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#### ABSTRACT

*The Mace plays a pivotal role in our legislative function. Appreciating the concepts pertaining to the significance of the Mace; has been the underling fundamentals for the orderly and sound conduction, of parliamentary proceedings and deliberations.*

# The Authority of the Mace

## Westminster Parliamentary Practices

On 31<sup>st</sup> May 1978 Her Majesty Queen Elizabeth II, upon the advice of Her Privy Council made, the Solomon Islands Independence Order of 1978<sup>i</sup>.

An Independent Solomon Islands on the 7<sup>th</sup> of July 1978, incumbently inherited Westminster practices and democratic principles of governing system<sup>ii</sup>. This government system recognizes the demarcation of powers that is shared between the Legislature, the Executive and the Judiciary.

The Parliamentary System embodied by the National Parliament of Solomon Islands, is tailored to amplify the interlacing roles of representation, legislating, scrutiny and the formation of government<sup>iii</sup>. The Solomon Islands Parliament is Unicameral, yet replicates many of the Westminster's parliamentary practices, procedurals and ceremonial traditions.

A Medieval England<sup>iv</sup> ceremonial tradition adopted, is that of the Mace preceding the Speaker each time Parliament is in Session.

### The Speaker's Parade

At the commencement of each sitting day, an escort procession is held between the

Speaker's Office and House (Eastern Doors of the Chambers). The procession is called the "Speaker's parade", led by uniformed guards walking at a slow and formal pace<sup>v</sup>.

The Speaker's entrance was proclaimed by three pounds on the eastern door and a hail by the Sergeant-At-Arms.

The Sergeant-At-Arms who is the custodian of the Mace and is responsible for bearing the Mace. The Mace is customarily placed upon the right shoulder as he precedes the Speaker at the beginning and ending of each day's sitting.

The origins of the Speaker's Parade in the House of Commons (United Kingdom) is still unclear. However two predominate theories exists. One suggests that early Speakers are routinely accompanied by bodyguards as a security precaution for such esteem position. This protocol can be proven by the ever accompanying presence of the Sergeant-at-Arms to all statutory duties and events.

The other factor could have been, that Commoner's proceedings often begins with prayers led by a Chaplain; hence the original procession may have been associated with some more elaborated form of worship<sup>vi</sup>. The adorning dressing code, originally worn on those occasions, were said to have been a spectacular event to watch!

### Significance of the Mace

The Mace upon its entry into the Chambers, is usually placed at the Clerk's Table. The Clerk's Table refers to where the

Clerk and his Table Assistants are seated during the proceedings of Parliament.

The Mace is a symbol of the House and signifies the Speaker's authority. It empowers his presiding role in the Chambers. In light of this significance, the Speaker's decisions are final<sup>vii</sup>.

The presence of the Mace purports the impartial observation and interpretation of parliamentary rules and traditions - both written and unwritten by the Speaker. This fortifies the enforcement of a peaceful, orderly and civil conduction of the meeting. It also forbears the impression for a fair participation by all Members<sup>viii</sup>.

The Speaker may exercise his powers to Veto in events of an indivisible. The Speaker can also issue a warrant of arrest of Members and admitted personnel<sup>ix</sup> who have behaved in contrary to expected codes of behavior enlisted in Standing Orders 37 of the National Parliament of Solomon Islands.

There are times when the Mace is not being displayed in the Chamber and is rather placed beneath the Clerk's Table<sup>x</sup>. One of which is during the First Meeting of Parliament, when a new Speaker is to be elected<sup>xi</sup>. Second is, when the Speaker leaves his Chair and assumes the role of a Chairman during the Committee of the Whole<sup>xii</sup> and the Committee of Supply<sup>xiii</sup>. And third is, when the House suspends for reasons mentioned by the Speaker<sup>xiv</sup>.

## The Presiding Role

The Speaker's presiding role is pertained to an independent but pivotal opinion on matters of the proceedings, given his multi-faceted role<sup>xv</sup>. Here the Speaker executes his roles; part-refereeing, part-chairing and part symbolizing a representative of the Commons as a whole<sup>xvi</sup>, whereby he is empowered to;

- control the debate in Parliament
- decide who to speak
- decide on the businesses that are to be discussed in Parliament
- allow for urgent questions and emergency debates
- casting of a vote in the event of an indivisible; and
- uphold parliamentary rulings

Significantly the Speaker's conduct is expected to be in accordance to the Constitution and the Standing Orders. Therefore, a Speaker's decision should not in any way, arbitrary<sup>xvii</sup>.

