

ONTARIO'S 'FIRST COMMONER': EXPLORING THE SPEAKERSHIP AT THE LEGISLATIVE ASSEMBLY OF ONTARIO

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*“The Speaker of the House of Commons is so essential a piece of
machinery that without him the House has no constitutional existence”¹*

The office of the Speaker is an old and venerable one. Much documentation exists regarding the Speakership in Westminster, where the office, as much of Canada's parliamentary traditions originated. While the position is steeped in tradition and custom,

it has also been adapted to suit the needs of different societies all over the world. This is the reason why the Speakership at Westminster is not the same as the Speakership in Canada. Even in this country, thirteen different legislatures exist including the federal, provincial and territorial assemblies. Arguably, the Speakership at the House of Commons has been studied in far greater depth than the provincial, or territorial assemblies. Numerous articles, particularly in publications such as the *Canadian Parliamentary Review* have dealt with the Speakership in Ottawa. This paper attempts to examine certain issues relating to the Speakership in Ontario, Canada's second-largest and most populous province, thereby adding to knowledge of the Speakership in the provinces, and in Canada in general. These issues include among others: the election of the Speaker, the Speaker's role in the house, the Speaker's role as representative of the Legislature and the differences in Speakers' personalities. In so doing, it attempts to provide a better understanding of the role of the '*first commoner*' in Ontario, with particular regard to the Speakership since 1985, the year when new ground was broken with the Speaker's election to the Chair. The report will discuss various issues using responses to a survey on the role of the Parliamentary Speakers,² as well as the available literature

METHODOLOGY

The survey is available below as [Appendix A](#). It was sent in May 2008 via electronic mail to all Speakers and Clerks across Canada, as well as to selected academics and senior Parliamentarians. The survey was composed in order to obtain primary data relating to the Speaker's role in Ontario, and is the primary source for this paper. While *biographical* data is plentiful concerning Ontario's former Speakers, a survey was useful in order to better understand the Speaker's *role* in Ontario. The survey was designed, administered, and the responses aggregated anonymously, by the author. Thirteen completed surveys were returned at the time of writing this paper out of a total of twenty six originally sent out. It is important to note that all respondents are credible authorities on parliamentary practice and the Speakership in general.

INTRODUCTION

As recently as May 2008, in a report entitled "*Everything Old is New Again: Observations on Parliamentary Reform*", Thomas Axworthy, a renowned authority on Canadian politics recommended that the Speaker of the House of Commons make better use of her or his ability to influence the outcomes, efficiency and working of the House through the use of 'moral suasion'³. The report also urged the Speaker to use his authority to undo logjams in Parliamentary Committees⁴. This is evidence that the Speakership is, and continues to be, held in high esteem across Canada. It is also telling that the Speaker's authority, at least at the federal level, derives directly from the Constitution. Article 46 of the Constitution Act 1867, states that "*The Speaker shall preside at all Meetings of the House of Commons*".⁵ Similarly, Ontario's Legislative Assembly Act authorizes the Speaker to assume various key roles, including that of head of the Office of the Assembly⁶. The Speaker of the House of Commons is equally 5th in the Canadian Order of Precedence, after the Governor-General, Prime Minister, Chief Justice, and the Speaker of the Senate⁷, while Ontario's Speaker is fourth in the protocol chain, behind the Lieutenant-Governor, Premier and Chief Justice. Throughout Ontario's

history, Speakers have played a vital role in shaping the highest institution in the province. Discussed below are some issues relating to Ontario's Speakership.

BEFORE ALL ELSE: THE ELECTION OF SPEAKER

The procedure for the Speaker's election is provided for in the Standing Orders, the rules of procedure that govern the conduct of the Legislative Assembly of Ontario. According to Standing Order 3, the Clerk administers the election and the voting process itself is completely secret. The candidate with the most votes is then declared the Speaker by the Clerk. This process is largely simple in theory. There is however much behind-the-scenes heavy lifting that goes on beyond the public's discerning eye.

Official sources are silent on the candidates' campaigns for the Speakership in Ontario. While, arguably, the position of Speaker is on par with that of a Minister, elected Members cannot campaign for inclusion in Cabinet as they can for the Speakership. Any elected Member can campaign to be Speaker, provided that they are not already members of the Executive Council, or the Leaders of a recognized party in the House. The Speakership is perhaps prized because of its accompanying privileges (use of an apartment in Toronto and a salary increase) or perhaps because it allows for a great degree of influence and respect in the Chamber (the Speaker is the Chief Presiding Officer of the Legislative Assembly.) Whatever the reason(s) may be, it is telling that no less than five candidates vied for the top job in the Assembly after the 2007 general election⁸. Each one, tried in one way or another, to influence their fellow colleagues. For example, Ted Arnott, MPP for Wellington-Halton Hills, wrote a campaign-style letter to all MPP's expressing his desire to pursue, among other things, improvements to Legislative decorum (Ontario's Legislative Assembly is notoriously unruly)⁹. Other candidates spoke individually with their elected colleagues. Former Speaker David Warner related how in the 1985 Speaker's campaign, he and other candidates were permitted to speak to each caucus individually, pitching their case in person¹⁰. Mr. Warner even lobbied his counterparts in the hallways and over coffee in the Legislature! While the official procedure today remains unchanged since 1985, the approach taken by candidates today seems much more uniform and streamlined than they did in the past.

