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Wednesday, October 5, 2011

The Honourable NOËL A. KINSELLA
Speaker

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THE SENATE

Wednesday, October 5, 2011

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

Prayers.

SENATORS' STATEMENTS

DISTINGUISHED VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of our former colleague, a distinguished member of Her Majesty's Privy Council, the Honourable William Rompkey.

Hon. Senators: Hear, hear!

TRIBUTES

THE HONOURABLE BILL ROMPKEY, P.C.

The Hon. the Speaker: Honourable senators, I have received a notice earlier today from the Leader of the Opposition to request, pursuant to rule 22(10), that the time provided for the consideration of Senators' Statements be extended today for the purpose of paying tribute to the Honourable Senator Bill Rompkey, P.C., who retired from the Senate on May 13, 2011.

I remind senators that pursuant to our rules, each senator will be allowed only three minutes and may speak only once.

However, is it agreed that we continue our tribute to Senator Rompkey under Senators' Statements? We will therefore have 30 minutes, and any time remaining after tributes will be used for other statements.

Hon. Senators: Agreed.

Hon. James S. Cowan (Leader of the Opposition): Honourable senators, I rise today to pay tribute to Senator Bill Rompkey, who retired from this chamber on May 13. Senator Rompkey was born in Belleoram, a small community on Fortune Bay in Newfoundland. It is sometimes said that where we are born and raised gets into our souls — it shapes us and grounds us, so that no matter how far we travel, we are always of that place. That is certainly true of Bill Rompkey. Anyone who meets Bill cannot be help but be struck by his deep love of Newfoundland and Labrador, his passion for its history, its traditions, its people, its land and, above all, the future of his beloved Newfoundland and Labrador. It is deep in his core.

Equally deeply ingrained is the desire to help others, to serve the people around him and to serve his country. We in the Senate have observed Senator Rompkey's devotion to the men and women of our Armed Forces. He, himself, served in the Royal Canadian Navy for close to a decade. In 2009, he received the Naval League of Canada's Robert I. Hendy Award for his contributions to the Navy League and to maritime affairs.

When he was not off serving his country in the naval reserve, he was teaching in Labrador. We who have enjoyed his speeches here will not be surprised that the subject of choice was English. He became principal of Yale Amalgamated School in Labrador and then was named the First Superintendent of Education with the Labrador East Integrated School Board, a position he held until he entered politics.

He first ran in the 1972 federal election in the riding then known as Grand Falls—White Bay—Labrador. He won that election and every election thereafter until he came to the Senate in 1995. Seven undefeated elections over more than 20 years — that is a quite a feat.

In that time, he held a number of important portfolios, including Minister of National Revenue, Minister of State for Transport, Minister of State for Mines, Minister of State for Small Business and Tourism, Parliamentary Secretary to the Minister of Manpower and Immigration, and Parliamentary Secretary to the Minister of the Environment.

During the years of the Mulroney government, he held that government to account with numerous critic responsibilities, ranging from National Defence to Science and Technology to Consumer and Corporate Affairs.

The breadth and depth of his experience and knowledge is truly amazing.

Of course, upon coming to this chamber, he chaired a number of committees and served diligently on even more. He held leadership roles in his positions as Government Whip and as Deputy Leader of the Government.

Throughout his nearly 40 years in Parliament, Senator Rompkey demonstrated that politics truly can be a high calling, a way to serve Canadians, to help with problems, big and small, and he did so as a gentleman, with integrity, wisdom and always tremendous kindness.

The tasks he took on were by no means easy ones. He never shied away from difficult issues but always stayed true to his commitment to do the best for the people of his province and his country. He succeeded.

A recent example was the 2009 Coast Guard plan to remove the lightkeepers from lighthouses in Newfoundland and Labrador and British Columbia. Senator Rompkey, as chair of the Standing Senate Committee on Fisheries and Oceans, took the committee out to see the lighthouses and meet the people who used and depended upon them for their safety and security at sea. They travelled by road and by helicopter to hear directly from the Canadians affected. They then presented the government with a series of recommendations, notably that the lighthouses remain staffed by lightkeepers. The government, in what may have been an unprecedented move, accepted every one of the committee's recommendations.

• (1410)

A few years ago, I had the good fortune to travel to Labrador with Senator Rompkey as part of a trip by the Fisheries Committee. I was struck by the strong bond between Bill and the people we met, a bond forged by his lifetime of service to that magnificent part of our country.

Honourable senators, even while Senator Rompkey has worked so hard here, he somehow managed to write several books. These have included books on military history, a book of war letters and other writings about his beloved province.

I first met Bill — although he will not remember it — some 30 years ago when he was a member of the other place. Our first meeting was the kind that would either give rise to a lifelong friendship or kill any chance of cordial relations altogether. He put me through the classic Newfoundland “screeching-in” ceremony, and I am relieved to report that I passed and, indeed, he and I have become close friends.

I cannot end without mentioning one other part about Bill’s life that no doubt marks him even more strongly as a Newfoundlander and Labradorian, and that is his love of making music. Many of us have had the pleasure of gathering around the piano while he played songs for all to sing, regardless of the level or lack of our own singing abilities. Music is joy to him, a joy he has always shared.

Honourable senators, I will deeply miss Senator Rompkey in this place, his quiet manner, his sparkling sense of humour and his wise counsel.

I will end with a quote that I found on his publisher’s website from a series of questions and answers they once put to him. He wrote:

Life is not a destination but a journey, and it is not a dress rehearsal; there is just one performance, so make the most of it and do what you want but do it well.

Bill, Shelagh and I wish you and Carolyn and your children and grandchildren many happy years in the next stage of your journey together. I know you will take your own advice and make the most of it, doing what you want to do but doing it very well.

Hon. Ethel Cochrane: Honourable senators, I rise today to say a few words about a dear friend who recently took his leave from this place, after a remarkable 40 years of service on the Hill.

As Senator Cowan has stated, Senator Rompkey held many prominent roles over the years and contributed to and authored many wonderful books that speak to the rich history of our province.

The list of his accomplishments is great, but I think it all comes down to one thing: Bill is a remarkable human being. He is supremely talented, deeply patient and considerate. He is generous of spirit, and he is kind of heart. He treats people with dignity and respect, and listens to them, giving his full attention. It is a rare politician who truly listens, as Bill knows, and I think that simple characteristic was perhaps the secret of his phenomenal success.

[Senator Cowan]

Beyond the seriousness of politics and public service, he also has a great passion — and, of course, beautiful talent — for music. I could sit and listen to him sing and play the piano for hours. I recall one particularly gruelling committee trip, sitting with him at the piano at the hotel, singing along to the old-time music. While it was a way to fill some time before the next stop on our heavy agenda, it was also a priceless moment of pure fun. It lifted the spirits of all of us on that trip, and it boosted our energy so that we could go forward with a spring in our steps.

As you take your well-earned leave of this place, Bill, I recall the words of Vera Lynn’s classic wartime hit, “We’ll Meet Again”:

We’ll meet again,
Don’t know where, don’t know when.
But I know we’ll meet again, some sunny day.

Bill, it has been a sincere honour to serve with you over the years, and I have truly valued your steady friendship, your open mind and your endless patience. Of course, as they say, behind every great man is a great woman and, Bill, I know that is certainly true in your case. I take this opportunity to wish you and Carolyn, together with your children and your grandchildren, many healthy and wonderfully happy years ahead.

Hon. Senators: Hear, hear!

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, given that Senator Rompkey has been such a strong supporter of parliamentary diplomacy, it is rather fortuitous that I am able at this time to draw your attention to the presence in the gallery of the Honourable Kenneth Marende, Speaker of the National Assembly of the Republic of Kenya, together with a delegation from that assembly.

On behalf of all senators, I welcome you to the Senate of Canada.

Hon. Senators: Hear, hear!

TRIBUTES

THE HONOURABLE BILL ROMPKEY, P.C.

Hon. Sharon Carstairs: Honourable senators, I rise today to speak of someone who was born as a Newfoundlander and chose to become a Canadian; a husband; a father; a grandfather; a teacher; a sailor; a member of Parliament; a cabinet minister; a senator; a government whip of the Senate; the Chair of the Standing Senate Committee on Fisheries and Oceans; the Chair of the Standing Committee on Internal Economy; the author of numerous books and articles; the writer of ditties — about which I will say a bit more — a singer; a pianist; and a tea drinker. This is Bill Rompkey in one sentence, a bad one, but nonetheless a sentence, though it does not do full justice to him who, as my colleague has said, is a very special human being.

I knew Bill peripherally as one does members of the other place, but it was only when he came to this place that I learned the full measure of the man.

When I became the Leader of the Government in the Senate, the Right Honourable Jean Chrétien asked me whom I would like to have as my whip. Without hesitation, I replied, “Bill Rompkey.” I wanted him because I knew of his dedication to making politics work with respect and dignity. I also knew that Senator Rompkey was well respected by his colleagues and that they would be hard-pressed not to do as he asked. I was also aware that he would bring with him Janice Marshall, who had been an integral part of his office both here and in the other place, and she, too, was equally dedicated.

It was through the hard work of Bill Rompkey that our pay and benefit packages were improved in the late 1990s. This is not widely known because others were more vociferous about it, but it was Bill working with the PMO that made it happen.

Apparently, Bill recently told the story of losing a vote soon after he became whip and, reportedly, I glared at him, and he then said that he never lost another. As Bill and I were both high school teachers, he knew what that teacher glare was all about.

There are many Liberal senators present who will recall the dinners we had for retiring Liberal senators on their departures. The highlight of each and every one of these events was the songs Bill would compose in their honour and which many of us would be delegated to sing.

As good, of course, were the desserts, which Carolyn always brought along.

Bill and Carolyn have been a true partnership throughout all aspects of Bill’s career; you simply do not get one without the other. John and I are very privileged to call them both friends.

Hon. Jim Munson: Honourable senators, Senator Bill Rompkey’s contribution to this country is, of course, manifold.

• (1420)

In tribute to him today I have chosen to shape my remarks almost solely around his contribution to the Senate study on the preservation and use of those great and guiding beacons, Canada’s lighthouses and their lightkeepers. As chair of the Standing Senate Committee on Fisheries and Oceans, Bill was determined to get at the heart of these issues. He described the importance of hearing from people whose lives are associated with lighthouses in this way:

If we don’t see people in situations where they are, we really can’t understand thoroughly what their life is all about and what their area is all about.

Throughout their history on our shores, lighthouses have assumed a distinct place in the hearts and memories of countless Canadians. They symbolize safe passage and are entrenched in our nation’s heritage. My great-great-uncle James Munson was a master mariner who, after surviving a wreck off the coast of New England, became a lightkeeper in Cape Enrage, New Brunswick, in the 1850s.

In the 1990s, three generations later, I worked as a reporter on a documentary about Machias Seal Island, a 15-acre island off the coast of the Bay of Fundy. It is the last disputed territory — it is

still disputed — near Grand Manan between Canada and the United States. It is also where Canada’s first lighthouse was built in 1832.

Bill has often referred to the role of lighthouses and their place in communities. On this tiny island I probed into exactly that, the connection between people and lighthouses, and know that it is real and worth understanding.

Bill is wise, kind and attentive to people. He never bears a grudge. This is quite an exceptional feat, particularly for someone who has enjoyed such a long career on Parliament Hill. These are among the best of human qualities. We are drawn to them and seek them out.

I first met Bill when I was a young reporter in the 1970s. He had just left provincial politics and was a new federal member of Parliament. Eventually, as has been said, he would become a member of Mr. Trudeau’s cabinet.

Bill has served Canadians well. So, too, has his commitment benefited the Liberal caucus, and not just during the heyday of the Liberal Party.

Following the 1984 election, when the Liberal seat count dropped from 135 to 40, Bill stood strong and kept Liberals hopeful and engaged. He repeated that message of hope this year, shortly after the May 2 election. It was a message Liberals needed to hear.

Here in the Senate, Bill has also been a beacon. His actions and approach consistently demonstrate that as long as we maintain respect and compassion for others, what matters to them and why, we are moving in the right direction.

I want to thank you, Bill, and your wife. I want to thank Bill for being the lightkeeper on this hill. You have been an excellent colleague and will always be a close friend. I look forward to hearing about the great things you will do in the future.

Hon. Dennis Glen Patterson: Honourable senators, being a relative newcomer to this venerable chamber, it has not often been possible for me to participate in tributes to departing colleagues, having known them for less time or less well than others.

However, I am eager to join the tributes to Senator Rompkey today because he has been a mentor, an inspiration and a good friend. It was as a new member of the Standing Senate Committee on Fisheries and Oceans that I met and worked with Bill in his last year or so in the Senate. Having worked closely with him as his deputy chair, I want to tell you all today what a great privilege and pleasure it was.

First, under Bill’s able chairing, the committee has done superb work, especially on the Arctic and its promise for Canada, including two reports. One was on fisheries in Canada’s waters, which have great promise in Nunavut and the Western Arctic, and the other was *Controlling Canada’s Arctic Waters: Role of the Canadian Coast Guard*.

