approach better recognizes the constitutional and practical consequences of its bicameral nature. Parliament is an independent body and its constituent parts — the House of Commons and the Senate — are independent.

That is what the Fathers of Confederation intended and what our Constitution explicitly provides. This chamber, the Senate of Canada, was specifically designed to be independent both of the executive branch of government and the other place.

George Brown summed up the intentions of the Fathers of Confederation as follows:

The desire was to render the Upper House a thoroughly independent body — one that would be in the best position to canvass dispassionately the measures of this House. . . .

Sir John A. Macdonald was equally clear:

No Ministry in Canada in future can do what they have done in Canada before — they cannot, with the view of carrying any measure or of strengthening the party, attempt to overrule the independent opinion of the Upper House. . . .

The purpose, he went on to explain, was to preserve the independence of the upper house and to make it, in reality, a separate and distinct chamber having a legitimate and controlling influence in the legislation of this country.

There have been a number of times in Canada's history when a majority of members in this chamber exercised their mandated sober second thought and rejected bills put forward by the government of the day that had been passed in the other place: the James Coyne incident during the Diefenbaker era; the abortion bill passed in the other place by Prime Minister

Mulroney; the debate over the implementation legislation of the Canada-U.S. Free Trade Agreement; and the repeated refusal of this chamber to pass the Pearson Airport bill, Bill C-28. These are a few instances where this chamber exercised its role as a check and balance to the power of the prime minister and the executive government of the day.

This is not a partisan matter. Liberal and Conservative governments have each faced the independence of this chamber. It is a fundamental feature and an essential characteristic of the Senate. Maintaining the independent character of our chamber is a matter of upholding our constitutional responsibility. If we fail to uphold the independence of this chamber from the prime minister and the other place — if we fail to exercise our power as the chamber of sober second thought — then our critics are proven right. Why are we here, collecting taxpayers' money, if it is not to exercise our constitutional responsibilities to the best of our ability?

It was in this context that I was deeply troubled to read news reports alleging that our newest colleagues may have been summoned here only after having compromised their constitutionally-mandated independence. I will read to you from the report of Don Martin as it appeared in the *National Post* on Tuesday, December 22, 2008:

When Mr. Harper added 18 senators and their \$135,000 paycheques to the taxpayer's tab with job security until age 75, they had to first pledge allegiance to Conservative policies on Senate reform in the future while promising to oppose any coalition of opposition parties that included the Bloc Québécois.

Mr. Harper's demand goes beyond the standard expectation of senators being generally loyal to their patronage saint. It demands their specific votes as the pre-condition for their appointment.

I have difficulty accepting that this story is accurate because the substance of the pledge reported by Mr. Martin makes little sense to anyone with knowledge of the role of this chamber within Canadian parliamentary democracy. Of what possible concern or interest is any coalition of parties in the other place to the Senate or to individual senators? We are not a confidence chamber. We cannot cause the government of the day to fall.

As I said regarding Senate reform at the opening of this session, it makes perfect sense to me that, after 140 years, we would want to examine whether institutions established by the Fathers of Confederation could be improved. However, we should conduct that examination by listening to evidence presented on the issue by ordinary Canadians, by other levels of government and by constitutional experts before making a final determination on any particular proposal or reform. That consultation process where we listen to Canadians is the essence of our parliamentary democracy.

A critical part of our role here is to represent our provinces, our regions and minority rights. To represent those interests fairly, we must first listen.

I dare say that if a judge were found to have pledged away his or her view on a particular issue before the evidence was even presented, Canadians would be angry and justifiably so.

[Senator Cowan]

In my opinion, our response to these regrettable media reports, such as the article I read a moment ago, should be to demonstrate through our actions here in this place that our determination and our ability to represent our regions faithfully remains unfettered and intact.

As always, our actions will speak louder than words.

Honourable senators, last week, the government presented its much-awaited budget. It was a radically different document than last November's economic and fiscal update. The November statement painted a picture of surpluses and rosy times ahead. We know how that picture was greeted. Economists, except for Mr. Harper, were unanimous. The statement was described as "disastrous" and a "fiscal delusion." One economist said, "My cynicism has reached new heights. What else can I say?"

• (1540)

Under threat of losing government, Mr. Harper and his Finance Minister finally became serious about addressing Canada's economic crisis. However, do we now have a budget and a plan of vision? Sadly, the answer is no.