Survey responses on the topic of the Speaker's election were largely uniform. Please see table below:

| Statement | Strongly Agree | Agree | Neutral | Disagree | Strongly Disagree |
|---|----------------|-------|---------|----------|-------------------|
| The Election of Speaker | | | | | |
| Candidates for Speaker often lobby their fellow Members during the election process | 84% | 8% | 8% | | |
| Candidates for Speaker should not be allowed to lobby their fellow Members for conflict of interest reasons | / | / | 100% | | |
| The election of Speaker is usually fair, open and transparent | 70% | 15% | 15% | | |

All respondents were in agreement that '*Candidates for Speaker often lobby their fellow Members during the election process*'. Most agreed or were neutral in response to

the following statement: '*Candidates for Speaker should not be allowed to lobby their fellow Members for conflict of interest reasons*'. However, perhaps the most interesting question in this section was the last: '*The election of Speaker is usually fair, open and transparent*'. Two responses, one from a current Speaker, disagreed with this statement.

This was perhaps because it was rumored by some respondents, though due to the nature of the claims no concrete evidence was available, that the Premier's Office over time has been known to interfere in the Speaker's election. Former Speaker's Gary Carr and Chris Stockwell appear to have suffered from such a state of affairs, perhaps an unfortunate vestige of days past when the Speaker was almost entirely the choice of the sitting Premier.

The above-mentioned process has matured over time at Westminster. The incumbent, barring any egregious behavior or flagrant misconduct, is returned unopposed to his former role. He or she must run in a general election of course, and win, but even here tradition dictates that parties will not field candidates in the incumbent Speaker's riding. This allows for a certain continuity of office that transcends partisanship and party politics, but Ontario according to some of those interviewed for this paper, is simply not mature enough to adopt this practice, or they argue, such a system is not appropriate for this jurisdiction. An indication of such a practice in Canada arrived when Lucien Lamoureux, the longest-serving Speaker ever at the House of Commons, ran twice as an Independent and was elected unopposed by any major political party.

Lucien Lamoureux planted the seeds of what may yet see the light of day in our parliamentary tradition: first, the beginnings of the concept of a continuous speakership; and, given this concept, the idea that a Speaker seeking office in a general election ought not to participate in a partisan fashion.¹¹

Whatever the merits of each argument may be, the winds of change may yet blow through this hallowed office in this regard.

The following open-ended question relating to the Speaker's role outside the Chamber elicited some of the following responses: *What in your opinion makes a Speaker effective outside the House / Chamber?*

- “A Speaker who is able to bring Members together is effective; this could be done through dinners with the Speaker, etc”
- “Demonstrate to your constituents that you still represent them. Be active in the day-to-day operations of Queen’s Park: i.e. administration, weekly dinners with MPP’s. Important to maintain an open-door policy with Members and their staff”
- “A good administrator. An affable diplomat. Someone whose presence internationally will enhance our country’s reputation”
- “Solid understanding and interest in the operation and purpose for representative/parliamentary institutions coupled with a willingness to share this knowledge, in an engaging way, with those who are interested.”
- “Being non-partisan in comments, not commenting on issues in the media, including Members from all sides of the House in events or functions or dinner hosted by the Speaker and including Members from all sides of the House in conference delegations headed by the Speaker”
- “An interest in parliamentary issues and procedures and a desire to promote parliamentary principles and an exchange of ideas and practices”

- “Active and visible participation in educational, ceremonial and community events; effectively pursuing constituency issues in a manner that does not compromise the Speaker’s impartiality in the House”
- “Respectable personal qualities such as strong active listening skills, community-mindedness, accessibility, respect from cultural differences, being of strong moral standing, modesty, and a healthy, positive lifestyle. Professional and political experience including an awareness of the circumstances leading up to political decisions, understanding the process, and how/where the Speaker can shape those decisions that impact on his/her constituents while working ‘behind the scenes’. A healthy respect for the institution and recognition of the goals and aspirations of the Members also helps.”
- “Basic policy/advocacy skills – but overall influence is very limited”
- “A thorough understanding of the operations of the Assembly and importance of its independence from the executive. It is only with this understanding that a Speaker can work in the best interest of the institution.”
- “An air of being well-informed, a sense of self-confidence and non-partisan”

BETWEEN A ROCK AND A HARD PLACE: BALANCING THE OPPOSITION AND THE GOVERNMENT’S NEEDS

What makes the Speaker’s role so pivotal in our system is that without it, nothing would get done in the Legislature in an orderly fashion. Indeed:

“regardless of an assembly’s size or composition, every Speaker bears 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.”¹²

