The Speaker in history

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The Speaker is the highest officer of the House of Representatives and represents and embodies the House in its relationship with the Crown. The British origins of the position lay in the need for the assembly to have a voice to convey its opinions to the Crown and the House of Lords. Until the seventeenth century the Speaker acted more as the agent of the Sovereign. However, when King Charles I came in 1642 to arrest members of the House of Commons for treason the Speaker of the day said he had ‘neither eyes to see, nor tongue to speak in this place’ other than as directed by the House. The tradition of the Speaker being the servant of the House and speaking for the House dates from this time.

At the beginning of each Parliament members elect their Speaker from the floor of the House. He/she acts as the presiding chair over the proceedings and deliberations of the House, keeps order in the chamber and determines matters of procedure. The Speaker also has charge of Parliament Buildings and grounds. Historically the Speaker was assisted by the Chairman of Committees, as a deputy Speaker appointed by resolution of the House. The Chairman of Committees took the Chair at the Table when the House went into Committee of the Whole for consideration of bills and the estimates and would act as Speaker if the Speaker was absent. Today the Speaker is assisted by a Deputy Speaker and two Assistant Speakers.

Each sitting day the Speaker processes from the Speaker’s suite to the debating chamber, preceded by a messenger and the Serjeant-at-Arms carrying the mace. The Speaker then takes the Chair, the mace is placed on the Table, and the Speaker reads the prayer to open proceedings. This is a longstanding practice that follows the Westminster tradition. In 2009 the route of the procession was altered to go through the first floor main foyer so that the procession was publicly visible.
Election of a Speaker

Speakers are elected by the House upon the assembly of each Parliament. Often this election goes uncontested, especially if the previous incumbent is still available, but this is dependent upon the will of the House and, if a government’s majority is poised on a knife-edge, selection of a Speaker can be an extremely political matter. The number of contested elections has thus been relatively small but they can at times be vital to the future direction of the country.

The first contested election of a Speaker came in 1891. The election of 1890 did not produce a clear result and eminent longstanding Speaker Maurice O’Rorke had lost his seat. When Parliament assembled in early 1891 the election of a Speaker was bitterly contested as a test of who would be the government.
Alfred Saunders, a longstanding independent, proposed William Rolleston from the ranks of the ‘party’ of Premier Atkinson. He argued that the matter should not be made a party question. Many expected Rolleston (who had been in the House since 1868 with a break, 1887-90) to be accepted quickly, but Richard Seddon rose and proposed the undistinguished Major William Steward from the Liberal Party. The matter went to a vote, won by the Liberals 36:29 on party lines, and Steward became Speaker. Atkinson’s government resigned and the Liberal Party took power.

After the next election, the Liberals were in some difficulty over the Speaker since O’Rorke had been re-elected to Parliament and Steward had not proved an effective manager of the House. But Steward could not be prevailed upon to retire. Seddon and Saunders proposed O’Rorke and he won easily with cross-party support.

In 1923 another contest was required. Speaker Frederic Lang was defeated in the election of 1922 at a time when three parties were vying for power. Massey had a slim hold on government and he wanted to avoid losing a valuable vote. He cast around the ranks of the Opposition for a suitable candidate and fixed upon Charles Statham, dissident Reformer and latterly independent. Statham was relatively youthful and had the additional qualification of being a barrister. This move gained the support of the Liberals. Labour put up its own candidate for election. The Liberals voted en bloc with Reform and Statham became the first New Zealand-born Speaker.

From that time on and until relatively recently the election of a Speaker has proceeded along predictable party lines, as a result of the two-party political system. The 1993 election might have resulted in a ‘hung’ parliament if the traditional party form of election of a Speaker took place. Prime Minister Jim Bolger approached disaffected Labour MP Peter Tapsell to put his name forward. Labour was unlikely to win if another election had to be held so it agreed to the move. Tapsell became the first Māori Speaker and the first from outside the government ranks since Statham.

In 1996 the election of a Speaker proceeded along traditional party lines in spite of the introduction of MMP. The National-led Coalition put up Doug Kidd who was opposed by Jonathan Hunt for Labour. Kidd won the vote 70:50. Despite arguments that there should be a new method of selecting a Speaker under MMP, since then candidates put forward by the governing party have been elected as Speaker.

