The Evolving Speakership

by Gary Levy

This article examines three issues related to the Office of Speaker in Canada's elected legislatures -- how Speakers are chosen, how long they remain in office and the circumstance by which they leave office. It covers all Speakers who have been in office since the Review was established in 1978.

Canada has thirteen elected legislative bodies (the House of Commons, ten provincial and two territorial legislatures) ranging in size from the 301 member House of Commons to the seventeen member Yukon Legislative Assembly. Yet, regardless of an assembly's size or composition, every Speaker bears ultimate responsibility for balancing two fundamental principles of parliamentary democracy. The majority has the right to conduct its business in an orderly manner and the minority has the right to be heard. This responsibility makes the Speaker a crucial figure in our parliamentary form of government.

The duties of the Presiding Officer have changed little over the centuries. First, he or she is the spokesperson for the House in its relations with outside authorities, including the Crown. Second, the Speaker presides over sittings and enforces rules for the preservation of order and the conduct of business. Third, the Speaker has extensive responsibilities relating to the administration of the House. While these constants remain there have been change in other aspects, most notably the way Speakers are chosen.

The Election Process

For more than a hundred years after Confederation Speakers of the House of Commons were nominated by the Prime Minister then elected in a voice vote by the House. A similar procedure was followed in every other assembly.

To enhance the stature of the Presiding Officer and to make it clear that the Speaker is not a government appointee the House adopted, in 1985, a reform which provided for the election of its Speaker by a secret ballot. Every member (except Ministers of the Crown) are listed on the ballot unless they have informed the Clerk in writing that they do not want their name to stand. One or more ballots are then held with the lowest person(s) being eliminated until someone emerges with a majority. A variation on this secret ballot procedure has since been adopted by Ontario, Saskatchewan, Alberta, British Columbia, New Brunswick, Nova Scotia, Prince Edward Island and the Northwest Territories.

As shown in the table on the following page there have now been nearly 20 Speakers elected under rules providing for a secret ballot in various legislatures. When the procedure was introduced, some concerns were expressed in Ottawa that it could end the tradition of rotating the position between English and French Canadians. So far that has not been the case.

There was also speculation that the new process would open the way to Opposition Members being elected if they happened to be the best candidate. Experience so far, in both Ottawa and other legislatures, shows that with the exception of Ronald Russell (Nova Scotia) in 1998 only individuals from the majority party have won the Speakership under the secret ballot system. By contrast under Prime Ministerial nomination James Jerome, a Liberal, was asked to stay on as Speaker by the Conservative Government of Joe Clark following the 1979 election. In Ontario John Stokes of the NDP was chosen as Speaker by the Conservative Government of William Davis in 1977 and another Ontario Conservative Govern-

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Speakers of Canada's Thirteen Elected Legislatures 1978-1998
(Speakers in office since June 1978. To calculate time in office for present Speakers June 6, 1998 is used)

