

Canadian Speakers: Referees or Bystanders?

Jad El Tal

 Bachelor of Arts - First Class Honours, McGill University, 2018

 Ontario Legislature Internship Programme, 2019

ORDER! LET! ORDER!



Evaluating the need for parliamentary reform of the roles and functions of the Speaker in Ontario



ABSTRACT

No position throughout the whole structure of Westminster has a higher pinnacle of prestige than the Speakership. However, with this prestige comes the utmost responsibility to effectively umpire the legislative matches. As divisive partisan politics vitiates Ontario, how does this change the nature of the Speaker's umpireship? Some scholars argue that for the best of public interest and safeguarding individual member rights fairly, there is a need to make Westminster's pinnacle of prestige stronger. Others argue that since the Speaker's personality and approach to the Office matters most, empowering the role through legislation is unnecessary. This study examines both sides, evaluates the Speakership in other Westminster models, conducts interviews, and finally outlines six reforms that are needed to make the role and presence of the Speaker more of a referee rather than a bystander.

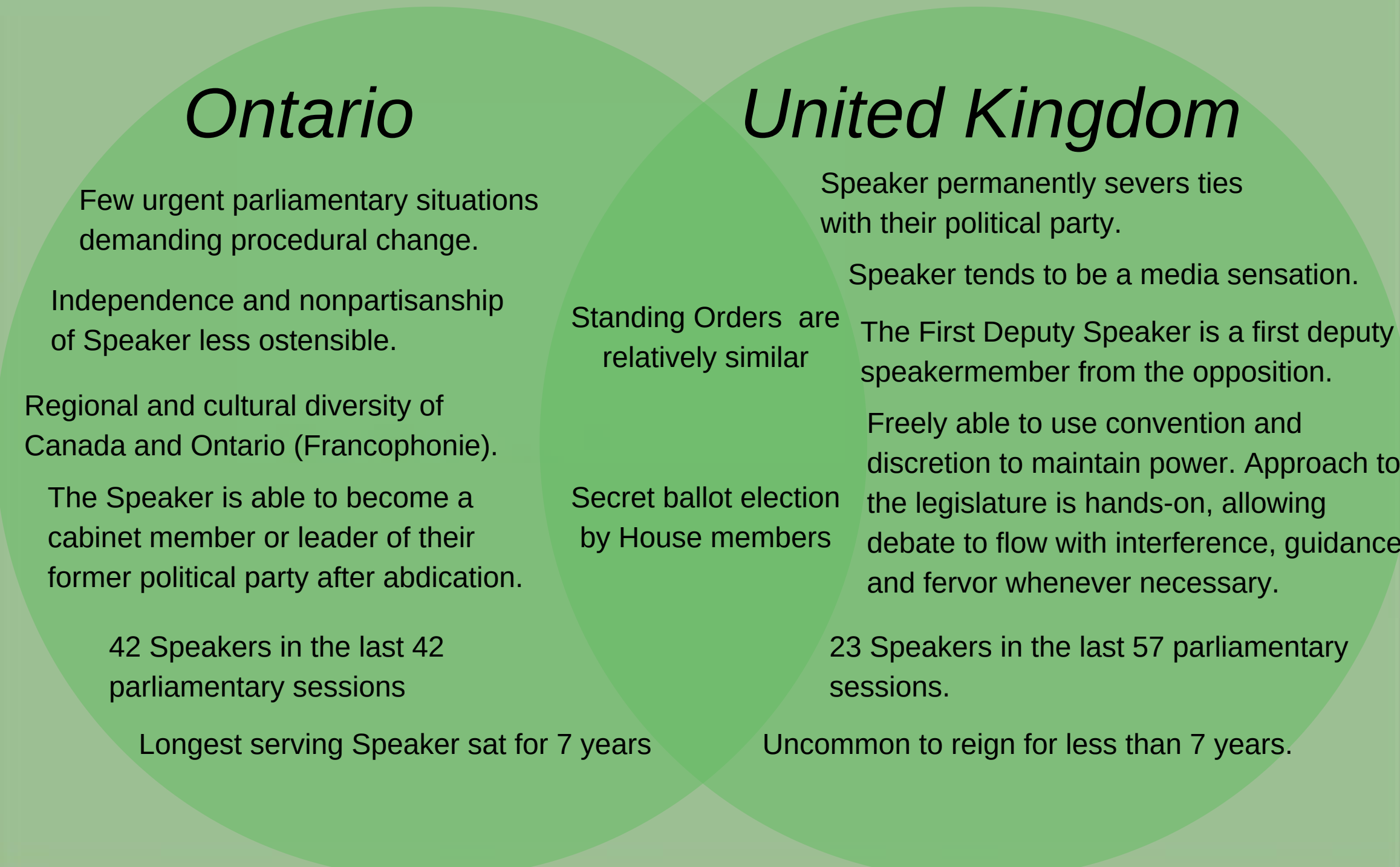
METHODS

Secondary: examined parliamentary reform in other Westminster jurisdictions, such as the United Kingdom, Australia, Trinidad and Tobago, and Canada.