**Notable Speakers**

Historically, Speakers played a more partisan role in the House than today when they are expected to exercise scrupulous impartiality. In the early years the notion of a completely impartial Speaker was only just beginning to emerge here (as it was at Westminster). Speakers, although not generally participating in debates would, while the House was in committee, contribute to debates and possibly
even vote, especially if matters concerned their own electorates.

Speakers played a vital role in shaping Parliament in its early decades. Charles Clifford was the first Speaker. He was elected on 26 May 1854 and remained in the position until 1860. He had ‘provincialist’ sympathies particularly for Wellington but proved a firm hand in the early years of the House at a time when procedure as specified in the standing orders was still rudimentary. Following his retirement and departure for Britain he purchased a mace which he donated to the House in 1866.

His successor, David Monro (1861-70) was a confirmed ‘centralist’ and supporter of Edward Stafford. Monro consolidated parliamentary procedure through new standing orders. Monro unfortunately became involved in a bitter feud with leading opposition member and erstwhile Premier William Fox.

George Maurice O’Rorke was the longest-serving Speaker in the history of the House, (1879-90, 1894-1902), and was renowned for his impartiality and firm control over the House. He established a more modern style of Speakership.
The Speaker did not usually vote but in a situation of a tied vote the Speaker had a casting vote. A convention developed, as in the House of Commons, that the casting vote should not in itself initiate change but should be cast for the status quo and to enable further discussion.

With the advent of political parties the Speaker’s party affiliation became increasingly important and the majority party would ensure that a party member would be elected to the Chair. However, once in the Chair the Speaker was expected to act impartially. Into the twentieth century Speakers were elected from the ranks of lawyers in the House and they began to wear wigs. Charles Ernest Statham (1923-35) was keen to see more formality and dignity in the House.

The first Labour Speaker was W.E. Barnard, (1936-43). Speakers during the period of the First Labour Government (1935-49) tended to speak or even vote upon matters while the House was in Committee. The convention of a more detached Speaker became more firmly established under Matthew Oram (1950-7) and Speakers who followed, although Labour Speaker Robert Macfarlane (1958-60) on occasion voted in committee at a time when the government had a slim majority.

The parliamentary reforms of the mid 1980s gave the Speaker enhanced powers through having responsibility for parliamentary expenditure equivalent to a minister, chairing the Parliamentary Service Commission, and having more complete control over Parliament Buildings and grounds. From 1996 under the voting system introduced as a result of MMP the Speaker's casting vote was abolished. The Speaker’s vote is now included with the votes held by the party.

Recent Speakers have reduced the formality of their position by wearing their wigs only for the formal part of the day's business and on state occasions. Speaker Jonathan Hunt (1999-2005) abandoned the wearing of a wig altogether. Margaret Wilson was the first woman elected as Speaker (2005-2008).
Discipline in the House

The Speaker controls the sittings of the House, whose procedure is specified by the standing orders. Members must observe courtesies due to the Speaker that reinforce the Speaker's status and authority over them. When the Speaker rises members must resume their seats and when he/she speaks members must be silent. Members in the past had to bow to the Chair (now they must make an ‘acknowledgement’) when entering or leaving the chamber or when crossing the floor of the House. The Speaker decides who may speak, orders members to withdraw expressions considered ‘unparliamentary’, and on occasions of gross disorderly conduct can order the withdrawal of offending members from the chamber. Statements cannot be made in the House that reflect on the Speaker and the Speakership cannot be introduced into debate. A suggestion of partiality may be treated as a contempt of the House. If members want to criticise the Speaker it can only be done by a motion of censure for which notice must be given.
The Speaker can order an offending member to leave the chamber and, by resolution of the House, a motion condemning a member’s actions might be passed. The Speaker can ‘name’ offending members, a form of punishment by dishonour in which the attention of the House is formally drawn to the member. The House can also decide as an ultimate penalty to ‘suspend’ the member ‘from the service of the House’ for a period so that the member cannot sit in the chamber or vote.