Elections Since 1978	Speaker	Party	Date First Elected	Times Elected	Total Days in Office	Subsequently
House of Commons	James Jerome	Lib	September 30, 1974	2	2023	Judge
	Jeanne Sauvé	Lib	April 14, 1980	1	1372	Governor General
1979 1988	Lloyd Francis	Lib	January 16, 1984	1	295	Defeated
1980 1993	John Bosley	PC	November 6, 1984	1	693	Remained MP
1984 1997	*John Fraser	PC	September 30, 1986	2	2666	Ambassador
	*Gilbert Parent	Lib	January 17, 1994	2	1601	
British Columbia	Harvey Schroeder	SC	March 30, 1978	2	1628	Cabinet Minister
	Walter Davidson	SC	September 13, 1982	2	1516	Retired
1979 1991	John Reynolds	SC	November 7, 1986	2	1098	Cabinet Minister later MP
1983 1996	Stephen Rogers	SC	November 9, 1989	1	726	Retired
1986	Joan Sawicki	NDP	November 5, 1991	1	868	Remained MLA
	*Emery Barnes	NDP	March 22, 1994	1	826	Retired
	*Dale Lovick	NDP	June 25, 1996	1	603	Cabinet Minister
	*Gretchen Brewin	NDP	March 26, 1998	1	72	
New Brunswick	William Woodroffe	PC	March 2, 1973	2	2020	Retired
	Robert McCready	PC	Februray 1, 1979	1	777	Cabinet Minister
1978 1991	James Tucker	Lib	March 24, 1981	2	1654	Cabinet Minister
1982 1995	Charles Gallagher	Lib	April 8, 1986	1	508	Defeated
1987	Frank Branch	Lib	March 22, 1988	1	1248	Remained MLA
	Shirley Dysart	Lib	February 11, 1992	1	813	Remained MLA
	Gérald Clavette	Lib	November 29, 1994	1	3	Remained MLA
	*Shirley Dysart	Lib	December 2, 1994	1	326	Retired
	*Danny Gay	Lib	October 25, 1995	1	635	Cabinet Minister
	*John McKay	Lib	November 4, 1997	1	214	
Newfoundland &	Gerald Ottenheimer	PC	November 19, 1975	1	1322	Minister, later Senator
Labrador	Leonard Simms	PC	July 12, 1979	1	1030	Cabinet Minister
	James Russell	PC	May 10, 1982	1	1080	Cabinet Minister
1979 1989	Patrick McNicholas	PC	April 25, 1985	1	1491	Defeated
1982 1993	Tom Lush	Lib	May 25, 1989	1	1447	Cabinet Minister
1985 1996	Paul Dicks	Lib	May 20, 1993	1	811	Cabinet Minister
	Lloyd Snow	Lib	October 16, 1995	2	964	
Nova Scotia	George Doucet	Lib	February 22, 1977	1	652	Retired
	Ronald Russell	PC	December 6, 1978	1	806	MLA then Speaker then MLA
1978 1988	Arthur Donahoe	PC	February 19, 1981	3	3659	Retired
1981 1993	Ronald Russell	PC	February 26, 1991	1	853	Remained MLA
1984 1998	Paul MacEwan	Lib	June 28, 1993	1	1239	Remained MLA
	Wayne Gaudet	Lib	November 18, 1996	1	367	Cabinet Minister
	Gerry Fogarty	Lib	November 20, 1997	1	151	Remained MLA
	*Ronald Russell	PC	May 21, 1998	1	16	
Ontario	John Stokes	NDP	October 17, 1977	1	1282	Remained MLA
	John Turner	PC	April 21, 1981	1	1505	Remained MLA
1977 1987	Hugh Edighoffer	Lib	June 4, 1985	2	1994	Retired
1981 1990	*David Warner	NDP	November 19, 1990	1	1772	Defeated
1985 1995	*Allan McLean	PC	September 26, 1995	1	366	Remained MLA
	*Ed Doyle	PC	September 26, 1996	1	7	Remained MLA
	*Chris Stockwell	PC	October 3, 1996	1	611	