The Arctic is a special, unique and cherished part of this great country and indeed is a crucial factor in the very identity of Canada. I consider Senator Rompkey to be an Arctic man, and

I say that as compliment. Some would say that the Arctic is defined as north of 60, but I believe that Labrador and Nunavik are an integral part of the Arctic. People of these regions share the same coast, the same challenges of remoteness, climate and, in the Inuit people, the same cultural and linguistic heritage.

It is sad that provincial boundaries have sometimes worked against the bonds that Arctic people share in Labrador, Northern Quebec and Nunavut. They have prevented people with common challenges and a common history and culture from interacting and supporting one another. However, men of vision see beyond these artificial barriers, and Bill Rompkey is such a man. As he stated on his Senate website:

The Inuit of northern Labrador are the most southern Inuit in the world, but they are brothers and sisters to the Inuit of Nunavut, Nunavik and Greenland.

His passion for the Arctic is reflected in the good work of the Standing Senate Committee on Fisheries and Oceans, both before and during my time on the committee. The committee's reports all stand as enduring testimony to Bill Rompkey's love of the Arctic and his keen understanding that the Arctic significantly defines our Canadian identity and, moreover, that it is in enlightened northern policies and strategies that our future as a great nation and a presence in the world lies. Bill Rompkey is a northerner and an Arctic man, and I greatly respect and salute him for that.

I want to pay tribute also to the spirit with which Bill Rompkey chaired our committee. While at times we encountered government policies that were short-sighted, if not wrong, under Bill Rompkey's leadership we never went down the path, in public or in private, of laying the blame on Conservative or Liberal policies or ministers. It was the government of the day we focused on, not its partisan character.

The truth is that bad government policies are often carried over from one partisan administration to the next. The party is often not the source of the shortcomings; it is simply bad policy sustained by inflexible bureaucracies. In my experience working with Senator Rompkey as chair of our committee, we never wasted any time on the blame game sometimes played here in Ottawa. This is greatly valued and cherished. This is how our committees do our best work.

The results are clear for all to see. One of the key recommendations in our committee's report on the Coast Guard was that, while Canada's sovereignty in the Arctic based on our occupancy and geography is clear, the key question is control of shipping in the Northwest Passage, especially with climate change and mineral development leading to increased shipping. The report pointed out that, while ships entering Canadian waters on the Atlantic and Pacific must report at check points with safety and security information, there was then no similar mandatory reporting in the Arctic. The committee report came out in December. By the following summer our government had acted to make NORDREG mandatory.

Then there was our Senate report *Seeing the Light: Report on Staffed Lighthouses in Newfoundland and Labrador and British Columbia*, which was first adopted by the Senate, with a response requested from the government, on March 21, 2011. Two days later,

[Senator Patterson]

on March 23, the report's key recommendation that de-staffing of lighthouses be halted on the east and west coasts was accepted and announced by the Department of Fisheries and Oceans. Two days later: That must be some kind of record for influence and action for a Senate committee.

[Translation]

Hon. Pierre De Bané: Honourable senators, I would like to join my colleagues in paying tribute to Senator Rompkey.

How can I sum up a parliamentary career that spans more than 38 years, including 22 in the House of Commons and 16 in the Senate? How, in just a few words, can I describe a man who was a member of Parliament, a parliamentary secretary, a minister, a senator, a government whip and a member of more than 20 Senate committees, 20 House committees and four joint committees? And that is only his parliamentary career. Senator Rompkey was a teacher, a principal, the first superintendent of education with the Labrador East Integrated School Board, an author and a lieutenant in the Royal Canadian Navy. If I were to list all of his great achievements, I would certainly run out of time.

The senator has deep roots in Newfoundland and Labrador.

• (1430)

[English]

I had the honour of serving with Bill Rompkey in cabinet, and he was also the minister responsible for Newfoundland. When he spoke about the people of his province and constituency, no one could be insensitive to the passion that he put into representing them.

When I had the honour to co-chair the Special Joint Committee on Canada's Defence Policy with the Honourable Senator Rompkey while he was in the House of Commons and I in the Senate, I learned so much about defence and how he felt so deeply about our forces, in which he had served.

I could talk on and on, but I would like to say that Senator Rompkey has particularly impressed me in terms of how he related to the constituents he served. It so happened that in those days I served as Minister of Regional Economic Expansion, which dealt very much with Newfoundland, and he was so eloquent.

Senator Rompkey, I want to tell you how much you moved me. You had a profound impact on me. Thank you so much for your dedication to our country, which you have chosen, and on behalf of the people of Newfoundland, whom you served with all your passion.

Hon. Fabian Manning: Honourable senators, it is indeed a privilege for me today to be given the opportunity to say a few words as we bid adieu to our colleague and friend Senator William Hubert Rompkey, better known as "Bill," as he retires from the Senate of Canada.

As a faithful follower of politics, especially in our home province of Newfoundland and Labrador, I have witnessed the long and fruitful career of Senator Rompkey. He has been around

the political arena for quite a while, first elected as a member of Parliament for Grand Falls—White Bay—Labrador, in 1972. As a note, I was 8 years of age at the time of Senator Rompkey's first election.

He was re-elected four times and, beginning in 1980, held the cabinet portfolios of National Revenue, Small Business and Tourism, Mines and Transport. Senator Rompkey was appointed to the Senate of Canada in 1995, representing Labrador.

For those of you who may not be aware, the people of our province refer to the region of Labrador as "The Big Land." With its abundance of rich natural resources, Labrador is a place of exceptional beauty and bountiful harvest, and it provides a place of great opportunity. As with all opportunities, they are usually accompanied by some powerful challenges, and I believe that dealing with the challenges that we have to face always brings out the true essence of a person.

Member of Parliament Rompkey, or Senator Rompkey, showed us time and time again that he would face those challenges head-on for the people of Labrador. Whether it was reaping the benefits of the development of the area's natural resources, or addressing the environmental issues that accompany any such development, or being involved in the construction and promotion of the Trans-Labrador Highway, or his service to the School of Music at Memorial University, or witnessing the struggles of the people living in a sparsely populated northern region of the country, or dealing with important issues concerning the Aboriginal people of Labrador, or addressing the concerns of thousands of individual constituents, Senator Rompkey became well known for his hard work, determination, pride and passion on behalf of the people of Newfoundland and, especially, Labrador.

My sister, Mary, who passed away at the age of 48 in June of 2000 from breast cancer, called Happy Valley-Goose Bay Labrador her home for 27 years. Many times I heard her comment in a very positive way about Bill Rompkey — "a true gentleman," she often said, and may I add that she always stressed the "gentle" part.

I believe I can honestly say that I echo the beliefs of many of the people of my province when I say that we are better off today in many ways because of the four decades of representation that Bill Rompkey has provided us.

When I arrived in the Senate, Senator Rompkey was one of the first to welcome me here and I have had the privilege to work closely with him as a member of the Standing Senate Committee on Fisheries and Oceans, on which he served as chair for many years.

Through my experience on the Fisheries and Oceans Committee, I witnessed first-hand the passion of Senator Rompkey that I mentioned earlier. There was never any rush to just get the job done. His main focus was to ensure that the job was done right, and may I happily add that he was a fair man in his role as chair.

Later this week, I will have the opportunity to present to the chamber a final report of the Standing Senate Committee on Fisheries and Oceans, dealing with staffing of lighthouses in

Canada. It was under his guidance that the committee produced this in-depth report. I am most proud to be following in Senator Rompkey's footsteps as Chair of the Standing Senate Committee on Fisheries and Oceans.

Friends, Senator Bill Rompkey has served our province, and indeed this great country of Canada, extremely well for 40 years. He has left his mark, from the small community of Belleoram in Newfoundland, to North West River in Labrador, and most certainly in the halls of power here in Ottawa.

Upon receiving an honorary degree in the year 2000 from Memorial University of Newfoundland and Labrador, where he had received an education degree 43 years earlier, in 1957, Senator Rompkey remarked about the Island of Newfoundland and the Big Land of Labrador. He said, "There is more that unites us than divides us." How true that statement surely is. Today, here in the Senate of Canada, which can be very divisive at times, we on both sides stand united in saying thank you to Senator Bill Rompkey for his years of service to Newfoundland and Labrador and to Canada.

We wish you and your lovely wife Carolyn, and your family, all the best in the future, which I hope will always be as bright as the Northern Lights of Labrador.

[*Translation*]

Hon. Rose-Marie Losier-Cool: Honourable senators, I would also like to say goodbye to a dear friend and respected colleague, our beloved Senator Rompkey. As so many honourable senators have pointed out, during his long political career from 1972 to 2011, Bill Rompkey always worked tirelessly for the people he represented and for his beautiful region. He always did so with a smile, for he is cheerful and courteous, two qualities that are increasingly rare in politics.

[*English*]

I am particularly reminded of the two very rewarding years I spent as a member of our government leadership from 2004 to 2006. Senator Rompkey was our deputy leader, Senator Jack Austin was our leader, and I was the government whip.

[*Translation*]

A perfect ménage à trois, you might say!

[*English*]

So well-tuned, so smooth, so successful. It was in no small part thanks to Senator Rompkey that Senate business unfolded so well in those days, and I am grateful for having been a part of that memorable team and having been a part of his choir.

[*Translation*]

I would also like to congratulate Senator Rompkey on having been a member of the best profession there is before he entered politics, for, like me, he was once a teacher. That profession probably allowed him to have a lifelong influence on many lives and in a way that was much easier than in politics.

My dear friend Bill, please know that we miss you a great deal already. And I hope the magnificent scenery of your beloved province will not make you forget us too quickly.

[*English*]

As they say so well in Newfoundland and Labrador: Enjoy. Enjoy good health and happiness for many, many years.

Hon. Hugh Segal: Honourable senators, on behalf of the men and women who wear the dark blue of the Royal Canadian Navy, I simply want to say a word in tribute to the tremendous work on behalf of the navy — in this place, in committee and across the country — that Senator Rompkey has contributed in a selfless, devoted, always humorous and determined fashion. While the government deserves the credit for the changes that were made so that our naval services do not sound in their official nomenclature like a small Nova Scotian insurance company but actually as what they were and have become, the Royal Canadian Navy, that process was begun when Senator Rompkey, in a modest conspiracy across the floor, decided to introduce a motion that would allow the insertion of the word “Canadian” into the naval official nomenclature to become part of the discussions before the committee so ably chaired by Senator Wallin.

• (1440)

Today, as the proud men and women of our naval forces around the world now understand the respect in which they are held by this place, by the government and by all parties, no one but our retiring friend deserves more credit for that. It would be a mistake if we did not point that out on this important day.

I am certain that retirement does not mean that he will stand down in the military sense. I know that his wife has reminded him on several occasions that “love, honour and obey” does not include lunch. He will have to be out of the house every day, and in those hours of service I know this country will benefit from him for many years to come. God bless.

Hon. David P. Smith: Honourable senators, I rise to pay tribute to Senator Rompkey. I have been honoured to serve with Bill in both Houses of Parliament: in the House of Commons, going back more than 30 years; also in the cabinet of Pierre Trudeau; and in the Senate for the last nine years.

Bill is a gentleman, truly. There are a few left; some are even here. I will not say how many, but whatever the number, there will be one less because of your departure, Bill.

You have been a good and effective parliamentarian in every sense — in the Commons, in the cabinet, in caucus, in the Senate, and in making democracy work in general. You are also an educator, a scholar, an academic and an accomplished author. You are warm; you are friendly; you smile great smiles and they are genuine.

With regard to your writing skills, I actually read your book on Labrador, not because I had insomnia but because I like history, especially Canadian history. It was a great book.

[Senator Losier-Cool]

Given your interest in lighthouses, I was flirting with the idea of singing to you that old gospel song, “I thank God for the lighthouse,” but I will spare you.

Bill, you are already missed. You are a role model for both current and future parliamentarians. I wish you, Carolyn and all of your family all the best in the next chapters of your life. I hope you will write quite a few chapters, and I am sure they will be some good, my son.

Hon. Joan Fraser: Honourable senators, it is very hard to speak in tribute to one of the most eloquent speakers who has graced this chamber. Senator Rompkey’s voice and the lyricism with which he could evoke those subjects that mattered to him will not soon be forgotten; nor will we forget, as so many have said, the songs he had us sing. “The Singing Senators,” with our aging, quavery, creaky, out-of-key voices nonetheless welded into a group that, thanks to Senator Rompkey, had a wonderful time singing.

We shall not forget his kindness or that wonderful smile. No matter how bleak the occasion, he could muster up a smile. On the very, very bleakest, he would smile perhaps a slightly smaller smile and say, “Are we having fun yet?” That was as close as he would ever get to conveying anything other than joy at being here with us.

He also conveyed passion — passion for the people, the history and the land of Newfoundland and Labrador; and passion for the military people and their history.

