

The Parliamentary Tradition in Manitoba

Gordon H.A. Mackintosh

From a cursory examination of Manitoba's early legislative *Journals* it would appear that when the tiny new province came suddenly into the mainstream of the British parliamentary system, it was to be a true copy of the archetype. The bewildering lingo and offices of the Westminster model were pervasive, the rules similar, the forms "correct." Further, the local press proudly commented that the Legislative Assembly's debut had "a completeness and dignity which were creditable to our young province." Yet, Sir Thomas Erskine May or John Hatsell would surely wonder what hybrid tradition was to be born of a legislature convened in a rented log house, symbolized by a wooden Mace made of an ox-cart hub and a flagpole, and attended by members in open-necked flannel shirts!

Strangers to a Parliament

Until its sudden creation in 1870, representative and responsible government was virtually foreign to Manitoba. One aberrant experiment is noteworthy. In 1868 an ambitious inhabitant of Portage la Prairie, an isolated settlement on the Assiniboine River, convinced the community to establish a "Republic of Manitoba." He declared himself "President", wide boundaries were defined, a customs tariff imposed for a jail and some public works and a "Council" selected. When the "Republic" sought recognition from the Imperial Government, a quick repudiation was sent to the "President". It was already dissolved however. An infuriated settler let a gunshot warn the "President" of the results of further taxation and the imposition of his government.

The only significant experience with government institutions was to the east. Within a 50 mile radius of the junction of the Red and Assiniboine Rivers, a community of fur traders, church officials, farmers and a few independent merchants lived under the aegis of a private trading organization, the Hudson's Bay Company. The area had been known as "Assiniboia," a small district defined within the vast and generally unsettled Rupert's Land, a territory granted by charter to the Company. It was an outpost of the British Empire, a relatively insular society of 12,000 settlers; half Protestant, half Catholic; half Anglophone, half Francophone. Most were born there, either as Métis (French half-breeds) or English and Scots half-breeds. Only a few of the estimated 13,000 area Indians lived in the community and, of the 1,500 whites, most were born in Assiniboia. A few had migrated from Britain, America or Canada.



President Louis Riel, surrounded by several Members of the 1870 Legislative Assembly of Assiniboia. (Manitoba Archives)

The basic provision of law and order and very limited public works were provided through the Council of Assiniboia, a body of councillors appointed by the Hudson's Bay Company. It met at Upper Fort Garry, where Winnipeg's Broadway Avenue and Main Street now converge. Although the Council protected the Company's trading interests through the appointment of company personnel, councillors representing other local, albeit complementary, interests were appointed to the body and had some influence.

Threatened by the encroaching American frontier, negotiations between the Imperial Government, Canada, and the Company led to a transfer of Rupert's Land and the North-western Territory to Canada in March, 1869. The Parliament of Canada prepared to govern its acquisition by passing an act which prescribed an Ottawa-appointed Lieutenant-Governor and council with undefined powers to administer these Territories from Upper Fort Garry. What a fleeting assertion this was to be.

As the newly-dispatched Lieutenant-Governor rode into Assiniboia, armed inhabitants confronted the astonished appointee. He could not enter the settlement, they declared, without the consent of its people. No assumption of power by Canada would be allowed without local consultation and assurances of good government. The Lieutenant-Governor never did see Fort Garry.

The progenitor of this agitation was Louis Riel. Supported by a group of fellow Métis, he had seized Upper Fort Garry. Facing

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a small, yet organized and vocal opposition from some local Canadians, and facing skepticism from many others, Riel invited one delegate from each of the twelve Anglophone parishes and from each of the twelve Francophone parishes to decide on a united course of action in the absence of a government. There followed a few months of intense political maneuvering, the temporary imposition of martial law, the imprisonment of some rambunctious Canadians, and two planning Conventions culminating in Assiniboia's first election, held at public meetings, for the "Legislative Assembly of Assiniboia." It consisted of twenty-four members equally divided between the Anglophone and Francophone parishes. Riel was elected President. The constitution of the Assembly exhibited both British and American influences. The executive was chosen from the Assembly and responsible to it, although the President was not a member and a vote of two-thirds was needed to override a Presidential veto.

The Provisional Government established under President Riel functioned for almost four months; the Assembly passed several laws and approved the fourth draft of a "List of Rights" to be presented to the Canadian Government. The "List" was apparently drawn up and approved under the dominant influence of Riel. It set out a number of conditions to be met in order for annexation to be acceptable to the people of Assiniboia. Provincial status was generally sought as well as the following specific guarantees:

- a) that representative institutions be provided for;
- b) that control of education be granted to the communities;
- c) that recognition of Métis and half-breed land holdings be continued;
- d) that a senate as well as an elected assembly be established;
- e) that denominational schools be provided for; and
- f) that protection be provided for use of the French language.

The Catholic, Francophone interests obviously perceived threats to their culture.

With the chief exception that Assiniboia's ownership of the public domain was withheld, Ottawa agreed to most of the conditions sought and entrenched these rights in *The Manitoba Act* by the end of two weeks. The *Journals* of Assiniboia's Assembly subsequently recorded a unanimous vote on the question "That the Legislative Assembly of this country do now, in the name of the people, accept *The Manitoba Act*." The first post-confederation province and the first Canadian-made jurisdiction was thereby born upon proclamation on July 15, 1870. It was perhaps a premature birth, hastily and desperately conceived.

Although Ottawa did not label Assiniboia's actions as treasonous, the federal Government was compelled to revenge Riel's responsibility for his earlier execution of an Ontario man, Thomas Scott. An expedition to the emerging province under Colonel Wolseley was ordered to ensure peace and order and seek out Riel. When the troops arrived, the President had vanished and most of the Assembly's members had made themselves scarce. Riel was to later protest, "I know that through the grace of God I am the founder of Manitoba."

