



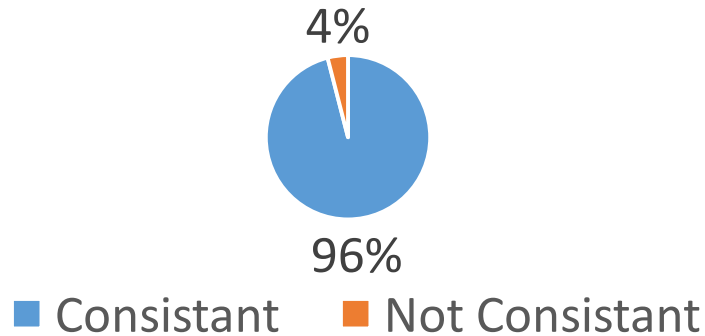
---

# CHARTS AND ANALYSIS

---

## SENATE MODERNIZATION QUESTIONNAIRE

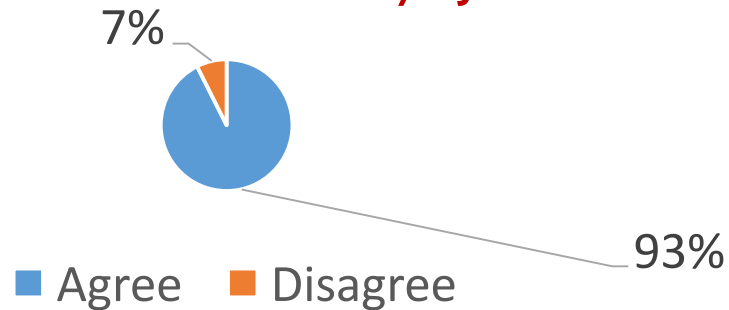
AI. Do you agree that the statements by John A. MacDonald of 150 years ago and the Supreme Court of Canada in 2014 are relatively consistent?



**Analysis:**

Answers ranged from simple agreement, emphatic agreement, and further — many answers suggested these quotes form a ‘starting point’ for the role the Senate plays. The only answers to disagree did so because Senators believed the Senate’s role should be expanded.

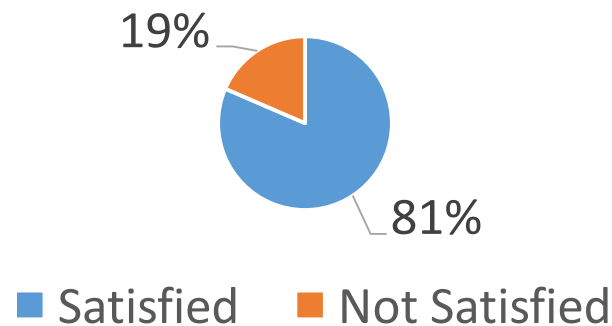
A2. Do you agree that the modern Senate of Canada, and any changes made to its operations and practices, must be consistent with the constitutional principles as laid down by John A...



**Analysis:**

Most Senators agreed. Many went on to say basically “the Senate needs to do its job, and these statements describe the job.” One Senator who disagreed again thought the role of the Senate should expand unfettered by MacDonald’s limit of never going against the will of the people. Another Senator who disagreed, suggested there is no problem with the Senate’s rules or practices — instead the Senate has fallen into trouble because it is not only voting in line with the HOC, but taking their opinions as well, thus compromising the deliberative capacity of the Senate.

A3. Are you satisfied that the Senate's current practices, procedures, conventions and rules enable the Senate to perform its constitutional role in Canadian democracy as expressed by...



**Analysis:**

Those that were satisfied, were mostly so because they believe the Senate requires only cultural change. Other Senators suggested that rules and practices force partisan conflict. Many answers gave specific examples of how rules and practices are an impediment to the Senate doing its job.

**A4. If your answer to A3. is “no,” what are the two or three main problems or blockages that prevent the Senate from fulfilling its role? How would you propose to solve or remove them?**

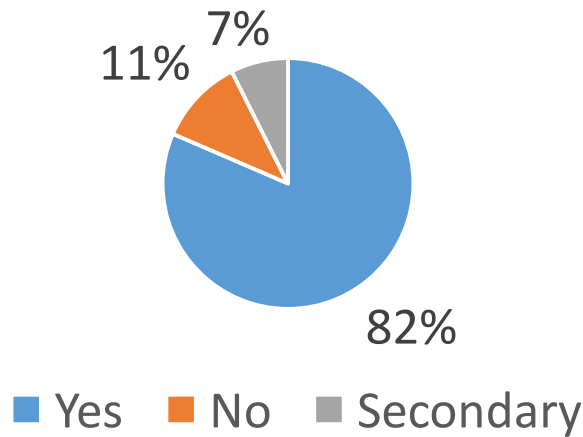
**Analysis:**

While Senators gave detailed answers, there was a clear message that Senators need to muster the will to change the practice of partisanship in the Senate.

**Detailed answers:**

- The main blockage is what can be called “institutional partisanship.” While partisanship on some level is to be expected, even encouraged, we have, over time, institutionalized the role of party so that it is very difficult for Senators to escape it and to vote in any way but the party line. Voting for the party line is not what the Senate was composed to do.
- The three main problems in my opinion are:
  1. Appointment of leadership by the House of Commons
  2. Selection of the Speaker in a partisan manner
  3. Absolute power in a partisan leadership
- Senators should not participate in its political party meetings, maintaining some independence as its purpose dictates. Every Senator should also remind and pursue "the best interest of Canada" in its deliberations without regard to the politics....
- To my mind, it will be necessary to develop a will that can change how we do business. The election of the speaker by the Senate, the election of Chairs and Vice Chairs of the committees by the Senate, the review of rules that do not enhance debate but rather stifle it. The idea that one person can hold the Senate hostage simply by taking adjournments and never letting it see the light of day must be changed. The aim should be to further discussion and debate, not stop it with archaic rules. To be clear, both sides are guilty of this and it leads to deadlock which then means we are not doing our job.

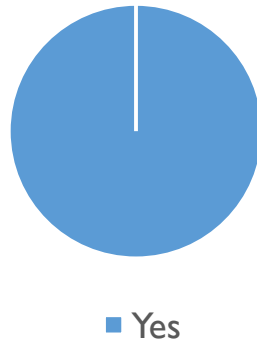
BI. Do you agree that a Senators' legislative role encompasses particular sensitivity to our regions, minorities and under-represented segments of our population, to seek and achieve the best possible legislation?



**Analysis:**

Most Senators agreed this was an important dynamic of the Senate with about 7% saying these were secondary issues and others saying the issue is not important at all. Disagreement was based around a federal interpretation of the Senate: an institution concerned by Federal law, federal policies, federal legislation, and so should only involve in regional issues when they touch on federal powers.

**B2. Do you also believe that Senators' fundamental role and purpose includes work on Senate Committees to study and report on matters relevant to our society, to seek and achieve the best...**



**Analysis:**

There is enormous support throughout the questionnaire for a Senate built from the committee level outward. Senators shared numerous strong ideas for expanding the role and prominence of committee work. This is one of only two unanimous results.