I thought a lot about you in June this summer, Senator Rompkey, when I was with a delegation to mark the ninety-fifth anniversary of the Battle of the Somme. On July 1, we were at Beaumont-Hamel and we wept. A couple of days later we were at Gueudecourt, where the replenished Royal Newfoundland Regiment, just three months after Beaumont-Hamel, had scored spectacular success, and we sort of wept again; but then all the people in that delegation who were Newfoundlanders spontaneously gathered and sang the *Ode to Newfoundland*. I thought about you because you would have been so proud of them. They were the people you have represented here — military people, civilian people, passionate people who believed in their country, worked for their country, faced danger for their country and sang for their country. You did all those things, and you brought us joy as you did.

Then, of course, there is the wonderful woman that my husband refers to as Madam Rompkey. I do not know how many times I have heard him say: “Oh, there is a spouse’s event.”

[*Translation*]

Will Madam Rompkey be there? Because I will definitely go if she is there!”

[*English*]

She is a wonderful woman. She has a wonderful husband. We are so grateful that we have had the chance to know you.

Hon. Elizabeth Hubley: Honourable senators, today we pay tribute to a senator who was known throughout his career not only for his vast knowledge and leadership abilities, but also for

his genuine warmth and friendship. It has been a great pleasure for me to have known and worked with Senator Bill Rompkey over the past 10 years. I am delighted to rise today to offer him my appreciation and best wishes.

Senator Rompkey and I served together on the Standing Senate Committee on Fisheries and Oceans, and it was here that I really came to know and deeply respect him. As chair of the committee, Senator Rompkey had a reputation for expertise and enthusiasm. I was always impressed with his ability to ask the right questions of the right people. He had a profound understanding of the issues, which I think came out of his connection to his home province of Newfoundland and Labrador.

The fact that Senator Rompkey never forgot where he came from and always represented his home with pride and dedication is, perhaps, indicative of his long and successful career in Ottawa. Senator Rompkey wrote two books about Labrador and was a tireless champion for the region's people, resources and natural beauty.

Senator Rompkey's welcoming and open personality meant that he was often approached to participate in charitable events. I have always appreciated his contribution to the Canadian Landmine Foundation and fundraising to eradicate land mines, but more than anything I was grateful for his involvement in our group, "The Singing Senators." It was thanks to Senator Rompkey and his wonderful voice that we were invited to sing on more than one occasion.

Senator Rompkey, I wish you, Carolyn and your family all the best in your retirement. Good luck.

Hon. Marie-P. Poulin: Honourable senators, it seems like only yesterday that the Honourable Bill Rompkey and I were sworn in as senators on September 21, 1995. Along with two others in that cohort of four, we dubbed ourselves as the Class of '95, although there had been two other appointments earlier that year.

That September cohort has all but graduated — Doris Anderson, Lorna Milne and now Bill Rompkey. By default, I am the only survivor. I am glad to say that it is age and not ability that is holding me back.

I look back at the Class of '95 with affection and on Bill Rompkey in particular. We not only became close workmates but fast friends. From the beginning of our association in the Senate, I recognized in Bill what every speaker is noting today: warmth and gentleness that is matched by humour, intelligence and knowledge.

• (1450)

Yes, what I saw in Bill as early as 1995 was a man committed to public service, with the emphasis on service.

Bill, you dedicated your life to Newfoundland and Labrador, its people, its places, and its issues. We saw the enthusiasm with which you served the people as a parliamentarian here in the Senate, as a member in the other place and as a minister. We

witnessed the astuteness with which you fought for the issues that your people cared about. We read the books that you wrote telling readers about the places you love in Newfoundland and Labrador.

I also discovered the respect and admiration your former students still have for you. Some moved on to become Rhodes Scholars, and others are well respected television personalities.

Many of us have had the pleasure of listening to you play the piano, Bill, and when that happens all we want to do is sing and dance.

That is actually what the Honourable Bill Rompkey has been doing for the past 50 years. He makes people feel good about who they are.

Honourable senators, we are losing more than a colleague in this chamber of sober second thought. We are saying "well done" to a rare renaissance man, a Canadian from Newfoundland and Labrador who has demonstrated the courage of his convictions.

May you and Carolyn enjoy your next projects, Bill. Permit me, as the last member of the Class of September '95, to congratulate you as you graduate from this institution *summa cum laude*. Good luck, dear friend.

Hon. Michael Duffy: Honourable senators, we have heard a catalogue of the excellent attributes that Senator Rompkey possesses, and I want to associate myself with all of those, as does my colleague Senator MacDonald from Cape Breton, who is terribly shy and retiring today, which is a bit unusual.

Back in 1972, I arrived on Parliament Hill at the same time as the class of that fall election in 1972, along with Senator Munson. We were all green as grass and we all had a lot to learn. The Senator Bill Rompkey whom we see in the gallery today is the same young man — generous, interested in others, giving, caring and marked for greatness.

We will miss you here. I salute you going all the way back to 1972, my friend. You are a true, great Canadian.

[*Translation*]

Hon. Pierrette Ringuette: Honourable senators, I would like to join all the senators who have paid such wonderful tributes today to a remarkable man from Atlantic Canada.

I met Bill when I arrived on Parliament Hill in 1993. He was a member of the Atlantic caucus, and he was already showing how he could bring people together, muster efforts and achieve results.

A little later, upon my arrival in the Senate, I saw Bill in a different light. And I believe that each one of us today who has spoken about our colleague would say that there is one word that sums up Bill: harmony — harmony on committees, harmony in this chamber and, on a personal note, the harmony of an extraordinary voice.

[English]

Bill, the Singing Senators will not have an act anymore, because your harmony will be missing. We will miss you dearly. I hope that you will have a happy retirement with your lovely wife, your children and grandchildren. I hope that you will stay active to defend the causes that you have always espoused as a true Canadian. Thank you, Bill.

Hon. Senators: Hear, hear!

[Translation]

ROUTINE PROCEEDINGS

COMMISSIONER OF THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

OCTOBER 2011 REPORT TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table, in both official languages, the October 2011 report of the Commissioner of the Environment and Sustainable Development of Canada, in accordance with subsection 23(5) of the Auditor General Act.

THE SENATE

COMMITTEES AUTHORIZED TO MEET DURING SITTING OF SENATE

Hon. Claude Carignan: Honourable senators, with leave of the Senate, I move:

That, if the sitting of the Senate is suspended today pursuant to rule 7(2), committees scheduled to meet today be authorized to meet from the time of the suspension and for the remainder of the day even though the Senate may then be sitting, with the application of rule 95(4) being suspended in relation thereto.

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.)

NOTICE OF MOTION TO ESTABLISH NATIONAL SUICIDE PREVENTION STRATEGY

Hon. Dennis Dawson: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Senate agree that suicide is more than a personal tragedy, but is also a serious public health issue and public policy priority; and, further, that the Senate urge

the government to work cooperatively with the provinces, territories, representative organizations from First Nations, Inuit, and Métis people, and other stakeholders to establish and fund a National Suicide Prevention Strategy, which among other measures would promote a comprehensive and evidence-driven approach to deal with this terrible loss of life.

[English]

QUESTION PERIOD

INDUSTRY

2011 CENSUS

Hon. James S. Cowan (Leader of the Opposition): Honourable senators, my question is for the Leader of the Government in the Senate. It is prompted by the question she was surprised by yesterday from Senator Tkachuk with respect to the census.

Yesterday the leader said that the response rate to the National Household Survey this year was 69.3 per cent. She said that this response was better than that achieved in 2006 with the mandatory long-form census.

To clarify the record, according to Statistics Canada, the response rate to the 2006 Census was 94 per cent. That is a lot better than 69.3 per cent.

• (1500)

The government may have surveyed many more homes and received more forms, but we are looking at a significantly lower response rate. Any statistician would say that it is the response rate that is critical.

Apparently, even the 69.3 per cent, low as it is, is not accurate either. According to a Canadian Press article of July 7, census workers were instructed to accept National Household Surveys with as few as 10 of 84 questions answered. Can the leader provide us with information as to how many of those of the 69.3 per cent fully completed the National Household Survey?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, the figure that I quoted yesterday of 69.3 per cent on the voluntary long-form census is correct, and the number of households responding was significantly higher than that on the mandatory long-form census. I believe the statistics Senator Cowan refers to relate to the mandatory census form. The numbers this year were extremely high, as they were in previous mandatory short-form census data.

Senator Cowan: The leader will understand why I perhaps prefer the opinion of the national statistician on this, rather than her own view. The report was that it was 94 per cent in 2006. The figure the leader used yesterday was 69.3 per cent.

Perhaps the leader would take the question under advisement, clarify those figures and report to the Senate. Let us assume that 69.3 per cent is correct. Can the leader provide a breakdown of that response rate by specific questions?

[Senator Ringuette]

If 100 per cent of the respondents counted in the 69.3 per cent sent in fully completed surveys, then indeed there was a 69.3 per cent response rate. However, if everyone who was counted in that 69.3 per cent completed 10 questions out of 84, then the real response rate is not 69 per cent but something under 10 per cent.

The reality, I suspect, would be that it is somewhere in between 69.3 per cent and 10 per cent. Parliamentarians and Canadians will have to rely on this data for decisions they make with respect to the location of hospitals and schools and the allocation of all kinds of scarce resources, not just by the federal government but also by others levels of government and nongovernmental organizations. They need to know precisely how accurate this data is.

That is the reason why I ask if the leader will obtain, from the government and the agencies involved, the breakdown of the 69.3 per cent, so that we can see how many questions were answered and so that Canadians can be assured that the data they are asked to rely on is accurate. Your government has assured us that it will be at least as accurate as before and, perhaps, more reliable. Canadians need to have this information and to understand the nature of it.

Will the Leader of the Government provide an undertaking to this house to obtain and table that information?

Senator LeBreton: Canadians are law-abiding citizens. They know the short-form census is mandatory. They abided by the law and filled it out. The response rate was in the 90 per cent range.

Yesterday, in my answer to Senator Tkachuk, I was referring to the now voluntary long-form census. I think it was reported that Canadians can give themselves a pat on the back for their very high response rate to the long-form census, 69.3 per cent. It was not mandatory.

Last year we witnessed all the hysteria about the government respecting the privacy of Canadians. The suggestion that Statistics Canada officials were instructed to accept the long-form only if whatever number of questions were answered was part of that hysteria. All I can say is that StatsCan has said — and this is not the government talking — that the National Household Survey will yield useful and usable data that will meet the needs of users of this information.

Senator Cowan: I am not complaining about the people who completed the survey. What I am complaining about, and what I complained about last year, was the suggestion made by us and many experts that this information would not be as reliable as the information obtained under the mandatory survey. The government assured honourable senators that more Canadians would complete this survey now than when they were required to do it. The fact is, 94 per cent completed the mandatory survey, and the government figure was 69.3 per cent. One is clearly high.

An Hon. Senator: You didn't listen to the answer.

Senator Cowan: The Honourable Senator LeBreton did not listen to the question. It is not a question of me not listening to the answer; she did not listen to the question. Would the leader take

this matter under advisement and report back to the house the response to the question I asked?

Senator LeBreton: The figure the honourable senator is using is the response to the mandatory short-form census. I am referring to the voluntary long-form census. As I have said in this place many times, I had great faith that Canadians would fill out the voluntary long-form census. Obviously everyone filled out the census forms that were sent to all households at a very high rate, which is traditionally what Canadians do.

What I am saying is that Canadians filled out the now voluntary long-form census to the degree of 69.3 per cent. StatsCan says that this voluntary long-form census will yield credible and useful information.

I will take the honourable senator's question as notice. However, I am quite sure that if people were filling out the long-form census, then they would not fill out two or three questions and send in the form. They would fill out the whole form.

[Translation]

FOREIGN AFFAIRS

RESPECTING LINGUISTIC DUALITY

Hon. Maria Chaput: Honourable senators, my question is for the Leader of the Government in the Senate.

Last week, I raised serious concerns about the fact that Mr. Persichilli, a man who until recently wrote anti-French comments in his newspaper column, is now the Prime Minister's director of communications.

Now, this week, the Minister of Foreign Affairs and International Trade has decided to have business cards printed in English only. I would like to repeat my question: what message is the government trying to send to Canada's francophone communities when the Prime Minister's main spokesperson feels there are too many francophones in Ottawa and Canada's main spokesperson abroad refuses to include one of Canada's two official languages on his business cards?

[English]

Hon. Marjory LeBreton (Leader of the Government): I hope, honourable senators, that I made it clear last week when I answered the question that the opinions expressed by Mr. Persichilli in the *Toronto Star* column are not reflective of the government or of the Prime Minister. In fairness, Senator Chaput, I would ask you to read the column. The way it was interpreted was much more severe than what he actually said in the column. Having said that, I am not in any way defending his position as a columnist. The Prime Minister is a friend of Quebec. He is a friend of the francophone language and community. He has proven it in many ways, such as recognition of the Québécois nation, the fixing of the fiscal imbalance, the granting to Quebec of a place at UNESCO, the announcement last Friday regarding the harmonized sales tax, and the announcement today about the Champlain Bridge.

