



THE OFFICE OF THE SPEAKER IN THE PARLIAMENTS OF THE COMMONWEALTH, by Philip A.C. Laundy, London, Quiller Press, 1984, 274 p.

Philip Laundy, with the generous support of the Commonwealth Parliamentary Association, has written a book concerning the development of the Speakership in member nations of the Commonwealth.

Despite the transition from colonial to independent status of many countries the Commonwealth, the parliamentary system inherited from the United Kingdom, has usually been retained (although to varying degrees depending upon circumstances in each country). There is, however, one common thread throughout and that thread, which continues to link the many diverse nations together, is the Office of the Speaker. It lies at the heart of the parliamentary system and that is the basic thesis of this book.

At the outset, Mr. Laundy reviews the historical perspective of the Speakership in England from 1377 to the twentieth century. This chapter is basically a condensed version of his earlier work; *The Office of Speaker*. He traces the evolution of the Speaker's role and powers established by the concerted actions of the various occupants of the Chair.

In Part Two, the reader is introduced to the Speakership of some 40 countries which comprise the Commonwealth Nations. In each case Mr. Laundy describes the evolution of their Speakership from the moment of its inception, to the present. Needless to say for the larger, more longer developed nations, the narrative is extensive in contrast to that of the smaller, newer members of the Commonwealth. In each the Speakership is examined within the following context: the evolution of the office,

its roles, powers and responsibilities; Speakers' election in the country and subsequent election in the House; and political affiliations. For those nations that have provinces or states, brief notes about their Speakers and differences are commented upon.

Many interesting facts and practices are included in this book. In the United Kingdom chapter, there is considerable discussion of the tradition of not opposing a Speaker at either general elections or elections in the House of Commons. Another distinction between Canadian and Westminster practice is that the retiring Speaker in the United Kingdom presides over the election of his successor while in Canada this role is performed by the Clerk of the House.

In Australia the Clerk, while presiding over the election of a Speaker, has certain powers not existing elsewhere in the Commonwealth including a casting vote, ruling on the admissibility of a motion and calling for the withdrawal of offensive words. Also, from Australia comes the example of the government failing to support the authority of the Speaker after he had named a member (who was Minister of the Crown). The House defeated a motion for the Minister's suspension, whereupon the Speaker resigned.

At the Lok Sabha in India, the Speaker has powers that quite exceed those of our Canadian Speaker. He can regulate the proceedings of the House, determine the day and hour of sittings and assist the House Leader in determining the order of business.

In the remaining pages in very rapid succession, the author makes mention of the African parliaments from Zambia to Zimbabwe. From here, he moves quickly to

the Office of Speaker of Sri Lanka and Singapore then to such diverse nations as Belize, Malta and then finally to the smallest but perhaps the oldest of all, the Isle of Man.

As Mr. Laundy threads his way through the various parliaments from Westminster to the Tynwald, there emerges one fundamental idea. Although the Speakership may not be identical in all nations it remains essentially faithful to the original model of Westminster. That is perhaps one reason parliamentarians in all Commonwealth nations are able to identify readily with their counterparts in other nations.

This book makes interesting general reading for students of parliamentary government and is essential for those studying the Parliaments of the Commonwealth.

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POUR UN MODE DE SCRUTIN ÉQUITABLE: LA PROPORTIONELLE TERRITORIALE, Commission de la représentation électorale, Quebec City, 1984, 199 p.

The idea to reform Quebec's electoral system did not come from a particular political party: it has roots in the very history of Quebec's political system. The origins of these reports go back to a resolution of the National Assembly requesting the *Commission de la représentation électorale* to study the existing electoral system and make recommendations if necessary. The Commission tabled its report on March 28, 1984, entitled *Pour un mode de scrutin équitable* (For a fair electoral system).

Although not the first report to be

written on this issue it may be the one that makes the greatest contribution to a reform of Quebec's electoral system. It does not, however, contain any new or startling views. Since 1982, in fact, the Parti québécois government has been proposing reforms embodying the principles on which the Commission based its recommendations. The government proposed a moderate form of regional proportional representation (RPRM), which provoked wide-spread protest and was in effect abandoned, leaving the Commission, a neutral body, to take over.

The Commission opted for what it calls "territorial" proportional representation. This formula would make it possible to conserve, to a great extent, the links between voters and MNAs through the creation of 22 large electoral territories based on municipal boundaries or groups of municipalities. At the same time, the proposed plan would introduce proportional representation within these territories.

