The Manitoba Legislative Assembly

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Manitoba exhibits both classical characteristics of Canadian political life and unique developments that are strikingly Manitoban. Accordingly, the development of the Manitoba Legislative Assembly has reflected the range of divisions within Canadian political society, including east/west tensions, Francophone/Anglophone relations, struggles between Aboriginal lifestyles and European colonialism, urban/rural divisions and of course the continuing legacy of immigration – multiculturalism. While exhibiting these traditional Canadian elements of nation building, Manitoba has also developed a distinct identity. The Métis and First Nation heritages, the timing and settlement patterns of immigration waves, the small provincial population, the province's have-not status and its difficult climate all contribute to the political environment. As the province's principal representative institution, the Manitoba Legislative Assembly is unique and reflects both the distinctive social and political context of Prairie politics and the complexities of the modern Western world.

When one looks over the history of Manitoba's Legislative Assembly, three distinct phases of development emerge: the province-building phase, 1870 to 1921; the non-partisan coalition phase, 1921 to 1969; and the modern era, 1969 to the present.

Manitoba attained provincial status in an unusual and hasty manner due to the Riel Rebellion of 1869. When Louis Riel, a Métis leader, seized power in the Red River area, the federal government used the tactic of conferring provincial status as a tool to dismantle the Riel movement. In 1869, Riel created the "Legislative Assembly of Assiniboia" made up of 12 representatives of the Anglophone parishes and 12 from the Francophone parishes. Riel was elected president and created a constitution that balanced the competing influences of English- and French-speaking settlers. The membership of the executive also reflected this divide. The Legislative Assembly of Assiniboia created a "List of Rights," including a grant of provincial status, which it demanded the Canadian Government enact. On July 14, 1870, Manitoba became the first 'Canadian-made' province. Riel's "List of Rights" was used as the template for the *Manitoba Act*, the Legislative Assembly's first tool of governance. To some Manitobans, Riel is still a champion of the first government chosen by the local people and this status has been recognized by the erection of a statue of him on the grounds of the Legislative Assembly in 1970 and by the establishment of a provincial holiday in his honour, Louis Riel Day, in 2007.

This hasty approach to Manitoba's province-building placed limitations on the new Legislative Assembly. There was no period to acclimatize to this new status, and the Legislative Assembly did make mistakes. Indeed, according to Murray Donnelly, it was "astonishing that the parliamentary system worked at all…"[1] At the same time, the federal government intervened directly in the functioning of Manitoba's new political institutions: the Lieutenant Governor and Cabinet were appointed by the federal government to provide experience and to ensure governance that met Ottawa's standards. This heavy-handedness further contributed to existing antagonism between Manitoba's citizenry and the national government. The first two lieutenant-governors, Adams Archibald and Alexander Morris, both easterners, played a role quite unlike that of their equivalents in other provinces. They did not restrict themselves to standard duties. The Lieutenant Governors attended Cabinet meetings and their assistants attended House sessions, enabling Ottawa's policy direction to supersede local wishes, thus interfering with business of exclusive reserve to the legislature.

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The first decade of the Manitoba Legislature, from 1870 to 1882, was a nonpartisan era during which debate took place not between ideologically opposed parties but according to religious and linguistic factions. The chamber was initially bicameral, organized with 7 members in the Legislative Council (upper house) appointed by the Lieutenant-Governor and 24 elected members in the lower house. These 24 members reflected the Legislative Assembly of Assiniboia organization, with 12 seats designated to the English-speaking population and 12 to the French-speaking community, again along parish lines.

During this time, taxation was limited and revenue came almost exclusively from the federal government. Seventy percent of provincial expenditures were consumed by the operational costs of the legislature. Partially as a cost-cutting measure and partially because of lack of public support, the legislative council was abolished in 1876.

Throughout the 1870s, the Lieutenant Governor's involvement in the decision-making process and Cabinet declined as House proceedings began to mature. In the 1880s the first party delineations, between Liberals and Conservatives, emerged. Three major waves of immigration had significant impacts on the political culture of Manitoba. The first was migration from rural Ontario. By the 1890s, Manitoba was an image of western Ontario politics or "liberal with a Tory touch" and this was strongly apparent in decision-makers' ideology until the 1960s.

British settlers, primarily from working class backgrounds, formed the second wave of immigration. These immigrants brought with them working class ethics and socialist politics, and mostly settled in urban centres. This wave quadrupled Winnipeg's population between the years 1901 to 1915, significantly defining the political identity of the city.