**2A. If you were assigned to develop the operations of an upper house for Canada from scratch whose primary function was to be the review of Government legislation, how would you organize the ideal Senate assembly of 105 committed, and wise, Senators? What would be your key issues or organizing principles?**

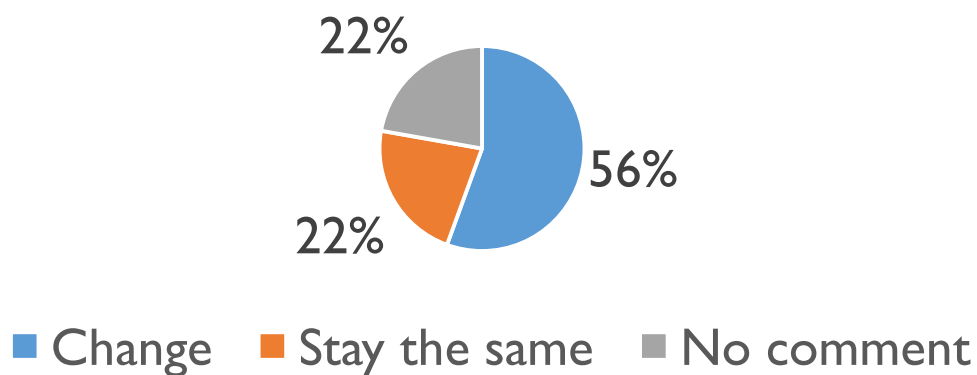
**Senators gave detailed answers that were difficult to quantify.**

**Some Selected Answers:**

- I think I would pretty much follow the thinking of the original framers of Canada, but I would not allow Senators to sit in National Caucuses.
- The key fundamental organizing principle for Senators is obvious ..... do the job that our Constitution requires of us i.e. be an effective check and balance on the actions of the Lower House, including the Executive - the solution is obvious and straight forward and is within the present ability of each Senator to do so
- My primary goal would be to organize the Senate around two things: reviewing legislation and doing large committee studies. This means that at the centre of the entire organization would be committees and the way they function. Using committee's as the core around which all other operating principles revolve ensures that the Senate can focus on doing the meticulous but important work that is often overlooked in the House.



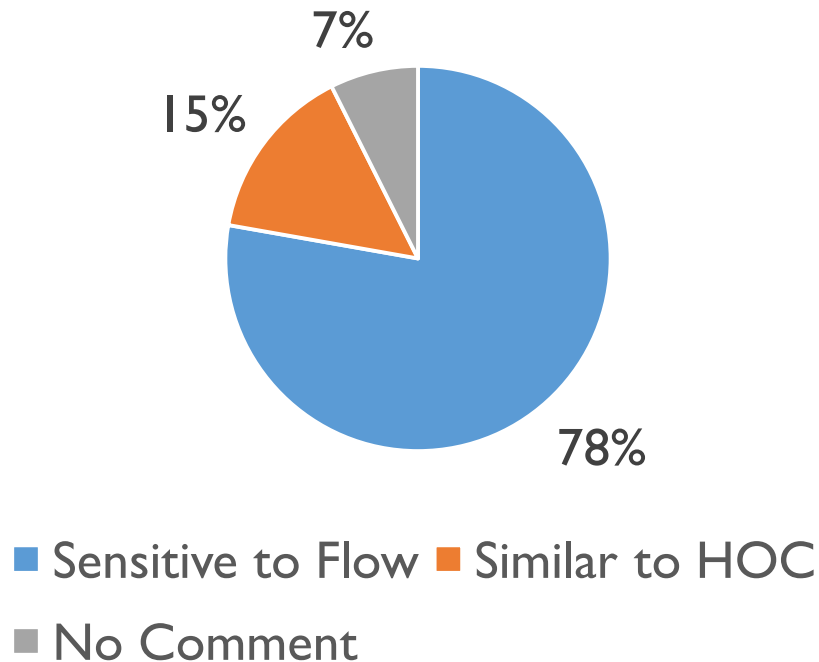
## 2BI. The Chamber seating plan: should it follow partisan principles as now or other principles?



### **Analysis:**

Answers showed an appetite for change. Answers ranged from seating by seniority, alphabetical order, theatre shaped, committee chairs sitting as Ministers do in the HOC, and regional seating. Some thought there is no problem with the current configuration. Others thought it was not an important issue.

2B2. The Senate calendar: should it be identical to the House of Commons or be sensitive to the flow of legislation?



**Analysis:**

This answer fits into a theme that runs throughout the answers: The Senate can be different than the House, and should be if it results in doing its job better.

Of the respondents who stated it should mirror the HOC, even they suggested the Senate should decide these matters for itself more, instead of relying on a traditional practice of letting the HOC decide automatically. Most answers described a more active role for the Senate in this decision making process. But no one specifically said it should be identical to the House.

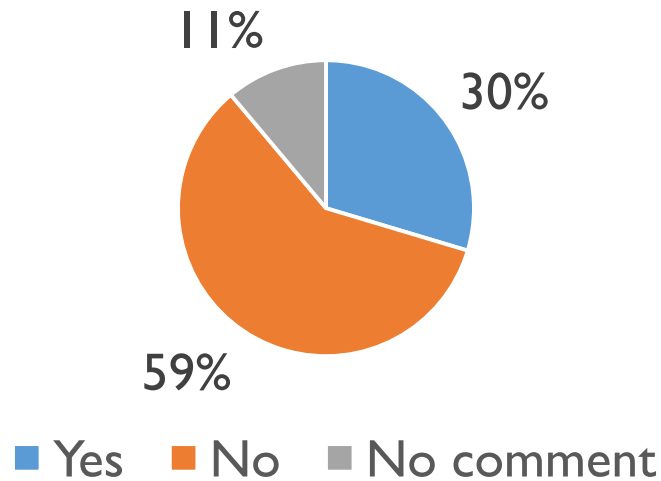
### **2B3. The weekly schedule: should Senators sit more than 3 days?**

#### **Analysis:**

The various answers given underline this is a complex issue. Canada is large where travel times to Ottawa vary. Many interesting sitting schedule configurations are proposed. However, the question is imprecise. Many Senators pointed out that with Monday committees, the week is not three days.

No less than ten Senators criticized the question.

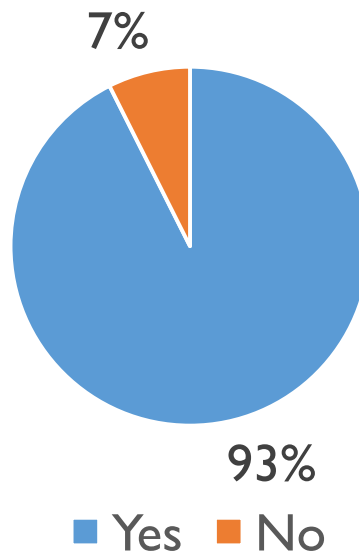
## 2B4. The daily schedule: is it an efficient use of time?