The name "Manitoba" was favoured by Riel and several local leaders who envisioned an enlarged provincial territory which

might some day embrace the namesake, a westward lake which nearby Indians referred to as "the place where the Spirit whispers." It was also favoured by Ottawa, the historic name of Assiniboia now having a negative connotation in much of English Canada.

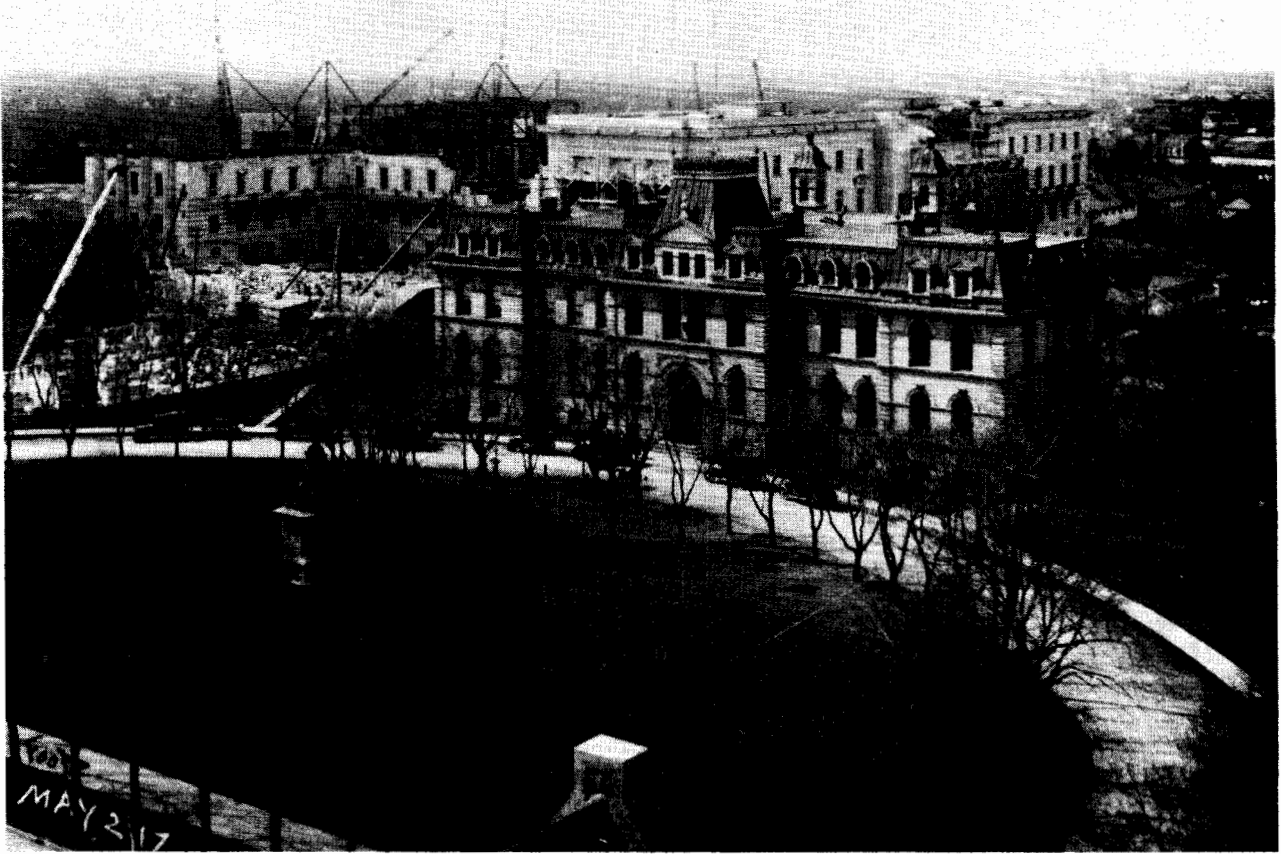
The sudden advancement to provincial status in Manitoba was in great contrast to other parts of the country where achievement of this status had resulted from gradual evolution over a much longer period. Manitobans could hardly respect or understand their new parliamentary system. There was previously scant interest in public affairs largely owing to the transitory demands of the buffalo hunt, subsistence activity or preoccupation with the spiritual institutions. At most, there was an authoritarian/quasi-republican political heritage.

Manitoba's first Legislature fulfilled a limited role as a representative body wherein members articulated the varied community concerns. The legislative and financial expertise typical of the British parliamentary model were generally wanting. The first Lieutenant-Governor, Adams Archibald of Nova Scotia (1870-1872) and the second, Alexander Morris, formerly chief justice (1872-1877), were the real sources of policy making. Archibald organized many of the candidates for election, his policies formed the basis of the first partisan difference — the "pro-Government" candidates and "Oppositionist" candidates, drafted the first major bills and reserved numerous others. Morris wrote Prime Minister Macdonald, "I read every bill and play law clerk but they make a sad mess of things with the amendments in the House." The Lieutenant-Governors attended Cabinet meetings for five years and their private secretaries sat as observers on the floor of the Legislative Assembly. The financial function of the Legislature was, of course, limited by the demands on government at that time. Furthermore the ability of the Legislature to tax was so limited that 90 percent of provincial expenditures were met by the federal government.

By 1876, the advent of full responsible government was imminent. The Lieutenant-Governor increasingly withdrew from active policy-making and a cohesive cabinet was emerging. By 1882, increasing immigration from Eastern Canada was creating growing pressure for the establishment of party politics. The Liberal and Conservative labels had sprung up. The press became politically aligned and the Legislature more polarized.

A pioneer resident of Winnipeg, A.G.B. Bannatyne, shared his home with the members of the Legislature for its first session in 1871. He left his log abode to the Assembly and Council for the ensuing two years, until it was razed by fire. The local Court House was occupied until 1882 when a new brick Law Courts building accommodated the Assembly. A federal grant finally allowed the Legislature to occupy its own single-purpose building in 1884. The white brick building with its crimson Chamber was described in the 1883 Canadian Pacific Register as "A handsome structure, one which not only shames the miserable pile of heterogeneous government buildings at Toronto, but one superior to any provincial building in the Dominion." Alongside it, the Lieutenant-Governor's residence was constructed in the same style. The residence remains in use today.

