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## Bert Brown's red chamber

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EDMONTON - When I heard that the Prime Minister had announced that he intends to make Bert Brown the next Senate appointee from Alberta, I couldn't help indulging in a rather condescending thought: After all these years, Pinocchio has finally become a real boy.

Mr. Brown, a farmer whose stolid advocacy of Senate reform has transformed him into an Alberta icon over two decades, has run in three of Alberta's Senate elections; three times, he had to watch as the results were derided in the polite press as meaningless or tainted. Now a Conservative prime minister has rewarded his strivings at last, inviting the Senate's fiercest critic into its very bosom. His first time passing the threshold will certainly be a piece of political theatre for the ages.

Brown was the man who kept the idea of a "Triple-E" senate--elected, democratically effective and with equal representation amongst the provinces --on the radar in Alberta for years. Reform-hungry Albertan intellectuals gradually gave away on different parts of each "E," however. And so in agreeing to become the face of Harper's Senate reform approach, Mr. Brown must understand that he is tacitly agreeing to a plan that brings about just a fraction of his dream. His appointment will raise the stakes for future Senate elections, and perhaps encourage them, but in the short term it does nothing to give the Red Chamber real power or to rebalance its regional makeup.

It still seems like the right thing to do for the cause of Senate reform, if that is something you care for. Having lived in the heart of the movement since its inception, I've gradually become more and more indifferent to, and more skeptical of, its ambitions. I suspect my home province's congenital hope for transforming government by means of procedural change is the conservative's funhouse-mirror version of socialist utopianism. Whether we're talking about Senate reform, referendum and recall or proportional representation, it seems vain to hope we can achieve better government by force-feeding "more" democracy into our power structures. Even granting that democracy is a good thing in itself, the "notwithstanding" clause in the Charter of Rights provides a convenient example of how a democratic safety-valve can lapse into disuse and even disrepute if no one is willing to use it.

That said, having some Senators with the prestige of a province-wide mandate behind them makes it harder for future governments to push the reform issue into the background. The election and subsequent appointment of Stan Waters in 1989-90 set a precedent that was relatively easy to ignore because it came at a

time of constitutional crisis. But you can't dismiss something as a "one-off" once it's been done twice. And while the Chretien government was able to revert to the old style of Senate selection, his appointments were (to his credit) not quite the parade of naked patronage that previous prime ministers' had been. He even chose a few Canadians who, like Waters, had lived and actually accomplished things outside of electoral politics.

To understand the argument in favour of the Brown appointment, one only need look at who is opposing it. Stephane Dion claims that Albertans are settling for piecemeal Senate reform, and goads them with the antiquated seat distribution in the upper House. But piecemeal reform seems like a pretty nutritious alternative to going hungry, and that's what will happen if Albertans must wait for a Quebec signature on the constitution in order for any reform to go ahead.

Worse still, Dion expresses open doubts that Brown is "the best person" for the job. Even for Dion, this may be an extravagant new accomplishment in tone-deafness. Granting that Mr. Brown has opened himself to a modicum of criticism by openly seeking a Senate job, the remark will leave Albertans wondering whether generations of Liberal prime ministers were really always selecting the "best person" when they elevated throngs of failed Liberal candidates and skulking partisan satchel-carriers to the Senate.

But at least Dion, unlike others in his party, spared us the complaints that it is "unconstitutional" for a prime minister to appoint a Senator who won an election and who otherwise meets the requirements of the office. According to this theory, the only eligible Albertans Mr. Harper is categorically forbidden to appoint are the four people who were actually chosen by the province's voters in 2004. There could be no possible "constitutional" objection, after all, if Harper deliberately chose from the list of people who lost that election, or even if he pulled a random Albertan's name out of a hat on national television.

This is self-evident nonsense, and it is being put before the public only because the Conservatives now wield the prime ministerial authority. In truth, Harper's selection of Bert Brown is in our best constitutional traditions. It is the kind of organic, fractional change, implemented by means of unwritten convention, that brought about our model of government in the first place -- not that a good Liberal would admit to knowing anything about that.

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