• (1510)

Honourable senators, the government's absolute adherence to the Official Languages Act and linguistic duality is reflected in everything the Prime Minister does and every word he utters. Mr. Persichilli is a very solid Canadian citizen and very qualified in communications. He has taken up the position of communications director in the Prime Minister's Office. Other people have been hired in the Prime Minister's Office and are mindful and concentrating on matters of linguistic duality and Quebec.

With regard to the business cards of the Minister of Foreign Affairs, that is again an example of relying on information in the newspaper. As I reported to the chamber yesterday, Minister Baird's business cards are printed in both of Canada's official languages.

Some Hon. Senators: Oh, oh!

Hon. Pierre De Bané: Honourable senators, I wish to ask the Leader of the Government in the Senate a question.

The Federal Identity Program, the FIP, was created 42 years ago in 1970, and was complemented in 1974, 1976, 1978 and several times since. The whole purpose of the FIP is to ensure that all departments and agencies present the graphics, image and values of the Government of Canada in a consistent and coherent way, without exception. No one is allowed to disregard the guidelines issued under the program.

One of the fundamental characteristics of the program is that it rejects the idea that Canada's two official languages are equal but separate. When communicating with the public, whether Canadian or foreign, both languages must appear on all documents and signs that identify the Government of Canada and its officials, departments, institutions, et cetera.

Never before has a minister of the Crown printed different English, French and bilingual business cards at taxpayers' expense, despite warnings from his own department that he was violating FIP guidelines.

As honourable senators know, every time a senator has asked the Senate printing office to print business cards in one language, the request was politely declined. They have to be in both official languages.

The minister that is mandated to showcase the image of Canada abroad is the only minister to have violated the FIP in 42 years.

The leader may answer me by saying yes or no to the following question: Will she give this house the assurance that she will recommend to the minister that he throw away those unilingual business cards, reimburse taxpayers the cost of printing the cards, and follow the example of the Prime Minister of this country who complies to the letter and the spirit of the Federal Identity Program? Yes or no?

Senator LeBreton: My answer is exactly the same as my answer to Senator Chaput. The business cards of Minister Baird, the Minister of Foreign Affairs, are printed in both of Canada's official languages.

[Senator LeBreton]

PUBLIC WORKS AND GOVERNMENT SERVICES

NAMING OF FEDERAL BUILDINGS

Hon. Pierre De Bané: Honourable senators, Prime Minister Harper has said that Canadians do not like their government to take them by surprise. Last week the Government of Canada decided to name a building in Ottawa after former Prime Minister Diefenbaker due to his eminent services to our country. Years from now, Canadians would be surprised and offended if the Government of Canada decided to ignore the tribute that was given to former Prime Minister Diefenbaker last week in honouring him by giving his name to a building.

How ironic and cynical that the government that made the announcement honouring Prime Minister Diefenbaker has decided to downplay the identity of the building that housed the headquarters of the Department of Foreign Affairs and was named years ago after former Prime Minister Mike Pearson. Mr. Pearson was the deputy minister of that department, minister, Prime Minister, Nobel Peace Prize winner, President of the General Assembly of the United Nations and played a critical role in the resolution of the Suez Canal crisis. Now the department is emphasizing the postal civic address and skipping the name of the department.

How is it that a government that names a building after former Prime Minister Diefenbaker finds it totally abnormal to recognize another distinguished Prime Minister of Canada whose name was given to that building so many years ago? People are not only surprised, they are offended. To do those two things at the same time shows the pettiness, the nastiness and the meanness of this government.

Hon. Marjory LeBreton (Leader of the Government): Is Senator De Bané suggesting that people in this country should be offended by naming a building in honour of the Right Honourable John George Diefenbaker?

Senator De Bané: It is exactly the opposite.

Senator LeBreton: The honourable senator outlined the many successes and the many ways to honour Lester Pearson by mentioning he was Prime Minister, Deputy Minister of Foreign Affairs and a Nobel Peace Prize winner. He might wish to know for historical fact that Mr. Diefenbaker played a very significant role on the international stage. As a matter of fact, Mr. Diefenbaker attended the League of Nations meeting which was the forerunner to the United Nations being established. Mr. Diefenbaker was there and led the charge against apartheid in the Commonwealth.

• (1520)

Therefore it is very fitting that the building at 111 Sussex Drive be named the John G. Diefenbaker Building, just as it is fitting that another building and the major airport in the country were named some time ago after Lester B. Pearson.

I fail to grasp the intent of the honourable senator's question. We have in no way minimized the significant contribution made to this country and in no way undermined the historical references

to Lester B. Pearson. It was not a surprise when we named the building after Mr. Diefenbaker. It was announced in the media and press notices were sent out.

I was honoured to be the master of ceremonies of the event. There were many people there, and I think it is a very fitting tribute to a great prime minister — a tribute far too long in coming.

Senator De Bané: Honourable senators, I think the leader did not listen to me. I said the government was justified in naming that building after former Prime Minister Diefenbaker for his eminent services to our country. If, by a big mistake, one day in the future a Canadian government tried to ignore that tribute by downplaying the naming of that building, that would offend the Canadian public. That is what I said.

When I said that, I added that it is quite surprising that at the same time we did that — and I concur with that decision — we decided to downplay the naming of the headquarters of Foreign Affairs by emphasizing from now on the civic postal address of that building on Sussex Drive, skipping the name that was given to it.

I fully agree with the naming of a major building in honour of former Prime Minister Diefenbaker. I am saying that at the same time we have decided to downplay the other one. I see that as quite mean and petty and not honourable of the government.

Senator LeBreton: Honourable senators, I do not see any evidence of that anywhere. As for the honourable senator's supplementary question, these news stories might have mentioned the name of the building in the address. I saw one news story that said it was one of the very few business cards that actually mention the building. For example, my business card does not say "Parliament Buildings."

In any event, I wish to assure the honourable senator that there was no effort, nor will there be any, on the part of our government to downplay the significant role of any great Canadian who has made a contribution to this country. As a matter of fact, one of the things I am proudest of about our government is that we are making sure that Canadians understand the contributions many great Canadians have made to this country.

We are going through a process of ensuring that Canadians are aware of our history, including the many Canadians, men and women, who contributed to the building of this country. No one in the government would in any way be party to undermining the great contribution of the Right Honourable Lester B. Pearson.

ABORIGINAL AFFAIRS AND NORTHERN DEVELOPMENT

REGULATORY REFORM

Hon. Nick G. Sibbeston: My question to the Leader of the Government today deals with regulatory reform in the Northwest Territories.

In the Northwest Territories, lands and resources is a complex issue because it is not just Crown land; it is lands that are owned by First Nations, and the territorial government is also there. In recent years, the federal government has taken some initiative in streamlining, simplifying and making more efficient the regulations that govern land use, environmental matters and approval for economic projects.

A number of years ago, Mr. McCrank, from Calgary, produced a report dealing with the matter. More recently, John Pollard, from Hay River, studied the matter. Both of them have provided reports to the government and the minister.

I would like the government leader to confer with Minister Duncan and tell him that the matter of regulatory reform in the North has been studied and reported on. What northerners need now is a decision. Will you please tell the minister to hurry up?

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for the question. I very much appreciate his question and the detail it provided.

I will be very happy to communicate his request to the minister. I do not know how far I would get by telling people to hurry up, but I will be happy to seek direction from the minister as to the status of these files.

AGRICULTURE AND AGRI-FOOD

CANADIAN WHEAT BOARD

Hon. Robert W. Peterson: Honourable senators, my question is for the Leader of the Government in the Senate.

The government keeps claiming that they are not dismantling the Canadian Wheat Board, only giving farmers marketing choice. However, the key asset — indeed, the only asset — the Canadian Wheat Board has is its single-desk authority, its unique single-desk ability to price discriminate, which means getting the top price in each individual market, not the lowest common denominator in every market.

Without it, there is not much point in having a Wheat Board. There is no halfway. You either have a single desk or you have an open market, period. How is the Canadian Wheat Board supposed to function with no single desk, no capital base and no grain handling facilities?

Here is what the chair of the Canadian Wheat Board said:

We have been very clear with the federal government that the CWB cannot transition from its current marketing structure to any other type of company without an infusion of significant operating and financing capital, regulated access to terminals, assistance in an ownership structure, and other measures to safeguard a fledgling company in its formative years. . . . Minister Ritz has said he wants a strong and viable organization.

Then it is time to share his plan for achieving that goal. Otherwise, with no money, no assets and a complete dependence on competitors to even accept deliveries, any new entity cannot be "strong and viable."

Is your government prepared to provide the Canadian Wheat Board with regulated access to terminals and shipping facilities and sufficient financing capital?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, it has been clear for quite some time that the government intends to give Western grain growers marketing choice. We do not believe in the monopoly. Marketing choice means they will have the choice of selling their grain directly or through the Canadian Wheat Board.

When you boil it all down, honourable senators, as a government we believe that markets need certainty and farmers need freedom of choice.

Senator Peterson: If you give Western farmers the right to market their own grain, will you also be providing producers in supply management the same opportunity? If not, why not?

Senator LeBreton: I have answered that question before. The government is committed to our supply management system.

With regard to the grain producers, we are providing freedom of choice. We ran on it; it is clear the farmers support it; and we simply want to ensure that farmers in the West have the same marketing choice for their grains that farmers in Ontario do.

ANSWER TO ORDER PAPER QUESTION TABLED

INDUSTRY—CANADIAN RADIO-TELEVISION AND TELECOMMUNICATIONS COMMISSION

Hon. Claude Carignan (Deputy Leader of the Government) tabled the answer to Question No. 2 on the Order Paper by Senator Downe.

• (1530)

ORDERS OF THE DAY

BAHA'I PEOPLE IN IRAN

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Jaffer calling the attention of the Senate to the deteriorating human rights situation of the Baha'i people in Iran.

Hon. Hugh Segal: Honourable senators, I rise today to speak to the inquiry placed on the Order Paper by the Honourable Senator Jaffer with respect to the circumstances faced by Baha'i citizens in the Islamic Republic of Iran.

The lessons of history are not prisons that shape our choices. However, if and when those lessons are ignored, we give the worst of history, its most horrific and criminal excesses the best chance

to repeat themselves at the expense of all humanity. It is in this precise context that we must look at the Islamic Republic of Iran and its treatment of its Baha'i citizens with a frank and cold eye. We must do so with the highest regard for Iran's history, civilization and culture and with nothing but the greatest respect and regard for its people, who have the same right to freedom, economic opportunity and happiness as we have. We must also look carefully and with clarity at events within Iran, the way that government acts, its designs on genuine democrats at home and its explicit oppression of minorities within its own borders.

I will not dwell on its a historical and essentially genocidal view and purpose with respect to the Republic of Israel, not because its stance is in any way sane, but because whipping up anti-Israel hysteria and hatred has been the truck and trade of most despots, extremists, religious charlatans, dictators and other anti-Semites over the breadth of history — not only in the part of the world that Iran seeks to dominate but also elsewhere. In recent times, forces of darkness in locations as diverse as Venezuela and Malaysia have embraced this age-old and tiresome game. Going with the flow in the face of this is a reprehensible lack of spine, but as a general practice when it comes to hating Jews and Israel, it is counted upon by the common currents of fascism, communism and all the extremes on the flanks seen in many political histories. Few countries have been completely immune in the East or West, Christian, Islamic or non-denominational worlds. That excess on the part of the Islamic Republic's supreme religious, political or Revolutionary Guard leadership is, since the days of the end of the reign of the Shah in 1979, not particularly unique, however loathsome and disreputable.

What is new and horrific is what has been done to imprison, oppress and intimidate the proponents of the Baha'i faith within Iran. Any government that would employ its hired revolutionarily guards to mow down its own citizens, who simply desired a fair count of the votes in the last general election, is capable of anything. What they have done to Iranians of the Baha'i faith speaks to the essential inhumanity and embedded intolerance that typifies this particular Iranian government's distorted view of Islam and the manipulation of the most extreme interpretations of the Quran for its own narrow political and oppressive purposes.

History tells us something here which President Ahmadinejad and the al-Quds Brigade of the Revolutionary Guard cannot wish away. If you would oppress and kill your own people in large numbers because of their politics and religion, then when the opportunity comes to do the same in neighbouring countries or throughout a region where people of different politics or religion would oppose your domination, it is even easier for you to oppress or kill foreigners. Mr. Stalin and Mr. Hitler taught us that decades ago.

It is time that we cease the hopeful view that the Islamic Republic of Iran's present administration is but a brief eccentric event in what should be a peaceful and constructive force in the politics of the world and its own region. There is not a shred of evidence that a truly democratic election with a truly democratic outcome will be allowed to transpire. Mr. Hitler was elected fair and square in 1933 under the then rules of the Weimar Republic. That was the end of free elections until the post-war Federal Republic of Germany, which followed a world war that destroyed much of Europe and killed in excess of 50 million human beings.

[Senator Peterson]

Am I suggesting that the oppression of Iranians of the Baha'i faith by the present government, combined with the repression of democratic forces and the subversive and well-funded Iranian activity to destabilize Lebanon, Palestine, Syria and Iraq constitute a similar existential threat to large parts of the world's population? Yes, honourable senators, that is precisely what I am suggesting.

