



Written by [Joe Wolverton, II, J.D.](#) on October 4, 2023

The History of the Speaker of the House, Part 1

In light of the historical ousting of Kevin McCarthy as speaker of the House of Representatives — the first time a man was removed from that office by vote of the body — it is important to recalibrate our understanding of the intended authority of the speaker of the House. Through this review of the history of this powerful office, we will witness the gradual accumulation of powers never imagined by the men who established the position via a clause of the Constitution that was neither debated nor discussed during the Convention of 1787.



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The office of the speaker of the House of Representatives in the United States is a venerable position that has played a pivotal role in the country's legislative process since its inception. Rooted in the U.S.

Constitution, the speaker's role has evolved significantly over the centuries, shaping the course of American politics and governance.

The speaker of the House, as we know it today, finds its origins in the U.S. Constitution. Article I, Section 2 of the Constitution states, "The House of Representatives shall choose their Speaker and other Officers." This simple provision established the speaker as the presiding officer of the House, an office soon tasked with maintaining order during debates and discussions.

When our Constitution took shape, the visionaries at the Constitutional Convention spared little time discussing the House of Representatives. This was the result of the fact that the House was no newcomer to the political stage; every colony had long boasted its own version of this legislative body, albeit under distinct names. Interestingly, the clause in the Constitution dictating that the House selects its speaker and other officers was not debated at all, as far as the record kept by James Madison and others reveals. Why such swift acceptance? There's a fascinating historical backdrop to this.

You see, this clause wasn't some innovative creation, but a hand-me-down borrowed from the state constitutions of 1776, a pivotal year when the colonies boldly shook off the yoke of British rule. It was a cherished tenet of liberty; an outright rejection of the overbearing tendencies exhibited by royal governors, who had, at times, blocked speakers chosen by colonial assemblies.

So, it's safe to say that the Constitution didn't *create* the speaker of the House; it simply recognized an existing institution. Delving into the Convention's records, it becomes abundantly clear that the speaker they adopted wasn't some faceless figure from across the ocean.

No, they had an intimate familiarity with this individual — the speaker of the colonial house of representatives. They knew this figure up close and personal, not the abstract concept of the speaker of the House of Commons, a distant figure they only knew in theory.



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What about those colonial speakers, then? Were they just impartial figureheads, or did they wield influence as fiery party leaders? We can assert with confidence that many of them were indeed formidable party leaders, both in their personal convictions and in their roles as speakers. This characteristic was particularly prominent in the decade leading up to the Revolutionary eruption — a period that the framers of our Constitution not only remembered vividly, but in which they actively participated.

Take, for example, James Otis, who assumed the role of speaker in the Massachusetts house in 1766. Otis was such a dynamic leader on the side of liberty that the royal governor, wielding authority that would later be swept away by the Revolution, vetoed his election. Similarly, in 1771, Speaker Noble Wimberly Jones of Georgia faced a governor's disapproval for being anything but a neutral presiding officer; he was, in fact, a staunch advocate for liberty. Georgia wasn't an exception, as in 1765, most representatives, at their speaker's urging and against the governor's wishes, pledged allegiance to a Continental Congress.

And in 1774, it was Peyton Randolph, the speaker of Virginia's House of Burgesses, whom Bancroft aptly dubbed the "voice of the people against the crown's representative." Randolph led the charge against Lord Dunmore, illustrating the influential role colonial speakers played on the cusp of revolution.

So, we see that the colonial speakers of old, the ones who served as the blueprint for the great speakers of our national House of Representatives, were envisioned by the likes of Washington, Franklin, Hamilton, and their peers in the crafting of the 1787 Constitution.

This brief recitation of the historical record reveals that the speaker imported into the federal Constitution wasn't just a bland, non-partisan referee. This spirit of active leadership continued into the early days of the new government. Take Jonathan Dayton, for instance, who held the speaker's gavel from 1795 to 1798. He was so passionately engaged in partisan debates on the House floor that he even got a stern talking-to from the temporary chair.

And there's the legendary Henry Clay (serving as speaker in 1811 and 1823), who couldn't resist diving into political skirmishes as a matter of habit, often mixing it up in committee debates. It wasn't until the days of Carlisle and Reed that speakers started to dial down their participation in debates, and that was done deliberately to avoid excessive partisanship.

Surprisingly, then, today's speakers, when it comes to their role as impartial presiding officers, are arguably less partisan than their predecessors — despite the internecine donnybrooks that have seemed to surround that position for the past several decades, culminating in the ouster of a speaker for the first time.

A follow-up article will follow the expansion of the power and prominence of the speaker of the House.



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