The Commission proposed two possible electoral maps. Both would maintain the number of seats in the Assembly at just above the existing level (122 seats). The proposed constituencies cover very different surface areas. Under the first hypothesis some of them, like the Saguenay/Lac Saint-Jean territory, would return only three Members (the minimum permitted), while others, like Montréal-Est, would return as many as 19. The creation of such electoral territories reflects a desire to make MNAs act on a regional basis, to more accurately reflect political reality in Quebec. The Commission considers this major change as one of the key points in its proposal, since it would result in better political representation for Quebecers.

Voters would mark on the ballot their preference for one of the parties. This would determine, on the basis of a pre-determined mathematically calculated method of distribution, the number of seats given each of the parties within that territory.

Parties would have to submit a list of candidates for each constituency. There could not be more candidates than the total number of seats allotted to that constituency.

This type of system may involve either a closed or an open list. In most systems the list is closed: that is, voters do not

generally have the option of marking the candidates in order of preference. The lists are drawn up in advance according to whatever method is used by each party. A vote for a party implies acceptance of its proposed order of candidates.

To safeguard the existing links between a member and the residents of his/her riding, the Commission indicated its preference for an open list, a system it describes as "mixed". This means that voters would first have to mark their preferred party and then be given the opportunity to choose their preferred candidates from among *all* those listed regardless of party.

Changing to a list system (either open or closed) would inevitably transform the role of the parliamentarian in a very radical manner. The closed list or slate means that the order of importance of the candidates has been determined by their party, so that the chances of an individual's being elected depend more on internal party struggles or on the good will of the party executive than on the candidate's roots in his or her riding. There is thus a very real danger of increasing still further the already extensive power of the political parties. The stress currently laid on purely local issues could only diminish.

The open list also raises a number of questions. If voters can choose the candidates they prefer, then the fight for first place in a region would be out in the open and candidates from the same party would be competing with each other as well as with candidates from other parties. Parties would probably present a much less united front during election campaigns.

Furthermore, it should be stressed that individuals who were known throughout the electoral territory would be the most likely to win. With an open list, candidates would have to discard local issues and their role as ombudsmen. To the extent they did so they would be more and more cut off from the needs of their population. Unless, that is, the parties were to divide up each territory among their members, who would then have to "manage" them politically. At this time, however, both hypotheses would require a number of unwarranted assumptions about what political parties would do if this kind of system were adopted.

The perspective that led the Commission to propose its mixed system cer-

tainly does it credit. However, let us try and picture hypothetical situation: following instructions from their party at the local level, a certain number of Party X's supporters decide to swing their votes behind a candidate for Party Y, (which would not be especially surprising given the current context of North American electoral behaviour.) Their votes might well decide the victory or defeat of that particular Party Y candidate, but not necessarily in the way that Party Y's supporters would have liked.

We must also ask how, under a system of proportional representation by territory would electoral campaigns be financed? Would each candidate be reimbursed for electoral expenses, or would the territorial organization be reimbursed? In either event it is virtually certain that election expenses would go up. How would candidates be nominated — At immense public meetings, or by order of party executives? Many questions remain unanswered, especially since all parties would have virtually to rewrite their by-laws.

In the solution proposed by the Commission, independent candidates would find themselves second-class citizens. Since each independent would be considered to constitute a party, it would be impossible for voters who had indicated other parties as their party preference to include an independent on the list of candidates they wished to have represent them in the National Assembly. This would lead to a decrease in the number of votes potentially available for independent candidates.

The Commission also proposed that a seat be reserved for the Inuit, Cree and Naskapi communities of Northern Quebec. Admirable though the thinking behind such an idea may be, we must consider whether the creation of an electoral territory on purely racial grounds would not contravene the Canadian and Quebec charters of human rights. Would the proposal not mean treating native and non-native Quebecers differently? And what of the other native communities scattered throughout Quebec? They might very well resent this special treatment for the 6,848 native voters living in Northern Quebec. The idea came from the Northern communities themselves, which is surprising in that their direct participation, with special status, in Quebec's electoral system would mean that their

minority position in white society would be enshrined in law.

The Commission's report maintains that the chief merit of territorial representation is that it would decrease significantly the proportional discrepancy between the number of votes cast for a party and the number of seats it actually wins. This is undeniable, at least as regards the two main political parties now represented in the Assembly. Distortions would persist, however. The winning party would in effect still receive a bonus, and outside the major urban centres, parties that obtained less than 15 per cent of the votes would not be represented.