Our duty, as allies of various partners in the region, including Sunni Arab states or our Turkish NATO allies, including the people of Lebanon, Palestine and Israel, who seek the freedom to make their own decisions about their own countries and futures, is to be clear and outspoken about what evil and malevolent intent guides the present leadership of the Islamic Republic of Iran. To ensure that in every way at all levels, with our allies and with respect to our geopolitical interests, we are preparing for and planning all that may be necessary to contain this vile and sadistic administration. This aggressive and inhumane administration, if unchecked and unpunished for every excess and inhumanity, will be the cause of a third world war as sure as we serve together in this upper chamber this afternoon.

What is necessary here is not just the reactive contact group's continuing best efforts on some measure of nuclear restraint and international inspection. Canada's new office of religious freedom should join with other similar units around the world to promote a collective course of action on behalf of the Baha'i faith community in Iran and erect a series of serious challenges in different bodies around the world for the Iranian government to face. This should be known as the Baha'i sanctions so that our Iranian friends understand precisely our collective humanitarian and principled intent. Religious oppression is always the first and most consistent instrument of the tyrant; failing to engage it directly only feeds the beast.

It goes without saying that Canada's military, intelligence, diplomatic and other networks at home and abroad should be focusing on the granular threats posed by various Iranian forces around the world. These include places like Afghanistan, Iraq, Lebanon and Palestine. We must work with friendly military, diplomatic and intelligence forces amongst our partners in the Middle East, Europe and Asia, who have diverse relationships with the Iranians, in order to achieve a coherent and concerted effort to frustrate the wilful domination of the region and a world that depends on that region by the Republic of Iran's leadership. I leave the specific measures, dynamics and aspects of that joint initiative and plan for defence and engagement to the experts in uniform and the various military, diplomatic and clandestine services around the world. I say simply that we must all prepare now, and we must all do our part.

Canada, among other nations, has walked out of and boycotted meetings where President Ahmadinejad has spewed his hateful and vile discourse, one that defiles the United Nations by its presence and despoils the wondrous and culturally heroic and rich history of the Persian people, for whom this warning that I offer today diminishes in no way my respect and affection.

• (1540)

It would be a good thing if our foreign minister urged his colleagues across the civilized world to join him in calling in the respective Iranian ambassadors in those capitals to deliver the very

same stern message about the way the Baha'i faithful have been treated. We should advocate that a series of "Baha'i sanctions," new, precise and impactful, be imposed universally by countries of good will and common humanitarian belief.

This did not happen to the Germany of the 1930s. A world then beset by economic uncertainty and serious impacts of a calamitous depression looked the other way as the oppression, imprisonment and extermination of minorities within Germany first, then amongst its neighbours, then through all of Western and Eastern Europe proceeded. When engagement finally came with the United Kingdom and its Commonwealth allies, including Canada, standing alone against the Germans between 1939 and 1941, and the Americans and Russians entered alongside after being attacked themselves, millions had already died, and the machines of war and extermination were well launched, to the utter expense and horror of humanity for generations and decades to come. This is what we must act now to prevent.

The suffering heaped on our Baha'i friends is neither isolated nor peripheral. It is systematic and brutal, especially when the Baha'i are known as a peaceful faith that embraces the sanctity of all religions. The official Iranian oppression of Baha'i is more than the canary in the mineshaft. It is a clarion call to humanity and to free peoples and democracies everywhere to look directly at the harsh colours of the Iranian reality and not look away until the challenge is faced head on.

(On motion of Senator Tardif, debate adjourned.)

ABORIGINAL CHILD WELFARE SYSTEM

INQUIRY—DEBATE ADJOURNED

Hon. Sharon Carstairs rose pursuant to notice of June 23, 2011:

That she will call the attention of the Senate to the Report of the Auditor General specifically with respect to the Aboriginal Child Welfare System.

She said: Honourable senators, last spring I brought to the attention of this place the number of Aboriginal children in care in my province. I subsequently have learned that there are now more Aboriginal children in care throughout this country than the number of children who in total attended residential schools. This should cause all of us to look at this matter very carefully.

Perhaps a good place to start would be to look at the June 9, 2011 report of the Auditor General and to examine the concerns that she raised with respect to Aboriginal children on reserves. Let me quote directly from that report. She said:

It is clear that living conditions are poorer on First Nations reserves than elsewhere in Canada.

She said:

In our view, many of the problems facing First Nations go deeper than the existing programs' lack of efficiency and effectiveness. We believe that structural impediments

severely limit the delivery of public services to First Nations communities and hinder improvements in living conditions on reserves. We have identified four such impediments:

- lack of clarity about service levels,
- lack of a legislative base,
- lack of an appropriate funding mechanism, and
- lack of organizations to support local service delivery.

She went on to say that the reason for lack of clarity about service levels was because the federal government has not clearly defined the type and level of services it supports.

As to a lack of legislative base, the Auditor General states that the federal government has often developed programs without establishing a legislative or regulatory framework for them.

As to a lack of an appropriate funding mechanism, the Auditor General has stated that there is uncertainty about funding levels.

As to lack of organization to support local service delivery, she stated there were few organizations to support service delivery within First Nations communities.

The Auditor General went into more details with respect to child and family services. For example, she restated what had been stated earlier, in 2008: that First Nations children were eight times more likely to be removed from their homes than other Canadian children. She stated that First Nations children were the most vulnerable members of society, that 5 per cent of all children were in care, and noted that had there had been no notable improvement in the number of First Nations children in care since 2008. She stated that in the 2008 audit, INAC was asked to define its expectations for culturally appropriate services, but she noted that INAC has still failed to deliver and to define comparability.

She also stated that the department has not conducted a review of all social services available in the provinces to see even whether they are the same as to what is available to children on reserves. She found that the progress in child and family services was unsatisfactory.

As with my earlier inquiry, I implore our Standing Senate Committee on Aboriginal Peoples to examine this issue.

Honourable senators, many of us frequently pay lip service to the statement that children are our most precious resource. Aboriginal children are Canadian children. I believe they, too, must be valued, and yet it would appear that they are significantly devalued in our society. They have the poorest health and educational outcomes. They have the highest suicide rate. They have less money spent, by 20 per cent, on their welfare when they are taken into care.

Honourable senators, it is imperative that this institution take the initiative and study the means by which all children in Canada have equal value.

(On motion of Senator Tardif, debate adjourned.)

[Senator Carstairs]

[*Translation*]

OFFICIAL LANGUAGES

MOTION TO AUTHORIZE COMMITTEE TO STUDY THE USE OF INTERNET, NEW MEDIA AND SOCIAL MEDIA AND THE RESPECT FOR CANADIANS' LANGUAGE RIGHTS ADOPTED

Hon. Maria Chaput, pursuant to notice of October 4, 2011, moved:

That the Standing Senate Committee on Official Languages be authorized to examine and report on the use of the Internet, new media and social media and the respect for Canadians' language rights; and

That the committee report from time to time to the Senate but no later than October 31, 2012, and that the committee retain all powers necessary to publicize its findings until December 31, 2012.

(Motion agreed to.)

[*English*]

BUSINESS OF THE SENATE

The Hon. the Speaker *pro tempore*: Honourable senators, pursuant to rule 67(2), the sitting is hereby suspended until 5:15 p.m. At 5:15 p.m., the bells will start ringing for the call of senators for the vote at 5:30.

Honourable senators, before we leave, I should like to remind you that there will now be a reception in the Speaker's quarters to honour Senator Rompkey and his family. All honourable senators are encouraged to go to the Speaker's quarters as we rise.

Honourable senators, do I have permission to leave the chair?

Hon. Senators: Agreed.

(The sitting of the Senate was suspended.)

• (1730)

(The sitting of the Senate was resumed.)

BUSINESS OF THE SENATE

MOTION TO CHANGE COMMENCEMENT TIME ON WEDNESDAYS AND THURSDAYS AND TO EFFECT WEDNESDAY ADJOURNMENTS—MOTION IN AMENDMENT NEGATIVED—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Carignan, seconded by the Honourable Senator LeBreton, P.C.:

That, during the remainder of the current session,

- (a) when the Senate sits on a Wednesday or a Thursday, it shall sit at 1:30 p.m. notwithstanding rule 5(1)(a);
- (b) when the Senate sits on a Wednesday, it stand adjourned at the later of 4 p.m. or the end of Government Business, but no later than the time otherwise provided in the Rules, unless it has been suspended for the purpose of taking a deferred vote or has earlier adjourned;
- (c) when the Senate sits past 4 p.m. on a Wednesday, committees scheduled to meet be authorized to do so, even if the Senate is then sitting, with the application of rule 95(4) being suspended in relation thereto; and
- (d) when a vote is deferred until 5:30 p.m. on a Wednesday, the Speaker shall interrupt the proceedings, if required, immediately prior to any adjournment but no later than the time provided in paragraph (b), to suspend the sitting until 5:30 p.m. for the taking of the deferred vote, and that committees be authorized to meet during the period that the sitting is suspended;

On the motion of the Honourable Senator Tardif, seconded by the Honourable Senator Cowan:

That the question be referred to the Standing Committee on Rules, Procedures and the Rights of Parliament for consideration and report.

Motion in amendment negatived on the following division:

YEAS
THE HONOURABLE SENATORS

Banks	Joyal
Callbeck	Losier-Cool
Carstairs	Mahovlich
Chaput	Mercer
Cordy	Merchant
Cowan	Mitchell
Dawson	Moore
De Bané	Munson
Dyck	Peterson
Eggleton	Poulin
Fairbairn	Ringuette
Fraser	Robichaud
Furey	Sibbeston
Harb	Smith (<i>Cobourg</i>)
Hervieux-Payette	Tardif
Hubley	Zimmer—32

NAYS
THE HONOURABLE SENATORS

Andreychuk	Meredith
Angus	Mockler
Ataullahjan	Nancy Ruth
Boisvenu	Neufeld
Braley	Ogilvie
Carignan	Oliver
Cochrane	Patterson
Comeau	Poirier

Dickson	Raine
Duffy	Rivard
Eaton	Runciman
Finley	Segal
Fortin-Duplessis	Seidman
Frum	Smith (<i>Saurel</i>)
Greene	St. Germain
Lang	Stewart Olsen
LeBreton	Stratton
MacDonald	Tkachuk
Manning	Verner
Marshall	Wallace
Martin	Wallin—43
Meighen	

ABSTENTIONS
THE HONOURABLE SENATORS

Cools—1

Hon. Percy Mockler: Honourable senators, I move that the original question be now put.

The Hon. the Speaker: It is moved by the Honourable Senator Mockler, seconded by the Honourable Senator Wallace, that the previous question be now put.

On debate, the Honourable Senator Cowan.

Hon. James S. Cowan (Leader of the Opposition): Honourable senators, I had intended to speak to the main motion, but now I will speak to Senator Mockler's motion.

I want to first express my regret and my disappointment at the result of the vote that has just taken place. In my view, the debate that took place yesterday established beyond question the advantages of referring the motion of Senator Carignan, which would change our procedures, to our Standing Committee on Rules, Procedures and the Rights of Parliament. Some of our most experienced colleagues sit on that committee, such as Senator Fraser, Senator Comeau, Senator Stratton and Senator Smith. How could we do anything but benefit from the expertise that they would bring to bear on Senator Carignan's proposal?

However, the government rejected Senator Tardif's very reasonable suggestion. Instead of following the precedents of consensus and unanimity that we followed in the past and that are hallmarks of this institution, and which Senator Tardif placed very clearly and completely on the record yesterday, the government has decided to proceed unilaterally over our serious and, I suggest, most reasonable objections.

• (1740)

What is the urgency? Why now? The government's legislative agenda is, to put it kindly, remarkably light at this point in time. What is even more remarkable is that it follows on clear demonstrations of the willingness of those of us on this side to reach reasonable accommodations with the government to ensure that the government's legislative agenda is able to move forward in a timely fashion.

I would challenge my colleagues on the other side to disagree with that statement. Over the last couple of years, we have consistently demonstrated that, despite our opposition to measures the government has introduced, we have never done anything but ensure that those measures are dealt with in a timely fashion. We may have voted against them as we went along or expressed serious concerns, but we certainly did nothing on any occasion to obstruct the timely consideration of the government's agenda.

So why are the procedures, consideration and respect that we, the Liberals, offered when we had a majority in this chamber not now reciprocated by the Conservative majority? Why are the rules of the game being unilaterally changed?

I cannot believe that our more experienced colleagues on the other side, who have lived through the ebb and flow of politics that takes place in this place, can be comfortable with the government's approach and with the government's proposal. To paraphrase a well-known saying, why would you want to do onto others as you would not want them to do to you?

Abuse of the legitimate rights and interests of the minority by the majority is not leadership, it is bullying.

Some Hon. Senators: Hear, hear.

Senator Cowan: It is profoundly disappointing to me that at its very first opportunity, the new majority in this chamber has chosen to proceed in a manner that discounts our precedents and disregards the legitimate needs and the role of Her Majesty's Loyal Opposition and of every individual senator in this place.