A fifth and much larger building was decided upon in 1911. Since its completion in 1920, it has been described as one of the continent's finest legislative buildings but its construction heralded



A scandal brewing; Manitoba's fourth legislative building with the present building under construction behind it. (Foote Collection, Manitoba Archives)

one of the continent's worst political scandals; \$900,000 worth of contract fraud and political kickbacks toppled the government of the day and is considered partly responsible for almost eradicating partisan politics in Manitoba. It is also noteworthy that, although the building was designed by an Englishman, the Legislative Chamber is unique to British and Canadian parliamentary settings; members are seated in a semicircular, tiered arrangement. As well, loges are provided on the floor of the Chamber to seat former members or visiting members from other Commonwealth parliaments. Allowing "strangers" to be so near the thick of things has never caused a problem except in 1973 when it provided former member and Winnipeg Mayor, Steve Juba, with an excellent vantage point from which to preach to MLA's on the inadvisability of erecting a public washroom in a nearby park. When the Speaker called upon the Sergeant-at-Arms to remove him, members had to contain their laughs; the thin, aging — and shocked officer would be no match for Mr. Juba. Sensing the difficulty, the Speaker then called for the police. A cabinet minister, Joe Borowski, gained the Mayor's cooperation, however, and both walked out together.

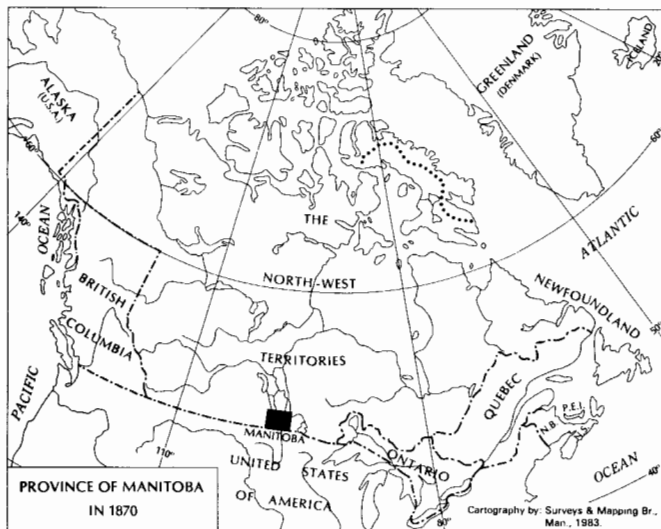
The Upper Chamber

The Manitoba Act provided for a bicameral legislature consisting of an appointed Legislative Council of seven members and an

elected Legislative Assembly of twenty-four members. The Upper House may have provided a valuable stabilizing influence at least during the first two years of the legislature's existence but it was costly and cumbersome machinery for the little province. The cost of maintaining the Legislature was almost 70 percent of the provincial budget. Due to the limited revenues of the government and the need to make regular appeals to Ottawa for increased funding, the Manitoba Government responded in 1874 to a suggestion by the federal cabinet that Manitoba reduce its expenses. The obvious solution was to eliminate the Legislative Council. The required legislation passed easily in the Assembly but was hoisted six months by the Council. At the next session it was hoisted three months by the Council. On the third attempt, the Council received the bill facing an atmosphere of increased public skepticism about the need for the Upper House, and with the knowledge that each Councillor had received a promise of an alternate position from the Lieutenant-Governor or the government. One Councillor nonetheless objected to the Third Reading motion, "The Legislative Council can have no right to diminish their power, for that is coeval with their conventional existence and therefore already beyond the scope of implied commission." Despite such a reasoned and forceful argument, the body voted itself out of existence in February, 1876; the Speaker cast the deciding vote. The Council had lasted six Sessions. Only a minority of French-speaking Catholics and a few wary of the abilities of the Assemblymen lamented its passing.

Provincial Growth

Manitoba began as a tiny rectangle, perched on the U.S. boundary and surrounded by Rupert's Land and the North-West Territories on all other sides. It was appropriately called "the postage stamp province." A continued crusade to push the boundaries outward saw successful redefinitions in 1881 and 1912.



The "Postage Stamp" Province.

Manitoba's Attorney-General once held the seat of Rat Portage. Oddly, Rat Portage, now Kenora, also had a member in the Ontario legislature at the same time. Both elections were held on the same day, in 1883. The area owed this superior representation to the extended political battles fought between Manitoba and Ontario over their shared boundary. Unfortunately for Manitoba's Attorney-General, Rat Portage was awarded to Ontario in 1884. As a demonstration of independence however, the Assembly allowed him to sit as a member for the ensuing session of 1885.

Within its boundaries, Manitoba's total population mushroomed from 25,000 in 1870 to a staggering 460,000 by 1911. This tremendous growth was precipitated by the transition of the province from the fur trade and Red River cart era to one of grain and trains. Principally, Winnipeg was the gateway to the vast agricultural lands around and to the west of the city. Most of the newcomers were born in Britain, coming directly from the "old country" or from Ontario. The Francophones became a minority. Significant immigration by, first, the Mennonites and then the Icelanders added to the ethnic and regional diversity of the Province. By the turn of the century there was also major immigration from Eastern Europe, notably of Ukrainians and Poles.

A Bilingual Outpost

The rapid decline of the Francophone majority greatly affected the status of the French language despite the language guarantees entrenched in *The Manitoba Act*. Those guarantees were virtually identical to the English language guarantees of the *British North America Act* affecting Quebec.

