

# The Speakership in Canada

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"I was a little bit in awe of the position." Speaker John Turner, Ontario



"I was aware of the administrative responsibilities, but not the extent of them.", Speaker Arthur Donahoe, Nova Scotia. (Nova Scotia, Government Services, Information Division)

**T**he Speakers of the House of Commons and of the provincial and territorial legislatures occupy unique, and perhaps increasingly influential, positions in Canada. They are the chief officers of organizations that can be as complex as large, private-sector corporations. In 1982, the thirteen Canadian Speakers collectively administered annual budgets in excess of \$263 million, and directed more than 3,100 full-time, non-partisan staff and hundreds of additional sessional employees.

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The Speaker's chair is often described as "lonely" and "isolated". By definition, Speakers remain above the cut and thrust of partisan politics. The approach they take to their role has, however, a considerable influence on the style and tone of representative government. In his 1982 report "The National Assembly in Evolution", Denis Vaugeois, MNA and former cabinet minister in the Québec National Assembly, comments on the role of the Speaker. He quotes Clement Richard, former Speaker of the National Assembly: "The Speaker is the guardian of the House's privilege. While not a symbol of democracy, he is essential to the democratic process. It is the Speaker who guarantees the very survival of parliamentary institutions and, in so doing, guarantees the freedom of expression of the people's representatives." This influence of the Speaker is magnified by the fact that holders of the office in all jurisdictions appear to be taking common approaches to their roles and to be addressing similar problems from the same perspective.

Who are these men and women, and what is it that increasingly binds them together? In interviews which took place in January, February and March, from St. John's to Victoria, the Speakers of Canada talked about the high office they have been elected to and the fresh insights they have gained.

Without exception, they exhibit a sense of mission: to do whatever they can to improve the stature of the Legislature as an institution; to ensure its independence; to enhance its public image; and to make sure it is well managed and efficiently run.

The ancient origins of the Office of Speaker in the British Parliamentary system are recorded as early as 1376. The original function of the Speaker was to "speak" to the King and his advisers, presenting petitions and claims of the common people's representatives.

Until recently, the Speaker's role has been principally one of presiding over House sittings, ruling on matters of dispute, and maintaining order, all from a position of strict impartiality.

In the past ten to fifteen years, government has become increasingly more involved in the day-to-day lives of Canadians, and the role of legislatures has expanded tremendously. Many legislatures have changed from part-time to full-time operation, and the role of the Speaker has expanded in response to this growth. In addition to their traditional procedural duties, Speakers have assumed the role of chief administrative officers, overseeing the provision of what are often comprehensive programs of allowances and services to members, services that range from travel, food, offices and accommodation to newsletters and constituency offices. They are also responsible in many cases either directly or indirectly through a ministry, for security, Hansard, the Legislative Library, Tours and Information Departments, and the maintenance operation of the legislative building itself.

In the smaller legislatures – Prince Edward Island, the Northwest Territories, and the Yukon – the administrative side of the Speaker's function has not yet developed as fully. It was pointed out by Speaker Daniel Compton, for instance, that the Legislature of P.E.I. sits for only about six weeks a year, and that members do not require as wide a range of services as are provided in the larger legislatures.

## The Speakers: A Background Profile

Individuals elected Speaker tend to be older than the average elected member – 56.2 years of age, as opposed to 46. The youngest Speaker in the survey was 38; the oldest, 68; and the majority were over 49 years of age. Seven were university graduates; four had taken post-graduate degrees.

The Speakers interviewed represented a broad range of professions. Three were lawyers, and three were small businessmen. There were also a journalist, a clergyman, an optician, an instrument technician, a school principal, a mining explorer, and a former aide to a cabinet minister. Length of service of the Speakers interviewed ranged from a high of ten years (for Gerald Amerongen in Alberta) to less than one year (for James Walding of Manitoba). The greatest number of Speakers took office in 1981. It should be taken into account when considering length of service, however, that some jurisdictions have a well-established tradition of appointing Speakers for one Parliament only.