The population boom around the turn of the century initiated a shift in Manitoba life. The economy and means of transportation were transformed from "the fur trade and Red River cart era to one of grains and trains,"[2] bringing new challenges to Manitoba's society. Economic pressures on the growing wheat industry led to the development of a provincial agricultural consciousness. In 1905, a new political party, the United Farmers of Manitoba (UFM), was created to help mitigate agrarian problems, particularly concerns about farmers' retaining control of their product within the market. The UFM quickly became an important political fixture in rural Manitoba. A significant divide was emerging between Manitoba's urban and rural political ideologies as the lifestyles and economic interests of these two spheres became increasingly divergent.

The third wave of immigration to influence Manitoba's political arena came from continental Europe, primarily Eastern and Central Europe. The City of Winnipeg has since been an incubator of leftist ideology, including Canada's first Independent Labour Party (ILP) (British socialist) and the Communist Party (continental European). Additionally, those with "Non-Anglo American origins have, in their voting, helped make or break governments,"[3] and thus political parties have continually vied with one another to gain this influential vote.

These immigration waves have defined Manitoba's electoral map, by forming strong political cleavages between rural and urban ridings and by contributing to the development of the province's political parties. In turn, these developments have influenced the Legislative Assembly. Today, the electoral map is generally predictable with constituencies north of Winnipeg predominantly voting New Democratic Party (NDP) and those south voting Conservative. The ridings in Winnipeg are less predictable and it is here that elections are often won and lost.

Non-partisan Coalition Building 1921-1969

In the 1922 election, a large number of farmers entered politics with a platform that party politics were ineffective and unproductive in the overall structure of legislative governance. This perception was a direct response to the province's growing expenditures and debt, and the rigid partisanship of the Roblin and Norris regimes. This shift was also a response to growing discontent with Cabinet domination of the Legislative Assembly. Thus, when the UFM, which had transformed itself from an agrarian movement into a political party, won a majority government in the 1922 election, the top-heavy decision-making structure and party model were at once dismantled.

The UFM was able to create a stable coalition government for the first 30 years of this second phase of legislative development. Over time, the UFM transformed itself into the Progressive Party of Manitoba, and the Liberals joined the Progressives to later become the Liberal-Progressive Party. These changes were implemented to avoid handing power to the Conservatives. Under this coalition regime, John

Bracken held the premiership from 1922 to 1943, Stuart Garson from 1943 to1948, and Douglas Campbell from 1948 to 1958. The stability of this regime provided Manitoba with "...simple, honest, straightforward government, uninspired but not unprogressive."[4] Coalition governments – defined as governments in which more than one party holds Cabinet seats

(as distinguished from alliances in which one party consistently supports another party in the legislature) – are rare in Canada. Thus, with a Cabinet constructed of ministers from more than one party, policy direction was not set by one party's platform, but by negotiation of ministers' diverse ideological values. The three and a half decades of coalitions experienced in Manitoba stand as by far the longest stretch of coalition government in Canadian history. The current coalition government that is leading the UK Parliament is a current example of cabinet positions held by more than one political party.

By the 1950s, a modern society was taking shape in Manitoba, marking the end of the coalition regime on two accounts: social change and regime inadequacies. While the coalition was a result of public preference for cautious policy-making, this political culture was beginning to evolve. As Andy Anstett and Paul Thomas describe: "While profound changes were taking place in its external environment, the legislature seemed to be caught in a time warp of an earlier, simpler age."[5] Complex policy issues, such as the Red River Flood of 1950, fostered a shift in the mindset of Manitobans who now wanted government to facilitate proactive, not simply responsive, public management. The coalition's organizational structure was limited in its capacity to address such demands: decisions were often made in closed-door meetings, and legislation was neither challenged nor debated effectively. In fact, "it is ironic that the coalition and non-partisan Cabinets produced exactly the situation which the Progressives had decried in 1921 – complete Cabinet domination."[6]

Duff Roblin signalled the first wave of change with his victory in the 1954 Conservative Party leadership race. Roblin attracted public support with his vision for the Tory party to return to its conservative roots. He won the premiership in 1958, remaining in office until 1967. Yet, as Manitoba's society continued to evolve throughout the 1960s, traditional governance methods were quickly falling out of fashion and the social climate at the end of the 1960s paved the way for the shift to the third phase of the Legislative Assembly's development.