Equal representation of the two linguistic groups ensured the regular use and equal recognition of both languages in the Assembly during the first two Legislatures, but when the 1878 redistribution of seats increased Anglophone representation to reflect demographic changes, two developments occurred. First, the English majority overtly threatened the use of French. In 1879, Anglophone members supported passage of a bill to eliminate the printing of all public documents, except the Statutes, in French. Its enactment was denied however when the Lieutenant-Governor reserved the bill. Second, the French succumbed to the majority language. Without the modern day facilities of simultaneous interpretation, Francophone members increasingly conducted Assembly business in English out of necessity to impress their views on their colleagues. The Clerk's reading of all motions in French was increasingly dispensed with by Francophone members and the requirement that bills had to be printed in French before Second Reading was infrequently demanded. As well, the *Orders of the Day* evolved into a unilingual publication. Francophone acquiescence to this erosion provided further ammunition for attempts to abolish French.

While anti-French sentiment had long existed in some quarters, a watershed was crossed in August 1889 when the Attorney-General, Joseph Martin, rallied to the anti-French cause of a visiting MP, D'Alton McCarthy, and pledged abolition of French as an official language or his resignation. He argued, "This is a British country and the business of the House should be done in the general language of the country." Thereafter an order-in-council abolished bilingual publication of the *Manitoba Gazette*. When the legislature met in 1890, the *Rules* respecting the use of French were repealed and an act was passed to abolish French as an official language of the Assembly and of the courts. The Francophone members and daily petitioners to the Assembly avowed that the move was unconstitutional and venomous. The Governor-General decided, "... there can be little doubt that a decision of the legal tribunals will be sought at an early date as to the validity of the present legislation. A judicial determination of the question will be more permanent and satisfactory than a decision of it by the power of disallowance."

County courts declared the language act invalid on two occasions. Governments instead of appealing, simply ignored the rulings. No meaningful judicial decision was secured for eighty-six years. When the Supreme Court of Canada decided the case of Georges Forest, a Winnipegger who fought a \$5.00 parking ticket in 1979 on the ground that it was in English only, the 1890 language Act was declared unconstitutional and the guarantees of *The Manitoba Act* were upheld. The Legislative Assembly has since embarked on a program of translating all bills which enact complete new legislation. Existing acts are being continually translated. In December 1982, a simultaneous interpretation facility was installed in the Chamber whereby, on reasonable notice to the Speaker, Francophone members can have their speeches interpreted into English. French speeches are followed in Hansard by an English translation. Previously, this was done only if the member provided the translation. As well, plans to translate the *Journals* are being finalized. The use of French in the House is nonetheless infrequent. There are only three Francophone MLA's and about as many Anglophones who may occasionally speak in French. However as Larry Desjardins said to the Assembly in

December 1982, "(le changement) représente un grand pas de l'avant, un pas dans la direction de la justice. Certainement, vous pouvez vous imaginer comme ce n'est pas toujours amusant de parler à des piliers de granite. Aujourd'hui, jour mémorable, je vous adresse un message, et vous me comprenez."

Representation

From the 1st Legislature (1871-1874) to the 13th (1911-1914), the number of seats in the Assembly more than doubled, reflecting Manitoba's population and territorial growth. However, while there were 55 seats in 1920, there are only 57 today.

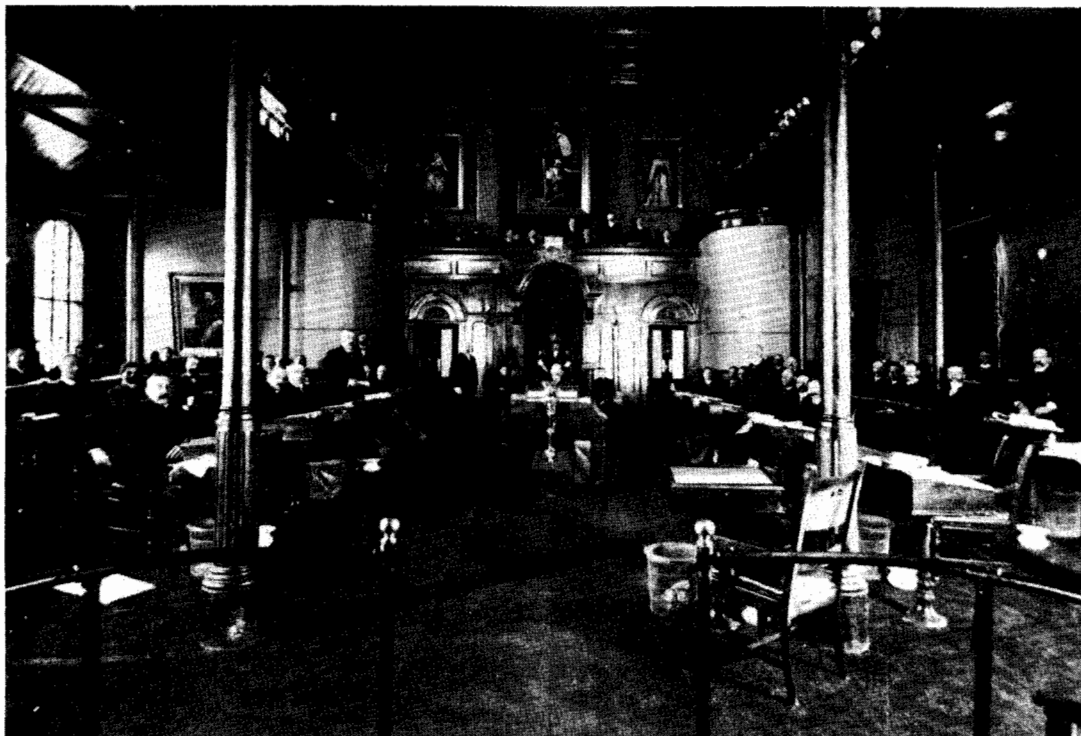
North America's first election based on proportional representation took place in Manitoba in 1920. Winnipeg was a single, ten-member constituency until 1949 when it was split into three, four-member ridings. In 1958 the city was finally divided into single member seats.