The Speaker thus has the ultimate responsibility to manage the needs of both the Opposition and the Government in the House. Survey responses were reflected thus:

| Statement | Strongly Agree | Agree | Neutral | Disagree | Strongly Disagree |
|--|----------------|-------|---------|----------|-------------------|
| Speaker’s Role In the Chamber / House | | | | | |
| Most Speakers are completely non-partisan in enforcing the Standing Orders/House Rules | 100% | / | / | | |
| Most Speakers rely entirely on the Clerks for advice on procedural matters (as opposed to themselves) | 70% | 15% | 15% | | |
| The Speaker should have the ability/authority to rule on the ‘relevance’ of matters under discussion in the House | 92% | / | 8% | | |
| The efficiency of the House would be increased if the Speaker was able to rule more often on the ‘quality’ of comments/debates/questions in the House (for ex.: unnecessary repetition in House debates) | 77% | 8% | 15% | | |
| Speakers often advocate their own agendas or their party’s agenda in the House/ Parliament | / | / | 100% | | |

As is evident from the table above, most respondents were in agreement that “*Most Speakers are completely non-partisan in enforcing the Standing Orders/House Rules*”, “*Most Speakers rely entirely on the Clerks for advice on procedural matters (as opposed to themselves)*” and that “*The Speaker should have the ability/authority to rule on the ‘relevance’ of matters under discussion in the House.*” The purpose of the first question was to determine whether or not, Speakers were perceived as being biased in their application of the Standing Orders. This does not seem to be the case for any of the respondents in this survey. Speakers are also generally seen to be rather dependent on the Clerks in terms of procedural assistance in the House. However, it is important to mention that all the Speakers who completed this survey felt that they were also somewhat qualified in their understanding of the House Rules. The third question relating to the ‘relevance’ of matters under discussion in the House was designed to determine whether or not respondents felt this was an important aspect of the Speaker’s jurisdiction. Respondents overwhelmingly seemed to think it was; this may be because many jurisdictions allow the Speaker under the Standing Orders to rule on such matters in the House.

Unexpectedly, the following question generated the greatest controversy in this survey: “*the efficiency of the House would be increased if the Speaker was able to rule more often on the ‘quality’ of comments/debates/questions in the House (for ex.: unnecessary repetition in House debates).*” In-person respondents expressed their reservation at the Speaker having the authority to limit, curtail or impede debate based on his/her judgment of the ‘quality’ of debate in the House. These respondents felt this was a slippery slope that would lead to less democracy and freedom of speech in the House. Two respondents however felt that this idea has some merit, one a long-serving former parliamentarian and one a principal clerk. Such a response leads the author of this study to believe that this area of the Speakership needs further study. While providing some discretion in the Standing Orders for Speakers to rule on the quality of debate may allow for the House to be more efficient and streamlined, it may also limit the democratic rights of all Members to express their views and beliefs. Lastly, all respondents disagreed with the following statement, an encouraging response for those who believe strongly in the non-partisanship of this office: *Speakers often advocate their own agendas or their party’s agenda in the House/ Parliament.*

The following open-ended question relating to legislative decorum elicited some of the following responses: *What are some ways in which the Speaker may be able to improve Legislative decorum?*

- “A Speaker may improve legislative decorum using exceptional people managing skills, applying the House rules consistently, fairly and firm, holding each Member accountable. Applying the rules in a manner that is consistent, fair and firm – A Speaker who is without ‘favorite’ Members and can hold each Member to the same degree of accountability contributes greatly to legislative decorum.”
- “The House is effective as it stands currently. It is what it is.”
- “Consistency, humor, stop personal attacks quickly. Allow some cross-the-floor debate”
- “a) make sure that he/she treats all Members with apparent equality; b) doesn’t debate ordinary rulings as much as the QP tradition seems to allow i.e. make the

- call and move on without allowing the offending Member an endless opportunity to debate the ruling, esp. if it concerns what I would call ‘routine behavior’.”
- “Rigidly rule against personal and individually insulting remarks”
 - “Establishing their authority as credible and non-partisan protectors of parliamentary privileges and practices”
 - “Consistent enforcement of House rules and procedures; effective use of moral suasion to encourage a high tone of debate”
 - “Private discussions with House Leaders and Party leaders and Members; issuing statements in the House, informal chats with Members who are guilty of breaching decorum”
 - “Consistent and proactive application of the Rules of the House and by further promoting, through meaningful outreach initiatives a better understanding of the work of parliament and all Members”
 - “Being fair and firm. Consistency in ruling against unacceptable language and behavior. Retaining a good sense of humor”

THE PERSONAL TOUCH: THE IMPORTANCE OF SPEAKERS' PERSONALITIES

While conducting research for this paper, I was struck by how many people commented to me about the importance of each Speaker's individual personality. Most viewed this as one of the most important attributes of a Speaker, often surpassing other vital skills such as knowledge of parliamentary procedure. Kindness, humor and hard-work seem to be the stuff good Speakers are made of, and their '*personal touch*' is perhaps their greatest asset in this office.

