

only government bill that the Senate actually vetoed in the past thirty years — the abortion bill — will no longer be subject to an absolute veto by the new Senate. In depriving the Senate of the power to defeat any future attempts at re-criminalizing abortion, the message is clear: when the democratic process works for women, the first ministers will intervene to prevent it from happening again.

In the face of this lengthy and quite possibly incomplete list of the harms that the new constitutional accord holds for women, Mr. Rae wants Ontario women to forgive and forget. We should forgive his failures on our behalf because he tried his best to persuade the other first ministers to support gender equity. It is not his fault that they refused to cooperate, is it?

Of course the word “forget” did not actually cross Mr. Rae’s lips but the words “unity” and “Canada” did, with some frequency. Despite the palpable anger in the room, the Premier nevertheless persisted in urging women to put their own concerns aside in order to support the accord.

To what end? There is no guarantee that the courts will be able to protect our equality rights. Nor is there any basis for believing that women will have a say in future constitutional negotiations. Put simply, these risks are unacceptable.

Perhaps it is time to demand that the Premier of Ontario and the other first ministers give us a women’s province — one in which at least 52 percent of the legislators and judges must be women. Then we could vote “yes” in their constitutional referendum.

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WESTERN REPORT

SOMETHING NOT SO FUNNY HAPPENED ON THE WAY TO SENATE REFORM

by Roger Gibbins

If you strip away the details from past proposals for Senate reform, the basic objective has been to create an effective regional counterweight to the demographic dominance of Ontario and Quebec in the House of Commons. Thus, it is bitterly ironic that the new agreement on Senate reform will strengthen central Canadian dominance, and more specifically Quebec’s dominance, of the national political process.

It has always been assumed that there would have to be compromise if Senate reform were to be achieved, but it was also assumed that some of the compromising would be done by opponents of reform. A reformed Senate was seen as the bitter pill that Quebec might be prepared to swallow in return for more powers, constitutional recognition as a distinct society, a veto on constitutional amendments, guaranteed representation on the Supreme Court, and so forth. As it turned out, Senate reform was a sweetener for Quebec, and a bitter pill for the west.

EFFECTIVENESS GUTTED

The constitutional package has trivialized the Senate. It will only be able to delay money bills temporarily and, in the case of virtually all other legislation, a Senate “veto” will result in a joint sitting of the combined Parliament in which M.P.s will outnumber senators by a margin of greater than five to one.

The Senate has an absolute veto in only two cases. The first and insignificant case is with respect to new federal taxation on natural resources, something that might come along once in a generation. Even here, it is worth noting that a new national energy program would likely be passed by an equal Senate with the support of Ontario, Quebec, New Brunswick, Nova Scotia, PEI and one Senator picked up from elsewhere. The new Senate is not “NEP-proof,” but then neither should it be.

QUEBEC’S POWER IS ENHANCED

The second, non-trivial case is the need for a double-majority with respect to legislation touching on matters of language and culture. Here, the six Senators likely to be appointed by the Quebec government, who will dominate any

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francophone contingent, will have an absolute veto, the extent of which depends on how broadly “culture” is defined. If we adopt the definition suggested by Marcel Masse, who once said that culture included “anything touched by the human intellect,” then the powers of the Quebec cabinet in the Parliament of Canada could be extensive.

POWER SHIFT IN THE HOUSE OF COMMONS

If the new Senate has been trivialized, the size and the power of the House of Commons have been increased. How does the west fare in this shift? Before the deal, the four

BLUFFING ALL THE WAY

by Guy Laforest

As Canadians are about to embark upon the fascinating journey of a referendum to ratify the constitutional agreement reached by the 17 partners at the multilateral table, many are looking for the definitive conclusion of this debate. They want peace for our times, for a thousand years. I suspect that they will be disappointed. Robert Bourassa, despite all his skills, will not be able to deliver more than a temporary truce.

BOURASSA'S POST MEECH STRATEGY

Two years ago, when the Meech Lake Accord fell apart, Robert Bourassa solemnly proclaimed that Quebecers formed a distinct society free to choose its political and constitutional status, that his government would never again enter into multilateral negotiations on fundamental matters. In Spring 1991, following a process initiated and encouraged by Robert Bourassa, the Allaire and Bélanger-Campeau Reports gave the rest of Canada 18 months to formulate a binding offer leading to a profound renewal of the Canadian federation, capable of satisfying the traditionally decentralizing demands of Quebec. In the absence of such an offer, the government of Quebec would put in place the machinery of a referendum on sovereignty. In June 1991, the National Assembly ratified Bill 150, a piece of legislation embodying the spirit of these reports. Those were the tools that Bourassa's government put together to move beyond the conflict of national visions and aspirations

western provinces have 29.0 percent of the 1991 national population and 29.2 percent of the seats in the House. Now, the west's share will drop to 27.3 percent in the primary legislative chamber, the one that will determine the composition of the federal cabinet. Quebec's share will increase from 25.4 to 27.6 percent, and Ontario's from 33.6 to 34.7 percent. Thus the power in the legislative chamber that counts, shifts to the centre.

If we move to greater representation by population in the House, the situation is unlikely to improve for the west. Most of the available seats for redistribution will be locked up in Quebec, and Ontario, even with its "signing bonus" of 18 additional

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In summary, the Senate reform package can only be seen as a humiliation for the west, but one that will be presented as a response to western Canadian concerns and as a compromise by Quebec. It is neither.

The lesson from the Senate reform saga should be painfully clear. When the next "Canada Round" is opened up in a few years to respond to renewed demands from nationalists in Quebec, western Canadians should not come to the table. To participate again in our humiliation would be too much.

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seats, will still have the most compelling claim for more seats. Alberta and British Columbia may be able to cannibalize Manitoba and Saskatchewan, but there will be no significant shift of seats to the region as a whole.

THE 0.1 PERCENT SOLUTION

So it all comes down to joint sittings in the new blended Parliament which will combine House and Senate votes. Here the west, with 29.0 percent of the Canadian population, will have 29.1 percent of the seats in the combined Parliament. This, then, is the regional counterweight, the outcome of a prolonged search for institutional reform — a 0.1 percent edge. It is a wonder that western Canadians are not dancing in the streets!