For the National Parliament of Solomon Islands, it is on rare occasions that a Speaker's decision is being challenged. But on such occasions, whether it be in Court or on the floor of Parliament, it sets the precedent and a point of reference for future rulings.

However in some parts of the globe now, there is a growing consensus, that a Speaker's decisions should not be opened to judicial review<sup>xviii</sup>.

## A Mace into the Future

It is of legislative importance that Parliamentary Members and Committees

place confidence in the integrity of our parliamentary system, as symbolized by the impartiality of the Mace being displayed in the Chamber. The significance of the Mace is fundamentally comforting in that, national discussions are inclined to by an autonomous standing, pursuant at all times, for a good cause.

Though the Mace can only be displayed in Parliament, its pivotal significance should be a replicated democratic beacon; transpiring a harmonious parliamentary and political deliberation, at all levels.

The current Mace used at the National Parliament of Solomon Islands, was gifted in 1977<sup>xix</sup> by the Government and people of New Zealand to Solomon Islands, for the commemoration of its Independence. The Mace is a meter plus in length and weighs around 5 Kilogram<sup>xx</sup>. It is carved from Kauri<sup>xxi</sup> (Coniferous Tree), a sacred tree to native New Zealand. The inner laid and etched designing of traditional totems found on the Mace, were crafted by a local.

Notwithstanding the significance of a Mace, it is a totem that exists with Parliament and its legislative history. Therefore, some Parliaments have given critical consideration by having in place transitional plans.

These may include incidents whereby an inevitable damage is brought about to this significant artifact; or should there be a need for a replacement with something authentic, and yet symbolic to the country and its indigenous cultures.

## ENDNOTES

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<sup>i</sup> Solomon Islands Constitution, 1978

<sup>ii</sup> <http://www.parliament.gov.sb/files/project/factsheet1whatisparliament.pdf>

<sup>iii</sup> Preambles, Solomon Islands Constituent, 1978

<sup>iv</sup> <https://www.parliament.nz/en/get-involved/features-pre-2016/document/00NZHomeNews120320091/what-is-the-significance-of-the-mace>

<sup>v</sup> <https://www.parliament.uk/about/living-heritage/evolutionofparliament/parliamentwork/offices-and-ceremonies/overview/speakerslord-speakers-procession/>

<sup>vi</sup> Ibid

<sup>vii</sup> Standing Orders 38, 1978

<sup>viii</sup> <https://www.ourcommons.ca/speaker/en/role>

<sup>ix</sup> Standing Orders 78

<sup>x</sup> Standing Orders 4(5), 1978

<sup>xi</sup> [https://www.aph.gov.au/About\\_Parliament/House\\_of\\_Representatives/Serjeant-at-Arms/History\\_and\\_role\\_of\\_the\\_Mace](https://www.aph.gov.au/About_Parliament/House_of_Representatives/Serjeant-at-Arms/History_and_role_of_the_Mace)

<sup>xii</sup> Standing Orders 4(3)

<sup>xiii</sup> Standing Orders 62(1)(2)

<sup>xiv</sup> The Significance of the Mace Pamphlet (Draft), Education and Community Engagement Unit, National Parliament of Solomon Islands, 2020

<sup>xv</sup> <https://www.instituteforgovernment.org.uk/explainers/speaker-house-commons>

<sup>xvi</sup> <https://www.instituteforgovernment.org.uk/explainers/speaker-house-commons>

<sup>xvii</sup> Murry, Khochamo Chonzamo, Naga Legislative Assembly and its Speakers, 2007, p.75

<sup>xviii</sup> <https://timesofindia.indiatimes.com/india/decisions-of-speakers-final-should-not-be-open-to-judicial-review/articleshow/72894612.cms>

<sup>xix</sup> Interview, Pepa Marisa, Director PCEU, NPSI Parliamentary Staff, 2020

<sup>xx</sup> Interview, Palusi Brain, Sergeant At Arms, NPSI Parliamentary Staff, 2020

<sup>xxi</sup> <https://teara.govt.nz/en/kauri-forest>