Representation in the Assembly used to reflect a significant rural bias. In 1952, some members cited the example of six urban votes in Kildonan-Transcona equalling one rural vote in St. George. Even after Manitoba pioneered an independent electoral boundaries commission in 1955, a 7 to 4 rural voter advantage was established as a parameter for the commission's redistribution. The CCF leader, Lloyd Stinson, once asked the House, "Why should four housewives in Portage la Prairie be equal to seven in Brandon?" An antagonist heckled, "You don't know those Portage women." Stinson retorted, "Do you?" Although as much as a 25 percent population variance is still allowed between electoral divisions, the disparity was nonetheless decreased for the 1981 elec-

tion, the first in which a majority of the electoral battles were fought in Winnipeg.

For 52 years, members of the Assembly who were appointed to cabinet had to resign their seats and run again. The requirement was intended to enhance the legislature's independence from the executive and to ensure public endorsement of cabinet members. After 32 by-elections for this purpose, the Assembly agreed that the practice was unnecessarily costly and it was abolished in 1927.

Only male property owners over 21 years of age could vote in 1870. The property restriction was removed in 1888 and the age limit was lowered to 18 in 1969. Manitoba was the first Canadian jurisdiction to enfranchise women, ending a legislative struggle begun in 1892. Conservative Premier Rodmond Roblin had argued, "I believe woman suffrage would be a retrograde movement, that it would break up the home, and that it would throw the children into the arms of the servant girls." Local suffragette leader, Nellie McClung knew how to handle such arguments. She claimed, "Politics unsettles men, and unsettled men mean unsettled bills — broken furniture, broken vows and — divorce." Roblin finally lost out in 1916 when the Liberals under T.C. Norris came to office leaving Roblin to complain, "I am opposed by all the short haired women and the long haired men in the Province." The first woman, Edith Rogers, entered the Assembly after the 1920 election amid thumping desks and ovations from the spectator's gallery but, until 1981, only seven women were elected. Now times have changed and in 1981, seven women were elected at once. Treaty Indians were given the vote in 1952 and the first native, Elijah Harper, was elected in 1981.



The Chamber, circa 1910. (Foote Collection, Manitoba Archives)

Over the years 26 parties or groups have been represented in the Manitoba's Assembly. There have also been two "nonpartisan" eras. The first one, from 1870 to about 1882, preceded the emergence of full responsible government and was followed by 40 years of bitter Liberal and Conservative rivalry. The second non-partisan era began in 1922 and lasted three decades.

A number of farmers were elected in 1922 on a platform which rejected party politics. The group found a leader in John Bracken of the Manitoba Agricultural College. (It became known, perhaps inappropriately as the Progressive Party, a name later combined with "Conservative" label as a condition of Bracken accepting the federal leadership of the Progressive Conservative Party in 1942.) Although Conservatives, Liberals, Socreds and CCF all joined this farmer's party at various times, the regime came to be called the Liberal-Progressive administration. After Bracken, it was led successively by Stuart Garson and Douglas Campbell. The only long-term opposition to the arrangement was comprised of a few Labour or CCF members and a few independents; one member in the 1936-40 Legislature was North America's first elected Communist. Throughout most of the 1940's there were only three opposition members in the Assembly.

This Liberal-Progressive government was perceived by many as a stable and thrifty administration, well-suited to the demands of depression and war. Some observers were critical however and argued that the Legislature had sunk to the level of a glorified but ineffective municipal council. Professor M.S. Donnelly argues, "The theory, held so strongly by Bracken, Garson, Campbell and Willis, that political parties were unnecessary, shows how little they understood the parliamentary system which, of course, is based on party government. Indeed, they very nearly succeeded in destroying it."

The rebirth of "partisan" politics started after the disastrous Red River flood in 1950. The Progressive Conservatives left the coalition charging that the Liberal-dominated government had mishandled the emergency. The three main blocks — the Liberals, Progressive Conservatives and CCF/NDP have continued to vie with each other for political supremacy although the Liberal vote started to decline in 1958. In 1981, the Liberals and the newly-formed Manitoba Progressives, who had broken off from the NDP caucus a year earlier (not descendants of the earlier Progressives), were shut out by the electorate. The Tories and New Democrats were left to do battle in the Assembly.

The Office of Speaker

The Manitoba speakership got off to a bad start. One winter night during the session of 1873 the Speaker, Curtis Bird, M.D., was summoned from his Winnipeg home by the advice that his medical services were required at the death bed of a prominent woman. En route, he was attacked by hooded men. The police officer who finally rescued him recounted, "He was, indeed, a sorry sight, patches of tar and feather all over him, and the bitterly cold night froze some of the feathers to his cheeks and he had a scare-crow look in every way." The reason for the attack was a ruling the Speaker had made regarding a controversial bill to incorporate the Town of Winnipeg which had angered many of the town's residents. Two days later, the Speaker was back in the Chair and the

Assembly passed a resolution to condemn the "cowardly and dastardly" treatment. The perpetrators were never identified.

In 1888 the local press alarmed, "the mighty unwritten part of the British constitution was hurled into the dust and trampled upon." The outcry was not because the lack of a quorum had prevented the House from meeting for six consecutive sittings. It was because the Speaker wore a tweed suit instead of his robes for one of these brief sittings. It was a difficult session for quorums. Once the Speaker adjourned the House for want of a quorum during a lull in debate. When members chatting in the lobby found out, they angrily pursued the Speaker to his Chamber, but he refused to reverse his adjournment. The quick-thinking Attorney-General, dashed off and seized the Mace from the Sergeant-at-Arms' room and put it in its place in the House. The debate continued. Later adjournments for a lack of a quorum were due to the more legitimate Manitoba distractions — snowstorms and bonspiels.