In my view, in the current circumstances the best thing we could do is to follow the long string of precedents that have been established to facilitate the work of our committees on Wednesday and return to the motion which has been regularly passed without a single dissenting vote year after year.

If I had had the chance to speak before Senator Mockler made his legitimate motion, I would have proposed an amendment which would have permitted the chamber to meet on Wednesdays at 1:30 and to adjourn at four o'clock. There is absolutely no need, and this government has not demonstrated a single instance nor persuasive arguments to indicate why it is necessary for them to proceed in this fashion now.

If there had been a single instance where this party, my colleagues on this side of the house, had obstructed the legitimate desires and needs of the government to have their agenda dealt with expeditiously, that would be one question; but Senator Comeau was not able to indicate, nor was Senator Carignan, a single instance where that had happened. We did disagree with their proposals, and disagree with their proposals we will continue to do, but to take this action now with no demonstrated need is, I suggest, an abuse of the power of the majority over the minority.

As the saying goes, what goes around comes around.

Hon. Anne C. Cools: Honourable senators, I rise to speak to Senator Mockler's motion that the original question be now put. I had not been expecting a closure motion, a guillotine motion or a motion for the previous question at all, so I am taken a little bit by surprise. This body of procedure, this collection of procedure motions has several names in many incarnations, depending on

the seriousness of the situation. I have not been able to look up anything, but I have read copious amounts on this subject over the years.

My understanding, first, is that closure, previous questions, guillotine, and the lesser form of time allocation motions are supposed to be used in instances of prolonged obstruction by the opposition. Had I had even 25 minutes or half an hour to do some research, I could put some precedents on the record.

However, so that honourable senators can understand, this form of motion is intended to throw the house into a state of dictatorship. Those are the words that some authorities use. These are the words of those who have been seasoned in this process.

Usually, in the House of Commons, it was moved by a minister of the government, by the way. I could be wrong on that — I have not read on this for a while — but my understanding is that it was usually moved by a minister, not by a backbencher. The Senate is different. If I am wrong on that, I apologize in advance.

Honourable senators, it is a procedure to be resorted to, but rarely, because of the seriousness of its invocation and the seriousness of its consequences. It is a signal that the entire system has broken down, that the house is incapable of functioning properly, adequately and sufficiently, and that the government has been forced, compelled by circumstances to resort to this extreme instrument, which is to put the house into a state of dictatorship.

It is a debatable motion and it can be adjourned. I do not foresee anything like that happening in the next few moments, but honourable senators should understand the solemnity and the grievous nature of the process that has been invoked.

I heard a few remarks back there about using these processes or something for the last 10 years. The record shows that these processes are rarely invoked, and for good reason. They should never be employed routinely or for routine matters. That is number one.

Honourable senators, I do not have any notes in front of me, so I apologize again. The next point is that these motions should be called upon when the matter required to be adopted by the house is of some urgency — not daily routine, but some urgency — again, when the government has no choice but to resort to this extreme instrument.

Further, it is supposed to be used only when the question before the house is a matter of significant public policy and a question of some concern to the public. These matters are well recorded. We have had leaders here in the Senate who were formerly leaders of the government in the House of Commons, who were proud to announce that to us here.

I remember vividly, I believe it was Senator Allan MacEachen who informed us that in all the years when he was a minister in the House of Commons, he never once moved such a motion. There are slight differences between these motions, but, as I said before, I do not think that such an instrument should be invoked.

• (1750)

Honourable senators, let us understand that none of these conditions pertain here — not the prolonged obstruction, not the urgency and not the public interest. It must be for the public good and on — the fact that the issue is important to the public.

Therefore, honourable senators, I am surprised and bewildered, not shocked, but bewildered and puzzled. I do not think it is necessary. I do not understand, and maybe I could be enlightened. In any event, senators, I would like to put that on the record.

This previous question motion was moved suddenly. We could have been informed of this, those of us who like to read on these matters. I think the house would have been well served.

Let us understand, honourable senators, the issues that are before us. I want to return to a point that I made yesterday, the important point for me in the motion before us in paragraph (c), but before doing that, I would like to differentiate between proposals to the Senate that are of a mechanical nature and proposals that are of a substantive policy nature. I think we should understand what is happening here. For example, paragraph (a) in this motion states clearly:

when the Senate sits on a Wednesday or a Thursday, it shall sit at 1:30 p.m. . . .

That is largely a mechanical question. There is no rule that says the Senate shall not sit at 1:30, so this alteration here is of a mechanical and lesser nature.

The one that concerns me, honourable senators, is paragraph (c), which says:

when the Senate sits past 4 p.m. on a Wednesday, committees scheduled to meet be authorized to do so, even if the Senate is then sitting, with the application of rule 95(4) being suspended in relation thereto; . . .

Let us understand the duration of the time of this suspension. We may suspend the *Rules of the Senate*, but a suspension that continues for a year or two or three could hardly be called a suspension. That is a fundamental alteration. It is a shift. It is not a procedural shift or a mechanical shift. It is a substantive policy one.

Let us be clear, honourable senators, about what we are talking about here. Even the wording of the motion reveals that, because paragraph (a) says “shall sit at 1:30 p.m. notwithstanding rule 5(1)(a),” and paragraph (c) says “with the application of rule 95(4) being suspended . . .”

Have senators ever heard of a rule that was suspended indefinitely, for the life of a session just begun? You would be concerned if your child came home from school and told you that he or she had been suspended from school indefinitely, that is for a year or two or three or four or five, which a session of Parliament may last.

Honourable senators, let us understand that this is a substantive question and a substantive shift in policy. I say that, senators,

because rule 95(4), which is being suspended for several years being the remainder of the session, states very solidly and strongly, in plain words:

A select committee shall not sit during a sitting of the Senate.

It is in the imperative: Shall not. It is not “may not” but “shall not.”

Let us understand that when weekly the government leader or committee chairmen would rise here and seek the agreement of the Senate for committees to sit during a sitting, they are asking for an exception to the imperative rule. However, we cannot suspend, that is ignore the rule for three years. If any committee chairman asked the Senate for authority to ignore this rule for three years, I would submit to you that chairman would be denied it unanimously.

Honourable senators, let us understand what is being said here. I am trying to understand the logic. The fact of the matter is this, and I will say it again, rule 95(4) states:

A select committee shall not sit during a sitting of the Senate.

Honourable senators, that rule is there as the embodiment of Her Majesty’s claim to the attention of all senators, their undivided attention, to the business of this place in this Senate.

Let us understand clearly that the rules around Senate attendance, whether they be the constitutional requirements to attend in so many sessions or even all the systems that the Senate has built up over the years for keeping senators’ attendance, flow from rule 95(4).

Honourable senators, the phenomenon of senators’ attendance has always been a critical one, and not only for senators. Honourable senators should understand that the phenomenon of attendance and absence from duty was a critical one for judges as well. I always tell senators to think of this place not as two caucuses facing each other across the way, but as a house of judges. Think of this place as the honourable, the high court of Parliament. Then try to contemplate the fact that the Queen’s officers, the Queen’s judges, would not have to be here in the Senate for a hearing of the court for three years. I have never heard of that. I would ask you to rethink it. I honestly think that some senators really do not understand the serious issues that are involved.

However, that is a substantive matter that should not be dealt with in this way. Rule 95(4) dictates that it can only be exempted from by way of exception. That is by individual exception. This rule is supposed to uphold the primacy of our attendance in this house, in this chamber, at the top of our minds and at the top of our processes. In addition, it upholds the primacy of the house over its committees. Let us not forget that. It is all contained in our oath. I would also add that rule 95(4) demands the primary use of senators’ time to be in this house.

In any event, honourable senators, these questions are before us, and there it is. Having said that, I do not think that —

The Hon. the Speaker: I regret to advise the honourable senator that her 15 minutes have expired.

Some Hon. Senators: Five minutes.

Senator Cools: In any event, honourable senators, as I said, I had agreed with the thrust of the motion. I do not understand why this item —

The Hon. the Speaker: Honourable senators, it being six o'clock, pursuant to the rules, I must vacate the chair to return at 8 p.m., unless the house advises otherwise.

Hon. Claude Carignan (Deputy Leader of the Government): Perhaps we could not see the clock. No?

The Hon. the Speaker: There is no agreement to not see the clock; therefore, the house stands suspended until 8 p.m.

(The sitting of the Senate was suspended.)

• (2000)

(The sitting of the Senate was resumed.)

The Hon. the Speaker: Honourable senators, the sitting is resumed, and I recognize the Honourable Senator Cools.

Senator Cools: Honourable senators, I do not know how much time I have left. Perhaps the clerks at the table know. Five minutes? Thank you.

Honourable senators, I took some time during the break to read on this phenomenon of motions for the previous question. I am concerned that the motion for the previous question and the siege as the house goes into a system of dictatorship, is contrary to the principles of this, our system which eschews arbitrary power. Let me explain what I mean. Arbitrary power and uncontrolled authority are not recognized in any of the principles of our system.

Honourable senators, I have been trying to discern the limits on the use of previous questions. I have discovered that there are limitations on the use of motions for the previous question. I would like to put this on the record, if I may.

I would like to quote Mr. Josef Redlich from *The Procedure of the House of Commons*, 1908, at page 227:

For this reason there are further limitations on its applicability.

We are talking about the motion for previous question.

It may not be moved on a motion relating to the transaction of public business or the meeting of the House, or in any committee or on any amendment.

This is confirmed by Erskine May in the 10th edition of *A Treatise on the Law, Privileges, Proceedings and Usage of Parliament* and in the 23rd edition, 2004, which states at page 396:

The previous question cannot be moved upon a motion relating to the transaction of public business or the meeting of the House.

This is the plain and ordinary meaning of these words.

This is also found in earlier versions of Mr. May. In 1893, the 10th edition, it says the same thing. Let me put the whole thing on the record from the 1893 edition. At page 269 it states:

The previous question has been moved upon the various stages of a bill, but it cannot be moved upon an amendment; though, after an amendment has been agreed to, the previous question can be put on the main question, as amended. Nor can the previous question be moved upon a motion relating to the transaction of public business or the meeting of the house, nor in any committee.

There is a serious problem here, honourable senators, since the motion in question is particularly about sittings of the house and, in general, about the transaction of public business, that is, the *Rules of the Senate*. I wanted to put that on the record.

I do not know if a point of order would be in order or desirable, but it is crystal clear from this that the use of a previous question does have some limits. Perhaps the Leader of the Government or the Deputy Leader of the Government could clarify for us the limitations on the use of a previous question, or someone could raise a point of order if someone is predisposed to do so.

There are limits because the essential essence of the law of Parliament is that arbitrariness is unacceptable and, most important of all, that fair play should prevail at all times. In addition, when a rule is used to curtail our freedom of speech and debate, there are some instances to which it cannot be applied.

Having said that, honourable senators, I want to say that I find the whole matter very disturbing. Previous questions are not amenable for routine matters. As I said before, there is no urgency, no obstruction, and there is no public policy and no public interest. There is no public interest and no matter of public policy before us. What it is, really, is an amendment to the rules of the house concerning how we transact our public business, and set the meetings of the house.

In any event, honourable senators, I thank you very much for your attention. These are not little, routine matters. The use of the previous question is not a simple matter of saying that we are in a hurry or someone is in a rush. It has to be a momentous matter, and that is not what is before us. As I said before, I remain quite bewildered about it.

Honourable senators, it is crystal clear to me that if we review Mr. Beauchesne and others — and, remember, they are not the authorities; they are reference books — they are mostly talking about bills. These motions for the previous question have been moved on bills and on different stages of the bills, but I can find no precedent whatsoever for the use of a previous question on the kind and quality of motion that is before us today.

I would suggest, honourable senators, there is something very, very wrong in this.

Some Hon. Senators: Hear, hear!

Hon. Joan Fraser: Honourable senators, I do not pretend to have the mastery of the parliamentary experts that Senator Cools has. However, at the beginning and at the end of her remarks, she made a fundamental point, namely, that we are now engaged in considering the previous question on a matter about which there is, in fact, no urgency and no public interest. This is a motion that has been brought to the Senate for the convenience of the government. However, parliaments do not exist for the convenience of governments; governments exist if the Parliament agrees to let them exist.

What is being done here tonight is, to use Senator Cowan's word, "bullying." It is a decision by the government to use a gag to impose, in effect, a further gag. It is so profoundly unparliamentary that I cannot believe that colleagues in this house are willing to support it. It is absolutely shameful, and we should all be ashamed that our beloved chamber is being subjected to it.

• (2010)

Hon. Tommy Banks: Honourable senators, I would not ordinarily presume to opine on a question like this, but I guess the fact that my time here is coming short gives me bravado.

As always on matters of this kind, Senator Cools nails it and brings to the front of our minds the fact that we have come to pay less and less attention to some of the things that are very important in this place. This place, as Senator Fraser has said, is not a function of the government. We are not here to be functions of the government. We have made that mistake in the past, and it has always come back to bite us.