Recently, a senior member of the staff of the Legislative Library spoke to me about the importance of having a Speaker with a personality that 'meshed' easily with others at the Assembly, particularly members of the Assembly staff. She cited the example of former Speaker Warner who made a sincere effort in 'rapport-building' with staff, even personalizing his relationship with them by signing individual birthday cards for each staff member at the Assembly. According to this person, such simple actions did wonders for boosting the morale of all staff at the Assembly.

Similar to any other large corporation, the outcome, efficiency and productivity of the Institution will be greatly affected by those who govern it from the top. The Speaker as Chief Presiding Officer, it may be argued, disposes of a significant capacity to effect change at the Legislative Assembly of Ontario. As de-facto CEO, the Speaker sets the tone for the organization; this in turn affects productivity at the Assembly. As the 'head' of the governing body of the province of Ontario, most observers would agree then that it is crucial to ensure that each Speaker understands this important part of their role, and that their personalities are suited for the office.

The following were the results of some survey responses related to Speakers' personalities:

| Statement | Strongly Agree | Agree | Neutral | Disagree | Strongly Disagree |
|--------------------------------|----------------|-------|---------|----------|-------------------|
| Speakers' Personalities | | | | | |

| | | | |
|---|-----|----|-----|
| Speakers often bring a political bias / partisan approach to their role | 23% | 8% | 77% |
| A prospective Speaker's past performance in the House as a Member is important in judging their future potential as Speaker | 54% | 8% | 38% |

As may be gleaned from the result of the first question listed in the table above, Speakers are generally seen to be non-partisan in their approach to the House, although some respondents seem to disagree. Being non-partisan is one aspect of the job; arguably what is even more important is to be seen to be non-partisan. The ouster of a Speaker from the position is almost inevitably linked to the general perception of their being partisan in their approach. In fact, it was widely perceived that several former Speakers at Queen's Park, especially those who despite their incumbency managed to lose the election, had been partisan in the House in the past. To a certain degree, it would be naïve to assume that all Speakers are completely non-partisan; after all, Speakers at Queen's Park often belong and maintain membership in their respective political parties while Speaker. One way to improve upon such a state of affairs is to explore the option of a 'continuing Speakership' mentioned elsewhere in this paper, although barring this possibility it is hard to imagine how a Speaker can escape occasional charges of partisanship in the exercise of their duties.

As for the second question listed above, results were mixed with regard to a Speaker's past performance in the House as a tool for judging their future performance. About 54% of respondents were of the opinion that a Speaker's past performance is important, while 38% disagreed with this hypothesis. This may lead readers to conclude that a potential candidate for Speaker should be acutely aware of their performance in the House, although this does not mean that those with a performance that is seen as somewhat lacking need not apply. Indeed, performance in the House is one criteria by which a future Speaker's performance may be judged, but it is not, by far, the only factor.

The following open-ended question relating to speakers' personalities elicited some of the following responses: *Are certain personality traits useful for a Speaker? If so, what are some of these traits in your opinion?*

- "Demonstrate non-partisanship. Get to know all Members of the Assembly"
- "Thoughtful, knowledgeable. Have a strong sense of the traditions of the institution"
- "A good sense of humor. A good listener. Not being judgmental. Being impartial. Willing to listen to everyone."
- "Yes there are, and I would include the following: A) an apparent instinct for fairness; B) a confident air; C) an evident firmness; D) a genuine interest in the parliamentary process"
- "Yes. An inherent ability to see problems from all perspectives"
- "Active listeners. Thorough and even-handed approach to issues. Low-key personalities that don't react in an emotional manner"
- "Diplomacy, fairness and decisiveness"

- “Personal integrity. Interest in procedure, practice and heritage. Strict neutrality. Flexibility to allow give and take in debate and question period while balancing decorum, rules of debate and protection of the rights of all Members”
- “Yes, consistency –flexibility when circumstances require it, having a sense of humor”
- “Fair-minded. Approachable. Engaging and humble, yet willing to stand firmly behind his/her convictions and decisions, yet open-minded enough to hear opinions that may differ”
- “Good listening skills. Sense of humor”

QUEEN’S PARK’S AMBASSADOR? A LOOK AT PARLIAMENTARY DIPLOMACY

Almost all descriptions of the role of the parliamentary Speaker identify the following three aspects of the position:

1. The Speaker’s role in the Chamber (maintaining order, enforcing the Standing Orders, protecting the rights and privileges of all Members)
2. The Speaker’s role as Chief Administrative Officer of the Assembly (maintain the security and up-keep of the parliamentary precinct, Chair the Board of Internal Economy)
3. The Speaker’s Role as Representative of the Legislature (receiving foreign dignitaries, attending ceremonial events on behalf of the Assembly, representing the Legislature internationally [bilaterally, multilaterally], heading missions to other Parliaments)

This section concerns itself with this last aspect of the role of the parliamentary Speaker which may well be the least-explored aspect of the Speakership, at least at Queen’s Park.

