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One day, we may elect our senators

On Oct. 19, Alberta will hold an advisory election to pick two "senators in waiting," one of whom the Prime Minister may (or may not) appoint the next time a vacancy occurs among Alberta's senators. This event is part of a long-range campaign to bring about popular election of senators everywhere in Canada, and the model for the campaign is a little-known slice of American history.

According to the American Constitution of 1787, devised in a pre-democratic era, the only directly elected federal politicians were members of the House of Representatives. The president and senators were to be elected indirectly — the president by the Electoral College and senators by state legislatures. Late in the 19th and early in the 20th century, Populists and Progressives fought for democratic reforms in both Canada and the United States. They achieved Senate reform in the U.S., but the job is unfinished in Canada.

In 1904, Oregon's Populist leader, a soft-spoken little man with the unusual name of William U'Ren, got the state to establish primary elections as a new process for political parties to nominate candidates for office. He cunningly put into the law a clause allowing candidates for the Oregon legislature to pledge themselves to vote "for or against the people's choice for United States senators."

U'Ren's strategy bore fruit in 1906, when names of potential senators were put on the ballot and candidates for the legislature were asked to agree with "Statement No. 1": that, if elected, they would support the people's choice when the legislature chose a senator.

Ironically, the first senator chosen this way was Jonathan Bourne, a Republican party boss and attorney for the Southern Pacific Railway — the sort of politician the Populists usually opposed. But Bourne was U'Ren's ally, and U'Ren managed his Senate campaign. U'Ren was always willing to deal with whoever was on the scene to get long-lasting institutional change.

The Oregon initiative was so contagious that, within six years, 29 of 48 states had adopted similar mechanisms. It was then a simple matter to pass the 17th Amendment to the Constitution, requiring popular election of senators. Congress approved it in 1912, and the required three-quarters of the states ratified it in 1913.

Those who have led Alberta to hold an advisory senatorial election this year hope that the Oregon model will work in Canada: that other provinces will imitate Alberta, leading to widespread popular support for Senate reform and an eventual constitutional amendment. These hopes may some day be fulfilled, but there are significant differences between Canada at the end of the 20th century and the United States at the beginning.

The U.S. at that time was refashioning itself as a popular democracy. Within just a few decades, the secret ballot and suffrage for women became universally accepted, while a majority of states adopted primaries and direct democracy (referendum, initiative and recall). Popular election of senators was only part of a much wider movement.

There has been some momentum for democratic reform in recent Canadian history, as illustrated by federal and provincial referendums on constitutional change, but nothing like the ferment that transformed the U.S. 100 years ago. Without such a powerful and widespread mood of democratization, the chances for success of a particular reform, such as election of senators, are obviously less.

The constitutions of the two countries also affect the prospects for Senate reform. Because the U.S. Constitution entrusted the selection of senators to state legislatures, reformers could target states and legislators one at a time, pressuring them to agree to something like U'Ren's "Statement No. 1." In contrast, the Canadian Fathers of Confederation conferred the power to appoint senators upon the governor-general, which in practice means the prime minister. And the prime minister, as head of government, is involved in so many matters and so protected by party discipline that it is difficult to nail him to the wall on the single issue of Senate reform.

Things can change, however, when a prime minister needs political allies. Brian Mulroney's desire to keep Alberta's support for the Meech Lake accord led him to appoint Stan Waters to the Senate after Alberta's first advisory election in 1989. Something similar could happen again if we were to reopen the Canadian Constitution. Alternatively, a prime minister leading a minority government might have to agree to Senate reform in order to get another party to keep him in power.

It may be a long shot, but the prospect is realistic enough to keep Senate reformers working for their cause.

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