For many years Speakers did not resort to ‘naming’ members in spite of turbulence in the chamber. In 1887, the ailing ex-Premier Julius Vogel accused another member of a lack of manners and alleged that messengers frequently had to assist members who were drunk. He then suggested that ‘one of the high officers of this House’ (referring to Speaker O’Rorke) had only been elected on pledging not to drink. (O’Rorke had on occasion been absent from the House as a result of drinking bouts.) O’Rorke named Vogel and ordered him (in his wheelchair) to withdraw. The House after a debate stretching more than a sitting endorsed O’Rorke’s action, but expressed regret that Vogel had been named. A defiant Vogel refused to accept the ruling and sought unsuccessfully to have it taken out of the record.

Other namings took place in 1898 and 1900. The ordering of members from the chamber became a little more common into the twentieth century as Labour members sought to challenge the conventions of the House. As one newspaper correspondent noted at the turn of the twentieth century, one might imagine that the offending member ‘with a shadow of censure over his head would be cast into some dungeon, with an orderly on the mat outside the door’, but when one offender was asked how he had spent his time ‘he laughed and said he was in a very comfortable committee room, writing his Home letters, and he was very glad of the chance to do so’.

By the 1960s such departures were increasingly commonplace and in the 1970s and 1980s in a more combative chamber the numbers escalated markedly. In response Speaker Richard Harrison devised the less draconian ‘sin bin’ penalty in which members had to leave the chamber for a time to ‘cool off’.
The standing orders enabled the House to fine its members. This has happened on two occasions. In 1877, H.H. Lusk, the member for Franklin, was found to have received payment from the Auckland City Council for assisting in drafting a government bill that gave advantage to the Council. He was fined £50. In 1881, William Gisborne’s disorderly challenge to the House during a notable stonewall resulted in a £20 fine.

Speakers frequently had to bring members to order and ask them to withdraw words or phrases that were regarded as ‘unparliamentary’, being offensive or disorderly. Members could not use unbecoming language, personal reflections and insults, impute improper motives nor accuse other members or the government of bribery, corruption or dishonesty. In particular the truthfulness of a member could not be challenged. In such circumstance members would use considerable ingenuity to find expressions that would convey the intent without drawing the unwanted attention of the Speaker.

Standards change. In the 1930s Speaker Statham observed that the more refined members of the past had ruled out of order words that could be used freely now and prepared a ‘compendium’ of unparliamentary words. Lists of words deemed unparliamentary are still recorded in the indexes to the Parliamentary Debates today. To read more see the Unparliamentary Language link in the related documents panel.
**Dressing down**

Among the Speaker’s many duties was ensuring that members dressed appropriately in the House. Parliament had rules about jackets, ties, hats, and when they could and could not be worn.

In times past hats were generally worn and members wore hats in the chamber. But the etiquette was complicated. When to be ‘covered’ or ‘uncovered’ was part of the traditions of Westminster. Members had to take their hats off when entering or leaving the chamber or when addressing the House. They also had to rise and take off their hats as messages from the Governor were read to them. This could mean that members found themselves bobbing up and down like jack-in-the-boxes. In 1863 Speaker Monro was annoyed at the insistence of newly elected Jewish member Julius Vogel on taking the oath on the Old Testament while wearing his hat.

If a member wanted to speak (usually to a point of order) after the doors had been locked for a vote, he had to do so from a seated position and with his hat on – to avoid giving the appearance of creating a debate at an inappropriate time. This produced hilarious scenes as members desperately scrambled for a hat, anyone’s hat whether it fitted or otherwise. This custom persisted into the 1960s.

In the 1890s Seddon, ‘not having his own hat handy … seized Mr Carroll’s black bowler with the huia feather in it, and Mr Buchanan, finding himself in a similar predicament, had to fit on Mr Duthie’s hat. The Premier and Mr Buchanan both looked different men for the moment, and roars of laughter greeted them in their strange headgear.’ On another occasion when the doors were locked (concerning a debate over whether a member who was spied ‘pairing’ in the gallery with a female observer should vote in the division or not) William Rolleston grabbed Sir John Hall’s ‘particularly narrow and particularly high chimney-pot’ and ‘thrust it on his head’, causing uncontrollable mirth.