Present Speaker James Walding (centre) being escorted to the Chair by Opposition Leader Sterling Lyon (left) and Premier Howard Pawley in 1982. (Manitoba Government Photo Section)

The Speaker's Chambers were traditionally the repository of the best cigars and tobacco. The late night committee rooms were so full of thick air it was often difficult to see the chairman. One member from St. Boniface could regularly be seen going down the halls with great handfuls of free cigars. However, during the depression this tradition became regarded as extravagant and was discontinued. The 1931 tobacco costs totalled over one thousand dollars, about 18 percent of the Assembly's operating expenses for that year.

In the late 1950's the Speakership appeared destined to be filled on a permanent and non-partisan basis. In the last Speech

Speakers of the Legislative Assembly 1871-1983

Name	Constituency	Elected Speaker
Joseph Royal	St. Francis Xavier, West	1871
Curtis J. Bird	St. Paul's	1873
Joseph Dubuc	St. Norbert	1875
John Wright Sifton	St. Clements	1879
Gilbert McMicken	Cartier	1880
Alexander Murray	Assiniboia	1883
David Glass	St. Clements	1887
William Winram	Manitou	1888
Samuel Jacob Jackson	Rockwood	1891
Finlay McNaughton Young	Killarney	1895
Wilhelm Hespeler	Rosen Feldt	1900
James Johnson	Turtle Mountain	1904
James Boyson Baird	Mountain	1916
P. Adjutor Talbot	La Verandrye	1923
Robert Hawkins	Dauphin	1937
Wallace Conrad Miller	Rhineland	1950
Nicholas Volodymir Bachynsky	Fisher	1950
Abram William Harrison	Rock Lake	1958
Thelma Bessie Forbes	Cypress	1963
James H. Bilton	Swan River	1966
Ben Hanuschak	Burrows	1969
Peter Fox	Kildonan	1971
Harry Edward Graham	Birtle-Russell	1977
Derek James Walding	St. Vital	1982

from the Throne of the Campbell's government, it was announced, "You will be asked to consider at this session that provision be made that the tenure of Office of the Speaker be of a permanent nature to take effect at the first session of the twenty-fifth Legislature." To this end, the leaders of all parties later endorsed a measure to make the Speaker's indemnity a permanent and direct charge on the Consolidated Fund. However, when Duff Roblin's ensuing minority government nominated Abram Harrison, a member of government caucus, as Speaker at the next sitting, an early government defeat appeared imminent. Mr. Campbell alleged that no consultation had taken place to ensure a non-partisan appointment, contrary to the earlier consensus and contrary to the precedent established by 40 years of consultation. Obviously the Tories, out of office for so long, relished every appointment available. Although the Premier's nomination was supported by the CCF in order to avoid an election, Mr. Campbell proposed a resolution at the next session to seek affirmation of the legislature's support for the implementation of a non-partisan Speakership. It was slightly watered down by the House when it was agreed that, "... this House record its opinion that the practices and precedents of the Mother of Parliaments at Westminster offers our best guide in confirming the Speakership as a non-partisan and independent office and that those practices and precedents receive the support of this House." Although the British model has not been adopted, nominations for Speakers have been made after consultation with

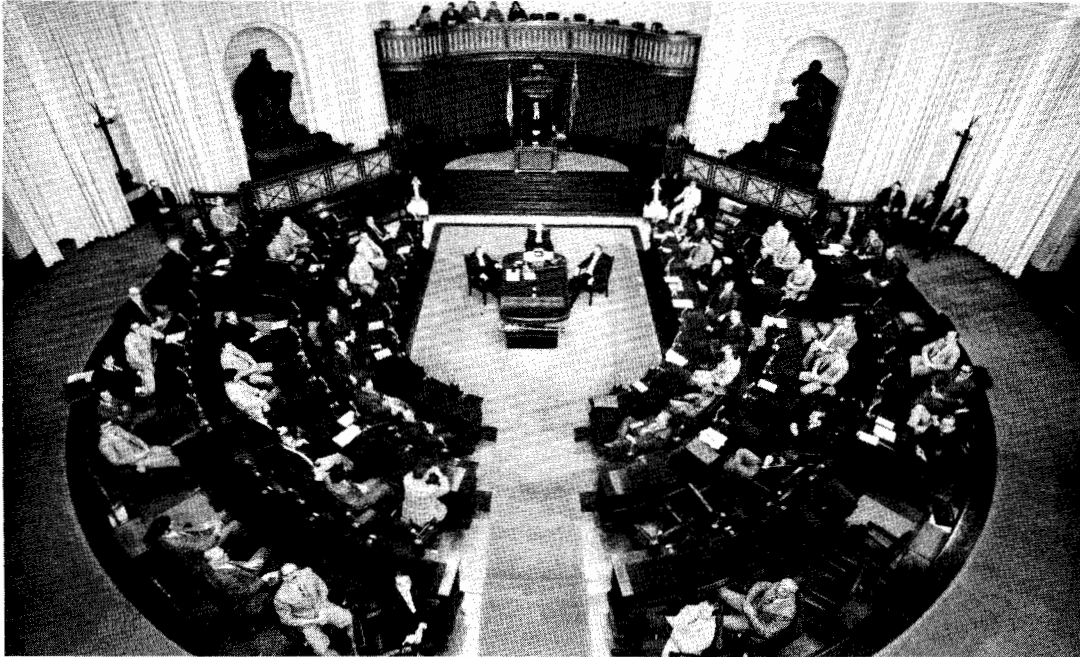
the Official Opposition and they have been seconded by opposition members since 1971.

Manitoba Speakers must regularly face appeals to their rulings. Two of Speaker Harrison's rulings were overturned in one week during his second session. He later mused, "It was like writing a cheque with no money in the bank." On two occasions, resolutions were proposed to ensure that specific Speaker's rulings should not be precedents; one was agreed to. The first motion of censure against a Speaker was proposed in 1982 wherein it was alleged that the Premier and Attorney-General had influenced the Speaker to make a ruling which appeared to alter a previous decision of the Chair. It was defeated on division.