Our neighbour to the south faces much more severe economic challenges than we do. Yet President Obama is confronting the crisis as an opportunity to unite Americans across the political divide and to define a new direction for his nation. He is investing in infrastructure, but he is also investing in science, alternative energy sources, health care and education. His stimulus plan is driven by a coherent vision and a plan for his country for the 21st century.

Sadly, it is clear from this budget and the Speech from the Throne that the Harper government has no such vision and no such plan. Its tunnel vision is focused solely on its own political future — how to stay in power, whatever the price.

President Obama inherited a \$1 trillion deficit from former President Bush. Prime Minister Harper inherited a \$13.2 billion surplus from the Liberal governments of Prime Minister Chrétien and Prime Minister Martin. That healthy surplus was squandered by the Harper government, lost to fiscal mismanagement and short-term thinking.

Some Honourable senators: Oh, oh.

[Translation]

Hon. Fernand Robichaud (The Hon. the Acting Speaker): Order! I would like to be able to hear the honourable senator and to listen carefully to his speech. The Honourable Senator Cowan has the floor.

[English]

Senator Cowan: Mr. Harper and Mr. Flaherty repeatedly promised Canadians that their Conservative government would never put Canada into deficit. We were told that the notion was ridiculous. Now we are told to accept a \$34 billion deficit this year and another \$30 billion next year. The Harper-Flaherty government calls for \$85 billion in cumulative deficit over the next five years.

The government says it has a plan to pay off the deficit. They absolutely will not, they say, put Canada into a structural or long-term deficit. If this promise is like the last one, I shudder to think of the consequences for our children and grandchildren.

I studied the budget documents, honourable senators. I see a lot of hope pinned on a quick recovery from this recession. I see questionable assumptions, like raising money from a fire sale of unidentified federal assets. I do not see a real plan that would instill any measure of confidence about the future.

The International Monetary Fund has already issued projections that cast doubt on the Harper government's ability to balance the budget, as it has promised. The IMF does not share Mr. Harper's and Mr. Flaherty's optimistic projections and assumptions, either for the U.S. recovery and growth or Canada's.

Our Parliamentary Budget Officer has said he is worried that the Harper government's budget plan could push us into a persistent structural deficit. He was quoted in *The Globe and Mail* on January 29 as saying:

There should be concern that because of the more permanent measures that were taken in the budget that this could push us into a structural deficit position.

Don Drummond, Chief Economist with the Toronto-Dominion Bank and formerly a senior official at the Department of Finance, reportedly said he believes there is "absolutely a high risk" of Ottawa ending up in structural deficit.

I fear Canadians are in for rough times ahead to pay down yet another Conservative deficit. Tory times are indeed tough times.

This budget is, as some have observed, a scattergun budget — millions of dollars offered almost indiscriminately for a myriad of diverse projects. If the money actually flows, there is potential for creation of jobs for Canadians, and that is good. Infrastructure jobs are important and will hopefully go a long way to getting the economy moving once again.

However, so many opportunities are lost with this budget. I think a general consensus is that the best jobs in the 21st century will be those that harness knowledge, science and technology for innovative solutions; but where is science in the Harper budget? Scattered money is parceled out, some targeted to the Canada Foundation for Innovation, some for students and infrastructure — all good things — but the federal granting councils, whose money is critical to supporting research, will have their budgets cut.

I draw the attention of honourable senators to one example of opportunity lost in the science sector with the budget.

Since it was established in 2000, Genome Canada has been a critical source of funds for research in areas like agriculture, forestry, fisheries, environment, new technology and cancer stem cells.

With \$25 million in proposed funding by Genome Canada, our country was set to lead an international consortium of 100 leading scientists in 25 nations in the International Barcode of Life

project, iBOL. These scientists were about to create a comprehensive library of DNA bar codes of animals, fungi, plants and other organisms, and technology to allow for their immediate identification from anywhere in the world.

Insects like the mountain pine beetle could be identified quickly early, before they have an opportunity to destroy vast areas of our forest. Foreign mosquito species could be identified when they first arrive in Canada, before they have an opportunity to threaten Canadians with diseases like the West Nile virus.