Various Speakers have seen this role in different lights. Speaker David Warner, in a diary he maintained while Speaker at the Ontario Legislature saw this part of his job as perhaps the most enjoyable and interesting¹³. Other Speakers have not maintained this same appreciation of this part of the Speakers’ responsibilities. In a personal interview, former Speaker Warner made some of the following comments related to the Speaker’s international role:

“The Speaker by virtue of his role is considered neutral and may have an easier time in opening doors than the government of the day. The Speaker could pursue relations that may be state-to-state or Assembly-to-Assembly in a form of ‘quiet diplomacy’. The Speaker has the opportunity to do this kind of work after consulting with Foreign Affairs. The Speaker is not perceived as having a hidden agenda. It is easier for the Speaker to pursue such relations as opposed to a Cabinet Minister and Ambassadors. I had dinner regularly with many of the Consuls-General in Toronto for example. Such diplomatic initiatives take pressure off the government”¹⁴

Speaker Warner practiced a form of what is called *parliamentary diplomacy* during his tenure as Speaker, a practice that runs parallel to, supports, and complements the international work done by state or provincial governments. Recently, the Senate and House of Commons Speakers of Canada spoke about this subject thusly:

As Speakers, our principal role continues to be presiding over the deliberations in our respective chambers and playing a role in the administration of our houses. However, the realities outlined above have placed greater emphasis on the perhaps less well known role we play in fostering diplomatic relations with other parliaments and countries.

In our view, Canadian parliamentary diplomacy must be an important complement to the diplomatic initiatives undertaken by the government in our federal political system. What follows is a brief description of how we, as Speakers, and all members of the Senate and the House of Commons, contribute to interparliamentary relations, specifically the promotion of democracy, good governance and of the Canadian parliamentary system on the international scene.¹⁵

Such statements help to establish the idea that parliamentary diplomacy is both accepted and wide-spread among Parliaments. In fact, the Inter-Parliamentary Union, an international association of state parliaments, even has a guide for parliamentarians entitled: *Parliament And Democracy In The Twenty-First Century: A Handbook for Parliamentarians* where the practice of parliamentary diplomacy has been extensively addressed.¹⁶ Speakers, as head of their respective Assemblies, play a special role internationally as opposed to the regular Member. This is perhaps epitomized in no better Legislature in Canada than the Quebec National Assembly, where the Speaker is ‘responsible for directing the interparliamentary and international relations’ of the Quebec National Assembly¹⁷.

Four major objectives govern international relations at the National Assembly:

1. The upholding and reinforcement of the efficiency of the parliamentary institution and of the elected representatives in their duties with regard to legislation, control, consideration of issues of public interest and representation;
2. The active participation of the National Assembly in building a world community based on democracy, peace, justice and prosperity;
3. The improvement of the international positioning of the Assembly, which contributes to the optimal outreach of Québec society;
4. The institutional outreach of the Assembly within the interparliamentary networks¹⁸.

It is of course important to note that Quebec is somewhat unique in its parliamentary relations given its very particular history, the history of separatism and the desire to distinguish itself as a result on the world stage. As foreign and international affairs fall largely within the exclusive jurisdiction of the national Parliament in Ottawa, Quebec has made effective use of its provincial parliament to conduct its de-facto ‘international relations’. Nevertheless, Quebec remains an interesting case study on the Canadian scene of the effective, and increasing, usage of parliamentary diplomacy among Parliaments worldwide.

The following were the results of some survey responses related to the Speakers’ Role as Representative of the Legislature:

| Statement | Strongly Agree | Agree | Neutral | Disagree | Strongly Disagree |
|-----------|----------------|-------|---------|----------|-------------------|
|-----------|----------------|-------|---------|----------|-------------------|

| Speaker's Role as Representative of the Legislature | | | |
|---|-----|-----|-----|
| Most Speakers effectively represent their respective jurisdiction/ Parliament to foreign representatives | 92% | / | 8% |
| The Speaker often undertakes independent projects on behalf of his/her jurisdiction/Parliament abroad (reciprocal exchange agreements for ex.) | 54% | 23% | 23% |
| Speakers are effective in improving international relations with other jurisdictions (by leading delegations abroad, hosting foreign dignitaries) | 92% | / | 8% |

Responses to the first and last question in the table shown above were largely uniform.

Almost all respondents agreed that a) Most Speakers effectively represent their respective jurisdiction/ Parliament to foreign representatives and that b) Speakers are effective in improving international relations with other jurisdictions. The responses to these two questions serve to dispel any myths regarding the efficacy of the Speaker's international role, at least as determined by those surveyed for this paper. With regard to the second question in the table above, The Speaker often undertakes independent projects on behalf of his/her jurisdiction/Parliament abroad, responses were somewhat split with a little more than half of respondents agreeing that Speakers undertake independent projects, while 23% disagreed; 23% were neutral. This leads the author to believe that a greater potential for Speakers to undertake further independent projects is there; the only limit is that imposed by a Speaker's time and imagination. In other words, if the will exists, Speakers can, if they so wish, help to undertake projects such as trade visits, parliamentary exchanges, legislative assistance for developing democracies, and friendship agreements with other legislatures.