This third phase commenced with the 1969 election in which the NDP secured its first government, winning a minority under Ed Schreyer. This was a surprise victory as the NDP, with its party roots firmly planted in agricultural organizations and organized labour, was a regional and ideologically left party. However, Schreyer, a charismatic leader with a centrist position, appealed to large portions of the population that were not traditional NDP supporters. In contrast to the coalition experiment, the third phase is marked by a return to strong partisanship with a newly developed political rivalry between what would become the two dominant provincial parties, the Tories and the NDP.

A House Divided

The third phase of Manitoba's legislative development is marked by a return to heavy political partisanship and a struggle for provincial growth.

During Mr. Schreyer's first term the idea of a Liberal- Conservative coalition government was discussed, but the two-party system was already well entrenched in the Legislative Assembly. It was during this administration that the Liberal Party lost its role as a major political contender. In 1977 the government was defeated by Conservative leader Sterling Lyon and the Liberals were further reduced to one seat. The Manitoba Legislative Assembly has a four-seat requirement to be recognized with official party status, and the Liberals thus lost that standing. Governing power has since gone back and forth between the Conservatives and the NDP.

The early 1980s witnessed increased partisan behaviour in the Legislative Assembly. When NDP Premier Howard Pawley's administration took over the Legislative Assembly, it abandoned a number of the Tories' mega projects, deepening the partisan nature of the assembly. The Mulroney Conservatives took power in Ottawa, and a number of their policy decisions had a major impact on Manitoba. A cut to transfer payments to Manitoba and the contentious loss of the Boeing CF-18 contract to Quebec led to a deepening of the tensions between the federal and Manitoba governments and between the parties in the Legislative Assembly.

As the Legislative Assembly progressed to the mid-1980s, federal politics continued to dominate the provincial agenda with the French language rights debates. The catalyst for this was Manitoban Roger Bilodeau, who alleged an infringement of his rights under the *Manitoba Act, 1870*, when he was issued with a speeding ticket printed only in English.[7] The two main political parties were split on this issue and the division bells rang for weeks. The Supreme Court of Canada settled the issue in 1985 by determining that all laws would require translation within a set time frame. Today, all Manitoba legislation is available in both official languages.

In the 1986 election, the NDP won 30 seats and the Tories 26; the Liberals were again left with one seat and without official party status. This campaign saw the first televised leaders' debate in Manitoba, and Liberal leader Sharon Carstairs' strong performance brought her into the public spotlight. In 1988, the

NDP government began its session with a tenuous hold on the assembly. The NDP had 28 votes and the Conservatives had 26; the Liberal vote usually sided with the government on social issues and with the opposition on issues of economics. On the budget vote, then Speaker NDP Jim Walding threw his vote with the Conservative's opposition and against the NDP's budget. The defeat of the government embittered the NDP party on two accounts: a regime fall due to a vote of non-confidence in the assembly and a floor crossing by one of its own members.

The 1988 election brought Gary Filmon's Conservative Party to power with a minority government. The Liberals jumped from one seat to 20, an unprecedented comeback in Manitoba politics. The Liberals, however, struggled with a caucus of inexperienced MLAs, both in the roles of constituency representatives and as Official Opposition. As quickly as the Liberal Party ascended to power, it declined and in the 1990 election Gary Doer's NDP became the Official Opposition. The 1990s brought a national recession, and the Filmon government made major cuts to social services. This led to a rise in public concern over issues such as job retention and access to adequate services. A culmination of the Conservative party's 1995 vote-rigging scandal, the sale of the crown corporation Manitoba Telephone Services, and 'Filmon Fridays', unpaid weekly leaves for civil servants, contributed to a growing unpopularity of this administration among Manitobans.

In 1999, the NDP, under the leadership of Gary Doer, gained a majority government, while the Liberals were again reduced to one seat. The NDP was able to retain government and increase its seats in both the 2003 and 2007 elections. The Conservatives have remained the Official Opposition and the Liberal Party has remained without official party status. Gary Doer became the first Premier in Manitoba's history to hold a three-term majority government.

The Legislative Assembly

The Legislative Assembly is housed in a large and imposing stone building, topped with one of the more well-known provincial symbols, the Golden Boy. The current legislative building was built just after the turn of the century. Its construction was mired with a fraud amounting to $900,000, a staggering sum for that period, and resulted in the fall of the government. One interesting feature of the Chamber is that the seats are in a tiered semi-circle, which at the time of construction was an unusual configuration in British-style parliaments and the Manitoba Assembly is the only Canadian provincial legislature with this feature.