### **Analysis:**

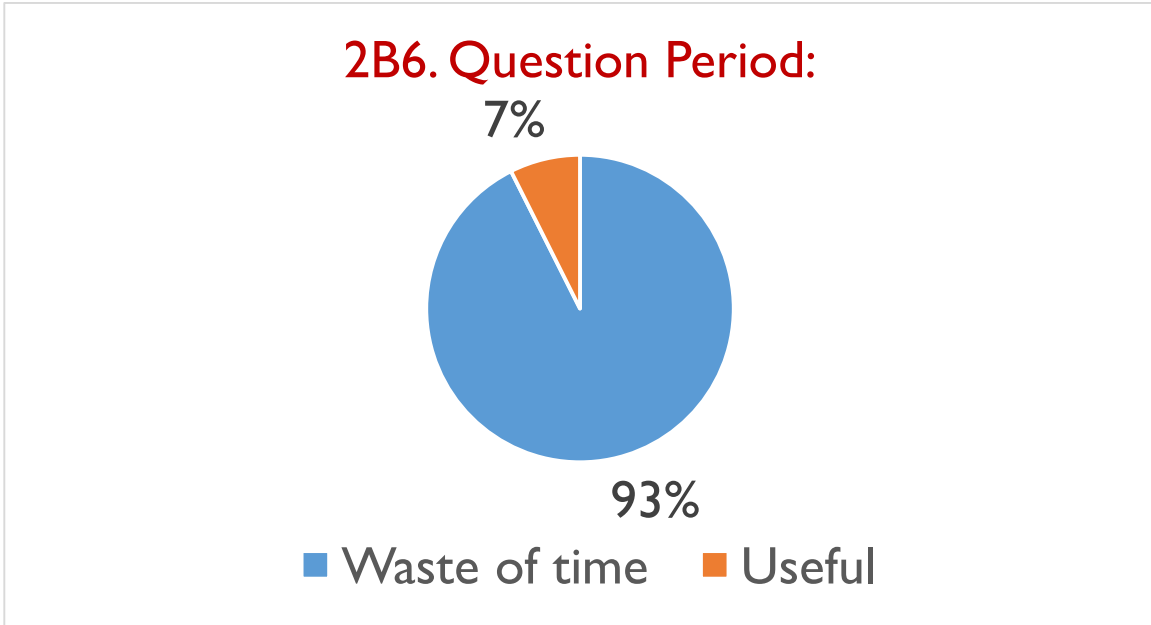
Answers painted a picture of how the Senate could become more efficient. These answers provided insight into how to improve the operations of this place. Many Senators thought Wednesday mornings could be better used, and that the Chamber should meet Thursday morning, with committees running in the afternoon to help Senators plan for the departure better. Many Senators used this question to also mention that QP should be restricted or abandoned.

## 2B5. Member's Statements: are they important?



### **Analysis:**

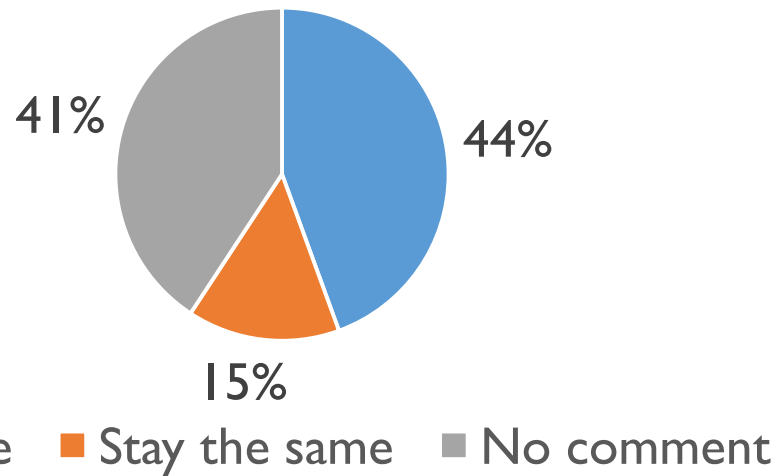
Most Senators felt they were important. Some who agreed they were important also felt they were misused or boring.



**Analysis:**

Most answers were long complaints about QP. Most wished to see an end to questions framed as Opposition and Government. Several answers included suggestions, including perhaps limiting QP to one day a week, or else have it consist of only written questions and answers. Another common suggestion was to reorient QP around committee work.

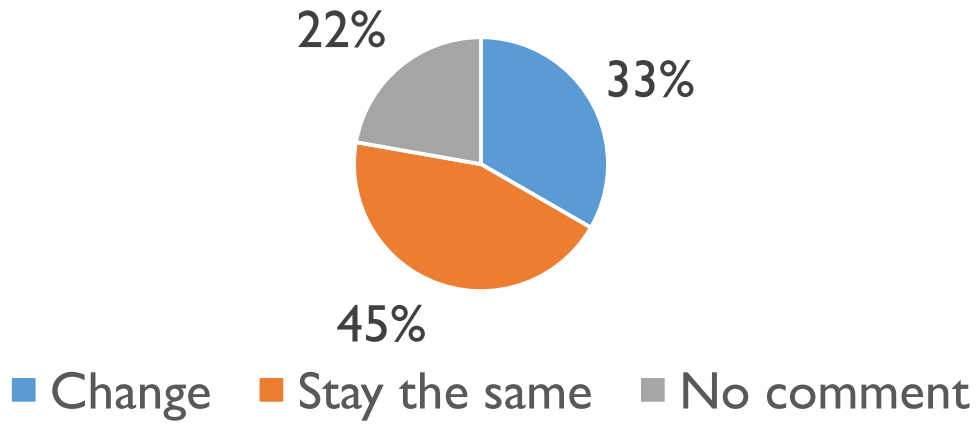
## 2B7.The Order Paper:



### **Analysis:**

Answers were divided, but there was an interest in doing things better even amongst those who gave 'no comment' or wished for the Order Paper to stay the same. For example, letting all Senators know what leaders had agreed to in Scrolls. It is a very open ended question which led some Senators to avoid it.

## 2B8. The progress of Government legislation:

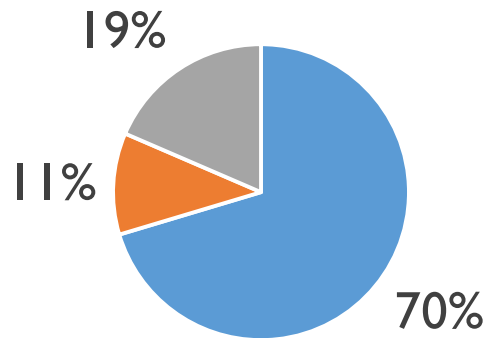


### **Analysis:**

The voice for change was not loud even amongst those who were calling for change. Likewise, some who said the rules ought to stay the same, also suggested the current rules need to be respected. There was an underlying consensus that government legislation is a priority and must be dealt with one way or another within a reasonable delay.