The following open-ended question relating to speakers' personalities elicited some of the following responses: *As the official representatives of the Legislature/Parliament, are some Speakers more effective in improving the image of their respective institutions in their jurisdiction and abroad? How?*

- “Yes, by demonstrating clearly the respect they have for parliament, and the work that is conducted there, at each opportunity that presents itself”
- “Regular meetings with Ambassadors and Consuls-General. Attend meetings in other countries”
- “The Speaker is much more of a background player these days in this area”
- “Yes, because basically some Speakers better understood the unique characteristics of the job better than others and successful Speakers typically were interested in the Speakers job as a job and not just happy to be there as a consolation prize for not being in Cabinet. I would cite Mr. Speaker Stokes as a very successful Speaker (1977-1981) because of his rigorous even-handedness in the Chair and as someone who was quite prepared to make a firm decision and stick by it!”

- “Yes. Speakers who aspire to the role are more effective in my opinion. Speakers who are promoted because of political trade-offs are less effective because they are viewed less favorably by Members in general.”
- “Yes. Personality and talent”
- “Agreed. By developing, supporting and participating effectively in educational outreach programs”
- “Active and visible participation in educational, ceremonial and community events; active participation in interparliamentary forums and organization”
- “I am not familiar enough with other Speakers in order to be able to answer”
- “Some Speakers are more comfortable than others when meeting with dignitaries and hosting events and engaging in small talk”
- “Would be same for all”
- “Having a good knowledge of international concerns, issues, history of various countries. Being a good diplomat. Having an interest in developing programs which could benefit other countries (e.g. literacy)

CONCLUSION:

The Speakership in general, and at Queen’s Park in particular, is a fascinating and diverse subject ranging from the rich personalities of those who have occupied this important position to their roles and responsibilities while Speaker. Throughout this research, I was struck by the breadth of topics that could be explored with regards to the Speakership, topics such as the Speaker’s role in parliamentary reform, his/ her administrative duties, and the Speaker’s role at Queen’s Park compared to Speakers internationally, among many others. What I was struck about most of all was the extent to which the Speakership is really what the office-bearer makes of it.

The survey assisted greatly in gaining primary research from experts familiar with the Speaker’s role in general and at Queen’s Park in particular. It may have been beneficial to have conducted more in-person interviews at Queen’s Park, especially with senior parliamentarians but the time implications were somewhat prohibitive. Attached below is a list of the substantive recommendations that my research has led to with regards to the Speakership at Queen’s Park. The author wishes to thank all those who helped contribute to research for this paper, and hopes that this paper will help contribute to a better understanding of the role of Ontario’s *first commoner*: the Speaker of the Legislative Assembly of Ontario.

| Recommendations | | |
|------------------------|---|---|
| 1 | The Speaker's Election | <p>a) Guidelines should be established to ensure that candidates follow a prescribed procedure in their campaigns for this position. The Premier and Cabinet Office should refrain from any involvement whatsoever in the campaign.</p> <p>b) The argument that the Speaker's non-partisan role may be enhanced through a 'continuous Speakership' may have some merit. This topic deserves further study through official channels at the Assembly. Such a forum may be via debate in the Standing Committee on the Legislative Assembly.</p> |
| 2 | Quality of Debates in the House | While further debate and study is needed in this area, it may be beneficial for guidelines to be established that would allow the Speaker to determine whether or not Members stay on topic in the House, avoid unnecessary repetition, and limit rambling speeches based on hearsay or anecdotal evidence. (This may also force all Members to be better prepared for House Duty.) |
| 3 | Legislative decorum | Instituting mandatory follow-up meetings with Members who have been 'named'. The Speaker should also meet with those reprimanded in the House (short of naming) beyond a certain number of times each week. |
| 4 | Speaker's Personalities | Candidates for Speakers should make a genuine effort to showcase their future potential through their behavior in the House. A Speaker should also attempt to demonstrate the following key attributes: fair-mindedness, flexibility, humor, confidence, being a good listener, and a genuine interest in parliamentary procedure |
| 5 | Speaker's Role as Representative of the Legislature | Speakers should take the lead in encouraging all Members of the House to get involved in parliamentary diplomacy activities. Queen's Park should be a model for other Parliaments when it comes to areas such as parliamentary exchanges, friendship agreements, hosting dignitaries, democratic development in poorer countries; the Speakers role is key in this regard. Guidelines should be established to ensure that the Speaker and Queen's Park conduct activities outside the sphere of the elected government. The Speaker's budget devoted to international activities should be increased in order to allow for greater flexibility in order to pursue international activities abroad. |

Dear Sir/ Madam,

My name is Aamir Taiyeb and I am a participant in the Ontario Legislature Internship Program (OLIP), a non-partisan programme designed to provide recent university graduates with first-hand experience of politics in Ontario. The program is similar in

nature to one that exists at the federal level in Ottawa and was established in November 1975.