Unfortunately, honourable senators, Canada will not lead this project because the Harper government has decided there is no new money for Genome Canada in its multi-billion dollar stimulus package. As Dr. Laurence Packer, Professor of Biology at York University explained in a letter to *The Globe and Mail* on January 31:

With Genome Canada funds, we were leading the world in the development of tools for automated identifications of economically devastating invasive species; disease-carrying organisms such as mosquitoes and pollinators that are essential for agricultural productivity, among others. These activities will now grind to a halt; the technical expertise of hundreds of highly trained personnel will be lost to other countries and/or other endeavours. This is an enormous leap backward.

Scientists are not alone in recognizing the critical importance of monitoring invasive species. In her report tabled last week, the Auditor General of Canada focused on problems with the government's ability to safeguard our food supply, protect animals and plants, and support trade and commerce by protecting us from invasive plants, pests and plant diseases.

I noticed, in this morning's *National Post*, another letter from Dr. Packer, and I will quote one paragraph:

If your child gets ill as a result of an unidentified disease vector, if fruit prices skyrocket because of reduced pollination, if the forestry industry collapses under the weight of even more introduced alien forest pests, the 2009 federal budget will have been partly to blame.

Senator Mercer: Disaster!

Senator Cowan: While the Harper budget provides \$1 billion for the Community Adjustment Fund to help, among others, those parts of British Columbia and Alberta affected by the devastation caused by the mountain pine beetle, there is no money to invest in the science necessary to protect from future ecological tragedies.

The iBOL project will be dropped. The lead researcher on iBOL has already sent word to 95 international collaborators telling them the project is on hold.

Mr. Harper's stimulus package is supposedly about creating jobs, but some 100 graduate students, post-doctoral fellows and technicians were involved in this project alone last year at universities and research institutes across Canada. Those numbers will drop by 90 per cent by May 2010 unless replacement moneys are found.

This example is but one of the projects that will be stopped in their tracks after years of preparatory work because of this budget — because of this government's lack of vision for the future of Canada. The message is clear: If you want to do scientific research, you will have to leave Canada. The Harper government is not interested in you.

• (1550)

The Chrétien and Martin governments, after struggling to eliminate the massive debt inherited from the last Conservative government, carefully nurtured Canada as a first-class place to do cutting-edge research and we succeeded. Liberal governments turned what had been a notorious brain drain into an impressive brain gain, with eminent professors and researchers moving to Canada to pursue their research and to train young Canadians. Between 1997 and 2005, annual federal funding for university research more than tripled to over \$2.5 billion.

The Harper government clearly does not share this dedication to the importance of supporting scientists and their research. For many years, Mr. Harper flatly and openly rejected the overwhelming scientific evidence of climate change. He abolished the Office of the National Science Adviser. Scientists have been sidelined by this government.

In the latest episode of neglect, we are presented with a budget that provides money for bricks and mortar, with no funding for scientists to do their research in the laboratories that will be built. They will stand empty as a monument to the Harper government's lack of vision for the future.

The United States is facing terrible economic challenges that are far worse than we are confronting here. However, far from abandoning science, President Obama is seizing the opportunity to encourage scientific research. In his inaugural address, he pledged to "restore science to its rightful place." It appears that Mr. Harper is only too happy to give away the Canadian advantage to him.

Turning to the environment, I appreciate that Mr. Harper does not share my conviction that climate change is real and that we must act now to take steps to reduce our greenhouse gas emissions. Nevertheless, it is disappointing to see this government produce such an enormous budget with so little attention paid to the environment. What we are talking about is the legacy that we will leave to our future generations.

The Harper government has chosen to focus its plan to kick-start the economy on infrastructure programs. The buzzword, as we all know, is "shovel-ready." Many of the projects are important and necessary for our communities, but the critical question is whether the money will actually flow to the projects to get the economy moving again. We have heard concerns from municipal governments about the conditions being imposed on the flow of this money. It took Mr. Harper months, which was far too long, to finally accept what the rest of us and the rest of the world have been saying, namely, that a stimulus package is required with money for infrastructure projects.

Happily, honourable senators, many of our municipalities did not wait for Mr. Harper. Anxious to help their citizens, communities across the country moved quickly to identify and

begin work on a number of different projects using what money they could pull together. However, it is not clear whether these projects will qualify for federal infrastructure support.

