

# Disputing the ‘(Un)parliamentary’: Learning Rules of Debate in the Early Finnish *Eduskunta*

*Onni Pekonen*<sup>1</sup>

## ABSTRACT

The article examines the learning and adoption of international parliamentary rules and practices in the work of the Finnish parliament, the *Eduskunta*. The article concentrates on the rules of debate in the early *Eduskunta* and analyses how the character and quality of plenary speech was disputed within the framework of the Parliament Act of 1906 and the *Eduskunta*'s Rules of Procedure. By analysing debates of the early *Eduskunta* from 1907 and 1908 as well as Finnish newspaper material, the article illustrates how the learning and establishment of Finnish parliamentary practices evolved around disputes over the notions of ‘parliamentary’ and ‘unparliamentary’.

## KEYWORDS

The Parliament of Finland, parliamentary procedure, parliamentary rhetoric, unparliamentary language.

## INTRODUCTION

In this article I examine the Finnish project by which international parliamentary rules and practices were adopted in the early years of the Finnish parliament, the *Eduskunta*. The procedural framework for debate and speech in the *Eduskunta* were formulated, based on Swedish models, in the Finnish Diet Act of 1869 and its successor, the Parliament Act of 1906. How were the character and quality of plenary speech disputed within the framework of the Parliament Act of 1906 and the *Eduskunta*'s Rules of Procedure? How did the parliament become understood as a particular procedurally regulated arena for speech and conduct in the discussions of the early *Eduskunta*? By analysing

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<sup>1</sup> University of Jyväskylä. E-mail: onni.i.pekonen@jyu.fi. This paper is part of the project The Politics of Dissensus (Academy of Finland).

debates of the early Eduskunta from 1907 and 1908 as well as Finnish newspaper material, I illustrate how the Finnish parliamentary practices evolved around disputes on the notions of ‘parliamentary’ and ‘unparliamentary’. The Finnish case illustrates the historically central role of international models in the procedural debates of new parliaments.

#### THE SWEDISH HERITAGE AND THE EMERGENCE OF PARLIAMENTARY INFLUENCES

The Parliamentary Reform of 1906 has been highlighted as a significant turning point in Finnish parliamentary life (e.g. Seitkari 1958). In the Reform, Europe’s last four-estate Diet was transformed into a unicameral parliament elected by universal suffrage. In view of representation, suffrage and unicameralism the Reform’s significance cannot be underestimated. However, in view of Eduskunta’s procedures the Reform of 1906 continued a learning process that had started in Finland already in the nineteenth century. The lessons of international parliamentarism had been applied in Finnish procedural debates since the 1860s.

In 1809 the eastern part of the Sweden, Finland, became a grand duchy of the Russian Empire. Under the reign of Sweden, Finland had had varying and modest representation in the Swedish *Riksdag of the Estates*. In 1809 the Finnish estates were summoned by Tsar Alexander I for the *Diet of Porvoo*, but did not convene again for over fifty years. At the end of Diet of 1863-1864, a Constitutional Law Committee was established to prepare a Diet Act that would set the procedures for the organisation and readings of the Finnish Diet.

The first Finnish Diet Act of 1869 was based, to a great extent, on Swedish models. The Constitutional Law Committee was instructed by the Tsar to model the Act mainly after the Swedish Riksdag Act of 1617 and parts of the Riksdag Act of 1723, which had been confirmed and established in *Riksdag* law and practice after 1772 (for the instructions in detail, see Bergh 1884, 476-7). In its proposal, the Constitutional Law Committee could not, due to the given instructions and the existing political circumstances, refer explicitly to Swedish law and practice from the period after Finland was incorporated into Russia. The Committee was, however, able to adopt Swedish procedures of the Riksdag Act of 1810 by tracing their historical roots to precedents of the Swedish-Finnish era (Krusius-Ahrenberg 1981, 259). This was the case for example in § 46 of the Diet Act, which set limits on members’ use of speech. The section was almost a word-for-word copy from § 50 of the Riksdag Act of 1810. The rules in the Diet Act on the use of speech were adopted in the Parliament Act of 1906 and have remained included in the Eduskunta’s contemporary procedures in the Constitution Act of 2000 and Rules of Procedure of 2000.