Parliament’s dress code remained formal despite changing standards in society by the 1960s. Younger Labour members began to grow their hair longer and wear coloured shirts. The rule that members must wear a tie or a coat buttoned up to the neck remained. On one occasion a member caught napping came into the chamber in pyjamas but he was covered by an overcoat even if his ample stomach spilled out.

In the warmer weather, Labour members in 1971 defied the Speaker by removing their jackets, donning them again only under dire threats of suspension from the House. Bob Tizard rubbed it in by wearing a garish orange towelling hat right under the Speaker’s nose. But the Speaker stood firm and Parliament’s formal dress code remained. In the 1980s in summer sittings the rule on the wearing of jackets was relaxed but ties stayed. In 1993 Speaker Peter Tapsell ordered the jackets back on. He shamed some into donning jackets by frowning at them, and was intent on dealing with one nameless MP who ‘padded around the chamber in socks’. Since that time the requirement for males to wear jackets and ties has remained, leading to some colourful and imaginative forms of conformity from Green members such as Rod Donald. The dreadlocked Rastafarian Nandor Tanczos had a suit specially made of ‘hemp’ fabric.
Speakers’ Chairs

Speakers’ chairs used over the years tell us about the history of the House. The furniture used to fit out the first chamber for the House of Representatives in Auckland was rudimentary indeed. The chair used by the first Speaker, Charles Clifford, was modest and little more than an ordinary armchair. As described by William Fox the Speaker’s dais was ‘so exactly like a French bedstead and canopy, that you expect to see the honorable members [sic] head in a nightcap peeping over the tester.’

The chair remained in Auckland’s Parliament Buildings after the General Assembly had departed for Wellington in 1865, having been amongst the furniture sold to the Provincial Council. When Auckland University College acquired the premises it presented the chair to the Auckland City Council. In 1955 the chair was given over to Parliament on permanent loan by the Council and it is now exhibited in Parliament.
In Wellington Parliament had to equip the buildings from scratch. The original Speaker’s dais was ‘provided with a canopied screen, finishing at its terminal with an ornamental finial, which springs from the cluster moulding forming the front edge of the screen.’ In the early 1870s a new Speaker’s chair and dais was fashioned. The dais was described (accurately as contemporary photographs depict) as ‘a wooden structure like the head of a bed without the foot, with a cumbrous ornament like a table turned, carved legs upwards, upon the top.’ This was lost amid the devastation of the fire of 1907.

The House had to re-equip the chamber with furnishings when it moved into the new Parliament House in 1918. Speaker Lang – who had adopted a relaxed approach and did not wear a wig – used an unexceptional chair that lacked a high back but Speaker Statham, elected in 1923, was more keen on pomp and ceremony. Statham ordered an impressive new Speaker’s chair. Described as an ‘Empire Chair’, it was made by a period furniture specialist in Dunedin, one of Statham’s constituents, for the grand sum of £71 6s including cushion. It had the New Zealand coat of arms on its high back above the head.
Labour Speakers from Barnard onwards in 1936 did not want to use such an imposing piece of furniture and it was relegated to the basement. In 1947 it was presented to Statham’s widow in England. The chair returned to New Zealand in 2001 in the hands of a grandson and was donated to Parliament, where it is now on display.

In 1951 a British parliamentary delegation presented a new chair to the House. This recognised one hundred years of ‘full parliamentary government’ in New Zealand through the passage of the New Zealand Constitution Act 1852 in Britain. It was also in response to New Zealand’s gift of despatch boxes (made of puriri) to the House of Commons, on the occasion of the opening of its new chamber after its rebuilding following the bombing of the Second World War.

The new chair was made of English oak with a carved headboard, upholstered in green hide, and had New Zealand’s coat of arms in gold at its head. The occasion was accorded full dignity, preceded by a state luncheon. The chair was ceremoniously carried into the centre of the chamber followed by the Commons delegation which sat alongside it. It is this chair which is still used today, clad in a white sheepskin.