The majority of Speakers had served as elected members for less than ten years. Two notable exceptions were the Speaker of the Yukon, Donald Taylor, who was elected in 1961, and the then-Speaker of Saskatchewan, John Brockelbank, who became a member in 1964.

Only two Speakers held cabinet portfolios before being named to their chair: Jeanne Sauvé of the House of Commons and John Brockelbank of Saskatchewan. John Turner of Ontario and Donald Stewart of the Northwest Territories were municipal politicians before being elected to their legislatures.

Prior to his appointment as Speaker, Mr. Brockelbank served as Deputy Speaker. Only two other Speakers had previous experience as Deputy Speaker: Arthur Donahoe of Nova Scotia, and Harvey Schroeder of British Columbia.

## Perception of the Office

Most of the Speakers interviewed had not anticipated being called on to serve as Speaker. Consequently, they said, they had little understanding of the position before taking office. Even those who had served as elected members for a number of years perceived the job as being largely procedural. Several Speakers viewed their appointment as the beginning of a difficult job, but remained, nonetheless, largely unaware of the range of the job's responsibilities.

Reflecting on the "baptism of fire" which engulfs new Speakers, Len Simms of Newfoundland described his experience with some amazement. "You couldn't have found anybody more surprised than I was to find myself in the Speaker's chair less than a month after being elected to the Legislature for the first time. I was totally unprepared." He had been elected on June 18, 1979; and was named Speaker on July 12.

In contrast to Mr. Simms was Madame Jeanne Sauvé, Speaker of the House of Commons. She was named to her position in April, 1980, following almost eight years as a member of cabinet. Although Madame Sauvé had little knowledge of the procedural part of the job, she was very much aware of some of the other challenges. A 1979 report by the Auditor General of Canada on the administration of the House had said: "We are of the opinion that the quality of general financial administration is significantly below a minimum acceptable standard". Madame Sauvé agreed with many of the Auditor General's recommendations and saw one of the main goals of her Speakership as straightening out the administration of the House. She said: "Before I leave the chair I will have changed the administration considerably, and that is no small accomplishment." Reflecting on her work as Speaker over two years, Madame Sauvé commented that she "had never done anything that required so much stamina, will-power and hard work," including her experience as the minister of three successive government departments.

Most of the Speakers illustrated their lack of knowledge of the position they were about to occupy by pointing out that they had not been cognizant of the considerable time required for administration. Speaker Arthur Donahoe of Nova Scotia, in discussing this subject, pointed out that before taking office he "was aware of the administrative responsibilities, but not of the extent of them and

was naive enough to think I could maintain my law practice after being appointed Speaker." Some Speakers estimated that, since assuming the job, they have spent as much as 50% of their energies on administrative matters. In one case – that of Québec, the estimate was much higher.

Almost all Speakers agreed that administrative questions in particular can be so sensitive and important to the legislature that the Speaker must personally be aware of the issues, as well as delegating responsibilities to various staff. Typifying this view was Claude Vaillancourt of Québec. Mr. Vaillancourt estimated he spent approximately 85% of his time on administration during the session and two days a week during off-session periods. "I am curious," he said, "and I want to know everything (about administrative matters) because if I am asked to defend a decision, I want to be able to answer."



**"I had never done anything that required so much stamina, will-power and hard work.", Speaker Jeanne Sauvé, House of Commons.**  
(Gaby, Montréal)

Referring to the role of Speaker in general, John M. Turner, Speaker of Ontario, said, "I was a little bit in awe of the position." Mr. Turner said he had never been a Committee Chairman or taken any great interest in the operation of the House before becoming Speaker. However, he pointed out, "Fortunately, when I got into it, I found I was fascinated; and now, after a year, I feel quite comfortable with it. I have a lot of things I think I can accomplish during my time as Speaker."

Several Speakers expressed the view that, because of the unusual nature of the position and the wide range of responsibilities it entails, and particularly because of the difficulties in having to come to grips with the procedural and administrative side of things at the same time, it would be helpful if a better way could be found to prepare Speakers for the job.