The Diet Act was seen in many respects as obsolete already at its implementation. In the late nineteenth century, Finnish members of the Diet, political groups and academia were showing increasing enthusiasm towards foreign parliamentary discussions. The interest in parliamentary topics was motivated by a desire to develop the Finnish system towards the principles and procedures of parliamentarism, and consequently, to strengthen Finland's autonomy. Unfortunately for the Finnish reformists, Russian censorship impeded open discussion about adopting foreign parliamentary models into the Finnish system. For example, in the 1860s, books on foreign parliaments and constitutions were smuggled into Finland and secretly circulated (Krusius-Ahrenberg 1944, 236). Finnish newspapers began to follow foreign parliamentary politics regularly in the early decades of the nineteenth century, but after the Diets began to meet regularly in the 1860s, the interest in parliaments rose to a new level. Newspapers translated long sections of foreign parliamentary debates and presented parliamentary traditions and procedures in extensive series of articles. Presentations on foreign procedures were often published concurrently with Finnish reforms and disputes, and thus can be seen as deliberate moves made in order to influence and participate in the Finnish discussions. Articles, foreign parliamentary debates and their translations introduced ideas, arguments and conceptual tools that were used in Finnish debates. By publicising and examining foreign parliaments and their procedures, debaters were creating competing contexts for potential reforms.

Even though Swedish precedents remained central to the way the Diet Act was interpreted by the first Diets, more varied parliamentary influences were also adopted. From the 1860s obsolete practices and the lack of coherent procedures encouraged estates to formulate their own rules of procedure, of which the Nobility's Standing Orders was the most consistent and detailed manifestation (see *Ritarihuonejärjestys* 1869). The estate procedures set fines and sanctions for unparliamentary language and conduct, following the example of foreign parliamentary practices as presented in the press. In addition to the Diet, parliamentary procedures were applied and practised, for example, in the mini-parliaments of the University of Helsinki's students' unions, communal meetings and voluntary associations. International contacts were also utilised. Finnish reformists and parliamentarians made excursions to foreign parliaments and participated in international parliamentary conferences. Political groups could use their foreign contacts to learn about parliamentary practices and how to implement political agendas and ideologies in parliamentary work.

As Finnish Professor of History, member of the Diet and the Eduskunta E. G. Palmén (Palmén 1910, 33-4) has aptly described, the Diet Act of 1869 can be understood as a bridge that united two distant eras and offered guidelines

for future endeavours. Diet references in early procedural debates to Swedish practice demonstrate a common understanding of the basis on which the Finnish procedures were founded. At the turn of the century the impact of the Swedish legacy on procedures was recognised in Finnish historical accounts, but in the context of the Parliamentary Reform of 1906, Swedish examples gave way to a more varied and explicit use of European parliamentary models, such as the British *House of Commons*, Norwegian *Storting*, French *Assemblée nationale* and German *Reichstag*. Still, in the Parliament Act of 1906, the Swedish tradition lived on through the adoption and development of various sections of the Diet Act.

#### (UN)PARLIAMENTARY SPEECH AND CONDUCT IN THE FIRST YEARS OF THE EDUSKUNTA

Already in the late nineteenth century Finnish discussions, the Diet and its procedures were understood, particularly by the liberals, as part of international ‘parliamentary history’, ‘parliamentary life’ and ‘parliamentary tradition’ (see e.g. newspaper *Helsingfors Dagblad*, 25 April 1872, 1-2; 9 October 1874, 1). In addition, expressions such as “the ABCs of parliamentary life”, “the rudiments of parliamentary work”, “parliamentarily correct” and “(un)parliamentary conduct and language”, illustrate early Finnish understandings of parliamentarism as a procedural mode of speech, conduct and debate.

In the early Eduskunta, the linkage to foreign parliamentary discussions became evident in disputes on the correct understanding of the notion ‘parliamentary’. Competing interpretations of ‘parliamentary’ and ‘unparliamentary’, each claiming to be authoritative, were used in the Eduskunta and the press in order to influence the establishment of parliamentary practices, propose modifications on the procedure and attack political opponents. The rhetoric of the ‘parliamentary’ was based on references to foreign parliaments and their procedures.

The Parliament Act of 1906 laid down limits on speeches. According to its § 48, adopted from § 46 of Diet Act, a Member of Parliament has the right to speak freely to the minutes, in his/her turn, about anything under discussion as well as the validity of the readings. In addition, a sub-section of § 48, based on § 8 of the Diet Act, require members to be calm and dignified in their speech and conduct. The observance of these rules was left to the supervision of the Speaker of the Eduskunta (*Suomen Suuriruhtinaanmaan Valtioapäiväjärjestys 1906; Valtioapäiväjärjestys Suomen Suuriruhtinaanmaalle 1869*).