**2B9. The progress of private member's bills:**

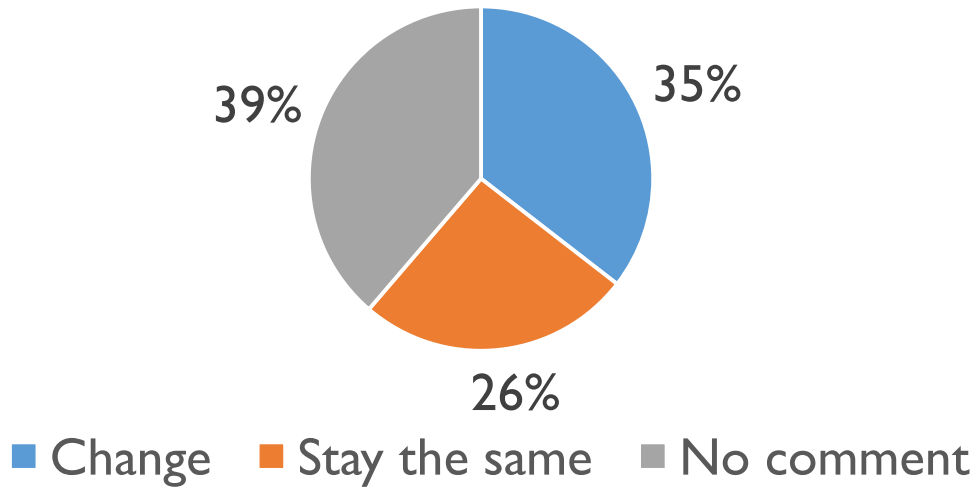


■ Change ■ Stay the same ■ No comment

**Analysis:**

Answers varied from PMBs being important to being a waste of time. Several Senators believed they should be dealt with one way or another. Others suggested they were content with these bills having lesser priority.

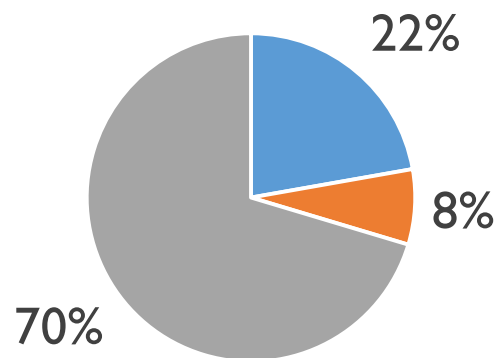
## 2BI0. The progress of Senate bills:



### **Analysis:**

This question did not garner much comment. Of the few thoughts expressed, there was division. It did not stick out as a vital question for the Senate.

## 2B I I. The flow of Chamber Debate:

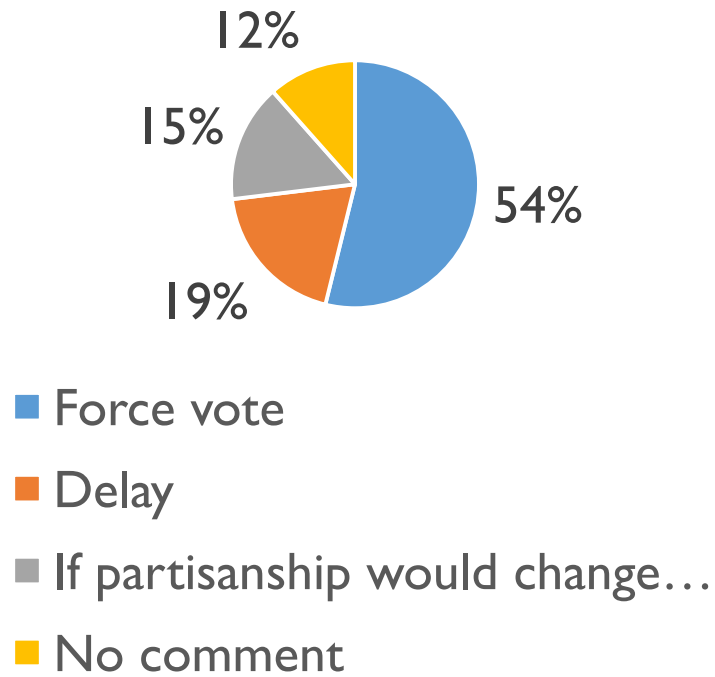


■ Change ■ Stay the same ■ No comment

### **Analysis:**

This question may have been too vague as 70% declined to answer or wrote “no comment”.

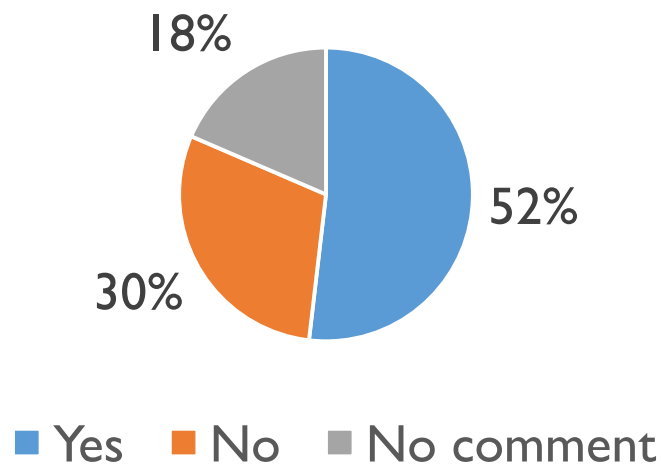
2B1 i. In this ideal Senate, should the rules force a vote on all bills? Should the rules allow their tactical use to delay bills? If so, for how long?



**Analysis:**

This is another question that may have been too vague. It was avoided by many Senators who seemed to prefer to answer the next question.

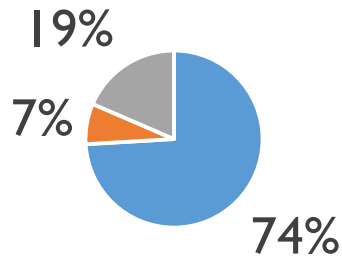
2BI Iii. Should time limits be placed on Government legislation, PMBs, or Senate bills as soon as they are introduced? Why or why not?



**Analysis:**

Once again, this question is part of a grouping of answers designed to address a number of ways we organize our work day. Although a consensus does not jump out from these numbers, many Senators shared interesting thoughts and perspectives.

2BI I iii. Would you continue the current discussion of bills, with the often-used adjournment of discussion? Would you rather see a lumping of the discussion with defined breaks in a defined...

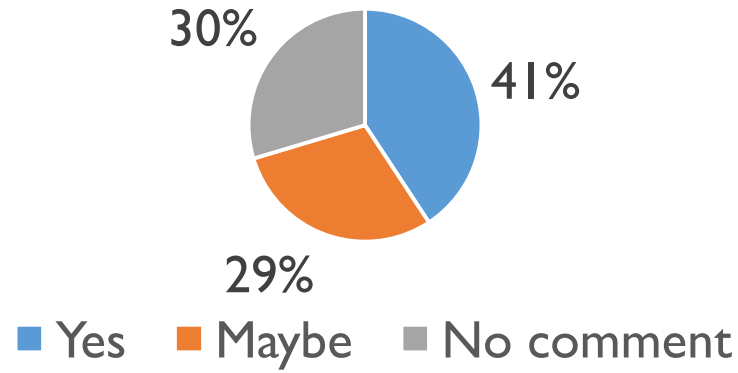


■ Change ■ Stay the same ■ No comment

**Analysis:**

Senators were receptive to this question and offered enthusiastic answers. Senators stated the advantages of a debate schedule would help increase participation and quality of debates. It will also help create cohesion and momentum for a debate subject, instead of the entire Chamber waiting on each Senator whose turn it is to speak.