At first, the size of the Manitoba Legislative Assembly grew quickly. By 1914, the chamber had grown from the initial 24 seats to 49 seats. There were three distinct phases to the growth and distribution patterns of these seats in the legislature. The first was based on religious lines (the French-speaking Catholic/English-speaking Protestant divide), the second on gerrymandering (to exploit the new immigration waves), and the third on a basis described by one historian as "haphazard" and with "no apparent principle". By the end of this third phase, constituencies were illogically constructed. Many ridings were divided by rivers, and, with no connecting roads, these physical splits were also often social and economic ridges. The lack of common social or economic interests made adequate constituent representation difficult. Electoral boundaries are now redrawn every ten years by a nonpartisan commission, and changes in population distribution are taken into account. The number of seats in the chamber, 57, has not changed in decades as the provincial population has remained stable.

In Manitoba, as in most democracies, the dynamics of the electorate has evolved to reflect changing public values. Initially in 1870, the franchise was limited by three stipulations: electors had to be male, own real property, and be over 21. Over time, these restrictions were dismantled. In 1888 the requirement of property was removed, in 1917 women received the right to vote, in 1952 Treaty Indians gained the right to vote, and in 1969 the age restriction was lowered to 18. These are substantial changes that reflect significant social change in Manitoba.

Nevertheless, as different waves of immigration transformed Manitoba, franchise restrictions were introduced that reflected anti-immigrant prejudice. For example, in 1901 a literacy test was instituted: voters had to read a selected portion of the *Manitoba Act* in "English, French, German, Icelandic, or any Scandinavian language," explicitly excluding Ukrainian and other Eastern European languages. This test was introduced because Premier Roblin thought new immigrants "might gain control and destroy British institutions." Coincidentally, this was the same Premier with whom Winnipeg's prominent feminist Nellie McClung fought so aggressively to gain women's right to vote.

The secret ballot was first used in 1888. Prior to this, voting consisted of a show of hands. The secret ballot was initially treated as suspect, but group pressures during vote casting held a greater priority than such suspicion. For the first 52 years of provincehood, an MLA appointed to Cabinet was required to resign their seat and run in a by-election, a method understood to establish public endorsement of the member to the

executive. This requirement was abolished in 1927, largely for cost reasons.

Manitoba's MLAs, like elected members in other Canadian legislatures, are disproportionately drawn from middle-class professions, though the NDP's roots in organized labour and the Conservatives' popularity among the farmers of southern Manitoba are reflected in the social characteristics of MLAs. Even though Manitoba was the first province in Canada to give women the right to vote, from 1920 to 1981 only seven women were elected to the legislature. This imbalance changed drastically when in the 1981 election alone, seven women were elected, reflecting a significant change in the social attitudes of Manitobans. In that same year, Elijah Harper became the first elected Status Indian. In the 2007 election, 18 women were voted into the assembly, giving the Manitoba House the highest proportion of women in any Canadian legislature.

The Political Organization of the Legislature

Paul Thomas has written of Canada's House of Commons that "most legislative behaviour by individuals must be understood as, in fact, being party behaviour".[8] This observation is no less applicable to the Manitoba Legislative Assembly. The party helps to set the policy direction of the government caucus and opposition caucus agenda. Party strongly influences legislative behaviour by demanding that individual members toe the party line. It is a vehicle of cohesiveness. In Manitoba, the career of a member who votes against his or her party is essentially over. As noted previously, in the Manitoba Legislative Assembly a party needs four seats to hold official party status. This is important as it determines the frequency that a party's members can rise in the chamber and the number of committee positions it will receive. The lack of official party status can be a major impediment for MLAs whose party failed to elect enough members to qualify. However, in recent governments the Liberal Party, which has not held official party status, has routinely been provided with the benefits of official party status in the chamber, including 1 spot on both the Standing Committees on Public Accounts and on the Rules of the House as well as the opportunity to make Private Member's Statements and Resolutions and to put questions forward during Question Period.

Each political party has a caucus made up of its elected members who meet regularly to plan their business. The number of members determines how much funding each caucus will receive from government and thus the size of caucus support staff that do research, expedite incoming casework, and perform outreach for its members. The caucus holds meetings daily when in session. At these meetings the party leader reaffirms policy direction or sets the political strategy for that day's sitting. The government will focus on what it is doing well, while the opposition will focus on what the government is doing poorly. Each caucus appoints a Whip and a Deputy Whip, who are responsible for ensuring members' attendance and for notifying them of House business. Each caucus has teams of MLAs with a set schedule as to when they are required to be present in the House. The Whips have lost much of their responsibilities to the House Leaders, positions which have emerged since the 1950s.