Interns are required to complete and submit an academic research paper on some aspect of the Legislative Assembly as part of their internship requirements. I am interested in the role of Speakers in the Legislature, including the qualities and attributes different Speakers bring to this essential position at Queen's Park. I am interested in contrasting not only past Speakers at Queen's Park, but also across the various provinces and territories across Canada.

Towards this end, I would greatly appreciate it if you could complete a short survey, attached to this email, on the role of the Parliamentary Speaker. **The responses will be collected and will only be used in the aggregate; no individual survey responses will be identified. The survey and the academic paper are both completely non-partisan and confidential.**

I would greatly appreciate your efforts towards this endeavor as the response of individuals knowledgeable of the Speaker's role is vital to my research. Please send your completed electronic survey to me via email at aamir.taiyeb@ontario.ca by May 12th, however the earlier the response, the better.

Thank you in advance for your assistance in this regard. Please do not hesitate to contact me if you require any clarifications or have questions at the address below.

Sincerely,

Aamir Taiyeb

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APPENDIX A

ONTARIO LEGISLATURE INTERNSHIP PROGRAM SURVEY: THE ROLE OF THE PARLIAMENTARY SPEAKER

Thank you for your help. Please complete this survey by saving the file with your answers and emailing it to aamir.taiyeb@ontario.ca by May 12th, 2008. Thank you!



| Name | | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| E-mail (optional) | | | | | |
| Office/ Department | | | | | |
| Statement | Strongly Agree | Agree | Neutral | Disagree | Strongly Disagree |
| Speaker's Role In the Chamber / House | | | | | |
| Most Speakers are completely non-partisan in enforcing the Standing Orders/House Rules | <input type="checkbox"/> |

| | | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Most Speakers rely entirely on the Clerks for advice on procedural matters (as opposed to themselves) | <input type="checkbox"/> |
| The Speaker should have the ability/authority to rule on the ' relevance ' of matters under discussion in the House | <input type="checkbox"/> |
| The efficiency of the House would be increased if the Speaker was able to rule more often on the ' quality ' of comments/debates/questions in the House (for ex.: unnecessary repetition in House debates) | <input type="checkbox"/> |
| Speakers often advocate their own agendas or their party's agenda in the House/ Parliament | <input type="checkbox"/> |

Is the functioning/efficiency of a Parliament/Assembly different under the influence of different Speakers, even though the aforementioned Member is required to be completely neutral in his/ her position?

Speaker's Role as Representative of the Legislature

| | | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Most Speakers effectively represent their respective jurisdiction/ Parliament to foreign representatives | <input type="checkbox"/> |
| The Speaker often undertakes independent projects on behalf of his/her jurisdiction/Parliament abroad (reciprocal exchange agreements for ex.) | <input type="checkbox"/> |
| Speakers are effective in improving international relations with other jurisdictions (by leading delegations abroad, hosting foreign dignitaries) | <input type="checkbox"/> |

What in your opinion makes a Speaker effective outside the House / Chamber?

| Statement | Strongly Agree | Agree | Neutral | Disagree | Strongly Disagree |
|-----------|----------------|-------|---------|----------|-------------------|
|-----------|----------------|-------|---------|----------|-------------------|

The Election of Speaker

| | | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Candidates for Speaker often lobby their fellow Members during the election process | <input type="checkbox"/> |
| Candidates for Speaker should not be allowed to lobby their fellow Members for conflict of interest reasons | <input type="checkbox"/> |
| The election of Speaker is usually fair, open and transparent | <input type="checkbox"/> |

What are some ways in which the Speaker may be able to improve Legislative decorum?

Speakers' Personalities

| | | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Speakers often bring a political bias / partisan approach to their role | <input type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|

| | | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| A prospective Speaker's past performance in the House as a Member is important in judging their future potential as Speaker | <input type="checkbox"/> |
| As the official representatives of the Legislature/Parliament, are some Speakers more effective in improving the image of their respective institutions in their jurisdiction and abroad? How? | | | | | |
| Are certain personality traits useful for a Speaker? If so what are some of these traits in your opinion? | | | | | |
| What are certain skills or attributes that may be strengths for the position of Speaker? | | | | | |
| What are certain skills or attributes that may be weaknesses for the position of Speaker? | | | | | |
| <i>To be completed by past / current Speakers only</i> | | | | | |
| What are some of the major initiatives that you have undertaken/hope to undertake during your time as Speakers? | | | | | |
| What, in your opinion, distinguishes/distinguished you from past Speakers? | | | | | |
| If given the opportunity, what would be the one thing that you would like to change in order to make the Speaker's role more effective, both inside and outside the house? | | | | | |
| Additional Comments: | | | | | |

APPENDIX B

(Letter sent to all Ontario MPP's by Ted Arnott asking for their support in the nomination process for Speaker of the Ontario Legislature)

Dear Colleague:

As you know, I am seeking the opportunity to serve as Speaker of the Ontario Legislature in the 39th Provincial Parliament. I am writing again to ask for your support.

