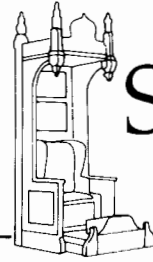


Statement by Speaker D. James Walding to the Manitoba

Legislative Assembly, April 30, 1985.



Speaker's Ruling



D. James Walding

Background: From time to time serious comments regarding the institution of the speakership are made by committees, journalists, academics and other students of parliament. It is particularly important when Speakers still in office reflect upon the nature of the duties they are asked to fulfil.

D. James Walding (Manitoba): During the past three years I have been at the centre of the decision-making process of the Legislature of Manitoba. I have conducted much research and investigation into the procedures of the parliamentary system in general, and the Office of the Speaker in particular. A great deal of information is available and I am grateful to the procedural experts who have given so freely of their wisdom and experience.

Having served on both sides of the Legislature for over ten years, and for the past three years as Speaker, there is a responsibility on my part to bring certain recommendations to the attention of the Legislature.

The elected representatives of the people of Manitoba meet in the Legislature to discuss the business of our province. To ensure that this public business is conducted fairly, and that the voters of all the elected representatives of the people throughout the province are heard, it is necessary for the Legislature to recognize the role of the Speaker in guaranteeing the fairness of the daily proceedings.

The Speaker is the one Member of the Legislature chosen by the Assembly to serve as the referee of the daily discussion of important matters

by all the elected Members of the Legislature. Although elected on an equal basis with every other Member of the Manitoba Legislature, the person designated as the Speaker is asked by all the Members of the Legislature to serve as the referee of their discussions.

The more a Speaker strives for a position of impartiality, the more he becomes separated from the constituency and the Party which endorsed him in the previous election.

There is an inherent unfairness in the Legislature which places one of its Members, and one only, in the position of being expected to support the initiatives of the Government of the Day while at the same time being required to act with fairness and impartiality.

Suggestions have been made to me both implicitly and explicitly that a Speaker's political allegiance should supersede the requirement for impartiality and this has been the cause of considerable tension.

The expectation of partiality and impartiality at the same time is clearly impossible, and has caused me considerable personal distress.

A second point which must be made concerns the issue of unequal representation in the Manitoba Legislature. The Speaker is the only MLA who cannot take part in any of the debates in the Legislature, does not vote except in the case of a tied vote, and cannot publicly discuss any grievance for any of his constituents. Voters in one constituency, represented by the Speaker, therefore do not enjoy the same rights as do residents in the other 56 constituencies of the province.

Surely a democratic system which gives all voters the equal chance to freely choose their representative should also permit equal representation on the floor of the House.

I recently conducted a survey in St. Vital, my constituency, which makes it clear that the people of St. Vital are very aware of their unequal representation in the House and there is an overwhelming perception that it is a liability to live in the Speaker's constituency.

The principle of the continuity of the Speakership has been endorsed by

successive Prime Ministers since our first Prime Minister, John A. Macdonald.

In 1967 the Manitoba Legislature approved a Resolution, introduced by a former Premier, with all-Party support, favouring the principle of continuity of the Speakership.

Members might be interested to know that Mr. Stanley Knowles introduced a Bill in 1971 in the House of Commons proposing a solution to the continuing difficulty of the role of the Speaker. Mr. Knowles called for the setting up of a special constituency for the Speaker.

While certain disadvantages exist with this proposal they are less than the disadvantages of the present situation.

The same situation exists in all other provinces and the House of Commons, and although other Speakers are keenly aware of the problem, each Legislature has thus far been reluctant to make changes.

This Assembly has attained a commendable level of political maturity and has demonstrated a willingness to institute parliamentary reforms.

Manitoba has an enviable record of leadership in enacting statutes and programmes which have been followed by other provinces. It should not be beyond the ability of the Legislature to implement changes in the evolving development of our parliamentary process, even on a trial basis.

The widespread public interest in parliamentary reform combined with the recently proclaimed equality provisions of the Constitution, provide a particularly opportune time to introduce an equality provision into the Legislative Assembly of Manitoba.

Accordingly, I intend to meet with the leaders of the major political parties to discuss solutions to this long-standing problem and to propose specific remedies.

I will report developments regarding this matter of importance to all Manitobans.

Editor's Note: A comment on this statement by Speaker Gerard Amerongen of Alberta will appear in the next issue of the Review.