In a constituency like Montréal-Est, for example, a party would need to obtain only 5 per cent of the votes cast to win a seat, whereas in most other constituencies a party would have to obtain as much as 33 per cent of the votes cast to win that one seat. But the Commission's proposal was not made thoughtlessly. In its report it says explicitly that the larger number of members it would like to see in certain densely-populated ridings is due to its wish to allow Quebec's pluralism to find expression by making it easier for new ideas to be represented in the National Assembly, without causing governmental instability.

To manage to stay afloat in a system based on territorial proportionalism, a new or third party would have to concentrate all its support in a single region, probably one characterized by strong cultural, social or linguistic homogeneity, like West Montreal. The Commission failed to propose any means of taking into account, on a province-wide scale, the residual votes garnered by a political party. The result would be that only regional parties would benefit, to the detriment of parties seeking support throughout Quebec. Proportional representation on a territorial basis thus would not really eliminate the distortions generated by single-ballot uninominal balloting; it would only dilute them.

The Commission also opposes the right of MNAs to decide to become independents during the course of their term. It suggests that in such a case the member would have to resign and be automatically replaced by the non-elected candidate on his party's constituency list who had received the most votes. The same procedure

would be invoked each time a seat came vacant. By-elections would be a thing of the past.

The Commission justifies this due to the need to preserve a certain stability in government. Because party representation would be more accurate, government majorities would be much smaller, and the defection of a handful of members could be enough to bring down the government. Nowhere in the report, however, does the Commission assess the consequences of this change on political and parliamentary life.

On the issue of independents the Commission is not really consistent with its own recommendations. By opting for an open list system it would allow the electorate to choose their representatives themselves, but at the same time it denies members the right to change allegiance. We cannot have it both ways: either the voters simply choose a political party, and MNAs are forbidden to switch sides during their term; or the voters pick from an open list, at which point a vote for an individual candidate is no longer equivalent to a vote for a party, and each MNA is entitled to a large measure of autonomy.

The Commission's proposal with respect to changes of allegiance would also appear to contravene article 43 of the National Assembly Act, which stipulates that "every member is vested with full independence for the carrying out of his duties". Marcel Adam summed it up when he wrote in *La Presse* of December 3, 1983, "What good will it do people to be more accurately represented in the National Assembly if the parliamentary system is going to go on being kept in handcuffs by a partisan solidarity whose quasi-dictatorial rigidity is virtually unparalleled among parliamentary democracies?"

The parliamentary committee empowered to consider the report of the *Commission de la représentation électorale* is scheduled to meet during the second week in October and will certainly have to examine all these points. We can only hope that it will succeed in clarifying the debate and answering some of the questions.

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REPORT ON ALBERTA ELECTIONS 1905-1982, Office of the Chief Electoral Officer, Edmonton, Alberta, 1983, 204p. LEGISLATORS AND LEGISLATURES OF ONTARIO 1792-1984, compiled and edited by Debra Forman, Research and Information Services, Legislative Library, Ontario Legislative Assembly, Toronto, 1984, 3 volumes.

These are both reference books intended to provide authoritative information on various aspects of provincial legislative history. The Ontario study is a much more ambitious project in part because the province has twice as long a legislative history. The three volumes contain chronological lists of the legislatures of Upper Canada, Canada West and the Province of Ontario. For each legislature there is an alphabetical list of both members and constituencies. The guide is supplemented by numerous appendices including a chronological list of all legislative officers, Premiers and Executive Councillors, over a period of 192 years.

This project constitutes the Research and Information Services' contribution to the Bicentennial of Ontario (which for reasons not explained in the book is being celebrated in 1984 rather than 1992!).

The only criticism of this project is that it gives too much information rather than risk omitting any fact. Thus the same basic information is presented two or three different ways. Too much emphasis went into the collection of information and not enough thought was given to questions of format, presentation and readability. Although these volumes will overwhelm all but the most dedicated researchers they will provide a great service to serious students of Ontario history and politics.

This criticism certainly does not apply to the book on Alberta elections which, admittedly, does not have the same objectives. Nevertheless, it does provide much of the same information (albeit for a shorter period) and it does so in a simpler and more attractive format. Indeed the handsome, hard cover book produced by the Chief Electoral officer would make an ideal gift to anyone even slightly interested in Alberta politics. It contains a mine of information about provincial elections, by-elections and major plebiscites since Alberta