



## Introduction

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We begin by expressing our thanks to those readers of last year's inaugural volume who have written to express their appreciation or suggestions on future direction. The response has provided us with much encouragement and insight in this second effort.

The essay calling for reform on Canada's voting system led to last year's editors, Bryan Schwartz and Darla Rettie, receiving an invitation from the Law Commission of Canada to produce a follow-up study. Interest in voting system reform seems to be building, and we hope that our efforts to highlight and study this issue will contribute to the debates in a variety of provinces as well as at the federal level of government.

The inaugural volume's interviews with Rick Mantey and Norm Larsen, on the legislative drafting process, also found an appreciative audience. We have used the interview format to explore another set of issues this year: the lessons to be learned from four crises in the Manitoba Legislative Assembly in modern times. Our aim was to bring to light fresh perspectives on these events from active participants in them. We also sought to determine whether any lessons could be learned from past events about whether the rules of the Assembly need change. We were particularly interested in exploring whether an opposition party has the procedural tools needed to mount an effective response to a majority government that is determined to proceed with an initiative. Can the opposition party slow down the matter long enough to arouse public debate and possibly opposition?

In each of the four crises we studied, the Legislative Assembly faced unique and challenging procedural situations, due in large part to the use of the procedural rules of the assembly to further a particular personal or political cause.

The first of these events was the 'bell-ringing episode' during the debate on constitutional amendments involving French-language services in 1983-84.

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Legislative ‘bells’ are rung to summon members to the Chamber when a vote has been called. During the French-language debate, the opposition Conservatives used bell-ringing to stall debate. During the final bell-ringing episode, the bells rang continuously for twelve days, ending only when Howard Pawley’s government decided to end the session without a vote on the French-language services initiative.

The next notable legislative event occurred only a few years later, in 1988, when backbencher Jim Walding voted against his own party (the NDP government) and joined the Conservatives in withholding support for the provincial budget. Walding provided the crucial swing-vote in the Assembly and forced his own government to resign. The following day, in accordance with political convention, Premier Howard Pawley called an election. The Conservatives formed government less than two months later.

The defeat of the Meech Lake Accord in 1990 is the third legislative event we studied. With a strict deadline looming, and the ‘eyes of the nation’ focused on Manitoba, MLA Elijah Harper used the procedural rules to stall debate on the Accord and prevent its ratification by Manitoba’s Legislative Assembly.

The final legislative crisis we reviewed was the ‘procedural experiment’ showcased by the passage of the bill privatizing the Manitoba Telephone System. A new rules structure was given a trial run during the 1996 legislative session. These temporary rules, and the contentious nature of the privatization bill, combined to create an eruption in the Legislative Assembly unlike anything in recent history.

We have provided, in the following pages, a brief summary of each of these events. Initial research unveiled a plethora of newspaper articles and commentaries recounting each event. Our hope, however, was to delve into how and why these events occurred, and how the rules of the assembly were changed to ensure that similar crises would not be repeated. In our efforts to understand these events and the functioning of the legislature in general, we were very fortunate to have the opportunity to sit down and conduct personal interviews with a number of political personalities—many of whom had first-hand involvement and vivid memories of these four legislative crises. We also asked each individual whether they believe procedural rules of the Assembly have been amended to the point that opposition parties can no longer use the rules to their advantage. Finally, in closing, we canvassed each interviewee’s views on electoral voting reform.

We thank the many public figures who participated in the process for their insight and candour, and trust their contribution will be a lasting addition to the public record and to public understanding of these events.

This year’s edition of *Underneath the Golden Boy* begins with an article that explores two procedural tools used to limit parliamentary debate—closure and time allocation. When closure is invoked, it stirs intense reaction from an opposition. However, Canadian governments of all stripes have found use for

the closure mechanism when it has appeared impossible to pass contentious legislation. The author looks at the use of closure since its inclusion in Canada's Parliamentary rules of procedure in 1913.

We look forward, as we did with our inaugural addition, to hearing comments from our readers on our second effort, and to any suggestions they may have on what we can do to bring attention and insight to the process of lawmaking by the legislative and executive branches of government.

#### 4 UNDERNEATH THE GOLDEN BOY