Election Years	Speaker	Party	Date First Elected	Times Elected	Total Days in Office	Subsequently
Quebec	Clément Richard	PQ	December 14, 1976	1	1428	Cabinet Minister
	Claude Vaillancourt	PQ	November 11, 1980	1	862	Judge
1976 1989	Richard Guay	PQ	March 23, 1983	1	999	Defeated
1981 1994	Pierre Lorrain	Lib	December 16, 1985	1	1443	Consul General
1985	Jean-Pierre Saintonge	Lib	November 28, 1989	1	1827	Judge
	Roger Bertrand	PQ	November 29, 1994	1	469	Cabinet Minister
	Jean-Pierre Charbonneau	PQ	March 12, 1996	1	816	
Saskatchewan	John Brockelbank	NDP	November 12, 1975	2	2408	Defeated later MLA
	Herb Swan	PC	June 17, 1982	1	1629	Cabinet Minister
1978 1991	Arnold Tusa	PC	December 3, 1986	1	1824	Defeated
1982 1995	*Herman Rolfes	NDP	December 2, 1991	1	1549	Retired
1986	*Glenn Hagel	NDP	February 29, 1996	1	828	
Manitoba	Harry Graham	PC	November 27, 1977	1	1419	Remained MLA
1977 1990	James Walding	NDP	February 25, 1982	1	1447	Remained MLA
1981 1995	Myrna Phillips	NDP	May 8, 1986	1	671	Defeated
1986	Denis Rocan	PC	July 21, 1988	2	2434	Remained MLA
	Louise Dacquay	PC	May 23, 1995	1	1110	
Alberta	Gerard Amerongen	PC	March 2, 1972	4	5215	Retired
1979 1989	David Carter	PC	June 12, 1986	2	2636	Retired
1982 1993	*Stan Schumacher	PC	August 30, 1993	1	1322	Retired
1986 1997	*Ken Kowalski	PC	April 14, 1997	1	418	
Yukon	Donald Taylor	PC	December 13, 1974	4	3866	Defeated
	Sam Johnston	NDP	July 15, 1985	2	2708	Defeated
1978 1992	Alan Nordling	NDP	December 14, 1992	1	436	Cabinet Minister
1982 1996	John Devries	YP	April 18, 1994	1	960	Retired
1985	Robert Bruce	ND	December 4, 1996	1	85	Unseated, later re-elected
	Doug Livingston	ND	March 24, 1997	1	17	Remained MLA
	Robert Bruce	ND	April 14, 1997	1	418	
Prince Edward	Russell Perry	Lib	June 6, 1978	1	392	Remained MLA
Island	Dan Compton	PC	June 29, 1979	1	1213	Remained MLA
1978 1989	Marion Reid	PC	October 28, 1982	1	1320	Remained MLA
1979 1993	Edward Clark	Lib	June 9, 1986	2	2502	Remained MLA
1982 1996	Nancy Guptill	Lib	April 15, 1993	1	1359	Remained MLA
1986	Wilbur MacDonald	PC	January 3, 1997	1	519	
Northwest	David Searle	Ind	May 1, 1975	1	1657	Retired
Territories	Robert MacQuarrie	Ind	November 13, 1979	1	344	Remained MLA
	Donald Stewart	Ind	October 22, 1980	2	2577	Defeated
1979 1991	Red Pedersen	Ind	November 12, 1987	1	706	Remained MLA
1983 1995	Richard Nerysoo	Ind	October 19, 1989	1	755	Cabinet Minister
1987	*Michael Ballantyne	Ind	November 12, 1991	1	728	Remained MLA
	*Jeannie Marie-Jewell	Ind	December 13, 1993	1	397	Retired
	*Sam Gargan	Ind	November 20, 1995	1	929	

*Indicates Speaker elected under rules providing for a secret ballot.

In January 1998, many Speakers and Deputy Speakers gathered for the annual Presiding Officers' Conference which was held in Victoria.

ment chose Liberal Hugh Edighoffer as Speaker. In all these cases the Government was in a minority position.

Another issue relates to the chances of ethnic minorities or women under a secret ballot system. There does not seem to be much change in this respect. The three women chosen under the secret ballot system constitute about the same proportion as the eight chosen by Prime Ministerial nomination since 1978.

Perhaps the major difference under the secret ballot system is the cumbersome process for selecting a successor when a Speaker resigns unexpectedly when the House is in session. This happened in Ontario in 1996. The rules provided that there must always be a Speaker but there was no provision for a Deputy Speaker to automatically assume the Chair except during the absence of the Speaker. Before a new Speaker could be elected members naturally wanted a few days to consider the career consequences of seeking this job. It was necessary, therefore, to resort to an interim device. By agreement a new Speaker, Ed Doyle, was elected by acclamation on the understanding he would resign in a week to allow for another secret ballot election.