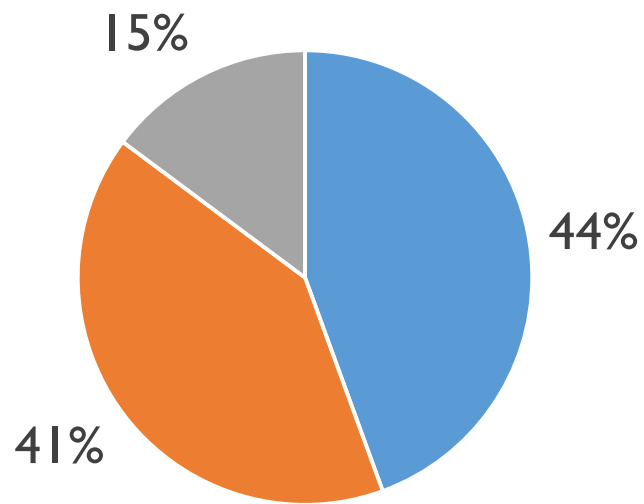
## 2BI Iiv. Does time allocation need to be modified?



### **Analysis:**

The answers are uncertain here. Most Senators are fine with it for government legislation, and complained about its use on PMBs.

## 2B12. The length of speeches:



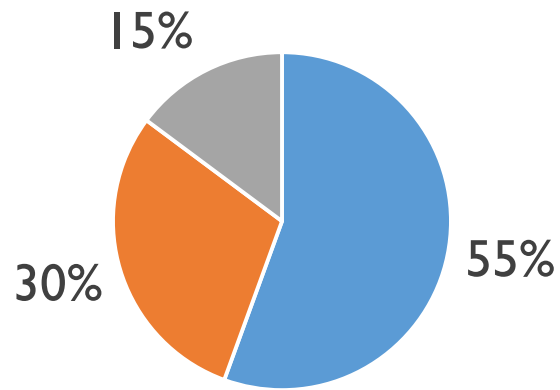
■ Change ■ Stay the same ■ No comment

### **Analysis:**

Senators did not line up passionately for this question. Please note that within the category of change, there some Senators who want more time for speeches.



**2B13. The resources available to committees:**

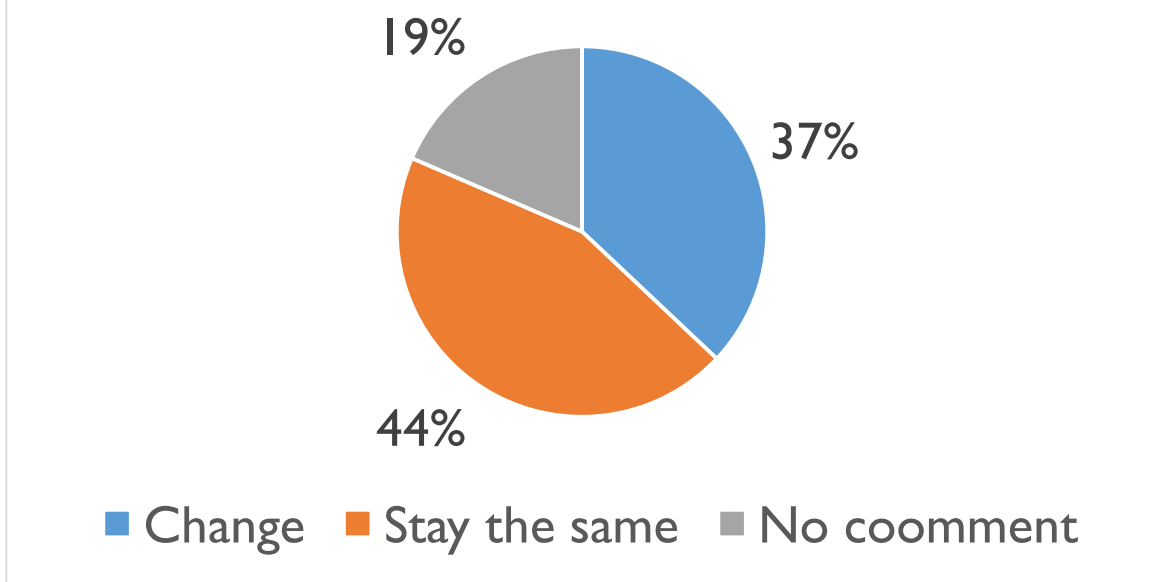


■ Change ■ Stay the same ■ No comment

**Analysis:**

While almost all Senators underlined that resources available were sufficient, several answered they wished to rearrange the budget from political leader's offices and divert it to the committees. In short, complaints were not about the Senate resources available, but how the resources are allocated.

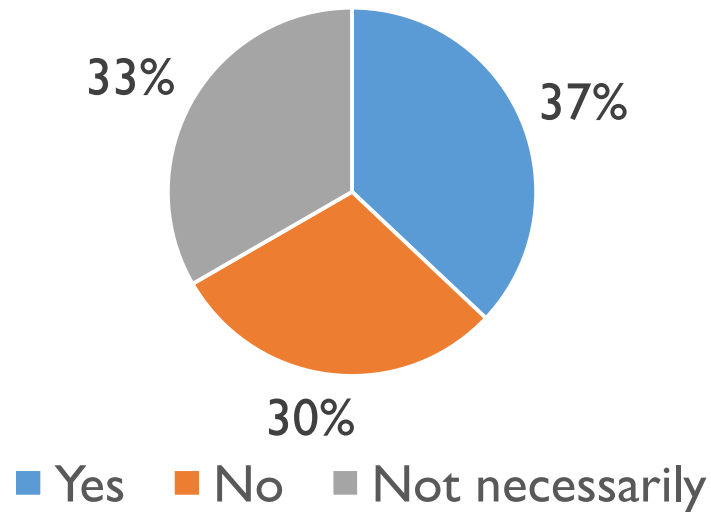
## 2BI4. The resources available to Senators:



### **Analysis:**

Most Senators did not complain about the size of their budgets...but wanted more flexibility in hiring, contracting and spending their own budgets.