This concern was echoed in the August 1982 report of the Canadian Bar Association Committee on the Reform of Parliament. The report advocates the enhancement of the role of the Speaker as a means of re-establishing the legislative, as distinct from the executive, side of government. It points out: "There is sympathy for the fact that Speakers learn their task under fire and the glare of television cameras; this gives rise to suggestions that they should have some kind of advance training for the job, whether by chairing committees or in the capacity of Deputy Speaker for several sessions."

Many Speakers worried that voters and constituents in all parts of Canada not only have difficulty in understanding the functions and importance of the position of Speaker, but also imperfectly recognise the nature and role of the legislature as distinct from that of government. This is a concern also expressed by the Canadian Bar Association Committee report, which, referring to the Speaker of the House of Commons, states: "Any survey of perceptions of Parliament has to conclude that there is little awareness across the country of the difficult and crucial role the Speaker of the House of Commons plays. The sheer importance of the Speaker being seen and functioning as the commanding voice of neutrality and parliamentary wisdom has not caught on beyond Ottawa itself."

Some Speakers interviewed felt that, in introducing a process of parliamentary reform in Canadian legislative institutions and in altering public perceptions, one prerequisite would have to be a willingness on the part of government to firmly establish a more visibly independent legislature. The Speaker would need heightened prestige, possibly by being given a salary and perquisites equal to those of a cabinet minister with portfolio. While the duties of the Speaker are fundamentally different from those of cabinet ministers, the Speaker's role as procedural and administrative head of the assembly places him in an equally important and difficult position. Several Speakers expressed the view that once the government had accepted the Speaker in this new role as the supreme decision maker in the legislature the next step would be a revision of the parliamentary machinery to allow all elected Members a stronger voice as legislators and representatives of their constituents.

Some legislatures have taken the first step in this process by equating the salary level of the Speaker to that of a minister with portfolio. This is the case in the House of Commons, Québec, and Newfoundland; and is one of the recommendations of the 1982 Nova Scotia Commission of Inquiry on Remuneration of Elected Provincial Officials accepted by the government for implementation in 1983. Even in those cases, however, the perceptual problem has not yet been overcome. The result is that, notwithstanding their actual position, most Speakers in Canada are still faced with the difficult problem of explaining the role of legislatures and convincing the public that the legislature and the executive play fundamentally different, but equally important, roles in a parliamentary democracy.

The interviews suggested that this unsolved problem of perception tends to make some Speakers uncomfortable. They feel as if they are in a "no-man's land". Some hope that the position may be a stepping-stone into cabinet, a role which is highly visible and well understood by the public; neither wish nor expect to, enter cabinet, and are either content or resigned to serving the legislature and its members as best they can doing their utmost to overcome the public's confusion and misperception.

Some Speakers pointed out that the overriding issue is one of power, both real and perceived. No one took strong exception to the ultimate responsibility of the government for policy and legislation. Some Speakers, however, felt that, on some issues, the government could both demonstrate respect for the institution of the legislature and effectively gain insight into the views of the public by involving all members, regardless of party affiliation, in the consultative process. Instead of being seen as a meaningless forum for partisan bickering, the House could and would operate as the ultimate forum for wise and reasoned debate; and the Speaker, as its chief officer, would ensure the good conduct and high dignity which is often absent today.

James Tucker of New Brunswick, reflecting on his own experience as Speaker, put it this way: "The Legislative Assembly is a magnificent institution and the whole thing operates with the Speaker as the focus – the hub of the wheel. Unless the Speaker is aware of the importance of the Assembly, and is accepted as its head, the whole system breaks down."

## **The Problems of a Partisan Background**

Because Speakers are chosen from among the elected members of the House, individuals occupying the position invariably have a partisan background which is in direct conflict with their non-partisan role as Speaker. This difficulty is further complicated by the fact that, in the vast majority of cases, the Speaker is a member of the party in power and has therefore been a member of the government caucus. Making the adjustment from partisan advocate to non-partisan arbiter is one of the first, and often most difficult, tasks facing a Speaker.