The balance in the government caucus between Cabinet members and backbenchers fluctuates depending on the makeup of the government, the influence and style of its leader, and its status as a minority or majority government. During the Schreyer administration, government backbenchers' involvement in the decision-making process increased. The Pawley government further advanced the role of backbenchers by putting the Chair of Caucus (a backbencher) on the Legislative Review Committee (then a Cabinet committee) and enlisting other backbenchers as ex-officio committee members. Today, the Legislative Review Committee's membership is comprised almost entirely of backbenchers: members include the Legislative Assistants to Cabinet Ministers (backbenchers) and the Government House Leader (Cabinet Minister). The Legislative Review Committee is chaired by an appointed backbencher and is also open to any Cabinet ministers and government backbenchers who wish to attend meetings for interest.

Tensions may exist between the political party organization and its legislative caucus. Often the political party views the caucus as not ideologically pure enough. For example, a party may demand that its caucus, whether in government or opposition, be more traditionally conservative or socially democratic in its policies, bills, or criticisms. Often the caucus will temper the more extreme elements of the party's ideology or restrain some of its elected members to present to the public a more moderate, and therefore more attractive, image.

There is often a competitive or hostile tension between the political parties, evident in the media and Question Period. Some believe the hostility is necessary and a benefit to the political process. The Westminster system is inherently adversarial. The political parties come to power for different reasons and have different policy approaches, with different social and economic intents. As one MLA said, "Collegiality is not a requirement for good government". Some MLAs feel that degrees of collegiality do exist that the public does not see: inside and outside of the chamber

members converse, gossip, and even leak information. Others feel that collegiality could be further nurtured through activities outside of the assembly to build understanding and a middle ground. Such collegiality is built through parliamentary trips and all-party committees. Still others believe that while collegiality does exist, it is often trumped by the political necessity of legislative governing.

From 1870 to 1878 the Cabinet's six portfolios were divided along language lines with four English-speaking and two French-speaking ministers. In 1878 Francophone representation in Cabinet was decreased to one portfolio, which was further eliminated in 1890. Until 1916, Cabinet still consisted of the original six portfolios with one held by the premier. At this time, Premier Norris added a seventh portfolio and dismantled the premier's portfolio responsibilities. As the scope of government expanded during the twentieth century, the size of Cabinet gradually increased; in recent years Manitoba Cabinets have typically consisted of about 17 portfolios. Under the Bracken government, one ministerial post was earmarked for a French-speaking MLA, a practice which continued until the 1960s.

As has become the practice in most Canadian jurisdictions, the Manitoba Speaker is now chosen by secret ballot upon the commencement of the new assembly. George Hickes was Manitoba's first elected Speaker by secret ballot in 1999. The Speaker maintains order in the House by applying and interpreting the rules of procedure. Acting as referee in Manitoba's chamber has not always been rewarding. The media often portrays the role of the speaker as a consolation prize for a missed Cabinet post. On this point, however, the media is misled as more Cabinet ministers have gone on to be Speaker, than Speakers to Cabinet. In addition to presiding over debates in the House, the modern Speaker has important administrative responsibilities, as head of the non-partisan legislative bureaucracy.

The Lieutenant Governor, as the representative of the Crown, carries out a number of formal responsibilities before and during session. He or she also plays an important symbolic role, travelling widely through the province making public appearances and speeches.

Today, the Lieutenant Governor's most significant powers concern the potential to choose who is to form the government should it be unclear which leader or party can command the confidence of the House and the discretion to refuse a Premier's request for a dissolution (that is, call an election) in certain and very unusual circumstances. In times past, however, as a representative of the federal government, the Manitoba Lieutenant Governor's principal powers related to the reservation of bills passed by the Legislative Assembly (which often led to their being disallowed by the federal Cabinet). When Manitoba was first granted provincial status, the first Lieutenant Governors, Morris and Archibald, directed policy and exercised this power to reserve bills. Because the legislators were inexperienced, Morris and Archibald justified this application of power as "attempts by the lieutenant governor to save them (the assembly) from themselves".[9] During this period, the Lieutenant Governor served as an advisor to the Prime Minister on the province's political and economic issues. However, as the Legislative Assembly matured, the role of the Lieutenant Governor shifted "from that of a paternal despot to that of a virtually powerless figurehead".[10] This shift can be seen in two developments. First, no bills have been reserved since 1900. Second, Ottawa no longer fills this position with appointees from eastern Canada. Over time, and with Manitobans holding the position of Lieutenant Governor, this connection to Ottawa has weakened.