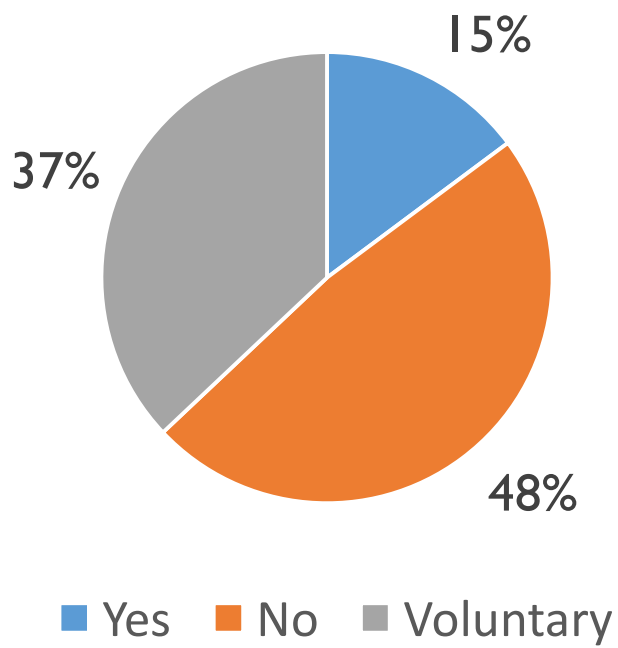
**2B15. The role of partisanship: Is there a need to identify Senators as belonging to a political party?**



**Analysis:**

Some Senators believed political parties were useful platforms for internal communications. Others believed this should be entirely voluntary. As you can see the splits are about one third each. “Not necessarily”....kind of means, “political parties if necessary but not necessarily political parties.”

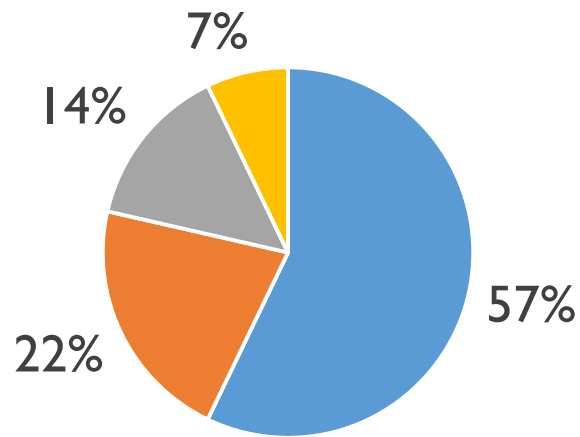
## 2BI6.Attendance at National Caucus



### **Analysis:**

Many Senators believed this is one of the largest obstacles to Senate independence.

## 2B17. Attendance at Senate party caucus:

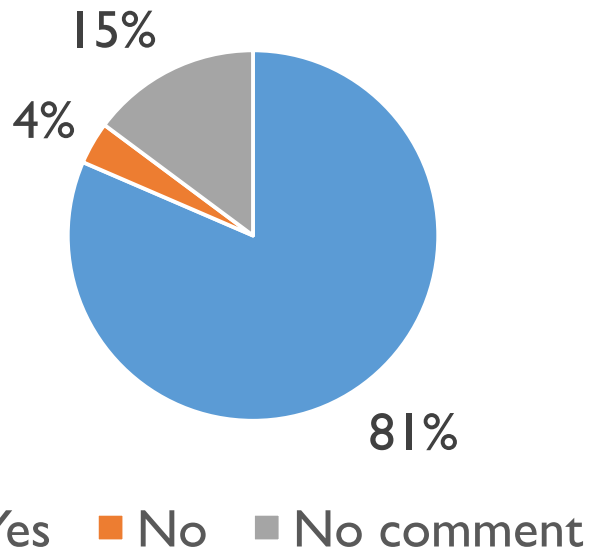


■ Yes ■ No ■ Voluntary ■ No comment

### **Analysis:**

Once again, answers focused on the discretion of the Senator, while also admitting there was a use for them.

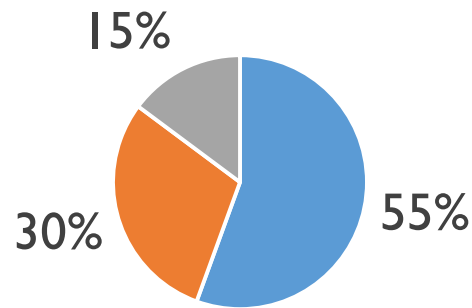
## 2B18. Senate regional caucuses:



### **Analysis:**

Some Senators believed this was the most important reform Senators could make, with some answers stating this should be mandatory. Other answers underlined that regional caucuses would need to develop an objective, as it couldn't be a consensus making caucus designed to coordinate voting intentions, as political caucuses are. Others worried about resources if we formed these.

## 2B19. Televising/web casting Chamber proceedings:

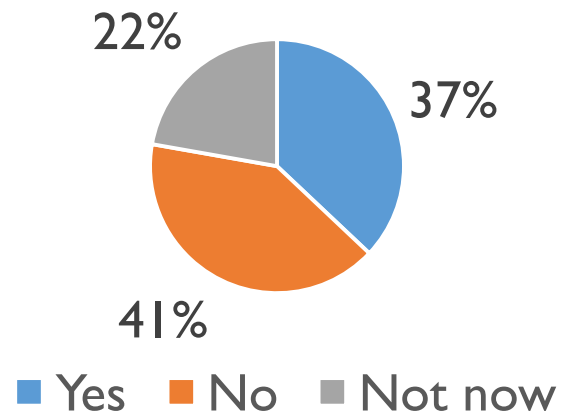


■ Yes ■ No ■ Contingent on other changes

### **Analysis:**

There was a clear message by some Senators that they only accept TV only if other changes came to the Senate. Many Senators believed this should be a priority. Other answers confirmed they believe this should be a priority for the Senate and would go a long way towards communicating what the Senate does. Some answers stated cameras would add to the Senate's trouble because it would compel partisan grandstanding.

## 2B20. Electronic voting in the Chamber: should we conduct an experiment?

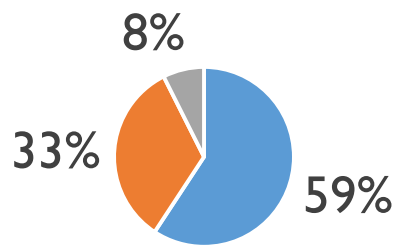


### **Analysis:**

There was not much enthusiasm for this. Answers often thought it was a waste of time and not a concern of ours.



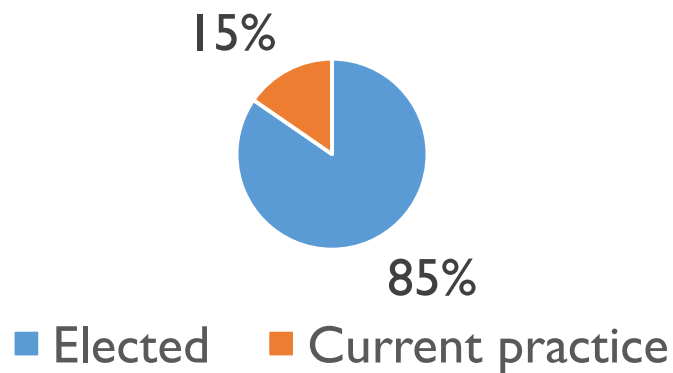
## 2B2I. Whipped Votes: what is their role in the Senate?



### **Analysis:**

Senators varied between whipped votes having no role in the Senate to underlining their specific place and role (confidence votes, budget votes, or so-called 3-line whip items).