The interviews revealed that Speakers are faced with an extremely delicate balancing act. Value judgments must be made; and personal compromises are inevitable in order to properly discharge the duties of Speaker. If the Speaker is to enjoy the confidence of members from both sides of the House and keep debate above partisan acrimony, then it is essential that he no longer be viewed as a partisan politician. He must be, and must be seen to be, totally impartial when in the chair or administering the affairs of the House. At the same time, he must never lose sight of the fact that, unlike the Speaker at Westminster, who is virtually assured a safe seat, Speakers in Canada do not run unopposed, and elections must be fought and won on a partisan ticket.

In addition to applying the rules of debate on a non-partisan basis while in the chair, Speakers must resolve various related problems. To what degree should the Speaker be partisan in his own constituency? Should he attend official party functions such as annual meetings? Should he agree to hand out cheques in the riding on behalf of the Government? Should he attend caucus meetings when the House isn't sitting?

Approximately half the Speakers said they had difficulty adjusting to the non-partisan demands of the job. The other half found the adjustment relatively easy, either because they had served in the past as Deputy Speaker or because they did not view themselves as particularly partisan in the first place.

There was some consensus among Speakers that the status associated with being Speaker outweighed any restrictions placed on partisanship in the ridings. Only one found that being Speaker was "a major political sacrifice". It appeared that constituents were generally proud of the fact that their member was Speaker, and believed that his position afforded them better access to government departments than they would have if their representative was simply a private member. Mr. Speaker Vaillancourt of Québec pointed out that opposition members do not enter the Speaker's riding, even during an election campaign. The Speaker and his electoral opponent campaign on purely local issues. M. Vaillancourt feels that a Speaker's constituents are well served because: "There is an unwritten rule that a minister does not say 'no' to a request for information from the Speaker."

All Speakers said they would not make partisan political speeches in the riding. In other constituency matters, they took various approaches. Some said they were happy to announce openings and pass out cheques on behalf of the government in their own ridings; several others preferred not to. Most were happy to attend social functions sponsored by their party but were reticent to attend official functions such as annual party meetings. Only one Speaker was prepared to attend caucus meetings in off-session periods. Contact between Speakers and Premiers was infrequent, except on official occasions.

Although various Speakers handled individual problems in different ways, the principle followed by Speakers in dealing with their non-partisan role was the same: to strive to maintain the highest degree of credibility in the legislature as an impartial officer of the House, while at the same time looking after the needs of constituents to the fullest extent possible.

## **The Speaker as Chief Executive Officer**

The Speakers indicated that they think the public still views them strictly in their traditional role as procedural arbiter of the affairs of the House. Most Speakers believe efforts should be made to make the public aware of their much broader range of duties and responsibilities. Speakers of two of the larger legislative bodies found the procedural side of their job to be the least demanding, to be simply "routine". Many said the greater challenge was in the area of administration: in looking at ways to improve services to members; in acting as Chairmen of Boards or Committees of Internal Economy; attracting and recruiting top level staff for the Assembly; in investigating the application of computers to the legislative setting; in improving public relations; in examining security arrangements; in overseeing televised coverage of the House; and in a host of other varied and important details.

The Speakers of the House of Commons and of the large legislatures have substantial staffs to assist them. In the smaller legislatures, it is not uncommon for the Speaker to be personally involved in such matters as authorizing the payment of accounts, budget preparations and related administrative duties.

The financial affairs of most legislatures are managed by Boards or Committees of Internal Economy, chaired by the Speaker, and comprised of members of the Assembly, and often including cabinet ministers. Different opinions were expressed on the appropriateness of having executive representation. Some Speakers felt quite strongly that Boards or Committees dealing with the financial management of the legislature should be totally independent of cabinet. On the other hand, Speaker Simms of Newfoundland made the point: "When members move from the backbench into the ministry, it's easy for them to lose touch with the legislature. I feel that, by having to actively participate on a committee dealing with members' services some of our key ministers are playing an important role in strengthening the legislature." It was emphasized by other Speakers that cabinet ministers who serve on these Boards or Committees take their responsibilities seriously; and, in cases where the opposition parties are represented on the Board, discussions generally take place in a non-partisan manner, and decisions are most often reached on a consensus basis in an attempt to do what is best for all members of the legislature.