Within the framework of the Parliament Act, the parliamentary character of plenary debate was evaluated. Firstly, the Parliament Act did not set any

limitations on the length or number of plenary speeches. Section 48 of the Parliament Act manifests the parliamentary principle of speaking to the question, which underlines the parliamentary idea of debating and dealing with a single agenda item at a time. Lack of time was a challenge already in the early Diets, but as a result of the ever-increasing workload, critique against long speeches became common by the end of the nineteenth century. The Parliamentary Reform Committee, responsible for the initial formulation of the Parliament Act of 1906, saw the rule of speaking to the question essential in order to fight obstructionism (*Eduskuntakomitea* 1906). The internationally established rule was included more clearly in the Eduskunta's first Rules of Procedure in 1907, which also clarified the Speaker's authority to remind a member who wandered from the matter (*Suomen eduskunnan työjärjestys* 1907, § 25).

The scarcity of Eduskunta time, resulting from a heavy workload and the short ninety-day sessions along with the felt urgency for social reforms, provoked strong negative sentiment against excesses of speech and debate. During the first years of the Eduskunta, the Social Democrats called long speeches "unparliamentary" and "parliamentarily immature", referring to the mischief caused abroad by foreign obstruction campaigns, and published statistics listing who were the biggest wasters of time. Parliament was a place for decision-making, not for empty words and useless speech. The actual work of the Eduskunta took place in committees, where controversies were to be solved through clarifications and briefings (e.g. newspapers *Vapaus*, 25 January 1908, 4; *Wiipurin*, 22 September 1907). The Social Democrats' critique was challenged by rival parties, who underlined the importance of many-sided, rich and thorough parliamentary discussion, against the risk of immature, inconsistent or hasty decisions taken by occasional majorities. This understanding of parliamentary debate, which defended unlimited freedom of speech, was strongly present also in the Parliamentary Reform Committee of 1905-1906 (*Eduskuntakomitea* 1906).

In plenary sessions obscure speeches were interrupted by interjections of "Asiaan!" ("to the matter"). This type of interjection gave MPs a possibility to steer the debate by pressuring both the MP on the floor and the Speaker. Even though Rules of Procedure forbid noisy ovations and displays of contempt (*Suomen eduskunnan työjärjestys* 1907, § 27), interjections became part of the Eduskunta's practice from the first sessions. Interjections, as well as the Speaker's interventions, were direct translations from the English debate models presented in the press (*cf.* May 1883, 348-9, 387-8). Several commentaries on the Eduskunta's first sessions underlined the importance of interjections in establishing practices for parliamentary speech and discussed their proper use. These commentaries often regarded Speaker P. E. Svinhuf-

vud as too moderate or tolerant in regulating debate (e.g. newspaper *Uusi Suometar*, 28 May 1907, 2; 4 November 1908, 4). Parliamentary interjections were judged by referring to the practices in foreign parliaments. For example *Uusi Suometar* (4 November 1908, 4) compared the offending interjections of the Social Democrats to scandalous conditions in the Austrian and French parliaments. The parliamentary interjections were to follow the same rules of orderly debate as plenary speeches.

The parliamentary quality of speeches was also commented upon in the Eduskunta. Newspapers articles and memoirs about the early Eduskunta show there was criticism of speeches for their “lecturing” style and lack of eloquence and relevance (e.g. Wuolijoki 1934; Heinämies 1947). Apart from the Diet and election campaign debates, Finnish MPs had few opportunities to practise their oratory. The absence of oratory in Finnish curricula was also seen to have a negative effect on the quality of speeches. For example, Allan Serlachius, a Finnish MP and member of Diet, noted wryly that a German secondary school graduate had more developed skills in oratory than a Finnish professor (Wuolijoki 1934, 11). The concern over the quality of debate resulted in procedure proposals. In the debate on the Rules of Procedure in 1908, Social Democrat Wäinö Wuolijoki proposed a ban on pre-written speeches in plenary sessions. Wuolijoki argued that the rule would be “healthy” for the Eduskunta and strengthen the kind parliamentary practices that were already part of the German, French and British procedures. According to Wuolijoki, lengthy speeches prepared in advance, and often written by party secretaries, only consumed time without adding any value to debate. Wuolijoki’s amendment, however, lost the vote (*Valtiopäiväasiakirjat 1907-1908, PTK 24/1908, 586-90*).

