

eligible to receive any entitlements, although they were free to engage in any amount of paid advertising.

We can be confident that, given the vested interests of the major parties, this system will not be amended prior to the next federal election. It is quite possible, though, that this system will come under attack both

"The advertising campaign thus stands as a classic counterpoint to the commonly accepted wisdom that the greater the campaign expenditure, the greater the likelihood of campaign success."

by the smaller parties, especially the Reform Party, and various interest groups, such as NAC. The federal Royal Commission on Electoral Reform (the Lortie Commission) has already launched an attack on the status quo calling for a free-time system more open to the needs and concerns of small parties while still granting a preponderance of free time to major, demonstrably popular parties.

REFORM POTENTIAL

With the example of the referendum fresh in mind, the calls for reform may be strong. A future federal government, seeking to demonstrate its interest in democratic reform, may very well move to broaden the free-time provisions in the *Election Act*. And there is clearly great scope for enhancing the ability of small parties, and even interest groups, to have access to free broadcasting time, thereby making the electoral process more open and responsive to the range of public opinion found within this country.

Such a move may even be justified as a quid pro quo for the prohibition or restriction on interest group paid advertising on the grounds that although groups do have a free

speech interest in election campaigns, the ability to exercise the right effectively should not be contingent upon the wealth held by any group.

The referendum was, among other things, a demonstration of a more populist form of electoral decision making than we have hitherto seen. The referendum outcome has also been widely interpreted as a rebuke of the traditional, elitist forms of governmental decision making and electioneering to which we have been accustomed. We have now been exposed to a quite different, more democratic approach to the structuring of elections. What Canadians do with this example and this opportunity will say much about whether Canadians are willing to make some radical changes in the way electoral decision making is conducted in this country.

David Johnson is Adjunct Professor of Political Science at Brock University.



Canada Watch welcomes submissions on issues of current national interest. Submissions should be a maximum of 1,000 words. The deadline for consideration in our January/February issue is Friday, January 8, 1993. Write or fax us at:

Canada Watch
Osgoode Hall Law School
Room 454
4700 Keele Street
North York, Ontario
M3J 1P3
Tel: (416) 736-5515
Fax: (416) 736-5546

WESTERN REPORT

WHITHER SENATE REFORM?

by Roger Gibbins

On October 26, western Canadians voted massively against the Charlottetown Accord; across the region, 63.1 percent voted "no" compared with 55.4 percent voting "no" in Quebec. In so doing, western Canadians appear to have shut the door on Senate reform by rejecting the first serious constitutional attempt to address chronic regional unrest with parliamentary institutions. How, then, do we explain this rejection and what does the future hold for Senate reform?

LACK OF SALIENCY

In trying to explain why western Canadians rejected the Accord despite its inclusion of Senate reform, three possibilities suggest themselves. The first is that Senate reform lacked the public saliency that many political commentators and academics, including myself, have assumed. If western Canadians were largely indifferent to the issue, then the inclusion of Senate reform did little to enhance the Accord's regional appeal.

More generally, it is not clear that a concern with effective regional representation in parliamentary institutions played a very significant role as western Canadians tried to get a handle on the Accord. My reading of the regional media coverage and public debate suggests that neither this concern nor Senate reform specifically was front and centre. Whether this represents a failure on the Yes side to highlight the Senate reform package or whether the relevancy of Senate reform for the mythical man on the street has been exaggerated in the past is difficult to determine.

"YES" TO SENATE REFORM, BUT "NO" TO THIS VERSION

The second possibility may be that many western Canadians saw Senate reform as a highly salient issue, but rejected the specific reform model embedded in the Charlottetown Accord. As I suggested in a previous column (see 1 *Canada Watch* 22, elements of the Charlottetown package were problematic for supporters of Senate reform and, therefore, one could believe strongly in Senate reform and still vote "no." Again, however, media coverage and the public debate do not suggest that negative assessments per se played a major role in the west's rejection of the Charlottetown Accord. Although the Senate package certainly came under critical attack, the attack did not go unchallenged and was not central to the broader referendum debate.

"YES" TO SENATE REFORM, BUT NOT AT ANY PRICE

The third possibility may be that western Canadians were relatively pleased with the Senate reform package, but disliked other aspects of the Accord so much that they were prepared to sacrifice Senate reform. Of the three possibilities, this one strikes me as the most likely. Certainly, other aspects of the Accord, and particularly the 25 percent seat guarantee for Quebec, overshadowed the specifics of the Senate reform in the public debate.

Of course, the three explanations are complementary. If Senate reform had been more salient, then western Canadians may have been prepared to swallow other aspects of the Accord. If the Senate package had been stronger, they might also have been prepared to do so. In any event, they did not, and it appears at first glance that Senate reform has been swept from the nation's political agenda along with most of the other elements in the Charlottetown Accord.

THE FUTURE OF SENATE REFORM?

And yet, it would be premature to conclude that Senate reform has disappeared. Admittedly, it is unlikely that the west has enough political muscle, or even enough interest, to resuscitate a national debate on Senate reform. It is difficult to imagine any enthusiasm among western premiers, and particularly Mike Harcourt, for a renewed constitutional debate. Nor do I underestimate the antipathy of Quebec to the Charlottetown Senate package and, indeed, to any Senate reform package.

However, the Senate reformers have a critically important card to play and that is the fact that the existing Senate—unelected, unequal, but with formidable formal powers—still exists. To take one of the best lines from the October 26 media coverage, the quo has no status and the existing Senate will continue to generate pressure for institutional reform.

It is difficult to imagine that we will stumble into the 21st century with the current Senate still in place. The trick will be to find a way to reform the Senate without having to roll reform into a larger constitutional package that would likely suffer the same fate as the Meech Lake and Charlottetown accords. More specifically, the challenge will be to find non-constitutional means to reform the Senate and to bring it more into line with the contemporary political culture.

This will not be an easy task, but it need not lie beyond our imaginations and will. It is, however, a task for which leadership must come from the west. Senate reformers elsewhere in the country have been scattered to the winds by the October 26 referendum.

Roger Gibbins is Professor and Head, Department of Political Science, University of Calgary. Western Report is a regular feature of Canada Watch.

QUEBEC REPORT

THE REFERENDUM AND ITS AFTERMATH IN QUEBEC

by Guy Laforest

The October 26 referendum was Quebec's second action of collective self-determination in 12 years. The question was the same throughout the country, but Quebec administered its own referendum with the law and the regulations of the National Assembly. In an important sense, this was a form of special status. For the second time in 12 years, the federal government and the rest of the country endorsed both the self-determination and the special status of Quebec. Whatever happens in the future concerning the relationship of Quebec with Canada, the referendum of 1992 has reinforced, both for us and for international observers, the status of Quebec as an autonomous political community. Quite frankly, that's about the only positive thing I have to say with regard to our recent referendum experience.

For those who can still remember the hopes that were in the air after the demise of the Meech Lake Accord, or during the fall of 1990, when Michel Bélanger and Jean Campeau carried on their shoulders the dignity and the legitimacy of the National Assembly, the present situation is very disappointing indeed. Quebeckers have said "no" to the Ottawa-Charlottetown Accord, but they are still stuck with the constitution that Pierre Trudeau and nine English-speaking premiers imposed on them 10 years ago and all this, in a sense, because Robert Bourassa and his government refused the more radical options recommended to them by most sectors of Quebec society.