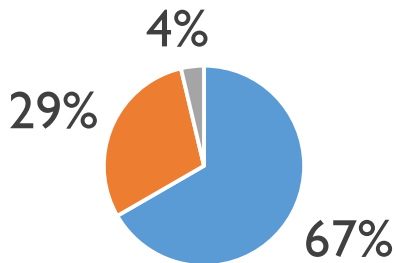
## 2B22. Committee chairs: How should they be selected?



### **Analysis:**

Along with question 3A. below, this question touched on democratic reforms the Senate may choose to undertake. The election of caucus officers and the election of the Speaker were part of this current of thought. Several mentioned the need for some kind of competitive process involving the entire Senate.

## 2B23. Committee participation: How should committee members be chosen and by whom?

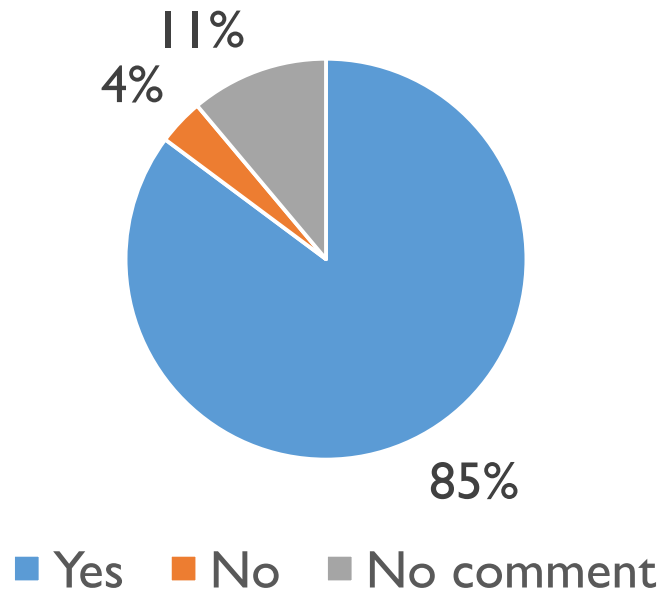


■ Change ■ Stay the same ■ No comment

### **Analysis:**

Senators generally believed that committee membership be chosen differently than the current method. Some saw value in leadership naming members, if only to make the process efficient. Even amongst these answers, there was an appetite for more say in committee constitution by Senators. One Senator said there should be a “competitive process.”

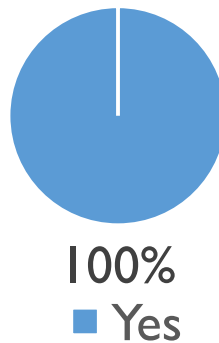
### 3A. Should the Senate be an example of democracy within its own operations?



#### **Analysis:**

Although this answer did not gather many specific insights, Senators all felt there was a need for more democratic decision making in the Senate.

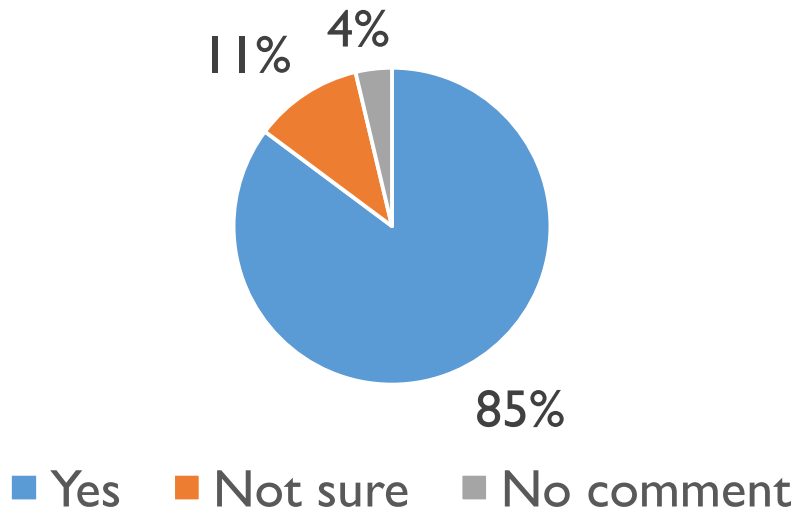
3B. If the answer to the question above is “yes,” should the Senate elect/propose its Speaker? Should the election be by secret ballot?



**Analysis:**

This question had unanimous support, although one left the question blank. It was only the second answer to do so. Senators believe there is a role for the Senate to play in the selection of the Speaker.

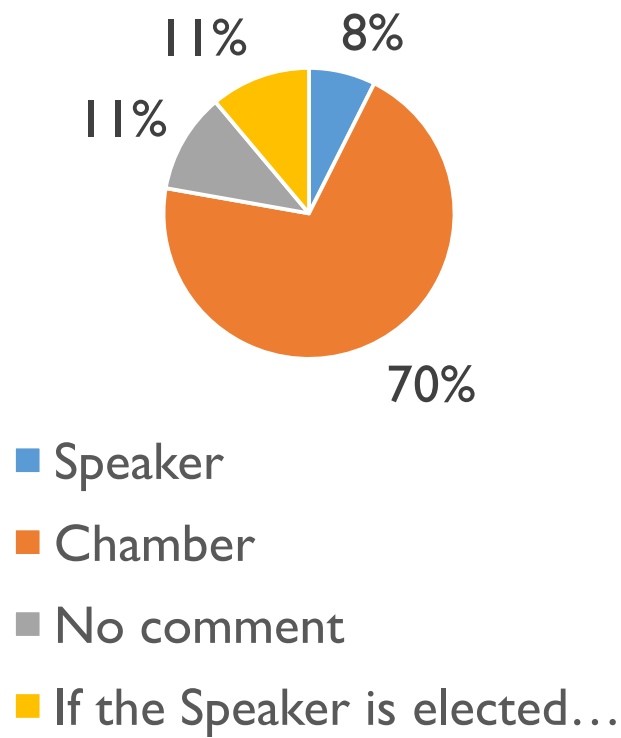
**3C. Should the Speaker have a term limit?  
If yes, what is a reasonable limit?**



**Analysis:**

Answers varied greatly. Some Senators didn't think the term should have an explicit limit, while some Senators who suggested there should be no limit went on to suggest it should be for each Parliament, a de facto limit.