Interpretations of what constituted a “calm” and “dignified” manner of presentation, as required by the Parliament Act, were expressed in plenary debates and in the press in particular. The British parliament was the most popular ideal of parliamentary *decorum*. From the 1860s the British parliamentary style was admired above all by liberals and in the Eduskunta by both the conservative Finnish Party and the more liberal Young Finns. The British ideal became evident after the Social Democratic Party’s success in the first parliamentary elections of 1907, which caused concern among some about how the newly-elected and uneducated MPs would conduct themselves. The members of the Finnish Party and the Young Finns underlined that parliament is a *locus sui generis* in its procedures and respect towards them. The Young Finn newspaper *Helsingin Sanomat* (12 August 1908, 3) emphasised that the Parliament Act could only give parliamentary business a general form; the Eduskunta had to supplement this by creating its own traditions and practices. The newspaper predicted that, over time, the adoption of practices similar to

the British parliament would strengthen the prestige of the Eduskunta, and as a result the practices would become as determining as the written law. If instead of following positive foreign examples, the parliament adopted bad practices and shenanigans from the outset, it would soon lose its prestige and become disregarded both at home and abroad. The Finnish Party (e.g. *Uusi Suometar* 28 May 1907, 2; 4 November 1908, 4) also emphasised the importance of the first sessions in establishing a respectable tradition. The respect that members showed towards the parliament would be reflected to the outside world. Misconduct would also create bad precedents for later conduct. Again, referring to the British parliament, the Finnish Party demanded respectful language, refined manners and proper attire. The style of speech should be raised to international parliamentary standards, above daily chit-chat and murmur. The newspaper was pleased to observe that parliamentary environment had already forced the Social Democrats to make their language more formal compared to the kind of agitational speeches held outside the Eduskunta.

#### PERSONAL INSULTS AS UNPARLIAMENTARY LANGUAGE – TESTING THE LIMITS OF ORDERLY SPEECH

In the early debates of the Eduskunta the limits of parliamentary language were tested, challenged, disputed and circumvented. Section 48 of the Parliament Act authorises the Speaker to forbid the right of speech of a member who makes insulting or otherwise inappropriate remarks about the government or individual persons. After the Speaker's intervention, the Eduskunta examines whether reprimands and warnings by the Speaker or a possible hearing in a court of law are required. A member guilty of a breach could be suspended from the Eduskunta for up to two weeks (*Suomen Suuriruhtinaanmaan Valtioapäiväjärjestys* 1906; *Valtioapäiväjärjestys Suomen Suuriruhtinaanmaalle* 1869).

In the early Eduskunta, disputes about orderly speech became evident. To call a member a liar, a classic *topos* of unparliamentary language internationally, is illustrative of the rhetoric of parliamentary speech and procedure. The tactic is used to present one's own argument and person in more favourable light than the opponent's. In this sense, denigration of the opponent is a way to praise oneself.

It is notable that efforts to lay down definite and indisputable rules for speech have proven impossible in view of the character of parliamentary debate. Even though it seems that the limits on the parliamentary use of language have been very similar in different European assemblies, parliament is never totally separate from the polity and its social and historical norms. The

successful Speaker needs to be aware of the prevailing procedures as well as the changing nature of language and its use. Early disputes on the Speaker's interpretations in the Eduskunta were tests of what can be discussed and how. An essential rhetorical feature of parliamentary debate is the fact that rules formulated to regulate speech, for example, the requirement for calm and dignified presentation, can be not only contested, but also circumvented through rhetorical manoeuvring. As Thomas Erskine May put it in his main work on parliamentary procedure: "An ingenious orator may break through any rules, in spirit, and yet observe them to the letter" (May 1883, 367-8).

In the Eduskunta's first plenary sessions in 1907-1908, there was apparently only one instance of a member explicitly accusing another of lying or being a liar. In the plenum of 15 September 1907 during a debate on bakery work, Representative Helle ventured the opinion that Repr. Danielson-Kalmari, when reading the following day's newspapers, would understand that he had lied in the Eduskunta (*Valtiopäiväasiakirjat* 1907-1908, *PTK* 32/1907, 2127-8). The statement led to the Speaker's intervention and call to order. In the Eduskunta, the absence of "liar" and "lying" was based on a well-learned practice. In the late nineteenth century Diet, accusations of lying had been ruled out by the estates' practices and procedures.

Even though "liar" and "lying" did not appear in the Eduskunta's vocabulary, personal allusions were acceptable and led to heated disputes. This feature of the Eduskunta's procedure was seen as a weakness compared to the British parliamentary tradition (on personal allusions, see May 1883, 373). In the Eduskunta, several rhetorical tactics became popular ways of circumventing the rules of parliamentary language. Firstly, instead of calling a member a liar, the accusation of falsehood was aimed at his/her argument instead of person. For example, according to Repr. Renvall the argument for shorter workday in bakeries was based on an argument "not identical with the truth":

The argument that has been brought up for an even shorter workday than is in the proposition under discussion is based on the claim that longer workdays are used to prevent workers from participating in educational activities. As I cannot regard this argument as identical with the truth, I must act against it (*Valtiopäiväasiakirjat* 1907-1908, *PTK* 32/1907, 2065).