Of course interim Speakers are sometimes necessary under the Prime Ministerial method of naming Speakers. A case in point is Speaker Robert Bruce of Yukon. Elected to the Yukon Legislature by the narrowest of margins, his election was subsequently contested and the seat declared vacant thereby creating a vacancy in the Speaker-

ship. Doug Livingstone became Speaker but Mr. Bruce ran in a by-election and upon his re-election as member he was re-elected Speaker.

The problem of succession could probably be addressed fairly easily by providing in the Standing Orders that upon the departure of a Speaker during a session the Deputy Speaker is deemed to be Speaker for a certain period, perhaps two weeks, after which the a secret ballot election is held in the usual way.

Another interim arrangement occurred in New Brunswick. Shirley Dysart became Speaker under the old system but left when the government announced a shuffle and her replacement by Gérald Clavette. The Government later decided to amend the rules to implement a secret ballot system for the new Speaker. As a result Mr. Clavette was only in office long enough for the new rules to be adopted after which an election was held and Mrs. Dysart returned to the Chair.

Tenure

Results are inconclusive on the question of whether the secret ballot process results in longer tenure. In Ottawa both Speaker John Fraser and Gilbert Parent have been re-elected under this system. In the provinces Speakers Warner (Ontario) Rolfes (Saskatchewan) Schumacher (Alberta) and Barnes (British Columbia) served one term. Several others Speakers elected by secret ballot

have yet to submit their names to their colleagues for re-election.

Looking at Speakers chosen by Prime Ministerial nomination since 1978 one notices several individuals who enjoyed more than one term including Don Taylor of Yukon and Gerard Amerongen of Alberta who were elected had four times and Arthur Donahoe of Nova Scotia elected three times.

Opinions will vary as to the ideal tenure for a Presiding Officer but if one takes the norm to be one Speaker per parliament, it will be seen that only the Prairie provinces and Prince Edward Island have maintained that average. In Alberta there have been six elections since 1978 but only four Speakers which means each Speaker will have served for an average of 1.5 parliaments or about 6 years. At the other extreme is New Brunswick where there have been five elections and 10 Speakers since 1978.

It is, of course, difficult to generalise about tenure in the Speakership since one has to take into account factors such as the turnover rate for members generally, age at taking office, and reasons for leaving. Such factors have not been considered in this article but the trend in many jurisdictions seems to be toward a shorter term for the Speaker. As of June 1998 the longest serving Speaker was Gilbert Parent who has been in office for four and a half years whereas more than half of the Speakers had less than two year's experience. Very few jurisdictions have not changed the Speakership in mid term at least once during the last twenty years.

Prospects for Retiring Speakers

At the federal level usual practice is for a retiring Speaker to be offered an appointment as judge, ambassador or even Governor General as in the case for Mrs. Sauvé. Only one Speaker since 1978 returned to his role as private member. In the provinces some former Speakers were awarded with appointments including Marion Reid who became Lieutenant Governor of PEI. However it is not unusual for a Speaker to go back to the backbenches and more than a few have moved into the Cabinet, something one rarely sees in the House of Commons.

No Speaker has ever gone to become Premier although Len Simms of Newfoundland became Leader of the Opposition. Another Newfoundlander, Gerald Ottenheimer was subsequently appointed to the Senate. John Reynolds went on to become a cabinet member in British Columbia and later a federal MP after leaving the Speakership.

One possible reason many provincial Speakers go on to the cabinet is that in several legislatures there are relatively few private members left on the government side after the original cabinet has been chosen. Since most Premiers do not like to go outside of the legislature to choose Ministers (although they could) the Speakership becomes a prime source of new cabinet material in the event a shuffle is required. As legislatures reduce the number of seats this trend will likely continue.

The final point to emerge from this short study is that while the institution of the Speakership is in theory essentially the same from one Canadian jurisdiction to another there are some subtle and not so subtle differences in the practices examined in this paper.

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