Since 1900, in only one instance has the Lieutenant Governor been required to intervene in the political process. This concerned corruption in the construction of the new legislative building in 1914. When the opposition suspected scandal, debate on the motion was blocked by government both on the chamber floor and in committee meetings, thus opposition members addressed the matter to the Lieutenant Governor. The ensuing investigation revealed the contractors were indeed defrauding government and the Roblin Government was forced to resign.

Procedure in the Manitoba Legislative Assembly

It is widely held that House decorum has declined over the decades. Some have blamed the advent of the televised Question Period and critics point to media-generated theatrics and a lack of earnest debate. In Manitoba, the partisan nature of the assembly can contribute to the acidic nature of Question Period's tradition. For example, the end of a legislative session was once celebrated with a "Paper Fight" where members would crumple order papers and notice of bills, tossing them across the floor and blowing off steam. This long-held tradition ceased in 1981 due to increasingly unruly behaviour and damage to the chamber.

The decorum of legislative members is regulated by *Rules, Orders and Forms of Proceeding of the Legislative Assembly of Manitoba* which provides acceptable principles for conduct that have evolved through

practice. The principles are expansive and include dress, speech (including tone and turn of phrase), and the basic elements of procedure that extend to both the chamber and committee meetings.

While the lack of decorum in the chamber may be off-putting to some, MLAs from the different parties do set aside partisanship outside the chamber and can be seen in friendly conversation on or off the grounds of the legislature.

Debate, Legislation and Financial Procedures

The number of bills that the Legislative Assembly debates fluctuates. There is no limit to how many bills can be proposed in a given session. In the 1970s and 1980s the average number of bills passed in a session was 82. Today the legislature averages 45 to 50 bills per session.[11]

The length of debate has also fluctuated over the years. With a lack of strict schedule, A.F. Morris, in 1890, instigated the longest debate on record, from 10 p.m. to 7:30 a.m., on the issue of public safety. Today, there are stricter rules concerning both debate length and the scheduled sitting hours. For example, the House sits during set morning and afternoon periods. The House does not sit on Fridays except during the eight-day Throne Speech and Budget debates. Committee meetings, however, can still run quite late into the night or into the early morning hours. To hold quorum in the chamber, 10 members are required to be present, including the Speaker; otherwise, the Speaker will adjourn the sitting. There are strict rules on the time of debates, the order of debates and interruptions, all outlined in the *Outline of Procedure.* From 1991 to 2005, the House sat on average 76 days a year, which is comparable to the averages for other Canadian jurisdictions.

In Manitoba, "there's a saying in the legislature that it is the government that decides when a legislative session begins and the opposition that decides when the session ends".[12] To make this process more certain, a Memorandum of Understanding (MOU) between the government and opposition was signed in 1995 to establish practical guidelines for the length of session. During the Manitoba Telephone Services (MTS) 1996 debates that concerned the sale of this crown corporation to private stakeholders, some feel the government and the Speaker overstepped the rules of the MOU. This allowed the government to sell MTS, much to the opposition's and some public disappointment. Agreement over new procedural rules has not yet been achieved. Thus, the partisan nature of the chamber and measures to promote orderly debate sometimes conflict. This can be seen through the practice of bell ringing, a political tactic to stall house procedures which is sometimes used in the Manitoba Legislature.

The Speaker enforces and adjudicates the legislative rules, supported by the Clerk's Office, which acts as procedural advisor to the Speaker. The Clerk's Office also acts as a nonpartisan advisory service to all members of the assembly. In addition, it is responsible for recording and maintaining the official documents of the Assembly and its committees and for administrative services for MLAs. This office is made up of a Clerk, a Deputy Clerk, two Clerk Assistant/ Clerks of Committees, and a Clerk Assistant/Journals Clerk. The Clerk's Office further provides administrative services to the public as well as the Assembly Offices of Hansard, the Chamber Branch Office, the Committees Branch, the Journals Branch, the Visitor Tour Office, and the Members' Allowance Office, all of which report to the clerk's Office. Compared to the Clerk's Office in Ottawa this is a small body, but on a provincial level it is a substantial advisory body.