The Speakership was not a stepping stone to cabinet before 1950, but since then four of the eight Speakers were subsequently appointed to the Executive Council. Conversely, four former cabinet ministers have been elected Speaker since 1871.

The Fraternity

Decorum in the Assembly, like that in other Legislatures, varies with personalities and issues. The first legislature quickly set the standards of dress. Members may not have understood their legislative system but they perceived its deserved dignity and accordingly shed their flannel shirts for more stylish clothes. Cut-away



The unique tiered, horseshoe-shaped Chamber of the Manitoba Legislative Assembly. (Manitoba Government Photo Section)

coats or dark suits were the vogue into the 1930's. Former Premier, Douglas Campbell recalls being publicly chastized by a prominent press gallery commentator for wearing brown shoes. In 1969, a member was caught in a turtleneck and jacket. He later proposed a motion that any dress requirements should be eliminated, arguing that the dress of a member was irrelevant to decorum and the performance of his or her duties. The motion was ruled out of order and the Rules Committee later confirmed the suit jacket and tie requirement. No one has yet found it necessary to propose a dress code for female M.L.A.'s.

Long-time members, both past and present, are known to lament a decline in the House's decorum. Mr. Campbell says of earlier sessions, "Although members were fierce and furious at times they conducted themselves in a gentlemanly way, always with a sense of decorum." A possible indicator of a trend in decorum may be the increased numbers of Speaker's rulings dealing with conduct rather than mechanical matters. Similarly, only two members were ordered to withdraw from the Chamber before 1970; there have been six namings since then, including a cabinet minister and a Leader of the Opposition. The left-right partisan fervor of today is likely a factor. Whether this spirit, that was so absent for about thirty years, can enhance the effectiveness of the legislative process and help ensure responsible government has yet to be decided. One placebo traditionally taken by Manitoba members is to adjourn for a day during the session to travel by train, and today by bus, to the Brandon Winter Fair. This annual pilgrimage has endured since at least 1917.

The Assembly has historically sat late into the night. A.F. Martin, MLA for Morris, holds the record for longevity in debate. In 1890 he began at 10:00 p.m. and spoke until 7:30 the next morning during a debate on the abolition of public aid to denominational

schools. Imposing time limits on debate in 1940 however did not guarantee shorter night sittings. Other than the occasional "red-eyed" estimates review, the government introduction of the "Speed-up" motion near the end of each session allows the legislature to sit to any hour. As a former Whip said, "This is our annual trek into madness . . ." but it is generally accepted as necessary to ensure passage of the government's program and to secure an extra week or two of summer vacation for MLA's. In the early 1960's former NDP Leader, Russ Paulley, wore a nightcap into the Chamber in silent protest. In 1970 exhausted members sat for almost two months in "Speed-up". Newlywed MLA, Russ Doern, was astonished to see his new bride appear before a Standing Committee in that year to admonish the group for a recent 5:20 a.m. adjournment of the House. The Lieutenant-Governor is often summoned from sleep to assent to the Session-end list of bills and to prorogue the House. Marathon sittings have apparently been preferred to closure. Guillotine or closure motions have been resorted to only three times.

At prorogation members revelled in the "Paper Fight". The tradition began around the turn of the century when MLA's would throw their desk papers into the air. By 1920 members began aiming at each other. Paper balls were ineffective; tied-up rolls of Hansard or magazines were much superior. Blood and bruises resulted. Frustrations were vindicated and vendettas exorcised. The press gallery was a favourite target. Finally, in 1981 damaged Chamber fittings signalled the end to an era and, out of respect for expensive new desk microphones, the tradition has been dropped.

Much of the Assembly's time is devoted to studying the estimates of departmental spending. For a brief period, time limits restricted this task to not more than 90 hours a Session. In the mid-1970's an agreement was reached whereby this time limit was

removed in exchange for imposing a 40 minute limit on the Oral Question Period. Concurrent sittings of two sections of the Committee of Supply presently examine the spending plans for all departments. Since 1977, a Sessional average of 300 hours is devoted to this process, surely a Canadian record. Hopefully, this helps to ensure legislative control over Government spending. It should also be noted that the ancient doctrine that grievances may be raised before Supply is maintained.

Standing committees have always played an active role in the consideration of legislation. They are a forum where the public has, by tradition, employed not only the privilege of attending but making presentations on all bills, except ways and means or tax bills which are referred to the Committee of the Whole. Of the eleven standing Committees, most bills are studied in the thirty-member Law Amendments Committee. Annual reports of crown corporations and public utilities are considered by the smaller, eleven-member Committees on Economic Development and on Public Utilities and Natural Resources. In 1960 a Standing Committee on Statutory Regulations and Orders was established to examine regulations and report on whether or not they are restricted to administrative matters, are not retroactive, do not exclude jurisdiction of the courts, contain reverse onus clauses, impose a tax, or otherwise make an unusual use of delegated authority. Although most regulations stand permanently referred to the Committee and "shall be examined by that Committee," no regulations have been considered since 1972, although a futile revival of the chore was attempted in 1980. The Committee has been used mainly to conduct inquiries related to specific legislation or proposed constitutional changes.

The Rules are permanently referred to the Standing Committee on the Rules of the House. It is chaired by the Speaker and generally operates by consensus. Before 1977, Special Com-

mittees were struck to examine the Rules from time to time but by the late 1960's as many as two amendment packages a year were being passed, necessitating the permanent Committee. The Committee also considers other related matters such as recommending guidelines affecting broadcasting of House proceedings and Hansard policy.

Committees have not exhibited significant independence from the government. Until the election of the Schreyer administration in 1969 many were chaired by cabinet ministers, including the Standing Committee on Public Accounts. Today the minister sponsoring a bill is always a member of the committee and usually in attendance. Committees authorized to inquire into a particular matter are usually staffed, and reports drafted, by employees of the related department and the minister often plays a prominent role in the proceedings.