As you think about who you will vote for on November 28th, I hope you will consider the following:

1. The Speaker must be the servant of the whole House, and approach his or her duties in an impartial manner at all times.

2. The Board of Internal Economy, which is chaired by the Speaker, needs to be reformed. It should be constituted of one Cabinet Member (instead of three Ministers, as is currently the case) and one MPP from each of the recognized Parties in the House. This would ensure that the Board is independent of the Government of the day, and accountable to MPPs of all parties. The Board should meet monthly, and all MPPs should be directly informed of its decisions.
3. MPPs Global Budgets need to be flexible. Current staff salary levels need to be reviewed to ensure that career opportunities in the Legislature are competitive with the private sector and other Government workplaces.
4. The security of the Legislative Precinct needs to be constantly and carefully monitored, and the next Speaker should re-establish the MPP Advisory Committee on Security. We must be realistic about the threats that exist today, and ensure that our staff and visitors are safe.
5. Decorum in the House must improve significantly to meet public expectations of civility and professional behavior. The Speaker needs to be prepared to enforce the Standing Orders without being partisan in their application.
6. The Speaker should frequently open the Speaker's Apartment to MPPs to allow us to get to know each other better across party lines.
7. The exterior renovation of the Main Building, to repair the foundation and stonework, needs to be completed over the next four years. We must ensure that our Legislative Building, the seat of the provincial Government of Ontario, stands strong and tall for future generations.
8. MPPs should be permitted to pay into a "defined benefit" pension, like almost every other provincial Government employee. Members should be vested after eight years of service in the Legislature. Current and former MPPs should be able to "buy back" years of service going back to 1996. Retired MPPs who are vested should be entitled to draw a reduced pension at age 60, and a full pension at 65, like the provisions of the Canada Pension Plan. The Speaker should advocate for this.

Thank you for considering my candidacy for Speaker. I ask for your support on November 28th.

Sincerely,

Ted Arnott

¹ Parliamentary Practice, *Erskine May* 16th ed. (Butterworth, 1957), p.223. As quoted in **The Office of Speaker**. *Laundy, Philip*. 1964. p. 3. Cassel & Company Ltd, London, England.

² See Appendix A.

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- ³ “Speaker’s Job to Improve Commons, Study Says”. The National Post. Available at: <http://www.nationalpost.com/story-printer.html?id=466063>. Last accessed: May, 2008.
- ⁴ *Everything Old is New Again: Observations on Parliamentary Reform* Thomas S. Axworthy April 2008. p. 30. The Centre for the Study of Democracy, School of Policy Studies, Queen’s University. Last accessed: May 2008. Available at: http://www.queensu.ca/csd/documents/Published_EverythingOldIsNewAgain_CSDreport_ExpertiseInParliament
- ⁵ Constitution Act, 1867 (Canada). Available at: <http://laws.justice.gc.ca/en/const/index.html>
- ⁶ Legislative Assembly Act. Available at: <http://www.canlii.org/on/laws/sta-l-10/20080421/whole.html#BK16>
- ⁷ Table of Precedence for Canada. Dept of Canadian Heritage. Available at: http://www.pch.gc.ca/PROGS/CPSC-CCSP/pe/precedence_e.cfm
- ⁸ Speaker Vote May Surprise. Toronto Star. November 7, 2007. Available at: <http://www.thestar.com/comment/columnists/article/274247>
- ⁹ The letter sent by MPP Ted Arnott is attached here as Appendix B. The author is grateful to Mr. Arnott for permission to include this letter in this dissertation.
- ¹⁰ Interview with David Warner. Former Speaker of the Legislative Assembly of Ontario. May 12th, 2008.
- ¹¹ The Speakership and Independence: A Tradition in the Making. Danis Marcel, MP. Canadian Parliamentary Review. P.18. Summer 1987.
- ¹² The Evolving Speakership. Levy, Gary. Canadian Parliamentary Review. P.7. Summer 1998.
- ¹³ David Warner. Personal Diary. Legislative Library. Legislative Assembly of Ontario.
- ¹⁴ Interview with David Warner.
- ¹⁵ Parliamentary Diplomacy: the Canadian Approach. Speech by Senate Speaker Noël A. Kinsella and House of Commons Speaker Peter Milliken. May 4th 2007. Available at: <http://www.sen.parl.gc.ca/nkinsella/PDF/Speeches/ParlDiplomacy-e.pdf>
- ¹⁶ Inter-Parliamentary Union. Parliament and Democracy In The Twenty-First Century: A Handbook for Parliamentarians. Available at: http://www.ipu.org/PDF/publications/democracy_en.pdf
- ¹⁷ Meeting with the Interparliamentary and International Relations Dept. National Assembly of Quebec. December 2007. Exchange visit by Ontario Legislative Interns to the Quebec Assembly.
- ¹⁸ Activity Report of the National Assembly. 2006-07. Published by the National Assembly of Quebec.

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