Three interesting facets set Manitoba's legislative processes apart from other Westminster parliamentary processes: the public hearings at the committee stage of legislation, the split committee of supply, and the 'speed up' motion. In other Canadian jurisdictions legislation may go to a committee for hearings, however in Manitoba all legislation goes to committee.[13] This facet of legislative procedure is a source of great pride for the assembly: it is a mandatory inclusion of public input in each legislative advancement. It has even held significant impact on national matters, such as the Meech Lake Accord debates. When MLA Elijah Harper, who was determined to block passage of the accord because of its constitutional impact on Aboriginal people, Conservative Senator Lowell Murray, the federal minister responsible for securing provincial agreement on the Accord, encouraged the province to limit its public debate to allow the Accord to pass within the limited time frame. This suggestion was dismissed and the public was granted opportunity to register for public hearings. This slowed the debate process and prevented Manitoba from ratifying the accord within the necessary time frame; thus, these hearings were not held.

This was a major factor contributing to the rejection of the Accord. This unique Manitoba process of enacting legislation is also important to the public in that it provides an opportunity to shape Manitoba's laws. However, in terms of fostering democracy these committee meetings have their limits. There

is a time requirement of a minimum of 48 hours for the announcement of committee hearings, making it at times difficult for the public and interest groups to take part.

The Split Committee of Supply is a Committee of the Whole (comprised of all MLAs) divided in three to allow for more efficient debate on the government's spending estimates. In this way the Committee of Supply can consider estimates of multiple departments simultaneously, one in the chamber and one in each of the 2 committee rooms. The Split Committee of Supply increases the efficiency of the Legislative Assembly by allowing a larger number of departmental estimates to be considered in a narrow period of time; however, it can also limit democratic participation as neither citizens nor MLAs can attend all committees at once.

The "speed-up" motion allows the House to sit until any hour. This motion was developed to accommodate MLAs who were full-time farmers and their responsibilities to their harvests. This procedure was developed because no House business could be carried over from spring to fall session. The speed-up motion is best described as "a procedural resolution which, when passed, allows the House to sit three times a day, in three separate sittings, for six days a week, with no adjournment time prescribed for the evening sitting".[14] It requires unanimous agreement from the MLAs to be implemented. Last used in 1983, it faces criticism from both the public and the media because, in practice, it decreases public access to legislative debate. In today's assembly, because the role of the MLA is full-time, the need for the motion has largely been diminished. Also, legislative business can be now carried over with the more recent establishment of a motion to reinstate items.

As in all legislative assemblies, the committee process exists to develop, implement, and monitor governance by scrutinizing budgets and estimates and providing public input. The membership of committees at the Manitoba Legislature is composed of a sampling of the members of the assembly. Thus, a legislative committee will resemble the chamber's composition as they will receive their order and direction from a chair (whose role is much like that of the Speaker) and the committee's membership (11 members per committee) will reflect the party breakdown of the chamber (the proportion of legislature seats held by the governing and opposition parties will also be reflected in committee membership). The Manitoba Legislative Assembly's committees include Agriculture and Food, Human Resources, Intergovernmental Affairs, Justice, Social and Economic Development, and Legislative Affairs, all of which have a mandate to deliberate on government legislation. The committee on Private Bills is mandated to consider the bills brought forward by private members, Public Accounts is mandated to debate public funds and financial administration, Rules of the House is mandated to take into account any amendments proposed to the rules of the Assembly, and Crown Corporations is mandated to regard reports from Manitoba's Crown Corporations. Committees at the Manitoba Legislature do not have their own budgets for non-partisan staff or travel. Although there are examples of all-party committees that have conducted public hearings throughout the province, such as a special committee on the Children's Advocate called the Sub-Committee of the Standing Committee on Privileges and Elections, this is an exception and not the rule.

Accountability Mechanisms

As their structures and operations grew, governments have been faced with the challenge of maintaining accountability. In particular, as bureaucracies grow, politicians struggle to maintain public satisfaction by reducing government spending but still maintaining social services**.** One attempt to balance these tensions, made by many liberal democratic governments, is the development of independent legislative bodies that act as accountability mechanisms.

Some of the most longstanding accountability mechanisms are Question Period, the media and committees; however, the success of these mechanisms rests on the performance of those involved. The increasing partisanship in Manitoba's Legislative Assembly can limit these mechanisms, as it renders objective inquiry difficult.

Since the 1960s, like most other Canadian jurisdictions, Manitoba has enhanced the accountability and transparency of the civil service by increasing the number of independent offices, such as Elections Manitoba, that act as oversight mechanisms. These include the Ombudsman, the Auditor General, the Children's Advocate, the Conflict of Interest Commissioner, and the newly created position of the Information and Privacy Adjudicator. These new accountability mechanisms are direct responses to both public demand for higher accountability and the growing complexity of government structures and activity. According to Manitoba's current Auditor General, Carol Bellringer, these mechanisms are gaining increased recognition amongst Manitobans, which she attributes to evidence that they are performing well.[15]

Conclusion

Manitoba's contemporary Legislative Assembly is still well within the parameters of the third phase of

development, with its heavy partisanship and strong two-party competition. At the same time, change is ongoing. Like many legislative assemblies, there is a focus on strengthening democracy by increasing transparency and accountability through overseeing agencies and reporting mechanisms.

