

Canadians can look Down Under for democratic reform

Australia's effective, elected Senate

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There are signs on the rolling highway to Australia's tidy capital city that offer some unintentional advice to Canada's beleaguered and much-maligned Senate.

The signs, which are directed to sleepy truckers, read: "Stop. Revive. Survive."

And if the country ever does stop to breathe life into the lifeless red chamber in Ottawa, the model offered up by the Australian Senate is a good place to start. To begin with, it's elected.

Canada's Fathers of Confederation, led by Sir John A. Macdonald with his sweet tooth for patronage, decided in 1867 that the prime minister would appoint senators, in effect turning the chamber into a living wax museum of party hacks and bagmen.

In sharp contrast, Australia opted for an elected chamber when it became a federation in 1901. This has evolved to allow senators to play an active role in checking the government and balancing the country's powerful executive, prime minister and the government-controlled House of Representatives.

As would be expected, Australian senators recommend their upper chamber as a good model for Canada and can't imagine how anyone could accept an appointment in the first place.

Take Senator John Faulkner, a former cabinet minister in the Labour party government of Paul Keating. When asked if an appointed Senate had any strengths, he bluntly replied: "None that I can see. It's an abrogation of a democratic system.

"I would want all my parliamentary representatives to be democratically elected. I would want to see the will of the people represented -- as it is in Australia."

Senator Margaret Reid, who belongs to the Australian Liberal party and was just recently bumped out of the Speaker's chair, was initially more diplomatic. But when told about a truant Canadian senator who lived in Mexico for many years without incident, Ms. Reid said the lack of "accountability" in Canada's upper house is to blame.

The Australian Senate truly became an independent body in 1949 when proportional representation was introduced to elect senators. Each of the six states has 12 senators -- half of whom must stand for election every three years -- along with two each from the two territories. Voters can either vote for the party or rank their six favourite candidates "below the line." Any party receiving about 15 per cent of first preferences wins a Senate seat.

Over time, Australians have become strategic voters for Senate seats, siding with minor parties to balance off the larger parties running the show in the House of Representatives. The minor parties usually strike a



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Canadian political science professor Ted Morton spent the past winter as a resident fellow at the Australian Senate in Canberra and believes the Australian model is a great one for Canada.

deal with the official Opposition in the House of Representatives -- either Labour or Liberal -- to create a coalition to confront the government's agenda.

In fact, the Australian Senate's greatest critics have always been prime ministers and cabinet members because their plans are often thwarted by the other house. A few years ago, Mr. Keating, then the prime minister, called the upper chamber "unrepresentative swill."

Although struggling lately with internal strife, the Australian Democrats have emerged in the Senate (the party holds no seats in the other house) as a third party for the country. In the '90s, they fed into the voters' distrust of the Labour and Liberal parties by running on the slogan "Keep the bastards honest."

At present, Labour's 28 senators, along with 16 seats held by the minor parties -- the Democrats, the Green Party, the National Party of Australia, Pauline Hanson's One Nation Party, and Independents -- counter Liberal Prime Minister John Howard's 31 seats in the chamber. (One seat is vacant due to a recent resignation.)

It is a setup some Canadian senators regularly reject. They say it would create gridlock in our Parliament as it has in Australia.

"Rubbish! Where is the gridlock? I would suggest that the introduction of the GST in Australia went a lot better and less painful because of our Senate," says Independent Senator Meg Lees.

"We actually used Canada as a model of what not to do."

In fact, the Australian parliament has only experienced such a snarl six times in more than 100 years. If a bill is rejected three times by the Senate, the government may order up an election for both houses, commonly known as "double dissolution." Because of the risk for both sides, the politicians have turned to compromise through negotiations.

In Australia, which views itself as the most democratic country in the world, senators are respected members of the legislative process. A few years ago, a government move to decrease its powers went nowhere with the population.

Meanwhile, in Canada, recent polling shows that Canadians are split with either making the Senate an elected body or simply abolishing it, as they have done in every provincial legislature.

Virtually no one is in favour of the status quo.

Senate reform in Canada has been much talked about, but attempts to change the system have failed: The last was the Charlottetown accord, rejected in 1992.