The Harper government says explicitly in the budget documents that it will apply a strong "use it or lose it" theme to the stimulus measures. In other words, if municipalities cannot move fast enough to change from the track they have been proceeding along to one of Mr. Harper's choosing, they will lose out. I worry that this is another variation on Mr. Harper's theme of "my way or the highway." This kind of approach is not helpful at a time when Canadians are losing their jobs in record numbers.

The Parliamentary Budget Officer has raised warnings about the actual size of the stimulus package that results from Budget 2009. In his report on February 5, he said that the Harper government's budget estimate of stimulus totalling \$39.9 billion over 2009-10 to 2010-11 "appears to be somewhat overstated." By contrast, the Parliamentary Budget Officer's analysis estimates that the total net stimulus would be 20 per cent smaller, at \$31.8 billion, than what was reported by the government in its budget.

His report states:

Further, a significant part — up to 25% — of the Government's \$39.9 billion stimulus appears to be contingent on matching contributions from other levels of government.

Honourable senators, that means \$10 billion is contingent on other governments joining in.

The real issue, of course, is creating jobs for Canadians. The reports of January's job losses were shocking — 129,000 jobs lost in one month. That devastating decline was greater than any monthly decline from any economic downturn over the last 30 years. That is more jobs lost in one month than the government will create with its stimulus package over two full years. The budget projects it will create or save 190,000 jobs, but our Parliamentary Budget Officer suggests the more accurate figure might be 120,000.

Dale Orr, Managing Director of IHS Global Insight Canada, came to the same conclusion. According to *The Globe and Mail* on February 3, Mr. Orr believes that:

The Harper government has overestimated by more than one-third the economic benefits and jobs its \$40-billion stimulus package will create

He used the Finance Department's own formula and concludes that by the final quarter of 2010, the stimulus package will create about 120,000 jobs and yet, 129,000 jobs were lost just last month when we were not permitted to act because Mr. Harper shut this place down.

Once again, honourable senators, Canadians have been forced to watch their Prime Minister, who campaigned for re-election saying that his would be a steady hand at the helm to steer Canada through the rough waters of these economic times, as he careened from one response to another. Last Thursday, his Minister of Finance warned Canadians of the jobless figures about to be released and said that he is "open to the possibility"

of adding to the stimulus measures in the budget. The next day, the Prime Minister himself spoke about the job loss numbers, dismissing calls to add to the stimulus package. He was reported in Saturday's *Globe and Mail* as saying:

We cannot have in Parliament, quite frankly, instability every week and every month, every time there's a new number, people demanding a different plan. . . .

We continue to believe this is the action we need, and we're going to need it in the months to come, and we're not going to be blown off track every time there's some bad news.

However, by Sunday, the Harper government was whirling around again. This time the Parliamentary Secretary to the Minister of Finance reportedly said that the government is prepared to act if the economy gets worse.

Honourable senators, who is in charge here? Does this government really know what it is doing? Is its plan based on serious, tested analysis of information, or is this job creation on the fly? It is not enough to simply throw large sums of money at the problem — there must be a thoughtful, serious plan behind it.

Honourable senators, we have learned from hard experience that Mr. Harper only acts when his feet are held to the fire. I believe that the best assurance that his government will follow through on these promises is provided by the amendment proposed by my Liberal colleagues in the other place to require rigorous, regular reports from the Harper government and to hold this government to account. Jobs are promised in this budget, but they must be delivered. Money is promised, but it must actually be allowed to flow.

The arts community will receive some much-needed funding — again, that is good — but there has been no reinstatement of the important PromArt and Trade Routes programs that supported touring Canadian artists and the export of cultural goods. They were not expensive programs — PromArt was a \$4.7 million program and Trade Routes was valued at about \$9 million annually — but they were important programs that went a long way to help Canadian artists become known internationally. It was good for the artists and good for Canada's reputation as well. Thus, I was startled to see a new program in Budget 2009 called Canada Prizes for the Arts and Creativity. I will read a small paragraph from page 175:

The Canada Prizes for the Arts and Creativity will bring the world's best new artists from a vast array of art forms to Canada to compete for the title of most promising new artist and for significant cash awards. These artists will be publicly adjudicated by a distinguished panel of established artists in each discipline.