Three problems, initially identified nearly 25 years ago by Gordon Mackintosh, who served at the Manitoba Legislative Assembly as Clerk and is currently an MLA and Cabinet minister, remain.[16] The first is the tension between the two ideologically opposed parties, the Conservatives and the NDP. The second is the increased strain on resources due to the growth of government. And finally, the diverging roles of the Cabinet, which is increasingly engrossed with policy-making, and backbenchers, who are removed from this role, has created a gulf between members within the assembly's Chamber. As Anstett and Thomas explain, Where there is not a tradition of executive-legislative balance, but instead a history of executive dominance, as is the case in Manitoba, it becomes even harder to enhance the power of the legislature so that it can contribute more meaningfully to the formulation of public policy and to the accountability of the Cabinet and of the bureaucracy.

Organizational change is difficult to instigate in a Cabinet-dominant system because it results in a shift in the balance of power. Yet, Cabinet-domination can make it difficult for legislators to both create meaningful public policy and to hold the executive and civil service accountable. The democratic capacity of the Westminster system, therefore, is jeopardized in a Cabinet-heavy system, as is the tradition in Manitoba. The three problems noted above further aggravate the democratic capacity and contribute to the limitations of Cabinet-domination in the Westminster tradition. This tension requires address by the Legislative Assembly, as there is no indication that these problems will recede without concerted effort.

The development of Manitoba's Legislative Assembly has been a success in that a traditional model of governance was adapted to the geography, economy, and the people of the province. The Manitoba Legislative Assembly can act as a model for young democracies by illustrating a variety of lessons in democratic state building. It is, however, still evolving to address weaknesses as they arise.

Notes

1. M.S. Donnelly, "Parliamentary Government in Manitoba," *The Canadian Journal of Economics and Political Science*. Vol. 23, No. 1. (Feb., 1957), pp. 20- 32.
2. Gordon H.A. Mackintosh, "The Parliamentary Tradition in Manitoba", Vol. *Canadian Parliamentary Review*, Vol. 6, No. 2 (Summer, 1983), p. 5.
3. W.L. Morton, *Manitoba: A History* (Toronto: University of Toronto Press, 1967); and Nelson Wiseman, "The Pattern of Prairie Politics", *Queen's Quarterly, V*ol. 88, No. 4 (Summer, 1981), pp. 242-59.
4. Christopher J.C. Dunn, *Manitoba Liberal-Progressive Cabinets, (*Winnipeg: Christopher J. C. Dunn, 1989).
5. Andy Anstett and Paul G. Thomas, "Manitoba: The Role of the Legislature in a Polarized Political System," in *Provincial and Territorial Legislatures in Canada*, ed. Gary Levy and Graham White (Toronto: University of Toronto Press, 1989), pp. 90- 109
6. Donnelly, *The Government of Manitoba, p.* 105
7. Author unknown, "The French Language Debate", *Manitoba Law Journal*, Vol. 30, No. 1 (2003), p. 31.
8. Paul Thomas, "The Role of House Leaders in the Canadian House of Commons," *Canadian Journal of Political Science,*. Vol. 25, No. 1, (March, 1982), p. 125.
9. Donnelly, *The Government of Manitoba, op. cit.,* p. 111.
10. *Ibid*, pp. 108-09.
11. Mia Rabson, "Legislative session characterized by low-key agenda", *Winnipeg Free Press*, A3, December 7, 2007.
12. Author unknown, "The MTS Debate", *Manitoba Law Journal*, Vol. 30, No. 1 (2003), p. 43.
13. All public bills, with the exception of financial (supply) bills and taxation bills, are referred to standing committees for public input; the latter bills are considered in the Committee of the Whole.
14. Anstett and Thomas, "Manitoba,"*op. cit.,* p. 101.
15. Canadian Study of Parliament Group, "Whom Do You Trust? The Growing Relationship between Legislative Assembly Officers and Citizens." Canadian Study of Parliament: Conference in Winnipeg, Manitoba, December 9, 2006, p. 2.
16. Gordon H.A. Mackintosh, "The Parliamentary Tradition in Manitoba", Vol. *Canadian Parliamentary Review*, Vol. 6, No. 2 (Summer, 1983).