



## Parliamentary Book Shelf

**Sir John George Bourinot: Vistorian Canadian-His Life, Times and Legacy, McGill-Queens University Press, 2001.**

Throughout my over thirty years of procedural service to the Legislative Assembly of Saskatchewan, the Senate of Canada and the University of Saskatchewan, three parliamentary authorities have been my guides. Sir Erskine May, a Clerk of the House of Commons, Westminster, wrote *Treatise on the Law, Privileges and Usage of Parliament*, an authority on British parliamentary rules and precedents. Arthur Beachesne's *Parliamentary Rules and Forms*, is the Canadian version of May and has, until recently, been the authority used by the Canadian parliament and the provincial legislative assemblies. The third of the procedural triumvirate was Sir John George Bourinot with his *Parliamentary Procedure and Practice in the Dominion of Canada*, originally published in 1884. The fourth and last edition of Bourinot was published in 1916, but it is still a useful discussion of parliamentary principles. Bourinot offered the logic behind a particular procedure. He also wrote a procedural handbook for the layperson who was working with municipal councils or community meetings.

But who was John George Bourinot? Up until now, little was known of this parliamentary proceduralist and former Clerk of the House of Commons for 22 years? Margaret A. Banks, Professor Emeritus of Law and former law librarian at Western University has

attempted to answer this question in her biography of Bourinot. The timing of this book is perfect, coming out less than a year after the publication of Marleau and Montpetit's *House of Commons Procedure and Practice*, which was the result of the "Bourinot project". Banks' book is well researched and documented with nearly one hundred pages of endnotes. However, a detailed bibliography would have been helpful to the student of procedure.

Bourinot was born in Cape Breton, Nova Scotia and during his early working life, became a journalist. His newspaper articles and editorials shed some light on his thoughts and the times but Banks did have difficulty in knowing all that Bourinot wrote since, in those days, many letters or articles in the newspaper were unsigned or signed with a pen name and newspaper editorials were unsigned. Nevertheless Banks does an excellent job of ferreting out Bourinot's work.

Since Bourinot learned shorthand and reported on legislative debates for the newspaper, it was an easy transition to becoming a legislative "Hansard" reporter. His father was a member of the Nova Scotia legislature and later, a member of parliament, so John George Bourinot's connection with political circles was obvious.

In the discussion of Bourinot's early life, Margaret Banks had to rely on sketchy resource material. As a result, she has gone to great length to show how she tried to fill the gaps in the description of

Bourinot's life. It is frustrating to the reader how often the author uses the word "probably" to describe what Bourinot may have been doing or where he was in his early life. The documentation obviously improved for Bourinot's mid and later life because the narrative becomes more complete with fewer suppositions. The reader has to have sympathy for Banks because she noted that Bourinot did not keep copies of letters he sent to others. Banks was forced to piece the puzzle together based on only one side of the story, the incoming mail.

The biography shows a great difference between parliamentary officers then and now. Bourinot wrote articles on political events and even on politicians. Although he used a pen name, it was apparently quite well known that the writer was Bourinot. When Bourinot was an officer of the Canadian House of Commons, the opposition complained about the practice, in general, of House of Commons officers commenting on partisan politics. Prime Minister Macdonald agreed and Bourinot, even though he was not the particular object of the criticism, discontinued his political articles. However, this did not stop him from writing about parliamentary procedure and constitutional questions. It is hard today to imagine a parliamentary officer making public partisan political statements like Bourinot did.

Alpheus Todd, the parliamentary librarian, was the first to write a guide on the Canadian constitution. In 1884, Bourinot published the first edition of *Parliamentary Procedure*

*and Practice* which became the Canadian parliamentary procedural guide for many decades. Bourinot did not intend the book to be a discussion of particular rules, but instead it was to be an outline of parliamentary principles. Bourinot, as Clerk of the House of Commons, served seven different Speakers and the biography gives some flavour for the political turmoil of that time. He became not only a noted author of procedural works but also was known as Canada's first political scientist. He published *How Canada is Governed*, a guide for the public on Canadian governance. He wrote his books while at the Table in the House or at his cottage at Kingsmere. He had close ties with the British system of government and admired the Westminster model of responsible government. This did not mean though that he was anti-American. He wrote that it was acceptable to use American procedures in meetings as long as the full implications were understood in advance. It was not uncommon for Bourinot's letters of procedural advice to be published and to become part of the procedural debate. This is in contrast to the practice today of the Clerk's advice to the Speaker or members being private. The partisan profile of the Table officers today is virtually nonexistent in comparison to Bourinot's times. Bourinot wrote not only on procedure and the con-

stitution but also on history and literature.

Banks does an excellent job in analyzing and describing Bourinot's written work in the many fields including his work in the formation of the Royal Society of Canada. However, there is one aspect of the biography that is missing. Who was Bourinot as a person? Chapter eleven is dedicated to a description of his family life but it deals mainly with his children and his third wife and not about him. There is a vague reference to Bourinot having depression after his second wife died. The biography does not mention whether the depression was long term or the extent of the ailment. Was he incapacitated and away from work or was this depression a passing phase, part of his mourning the loss of his second wife?

The biography shows us Bourinot as a historian, proceduralist and political scientist. From his written work, we know what he was thinking professionally but the personal side of the man seems to be missing. Perhaps the documentary evidence does not show the inner man but this is a disappointing aspect of the biography. When Bourinot died in 1902, it is sad to note that the House of Commons, when next in session, did not express condolences on his passing. The records show only the announcement of his replacement.

Margaret Banks expresses disappointment in the failure to continue publication of further editions of

Bourinot's procedural manual. When Sir Erskine May died, his successors at the British Table did periodic revisions and published subsequent editions. In contrast, after the 4<sup>th</sup> edition of Bourinot in 1916, there have been no further revisions. Arthur Beauchesne, a later Clerk of the House considered updating Bourinot's work but instead published his own *Parliamentary Rules and Forms*. The Bourinot legacy was allowed to lapse.

Notwithstanding the gaps in the account of Bourinot's early career and the lack of insight into Bourinot, the man, Margaret Banks has contributed greatly to the understanding of the written work of John George Bourinot. She gives an excellent description and analysis of his work and his discussion of parliamentary procedural principles. She brought to light the times and legacy of John George Bourinot, a largely forgotten Canadian leader in procedural and political thought. He wrote not only for the procedural experts, but offered guidance to the layperson who was trying to organize a public meeting. This is truly recognition of the work of a forgotten man.

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