The Clerk Assistant of the Assembly was once allowed at the Table only to announce members' names for recorded votes. This practice proved unsatisfactory, however, so the Sergeant-at-Arms did the chore for a brief period. Thereafter it was decided, in the mid-1930's, that the page boys, who were high school students, should do the job. Unique to Canadian Legislatures, the pages continue to call the names. A division early in the session can be a terrifying challenge to the chosen greenhorn but to both the members and the young student it is usually a memorable moment.

For the Record

Permanent recording of debate began in 1949 but it was not until the 1953 session typed transcriptions of speeches were made available to members on request. This proved to be a successful service and by 1957 the number of transcriber had increased from

Premiers of Manitoba 1870-1983

Name	Years in Office	Party
Alfred Boyd	1870	Government
Marc Amable Girard	1871-1872; 1874	Government
Henry J. Clarke	1872	Government
Robert A. Davis	1874	Government
John Norquay	1878	Conservative
David Howard Harrison	1887	Conservative
Thomas L. Greenway	1888	Liberal
Hugh John MacDonald	1900	Conservative
Rodmond Palen Roblin	1900	Conservative
Tobias Crawford Norris	1915	Liberal
John Bracken	1922	United Farmers of Manitoba/Progressive/Liberal-Progressive
Stuart Sinclair Garson	1943	Liberal-Progressive
Douglas L. Campbell	1948	Liberal-Progressive/Liberal
Duff Roblin	1958	Progressive Conservative
Walter C. Weir	1967	Progressive Conservative
Edward R. Schreyer	1969	New Democratic
Sterling R. Lyon	1977	Progressive Conservative
Howard Russell Pawley	1981	New Democratic

one to five. A proposal in 1952 and three Private Members' resolutions introduced in 1956, 1957 and 1958 urged the establishment of a full-service Hansard, but to no avail as all were defeated. However, when a new Tory Government was elected in June 1958, a Hansard service was immediately put into place. Premier Duff Roblin agreed to provide the service only on the condition that speeches be unedited. By 1974, proceedings of Committees were also recorded and transcribed. Today's 16-member Hansard team works devotedly through the night on word processing equipment to provide a typeset publication within 24 hours of the spoken word.

The broadcasting of the legislative proceedings is a recent development in Manitoba. Despite urgings by way of a Private Members' Resolution in 1952 that Chamber debate should be broadcast on radio, an audio feed to the Legislative Building media offices was not made available until 1973 and direct feed to Winnipeg cable outlets was not added until 1979.

Televising of all proceedings was sanctioned in 1979 but the consortium of television stations, which ensures coverage and controls the film, usually limits the camera's operation to the Oral Question Period, the Speech from the Throne and Budget Address. There are no prescribed guidelines on camera movement. Taking still photographs from the Press Gallery above the Speaker's Chair was approved in 1981. Committees are open to all media coverage unless otherwise determined by a particular Committee.

The Battles

The landmark legislative and public issues of Manitoba follow no common theme. Several early battles were concerned with efforts to consolidate a strong provincial position and settle differences with the federal government. The issues included: the extension of the Province's boundaries, better federal-provincial financial terms and, in particular, repudiation of federal disallowance of provincially incorporated railway companies which would provide competition for the CPR.

The most divisive and lasting issue was a proposal by the Liberal government of Thomas Greenway in 1890 to abolish public funding of separate schools. Although the French Catholics lost the battle, this debate has raged on through most of the province's history. It spilled into the federal forum as well and became the main issue of the 1896 federal general election.

Other major debates have included a Legislative Building scandal, charges of collusion between Bracken's government and a private electric company that was awarded ownership of a new power dam, and alleged collusion in the setting of beer prices during the Campbell government. Manitoba legislators also had to grapple with the Canada-wide question of whether sales of coloured margarine should be allowed. This apparently frivolous concern raged on for over a decade and divided members on an urban-rural basis. A massive fraud by European interests involving public funds invested in a forestry complex at The Pas was an important issue of the late 1960's and early '70's. Finally, the introduction of a provincial public automobile insurance plan in 1970, during a minority NDP Government under Premier Ed Schreyer, was one of the greatest battles of the last few decades.

Conclusion

Manitoba's parliamentary tradition is garnered from the experience of 112 years and its rules and procedures derived from a long process of evolution. The system is strong, yet there are always challenges. Three present-day examples can be identified. First, acrimony resulting from a left-right ideological dichotomy, manifested in two major political parties, often strains the application of many parliamentary rules and conventions.

Second, demands on the resources of the Legislature have greatly increased. For example, a comparison of the first ten sessions with the last ten reveals that the average number of sessional bills has increased from 48 to 82. The House must now consider well over a billion dollars in public expenditure and thousands of government staff positions as compared to about \$150,000 a year and about half a dozen employees in the first ten years. The average number of required sittings has more than quadrupled, from 21 to 86 days and the former short sessions have expanded well into the seeding and harvesting seasons. (Oddly, only the number of petitions praying for action other than passage of a private bill has decreased; the last petition of this type addressed to the Assembly was received in 1943.) Today, the Assembly requires of its Members almost full-time duty.

The third challenge results from the steadily growing difference between the roles of sitting members. On the one extreme, ministers are subjected to the often exhausting demands of policy-making and administration. These demands tend to divert their attention from the Assembly's operation and may cause the busy minister to perceive the legislature as a time-consuming nuisance. On the other extreme, the backbencher may be perceived as being very remote from government or lacking access to information about the government. This may cause such members to experience consequent frustration and members at both extremes may direct these frustrations at the parliamentary system.

Despite these challenges, the adaptability of the parliamentary model is well-proven. In 1870, Manitoba took on the new system, with no parliamentary tradition. For a time many thought the system was doomed to failure, but the citizenry and the members came to recognize the worth of the institution and demonstrated its adaptability. It has continued to survive many and varied political crises. It will continue to serve the province well.

Suggestions for further Reading

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