• (1600)

Honourable senators, \$25 million is budgeted for this program. That amount is almost twice the value of the PromArt and Trade Routes programs. However, instead of promoting Canadian artists internationally, the Harper government is spending taxpayers' money to promote international artists here. Does that make any sense?

Some Hon. Senators: No.

Senator Cowan: I have highlighted a number of areas where I believe this government missed opportunities with this budget. I have other concerns as well.

Employment Insurance is extended for those receiving benefits, but no adjustment is provided to extend the protection of the plan so that more Canadians in need can receive those much-needed benefits.

I heard a presentation this morning that would indicate that only about 40 per cent of unemployed Canadians actually receive Employment Insurance benefits.

Parents desperately looking for quality, affordable child care do not receive any help from the Harper government with this budget. Once again, they have been abandoned by the government.

Unilateral changes have been made to the equalization program that are causing grave concern in several provinces. Newfoundland and Labrador could lose more than \$1.5 billion. Meanwhile, thanks to a special side deal, Nova Scotia will not lose a penny this year.

I hope my colleagues from Nova Scotia who are applauding will applaud next year as well. The letter provided by Mr. Flaherty — and I suggest to my colleagues they might pursue this matter with him — provides no assurances with respect to future years.

Honourable senators, we have a situation where Mr. Harper is making unilateral changes to important federal-provincial arrangements by making a side deal with one province, apparently giving it preferential treatment over another province. As our leader, Michael Ignatieff, has said, "That is not a way to run a federation."

In its budget plan, the Harper government said that it "is taking action to ensure the fairness of major transfers." Honourable senators, is this Mr. Harper's idea of fairness — special side deals with certain provinces whose political leaders have not openly challenged Mr. Harper, over other provinces whose political leaders dared to disagree with him?

The opposition can properly claim victory for pushing Mr. Harper to finally acknowledge the truth about Canada's economic situation and to begin to take action to address it. The results are in the budget, in the significant planned expenditures on infrastructure, amongst other things.

We will do our best to fulfill our constitutional role as members of an active, thoughtful, dedicated opposition, exercising our mandated role of sober second thought. We will watch closely to see whether the promised money is indeed distributed in a timely and effective way, and that the budget indeed is achieving the results that this government has promised.

We intend to scrutinize the government's legislative program carefully and we will propose legislative measures of our own. Where we find fault with legislation, we will propose amendments to improve it. If, however, we find favour with the government's proposals, we will support them. As always, our guide will be the public good.

We will not be bullied or threatened by Mr. Harper to comply with artificial deadlines imposed by the government for purely partisan purposes.

Serious issues face our nation. Mr. Harper has squandered too many hard-earned resources of Canadian taxpayers and lost too much time to self-serving political manoeuvring to keep himself in power.

Our leader, Michael Ignatieff, has warned this government that it is on probation. Mr. Harper has declared his commitment previously to accountability in government, and to toughen consequences for those who do not uphold the terms of their probation.

Promises may no longer be broken by this government. Childish antics and misleading statements will not lead this country into a brighter future. The stakes are high. They are nothing less than the legacy this government will bequeath to our children.

Canadians are watching closely and, with this government, so they should.

Some Hon. Senators: Hear, hear!

Some Hon. Senators: More! More!

The Hon. the Speaker: Honourable senators, are there questions or comments?

Hon. Wilfred P. Moore: Will the Leader of the Opposition in the Senate take a question?

Senator Cowan: Absolutely.

Senator Moore: I heard the honourable senator's remarks with respect to Genome Canada. I recall that when Genome Canada was established in the Atlantic, it was given the mandate of research with respect to the DNA of animals and plant life. Given the comments of the honourable senator, I do not know if this is another fiscal attack on Atlantic Canada.

In view of what the honourable senator has said, I am concerned about the job losses at Genome Canada in the Atlantic. Has he looked into that area? Does the honourable senator know what the employment impact on the scientific sector will be as a result of the cuts to Genome Canada in the Atlantic?

Senator Cowan: I asked the research universities in Atlantic Canada to provide me with exactly that information. I only have partial information, but I will be happy to provide it as soon as I receive the balance of the information I have requested.

The Hon. the Speaker: Are there further questions and comments?

(On motion of Senator Comeau, debate adjourned.)

(The Senate adjourned until Thursday, February 12, 2009, at 1:30 p.m.)

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