In British Columbia there is no Board or Committee of Internal Economy, and the Speaker has final authority over legislative spending. Former Speaker Harvey Schroeder expressed concern that this arrangement might place too much power in the hands of the Speaker. He felt the concept of a Board of Internal Economy would strengthen the stature of the legislature by ensuring continuity and standardization.

Individual Speakers were very much aware of developments in other jurisdictions. Several expressed the view that a great deal of headway had been made through establishment of formal operational structures in some legislatures over the past several years. They felt the existence of a formal structure was a major asset in establishing the perception of the legislature as an independent institution. In New Brunswick, Speaker Tucker has recruited a full-time Clerk for the Legislature with rank equivalent to Deputy Minister. The Clerk is assembling previously dispersed legislative offices together into a working unit. A Director of Administration has been appointed in Alberta; and a Clerk Assistant (Administrative) in Saskatchewan. In the Northwest Territories, a Public Information Officer was appointed during the past year with the challenging job of making the public more aware of the role of the Legislature in the Territory.

All Speakers of what could be considered "full-time" legislatures felt a strong need to become directly involved in matters concerning members. Said one, "There are so many sensitive issues, I must be on top of them. They cannot be left up to staff alone." One issue of concern expressed by Speakers of several large or medium-sized legislatures was how best to provide research services to all members and committees of the House. In Ontario, Québec and the House of Commons a highly qualified group of library research officers provides non-partisan research for both members and committees. During the past year a similar branch has been established in the Library of the Alberta Legislature. Several other jurisdictions recognize the need to deal with this question over the next few years.

Each Speaker had individual ideas about what he or she would like to contribute to the development of the Speaker's office.

Some ideas were: to improve the administrative apparatus; to increase the independence of the legislature; to develop the committee system; to institute an internship program; to establish a coat-of-arms for the Assembly; to improve the level of services to members; and to make the public more aware of the importance of the legislature and the parliamentary system of government.

Each Speaker stressed the importance of developing and expanding relations with other legislative bodies, the participation of members in exchange programs, the exchange of information, and the development of practical programs to assist members in becoming better legislators.

Without exception, the Speakers were enthusiastic about their role as Presidents of the regional branches of the Commonwealth Parliamentary Association. They also expressed considerable interest in meeting with each other more frequently on an informal basis to share concerns and to compare notes with the only other people who understand the unique nature of the position they occupy.

Collectively, the Speakers were unreservedly positive about their role. Notwithstanding the prophets of doom and gloom, they felt great strides have been made in recent years towards increasing the independence of the legislature and providing better services for its members. The Speakers were optimistic that legislative reforms would take place in the future as governments throughout the country recognize the importance of the legislature as an institution.

## The Future of the Speakership

As a result of the interviews with the thirteen Speakers certain common themes emerged, relating both to the future of the legislature and to the role to be played by the Speaker.

Speakers saw the benefit of consolidating legislative offices, members' offices and support staff under the same roof. This is not always physically possible; and in Nova Scotia, Prince Edward Island, New Brunswick, Québec and Ontario, it was recognized that it would require the designation of an "annex" adjacent to the Legislative Building. In the Northwest Territories it would mean the construction of a permanent building, since at present the Legislature holds its meetings in a hotel.

It was generally agreed that major steps had been taken in recent years to strengthen the independence of the legislature by allowing it to assume control over administration of its own finances. It was felt that this trend will increase, as Boards and Committees of Internal Economy are formed in more jurisdictions; and as private members, including those in opposition parties, participate more actively.

The development of public information offices has become recognized as an important vehicle for orienting the general public to the role and function of the legislature.

There seemed to be consensus that viewing the Speakership as a "stepping stone" to cabinet should be discouraged. For this reason, and also in recognition of the expanded duties of Speakers in legislatures which are "full-time" or almost "full-time", the salary of the Speaker should be equated with that of a cabinet minister with portfolio.