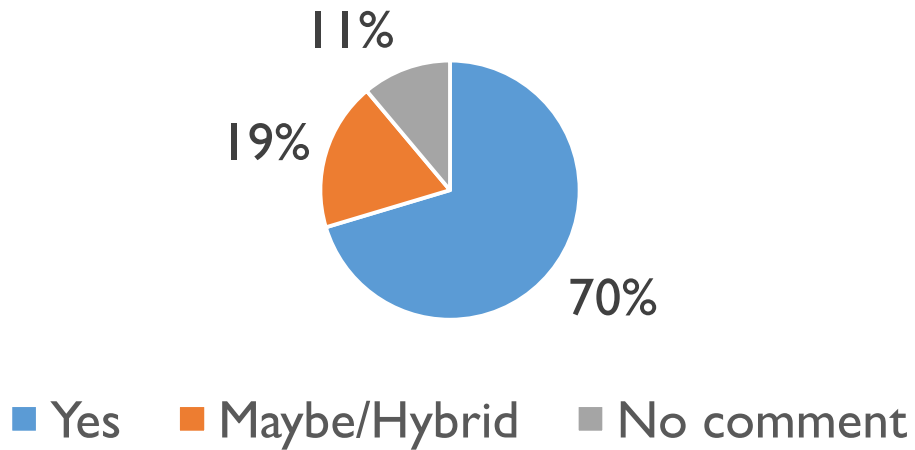
3D. Should we enable the Speaker to be the final word on Senate procedures and rules or should we maintain the Chamber's right to overturn the Speaker's rulings? If yes, under what conditions?



**Analysis:**

While a majority believes the powers should remain with the Senate, a number of Senators believe the powers of the Speaker could be increased if the Senate is able to choose their own Speaker.

3E. Should Caucus officers be elected by Senators? If yes, should all of them be elected or should some be appointed? If yes, which ones elected or appointed?

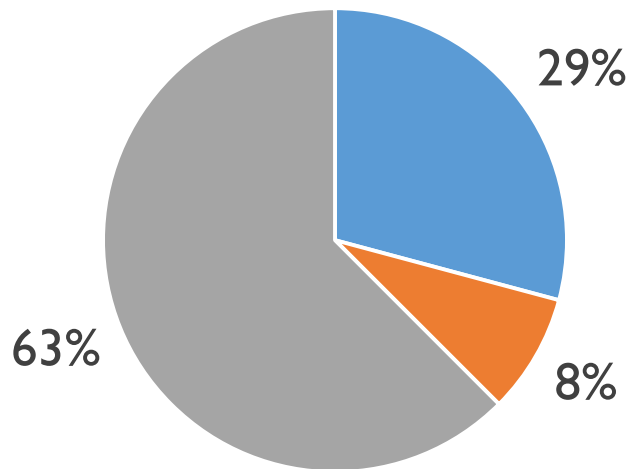


**Analysis:**

While Senators offered all kinds of configurations as to which officers would be selected and how, most agreed more input from Senators was needed.



### 3F. Who should name the leaders of each Senate side?



■ Senators   ■ Government   ■ Caucus

#### **Analysis:**

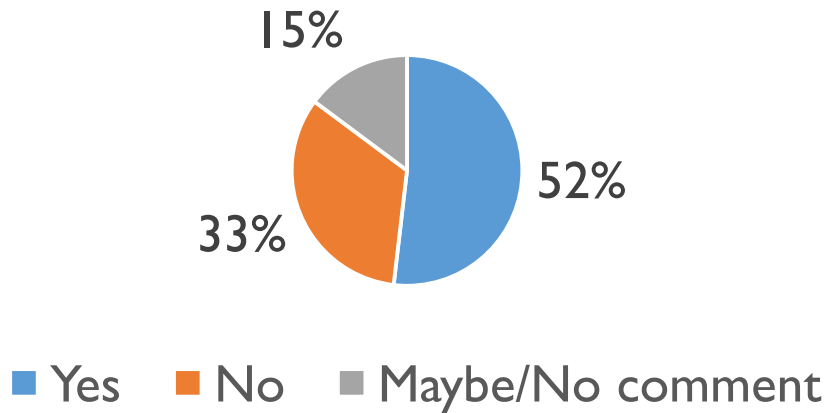
Senators stated clearly that leadership should be chosen by senators, either through their caucuses, or else in the Chamber if there are no parties. Even those who answered the government should name the leaders mentioned the leaders shouldn't exercise power over their colleagues but instead should promote the government's agenda in the Senate.

**3G. While with respect to the progress of Government legislation, it should be clear who the Government Leader in the Senate is and what his/her role is, but should the Government Leader in the Senate have a role on issues outside of Government legislation?**

**Analysis:**

Senators seemed to have a difficult time with this question — perhaps the question had too many moving parts. Answers were varied. What this amounts to could be the need for a kind of job description for Government Leader, although no one said that specifically.

4. Should the Senate establish a committee to propose, in a manner consistent with the Supreme Court decision, how Senators could be chosen?



**Analysis:**

While some Senators thought this was a good idea, others believed it was none of our business. Those who answered “yes” often only gave this one word answer. Those who answered “no” often shared their thoughts about why this was a bad idea.

**5. Should we more specifically define Senators' individual roles and contributions to Canada beyond our more formal role and objectives? Should the Senate be funding such activities? Explain please.**

**Analysis:**

This question is really two questions: should the broader role of Canadian Senator be defined and should the Senate fund the activities. The positive response seems to have come from the second part of this question. Some answers also approached the Senate's poor communications.

## **6A. What is your brief definition of partisanship?**

### **Detailed answers:**

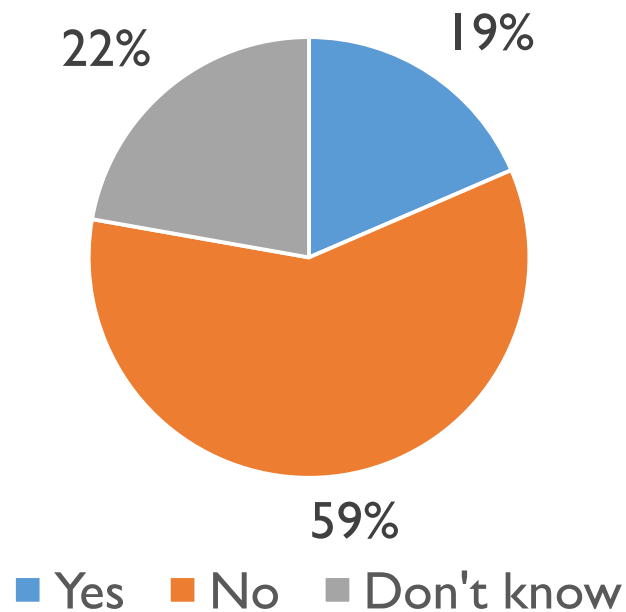
- The absolute loyalty of Senators to their party rather than to Canadians.
- A prejudice affecting decision making, favoring a political party.
- Partisanship: blind obedience to party rule.

## **6B. What is its role and purpose in the Senate?**

### **Detailed answers:**

- The only role and purpose it should have is a very, very limited one. It should be acknowledged as nothing more than a factor among many others in determining how a Senator will vote.
- Its valuable mostly, as it provides predictable and stable results through a process driven by like minded individuals. It's destructive when it requires blind obedience to issues that need debate.
- Its present role and purpose in the Senate is to exercise control over the intentions, will, conclusions and actions of individual Senators.
- No senator should blindly obey anyone else.

6C. Should we try to define, perhaps as part of a code, what level of partisanship is and is not appropriate? If so, how would you define it?



**Analysis:**

Most Senators were skeptical as to whether it would be possible to codify partisanship. Others thought it was unnecessary.