However, this is an egregious example, as Senators Cools, Fraser and Cowan pointed out. It is misuse of a procedural device. Even if we all agreed to do this, if there were no disagreement on this side for this proposal, if we all said, "Yes, let us do that; let us make this work more quickly, efficiently and with a lot less trouble," even if no one tried to oppose the imposition of the use of this procedural device, we would all be making a terrible mistake.

We are embarked upon a course of making two terrible errors, honourable senators. The first is the use of the device, as Senator Cools has pointed out, of effective closure of debate on an important matter, but it is an important procedural matter. The second mistake we would be making would be to adopt the motion itself.

There are reasons for the *Rules of the Senate*, honourable senators. There is a reason for rule 95(4). It is very simple. There are 105 senators, and rule 95(4) says that committees of the Senate may not, except with leave of the house, meet while the Senate is sitting. If it did not say that and we were all off at committee meetings, there would not be anyone here to do the business of the Senate, or insufficient attention would be paid.

I have never understood the rationale for Wednesday adjournments at four o'clock. The reason I have never been able to understand it is I serve on committees that meet on Tuesdays and Thursdays and we have to ask for leave of the

Senate to sit if a minister is coming. Otherwise, that leave is not ordinarily granted. We sit here sometimes until 9 or 10 o'clock while witnesses wait in committee rooms for the business of the Senate to be done because there is no such provision on Tuesdays and Thursdays as there has been, for some reason, on Wednesdays. As I say, I have never understood that provision, except that, I guess, a lot of influential people serve on committees that meet on Wednesdays.

The point that Senator Cools made is that ordinarily in this place — and we must all remember this — if we wanted to meet when the business of the Senate was being conducted in this place, chairs or deputy chairs had to ask for the leave of the Senate to do so. It was an exception to rule 95(4), and there is a reason for that.

Honourable senators, if we are to tear down this house, we should do it only if we think that the house we will build in its place is a better one. No one has suggested that imposing this blanket exception to the rules, as Senator Cools has pointed out, is any improvement in the way this place works.

Honourable senators, this proposal will come back to hurt us. What goes around, comes around.

Senator Eaton: Yes, it has; it has.

Senator Banks: This is not merely inconvenient; it is not right. We will go down this road at our peril. It is a terrible mistake.

I move adjournment of the debate. Sorry, Senator Mitchell wishes to speak.

Hon. Grant Mitchell: Honourable senators, I have a couple of things to say about this matter.

I begin by saying that I have seen it all before. I thought it was an isolated period in time and an isolated form of government. It actually makes me feel quite old — and I am one of the youngest people in this place — because I have seen this before and it is coming around again.

When I was in the legislature in Alberta, for one brutal period — I do not know if it was three or two months — that Conservative government had a majority — emphasis on "that Conservative government" — and jammed through closure 18 times. It was like they could not broach the idea of someone actually wanting to disagree with them.

Senator Eaton: Thank God we did.

Senator Mitchell: Senator Eaton, not only do you want us to debate only what you want to debate, but now you will not even let me talk about the few little things I want to talk about. Would it be okay if I just get this out? Thanks.

Senator Eaton: "Few little things," you say.

Senator Mitchell: The point that I want to make is that they invoked closure 18 times in literally weeks. I thought that was bad, but now I look back and say that at least they had the guts, every time they wanted to invoke closure, to bring it before the legislature, which was televised, to bring it out in front of the public, debate it and make their arguments for why they felt

they had to end debate suddenly and intensely because of circumstances with respect to a particular piece of legislation, budget or issue. However, at least they had the guts to come every time.

Now what we have is a brand new form of closure. I would have never imagined it; I have never seen it before. I will call it “perpetual closure.” You get to do it every week at four o’clock, and you only have to pass it once. It is almost insidiously brilliant in the way that you have figured out a way to manipulate the rules of this important parliamentary democratic institution.

It is not enough that you would have the courage to jam through legislation when you felt it was necessary in anticipation of maybe, just perhaps, feeling that it might one day or every Wednesday be necessary. You are invoking perpetual closure. Probably one day the successor to Senator Cools will be talking about how that established a new and unsavoury parliamentary precedent.

In fact, after I saw closure used 18 times — it was many times after that — and I see this happening now in even a more insidious way, I am almost beginning to believe that closure is a core Conservative value and that it runs in the face of some sense of real democratic value that this place is worth a great deal. This chamber, this parliamentary institution, has intrinsic value. When I hear honourable senators standing up and talking about clutter on the Order Paper and dismissing the views of hard working and dedicated people in this place who are committed to this process, I find that the level of lack of respect and dismissiveness of this important institution is almost breathtaking. To see it taken a step further, to actually invoke — “anticipatory closure,” is to further my sense of describing this as breathtaking.

Yes, this is closure — limiting debate, freedom of speech. Senator Finley is so vocal on freedom of speech. I want to say “articulate,” and probably from time to time he is even articulate. He was just on about cutting off those ads. I agree with him on that one.

• (2020)

It is interesting that when it comes to freedom of speech that is not quite as convenient for that side, suddenly freedom of speech is not valued the way it should be in an institution like this, of all places. It is expendable; it is perpetual closure; it is anticipatory closure; it is the convenient form of freedom of speech, not the freedom of speech that you put up with because it is fundamentally important to democracy, even if it is not quite as convenient for you or your side as you might like it to be.

The other thing that is galling for me is that there is not all that much evidence that government legislation has been thwarted in the Senate Chamber by the Liberal opposition. There was not even much evidence that government legislation was ever thwarted or delayed when we had a majority in this institution.

The argument was made very well by our leader. Show us exactly where we delayed things inordinately in any way that thwarted what this government wanted to do. On the other hand, on one occasion when this side was in government, we actually

defeated legislation passed by the House of Commons, and we allowed much other legislation passed by the House of Commons to die on the Order Paper.

I do not know that the evidence is such that there should be any thought by the government that we will delay inordinately what it wants to pass. In fact, it is almost as though the government is buying its own myth.

I do not know how many of you were here when one of my former colleagues in the legislature was here, Senator Nick Taylor. He had two sayings. One was “They are meeting themselves coming the other way,” and the other was, “They are drinking their own bath water.”

That is, in a way, what this proposal amounts to. The government has bought this idea that somehow we, the opposition, have inordinately delayed their legislation. I can give lots of examples where we have actually assisted in passing legislation quickly. I will give several examples in which I was instrumental. Of course, many would think I would be the last person who would ever want to assist the government in anything.

On the Nahanni park legislation we were asked by the Minister of the Environment to facilitate the bill. We got that through with unanimous consent the first or second day after it arrived here. The Minister of the Environment asked if we could facilitate getting the bill on the Haida Gwaii park through. We got it through, and then he could not deliver on it in his house. We did not delay that legislation.

I felt that the ethanol bill was very important. There was huge resistance to it because some people thought we were burning food. On our committee it was the Liberals, namely, me, who worked to get that legislation through when we had a majority. We did not thwart that legislation. We were reasonable. When reasonable arguments were made, we worked with you to make that work.

The government has no evidence that we would delay legislation, and there is much evidence to demonstrate that we have not delayed, that we have facilitated and expedited legislation.

In addition, although you often do not allow it, we often offer to pre-study bills before they come here. There is lots of evidence of cooperation on our part, even when we had a majority here, when we had some power in this place.

You know that critical to democracy is the ability for governments to listen to other arguments, to not be afraid of other arguments, and to not react as only bullies react when they have power, that is, to jam it through, to commit what I think in this case is nothing but gratuitous violence. You do not have to do this. You do not have to abuse or dismiss this institution. You do not have to undermine what it stands for by bringing in what I am now calling “perpetual closure,” which is fundamentally unnecessary now and a fundamental affront to democratic debate in this house.

POINT OF ORDER

Hon. Tommy Banks: Honourable senators, I rise on a point of order. Senator Cools said that she might raise this point, but since she did not, I will. She brought to our attention, through her

citations of both Beauchesne and Erskine May, a possible prohibition on the use of the procedural device of moving the previous question in matters having to do with meetings of the house. I was convinced by her citations that there might be some merit to the point that the use of the motion to put the previous question is out of order in the present circumstance, and I ask that Your Honour take that into consideration.

The Hon. the Speaker: Are there comments on the point of order raised by Senator Banks?

[Translation]

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, with respect to the point of order, I think it is important to quote rule 1(2) of the *Rules of the Senate*:

The *Rules of the Senate* shall in all cases be interpreted as having priority over any practice, custom or usage described in any of the appendices to the rules. Any conflict between the appendices and the rules shall be resolved by reference to the rules alone.

Rule 48(2) clearly states:

The previous question refers to a motion “that the original question be now put”. . . .

I have heard all kinds of words, such as “guillotine,” but the motion to extend the hours and to permit the Senate to be effective by allowing work to go on in committee and here in the chamber at the same time is a main motion. Therefore, rule 48(2) is clear that the previous question can be put for this type of motion.

In light of rules 1(2) and 48, I think it is clear that this point of order is not valid and should be rejected.

[English]

Hon. Joan Fraser: Rule 1(2) is basically about the *Rules of the Senate* having priority over material that is described in the appendices to the *Rules of the Senate*. I think rule 1(1) is more useful. It says:

In all cases not provided for in these rules, the customs, usages, forms and proceedings of either House of the Parliament of Canada shall, *mutatis mutandis*, be followed in the Senate or in any committee thereof.

In addition to customs, usages, forms and proceedings within our own Parliament, all senators know that Speakers have historically regularly relied on other authorities where appropriate. I would suggest that Senator Banks is right, that Senator Cools made a sufficiently persuasive case that that Your Honour should take this matter under advisement.

Hon. Anne C. Cools: I rise to speak on Senator Banks’ point of order. This subject is far more complex than meets the eye. The *Rules of the Senate* are not the authority for the *Rules of the Senate*. The *Rules of the Senate* find their authority and power in section 18 of the British North America Act, in what we call the ancient law of Parliament. This is a term I use a lot. I have said

this before, honourable senators. There are two areas of law that are the least studied in the country, and yet they are the most complex of all areas of law. They are the law of Parliament and the law of the prerogative of the Queen in respect of the law of Parliament.

• (2030)

Honourable senators, I do not want any confusion with other branches of the law of the prerogative. I speak of the law of the prerogative in respect of the Queen having an active role in the legislation process of the house. It is not the Royal prerogative of mercy or honour or any of those. It is the notion is that the Queen is ever present in the proceedings of the house in that mace and in the Senate rules.

Our rules can be traced to the law of the Constitution Act, 1867.

I would like to put the relevant section of the Constitution Act on the record for those senators who may not know. This Constitution is a work of art written largely by a brilliant fellow named Sir John A. Macdonald. I would invite you to listen to him. Let us remember that the BNA Act, 1867, began as the 72 resolutions adopted at the Quebec Conference.

I want to share with honourable senators, especially those who worship at the altar of Sir John A. Macdonald, of which I am one, that Sir John A. Macdonald personally drafted at least 44 of these resolutions. That is well known, but it is believed that he drafted as many as 50. The man knew what he was doing. The power for these rules and the law of Parliament is to be found in section 18 of the BNA Act, 1867:

The privileges, immunities, and powers to be held, enjoyed, and exercised by the Senate and by the House of Commons, and by the Members thereof respectively, shall be such as are from time to time defined by Act of the Parliament of Canada, but so that any Act of the Parliament of Canada defining such privileges, immunities, and powers shall not confer any privileges, immunities, or powers exceeding those at the passing of such Act held, enjoyed, and exercised by the Commons House of Parliament of the United Kingdom of Great Britain and Ireland, and by the Members thereof.

Honourable senators, section 18 of the BNA Act is the basis for the *Rules of the Senate*, not vice versa. Any rule of the Senate should be traced to one of the privileges of the House of Commons of the United Kingdom. There are some dubious rules in our rule book, undoubtedly. I want honourable senators to understand that the original recorders of these processes in Canada, Mr. Todd, Mr. Bourinot and Mr. Beauchesne, used to be loyal to the exact words used by the original voices of speakers on the floor of the House of Commons in the U.K. Their words were scripted and quoted into the body of rules in Canada. Our rules have largely been drawn from the actual expressions on the floor of the houses over the years.

I once raised the matter in committee. Rule 20 of the *Rules of the Senate*, about strangers in the house, was taken verbatim from a motion by former Prime Minister Disraeli. Let us understand that the constitutional power to make our rules comes from the ancient law of Parliament received into Canada by section 18 of the British North America Act.

For example, a rule states that there shall be three readings of a bill in each house, not two, not twelve. They used to do more readings, but the practice of three readings has its origins in the same law of Parliament. For example, could we make a new rule that we do not need three readings in the house? I submit that if we did, it would not be consistent with the BNA Act. Enough said on that.

I move on to the important point that no Senate practice can overcome or defeat the plain and ordinary meaning of the words of Senate rule 95(4) which states: “A select committee shall not sit during a sitting of the Senate.” There is no practice or usage of the Senate that can defeat that rule, which is drawn directly from the law of Parliament. It is Her Majesty’s command that she should have primacy when she summons us here to attend upon the important business of the place. Honourable senators, there is no real reason for there to be a previous question before us because the conditions for using such harsh measures do not pre-exist the moving of the motion for the previous question.