Some urgency is now being felt as the hereditary peers in Britain's House of Lords, the very unelected model the Canadian Senate was based on, have actually agreed to wipe out most of their numbers and seem to be moving toward elections.

A visit to Australia's Senate in Canberra reveals the contrast between this elected body and Canada's appointed one.

- Question Period or Time. In Canada's Senate, one is reminded of a mock parliament staged by university students when the House of Commons is not sitting. Three days a week, before few reporters and no TV cameras, Liberal Senate Leader Sharon Carstairs answers all the opposition queries and sometimes even responds with a casual "I'll have to get back to you on that one."

In the Australian Senate, there are 10 ministers, including those in the high-profile defence and health portfolios, in the chamber whom the opposition grill four days a week before a wide television audience.

While more attention is paid to the House of Representatives' "question time" because of the presence of Prime Minister John Howard, journalists cannot afford to ignore the often-rowdy, partisan upper chamber.

- Canada's 105 senators gave themselves a pay raise last year along with MPs, bumping up their salaries to about \$106,000. For the first time, the members of the upper chamber actually acknowledged that they belong to a lesser house by giving themselves a smaller raise than the MPs, who now receive about \$130,000.

The 76 elected Australian senators each make the equivalent of about \$83,000 Canadian a year.

- The Canadian Senate is still stinging from the revelation of the woeful attendance record of some senators, including former Ontario Liberal leader Andy Thompson, who spent most of his time in Mexico instead of the red chamber.

Senators are appointed until the age of 75, and while fines for lengthy absences have been stiffened, there are still some who make infrequent visits to the lifeless chamber.

Australian senators face the electorate every six years. Any truant would no doubt have to face their wrath.

- Prime Minister Jean Chrétien often boasts about the number of women he has put into the Senate. Supporters of an appointed chamber argue that if it was an elected body, the number of females would likely diminish to the lower numbers found in the House of Commons. Same goes for visible minorities.

That argument is undone Down Under, where 30 per cent of senators are women, similar to the proportion in Canada. An aborigine senator leads one of the smaller parties in the Senate, and there are two Asian senators as well. Unlike the Canadian Senate, there are only a few seniors. But there are senators in their 20s (in Canada, one has to be at least 30 to be eligible).

- Canadian senators defend their salaries by citing their committee work.

Created as a chamber of "sober second thought," committees review legislation from the other house. But at the end of the day, the government-controlled Senate usually passes the legislation under the time frame set out by the government. While it sometimes threatens to send legislation back with major changes, it usually backs off at the last minute.

In contrast, Australian Senate committees have become the place to hold its government to account. Half of the committees are chaired by opposition members, and all are armed with subpoena power to summon witnesses and government documents. The result is that bureaucrats and ministers appear willingly, knowing that refusal can result in bad publicity, fines or imprisonment.

Senate committees dig into scandals and the investigations only end when all the answers have been found. This year alone, one committee exposed attempts by the Liberal government to manipulate media coverage of illegal immigrants during last fall's national election. Another committee forced the Treasury Department to acknowledge the loss of billions of dollars in a foreign currency swap. Committee work also forced the government to publish a list of every contract for more than \$100,000 it issued in the past six months and post it on the government's official Web site twice a year.

For Ted Morton, a Canadian political science professor who spent the past winter as a resident fellow at the Australian Senate in Canberra, the Australian model is a great one for Canada. He says it disproves critics who argue that an elected, effective and equal Senate is an American creation that could never work in a parliamentary system.

Mr. Morton, one of two so-called elected "senators in waiting" in Alberta, said he found that Australia's upper chamber provides "the kind of independent 'check and balance' to prime ministerial dominance that is so lacking in Canada today."

He advocates regional equality rather than provincial equality as the basis for representation, and using some form of proportional representation rather than first-past-the-post elections to elect Senators.

Looking at the results of the 1997 and 2000 elections, Mr. Morton has concluded that with proportional representation, the Liberals would not have controlled the Senate following either vote.

"Imagine the consequences this would have had for getting to the truth of things like Shawinigate, Gagliano and Groupaction scandals," says Mr. Morton.

"Also, imagine the difference such a Senate would make in the upcoming 18 months of Chrétien's long farewell."

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