Primary: literature on parliamentary reform pertaining to the role of the Speaker in Ontario does not exist, so this literature gap was filled by primary research using stratified sampling for qualitative data collection.

Sampling: I interviewed former and current Speakers, Deputy Speakers and Committee Chairs of Ontario. The Clerk and Deputy Clerk of Ontario were also interviewed due to their expertise in parliamentary procedures.

CHART 1 : COMPARISON



ANALYSIS, FINDINGS AND SELECT REFORMS

Based on primary data collection and secondary source analysis, these reforms are suggested:

1. The Speaker shall permanently sever ties with their political party

The cornerstone of a speaker is their impartiality. As such, increasing their level of nonpartisanship would only serve to make the office more effective because perception matters. The Speaker's duality of being a parent to, yet a creature of the House causes friction in their duties. Whether or not the Speaker breaches impartiality in reality is as important as whether or not they are perceived to breach it by the MPPs and public. Accordingly, de-politicizing the position as much as possible must precede any other reform.

2. Empowering Committee Chairs

Committees are small working groups that consider, debate and amend bills and other issues. Committee chairs should have the power to set the agenda and request the presence of cabinet members to testify their public bills for extra accountability measures.

3. The Legislative Assembly shall amend the Standing Orders in lieu of relying on convention

History illustrates that strong conventions in the United Kingdom have paved the way for an empowered Speaker in London. While it is important to recognize the power that precedence holds in helping the Speaker do their job, it should not obstruct the office from evolving. This study finds that the Speaker of Ontario needs to be legislated more power in order to enforce the rules due to the frequent variability of Speakers.

4. Evaluating irrelevant answers during Question Period

The Standing Orders do not permit the Speaker to evaluate the relevance of the government's response. As such: A) If a member is dissatisfied by the oral answer, they shall write a notice of dissatisfaction to the Speaker. B) Instead of raising the subject matter at the end of the sitting day, the government member shall re-answer the question immediately after the end of Question Period, with the Speaker encouraging them to use language that is relevant, parliamentary and not repetitive.

5. Punishment of MPPs

If a Member causes too much disruption in the House: their party shall be punished by deducting one question from their next Question Period list, if warned, and their salary for the day will be docked, if named.



RESEARCH QUESTION

To what extent is there a need to reform the roles and functions of the Speaker of the Legislative Assembly of Ontario?

THESIS

This study showed that there is a need to reform the roles and functions of the Speaker to a large extent in order to fulfill their purpose of being a facilitator of debate, guardian of minority rights and doing what is best for public interest.

DEFINITIONS

Reform



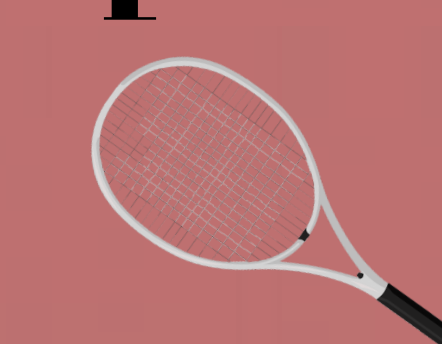
Impartial



Power



Expedite



EXAMPLE: AMENDING STANDING ORDER 2(E)



SELECT LITERATURE

- Brad, Alexander. "The Westminster Model Overseas: The Canadian Case." *International Journal*, vol. 23, no. 4, 1968, p. 585., doi:10.2307/40199924.
- Dale, Clare A. "Whose Servant I Am": Speakers of the Assemblies of the Province of Upper Canada, Canada and Ontario, 1792-1992. Ontario Legislative Library, 1992.
- Laban, Matthew William. "The Speaker of the House of Commons: the Office and Its Holders since 1945." Queen Mary University of London, 2014.
- Scott, Craig. "It's Time to Reform the Role of Speaker of the House of Commons." *National Post*, 24 Nov. 2015.
- Uhr, John. "Parliamentary Reform in Canberra." *The Australian Quarterly*, vol. 54, no. 3, 1982, p. 216., doi:10.2307/20635175.
- Weber, Elke U. "Perception Matters: The Pitfalls of Misperceiving Psychological Barriers to Climate Policy." *Perspectives on Psychological Science*, vol. 13, no. 4, 2018, pp. 508-511., doi:10.1177/1745691618767910.