Another tactic to avoid direct personal insult was to state that an opponent spoke against his or her better understanding, or that his/her statement was based on a lack of information. This type of statement seemed to deny, at least partly, the intention to lie:



Repr. Turkia: “Concerning Repr. Ingman’s speech, I wish to point out that while he tried to convince us that the Social Democratic Party had published and circulated Ingersoll’s books, and that the actual author of these books is a Social Democrat –all the things he stated can make one believe– that Repr. Ingman, whether intentionally or unwittingly, lied” (*Valtiopäiväasiakirjat 1907-1908, PTK 39/1907, 2685*).

Repr. Danielson-Kalmari on Repr. Sulo Vuolijoki: “The previous speaker’s statement includes, again, so many things that verge on distortion, that the listener has problems deciding which word to use to describe it. [...] Everyone who has followed the Diet debates on the issue, in the committee and in the estates, knows that his presentation is totally false. [...] His argument holds an extreme amount of falsehood, albeit it does hold an ounce of truth” (*Valtiopäiväasiakirjat 1907-1908, PTK 7/1908, 46*).

The second example illustrates two other tactics used to avoid unparliamentary language. The first is a reference to partial truths. A presented argument is not seen as either true or false, but the scale between the two is regarded as gradual and sliding. The second tactic aims at challenging the opponent’s person and integrity by referring to personal characteristics and repeated falsehoods without *mens rea*. Paasikivi on Sulo Vuolijoki:

It is understandable, that, at this moment, the Left tries to use every single opportunity for party agitation at the Eduskunta’s rostrum. When it comes to Representative Sulo Vuolijoki, nothing that comes out of his mouth surprises me, nor I guess does it anyone else. But I have to say, I was astonished by his previous statement, because usually he puts at least some truth in it, but this time there was hardly any (*Valtiopäiväasiakirjat 1907-1908, PTK 24/1908, 565*).

Malmivaara on Jalava: “[...] I guess even more seats would be empty if I started an argument with Repr. Jalava and other speakers like him on the influence of the Church. I have good grounds to admit that his speech concerning the Church and the Clergy had much truth, but only half of it. The other part was the opposite of truth” (*Valtiopäiväasiakirjat 1907-1908, PTK 39/1907, 2653-4*).

The citations from the first sessions of the Eduskunta illustrate the often heated character of the early plenary debates. The Eduskunta was torn apart by deep party conflicts and competing understandings of the goals and means of parliamentary work. In this context the rules and practices of parliamentary speech were still in dispute. It is notable that the expressions used to avoid unparliamentary language were in many cases intentionally so loaded and obvious that they could convey the same meaning as the words they substituted. In the early Eduskunta, instead of lying, there existed euphemisms referring only to personal misunderstanding, lack of information or varying degrees of truth and falsity.

## CONCLUSIONS

The foundation of the Eduskunta's procedures in the debates of late nineteenth and early twentieth centuries was essentially Swedish. However, already in the nineteenth century Finnish political actors were showing remarkable interest in other parliamentary traditions. This interest was manifested in the press, which became important in the contextualisation of Finnish reform. In the Parliamentary Reform of 1906 and the early Eduskunta, more varied European influences were expressed. Competing views on the proper interpretation of the Parliament Act and the establishment of practices were presented by referring to foreign models.

The early Finnish debates reflect an understanding of parliamentarism as a procedural mode of speech and debate. The early stages of the Eduskunta offer interesting examples of the process of learning and formulating practices on parliamentary speech in a situation, where no established tradition existed. The pride in rising to the ranks of genuine parliaments led to an admiration for foreign exemplars such as the British House of Commons: they had a significant role in the early teaching in Finland about the parliamentary and the restraining of unparliamentary features of debate.

Parliamentary language is often connected to respect and civility towards fellow parliamentarians. Rules and practices on parliamentary and unparliamentary language play, however, a more significant role in the parliamentary *modus operandi*: they are time-saving devices that help to avoid protracted and time-consuming disputes. The aim of parliamentary procedure is to structure and regulate disputes. Procedures that regulate what can be discussed and how serve not only to preserve mutual politeness and respect, but ensure that items on the agenda are discussed without sidetracking into insignificant and time-consuming quarrels. This, as the classic texts on procedure as well as the Finnish reformists correctly understood, adds to the value of parliamentary work and to the quality of debate.

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