This is a British system which is a system of placing limits on the exercise of power by ministers and governments. That is why we call it “limited government.” That is why we call it “mixed government.” It is a combination of representation and prerogative law. That is what this is. One cannot rely on arbitrariness when the system is inherently opposed to arbitrariness. This is why there are the rules about notice, time, and process. For years the publicists of the 19th century wrote volumes about the inherent righteousness in the British system of Parliament. All of them will tell you that this system eschews arbitrariness and despises abuse of authority. Honourable senators, I do not want any misunderstanding. It has always been understood that when we come to certain kinds of questions, such as how we conduct our affairs called the transaction of public business, we should seek greater agreement, not less.

Honourable senators, there was no notice, and there has been no emergency that demands the suddenness of today. I spent my two hours downstairs reading on the limits on the use of the previous question, because it is in the nature of the British system to always have limits to the exercise of power. That is the meaning of the British system. I was raised on a diet of this. I want to tell you something, very few know anything about this, but we were raised when I was young to uphold this system because it is within this system that a man named William Wilberforce could succeed to defeat powerful interests and to carry public opinion to bear within the representative assembly called the House of Commons to offer relief to the miserable. You have to understand.

• (2040)

Honourable senators, I was raised to believe that we hold this system; that it is a privilege for us to uphold this heritage and to look up to William Wilberforce, who was able to end a practice of enslavement of other human beings, which John Wesley once described as the scandal of America, as the scandal of human nature and as the scandal of religion.

Honourable senators, I was raised to accept that if we serve the public, if we choose to be public men and public women in public service, then this body of law and this body of thought was given to us as an entailed piece of property, that we are supposed to pass this torch and uphold these principles.

[Senator Cools]

I am descended from what we call free coloured people. In 1791 there were 10,000 of them in Jamaica. These people were the products quite often of miscegenation and these free coloured people were so fiercely independent-minded as to be able to buy their way out of slavery — can you believe this? — by a process called manumission. At the time, in some of those islands, the prohibitions were so great that there was a charge of 1,000 pounds for one of those individuals to buy their way out of slavery. Those people have a long history of independent thinking. I want you to know my roots in this are very deep, and my family was involved in bringing responsible government in Barbados. Let us understand that I grew up on a diet of this and on the notion that you uphold the principles, and it is our duty to uphold them, not to trample them. I am not saying that you are trampling; but I am telling you that this is my bounden duty.

Your Honour, I was trying to avoid asking you to rule on this, but I am making sure that I am clear. I am trying to be clear.

Honourable senators, the literature on these motions for the previous question seems to suggest that the questions must be extremely serious. Most of the time they are about bills. I could be wrong here; there has been no time to research this. Many of the motions for the previous question moved here in the Senate have been about bills. Maybe the former leaders could remember. I immediately wanted to discover the limits to which such excessive power is subject, because all power is subject to limits. This is what I found in merely two hours. I could be wrong. There was a time when these motions were confined to ministers. I did check that. There was a time — not any more, but there was a time.

Honourable senators, I would like His Honour to have the references I cited. One of them is Mr. Joseph Redlich, a very famous man, *The Procedure of the House of Commons*, volume 2, 1908, page 227. In this passage, Mr. Redlich states:

The previous question is therefore, it will be seen, a double-edged weapon of opposition. For this reason there are further limitations on its applicability. It may not be moved on a motion relating to the transaction of public business or the meeting of the House, or in any committee or on any amendment.

Honourable senators, this is new information for many, because I do not believe that most senators have given much thought to the limitations on a power that is so great and so enormous. I see one former deputy leader nodding. That is all I am asking. What are the limitations of the power on which you are relying and invoking to obtain adoption of this motion?

I also invoked Erskine May, the tenth edition, of *A Treatise on the Law, Privilege, Proceedings and Usage of Parliament*. These were the days when Erskine May was writing Erskine May. Erskine May is no longer Erskine May, by the way, but that is another story for another day. It was published in 1893. It says at page 269:

The previous question has been moved upon the various stages of a bill, but it cannot be moved upon an amendment; — though, after an amendment has been agreed to, the previous question can be put on the main question as amended.

Then he continues:

Nor can the previous question be moved upon a motion relating to the transaction of public business or the meeting of the House.

In other words, the use of this system, this process, this power of previous question motions, is not intended to be used on what I would call these basic, fundamental, daily matters; these matters demand greater agreement and greater time invested in coming to understanding and agreement.

Then, finally, *Erskine May's Treatise on the Law, Privileges, Proceedings and Usage of Parliament* cites this again, at page 396:

The previous question cannot be moved upon a motion relating to the transaction of public business or the meeting of the House, or in committee.

Honourable senators, that is the situation. Besides, it is not up to me to prove that the government does not have the power. When the government moves to use a power, it is up to the government to state the premise and the rules, the same rules that Senator Carignan was just invoking. The onus is always on those who exercise power to show the source of their authority. We reverse the process a lot here, but when you invoke a power, that is the nature of the exercise of power. Those who exercise it have to show the power on which they rely.

• (2050)

I have gone to some length here to counter that and to say that my limited research of two hours demonstrates quite clearly that there are limitations on the use of these motions for the previous question. It appears from my reading of the substance of this motion before us that its substance and purpose do not fit within the purposes of the use of previous question motions.

Honourable senators, these matters sound so complicated, but trust me, there is an inherent logic to them. It is a whole system working together and if you have any doubt, we should always ask, "What did Her Majesty intend?" For those of us who worship at the altar of Sir John A. Macdonald, what did he intend? I mean that quite seriously.

I have already said that I am in agreement that we should sit from 1:30 until four o'clock on Wednesdays. I have already said I disagreed with sending the motion to the committee; I did not think that was a good idea. I have already said that most people here were quite willing to agree to the timing. However, this motion does not fit into the guidelines, from what I can see, for the use of previous question motions.

There is something very sad about this situation because it is unnecessary. Human conflict is a very funny thing; when you look back on life, most conflict is unnecessary.

I would submit, honourable senators, that there is no real need for this previous question motion before us. The same end can easily be accomplished using other ordinary means.

The Hon. the Speaker: I wish to thank all honourable senators for their contribution to this point of order raised by the Honourable Senator Banks. I, too, spent part of the break between 6 p.m. and 8 p.m. in anticipation, but not with any sense of prophecy. I had the opportunity to examine the contemporary procedural literature. First of all, I want to state that I am prepared to rule now because I am comfortable with what I will say.

However, I respect the will of the house. It is the honourable senators who regulate this house. The Speaker's job is to follow the rules that the house has established and to try and interpret those rules in an equitable, thoughtful and just manner. Should the Speaker fail at any time in doing that, he or she will be corrected by the will of the majority of the house, which I think is a superior system to that in the other place. For me, the will of the house is the *lumina pedibus meus* the light at the feet of any Speaker.

The question that has been raised basically is whether or not the motion by the Honourable Senator Mockler, seconded by the Honourable Senator Wallace, for the previous question to be put is in order or not. My reading of rule 48 — and I will not repeat it, it is there for all to read — is that it is very explicit and clear, as adopted by the house.

It is, as many have indicated, rarely used. Some of the points that Senator Cools has made, speak to why that particular procedure is rarely used, but that does not mean it is not used or never used. It is up to the members of the chamber to determine whether or not a member is going to use that rule and bring forward a motion that the previous question be put.

It is my ruling that the motion is in order, in that it deals with a matter for which full notice was given. There were opportunities for discussions during the notice period. There are still opportunities for a full debate on the motion.

It is the ruling of the chair that the motion is in order. If there is no further debate, I will put the question.

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, I want to thank Senator Cools for having contributed to the point of order and Senator Banks for having raised it.

Many important points have been made and I thank both honourable senators for their in-depth knowledge of the rules and procedures of the Senate, as well as their commitment and dedication to the Senate as an institution.

We have heard many interesting speakers present points of view this evening. In the last 50 minutes, we have heard from Senator Fraser, Senator Banks, Senator Mitchell and Senator Cools. I really think that we need to take the time, as a group, to reflect on what has been said in the last 50 minutes.

Therefore, I move the adjournment of the debate.

Some Hon. Senators: Hear, hear.

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

Some Hon. Senators: Yes.

Some Hon. Senators: No.

The Hon. the Speaker: Those in favour of the motion will signify by saying “yea.”

Some Hon. Senators: Yea.

The Hon. the Speaker: Those opposed to the motion will signify by saying “nay.”

Some Hon. Senators: Nay.

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

And two honourable senators having risen:

The Hon. the Speaker: Honourable senators, there will be a one-hour bell. The vote will be taken at 9:58 p.m.

Call in the senators.

• (2200)

Motion negatived on the following division:

YEAS
THE HONOURABLE SENATORS

Banks	Merchant
Chaput	Mitchell
Cowan	Moore
Dawson	Munson
Downe	Peterson
Eggleton	Poulin
Fraser	Ringuette
Hervieux-Payette	Robichaud
Hubley	Smith (<i>Cobourg</i>)
Mahovlich	Tardif—21
Mercer	

NAYS
THE HONOURABLE SENATORS

Andreychuk	Martin
Angus	Mockler
Ataullahjan	Nancy Ruth
Boisvenu	Ogilvie
Brale	Oliver
Carignan	Patterson
Cochrane	Poirier
Comeau	Rivard
Dickson	Runciman
Duffy	Segal
Eaton	Seidman
Finley	Smith (<i>Saurel</i>)
Fortin-Duplessis	St. Germain
Frum	Stewart Olsen
Greene	Stratton
Lang	Tkachuk
LeBreton	Verner

MacDonald
Manning
Marshall

Wallace
Wallin—39

ABSTENTIONS
THE HONOURABLE SENATORS

Cools—1

[*Translation*]

Hon. Céline Hervieux-Payette: Honourable senators, I would like to remind you about the events of these past few weeks, which definitely surprised many of my fellow Quebecers.

First, there was the installation of the Queen’s portrait in every embassy and at the Foreign Affairs building. I am talking about the Queen of Canada, and I believe that the interests of Canada have been well served by her role in Canada, which is entrenched in the Canadian Constitution.

More recently, a bill about the flag was introduced. It is probably a symbol of Canadian unity, particularly for those who served Canada abroad and, in some cases, lost their lives.

These events stem from decisions made by governments of a democratic country with a British parliamentary system. I do not know if this applies to you, but I have given a few short courses on the British parliamentary system to parliamentarians. This system is often compared to the American system, which is a presidential system, because it has a Senate. However, I believe we should explain the difference between the two institutions.

I believe that the Canadian Senate replicates the House of Lords. Even though it is thought that Quebec does not respect British institutions, there are some, such as myself, who have served in politics, either in the House of Commons or the Senate, because we believe in federal institutions. I believe in our Canadian institutions and I have spent 30 years of my life ensuring that these institutions work.

[*English*]

I would like to call the House of Lords the “House of Lords and Ladies.” I know that you usually say “the House of Lords.” That is more or less the result of a gentlemen’s agreement, but I add now “ladies’ agreements.”

As far as I am concerned, what we are dealing with today is a lack of a gentlemen’s agreement. There are some gentlemen and ladies here who are willing to make an agreement. They are willing to go to committee, discuss the question and come back with recommendations. This is the process that we respect; it is the process that has been in place. If need be, I guess we would all vote together.

For me, democracy is measured by its treatment of minorities. As you know, French Canadians are a minority. It is not easy to be a minority in a country where the majority of people are not of French origin. When I go out West, I have to explain to certain people that we are not recent immigrants, that we were here many hundreds of years ago. We celebrated the four hundredth anniversary of Quebec City in recent years.

We actually obtained full independence as a country in 1935, because at that time we were given the right to decide upon our foreign affairs. I am proud of all the events in our history.

I always think that the majority rule should apply only in the best interest of our citizens. I ask myself and I ask you how this measure will best serve Canadians. How can the majority explain its refusal to use the normal channels to better serve Canadians?

[*Translation*]

Honourable senators, trust your peers. We are here working for the same cause as you — the well-being and benefit of Canadians.

We have the Standing Committee on Rules, Procedures and the Rights of Parliament to examine the proposal that was made by our colleague and report back to us on its usefulness so that, in the end, we can discuss it.

We are talking here about traditions. We are talking about objectives that we must meet to change a rule that has always worked well for dealing with Senate business.

I have been a senator for 16 years and I must say, with regard to the request for consent at 4 p.m. to go to committee, that I have not felt it to be a problem. To our new colleagues, I can say that there has always been cooperation and, for most of those years, we were in the majority.

• (2210)

Our institution and its members will emerge stronger rather than bitter at having the majority impose a rule whose usefulness is unknown. The trust among us will continue to exist as long as we are treated with respect. As for me, this evening, I must say that I am very disappointed at the way this motion was imposed. I do not even know if my colleagues are interested in thoroughly reviewing that. I am not certain, and that is why I move that the Senate be adjourned.

(On motion of Senator Hervieux-Payette, debate adjourned.)

(The Senate adjourned until tomorrow at 2 p.m.)

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