

the result is not only a biography of Turnbull but also a case study in how a scholarly resource comes into being. The production of the book is in every detail worthy of the author's work.

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*The Durham Report and British Policy: a Critical Essay.* By Ged Martin. Cambridge University Press, 1972. 120 pp. U.K. price: £2.60.

This is an important and challenging book which should be widely read — though unfortunately the print is so small and close-packed as to be something of a deterrent to readers. The argument of the book is that Lord Durham's report had much less influence on events than has generally been thought and that the central importance which most historians have attributed to it in the growth of the Commonwealth is based on a myth.

It will be granted that Mr Martin has made a more thorough examination of private papers bearing on Cabinet discussions of the Canada question than any previous historian and this enables him to make some interesting points. It was largely to appease Howick, he says on p. 8, that Melbourne sent Durham to Canada; but, he argues, 'there was little they could do at that distance of time and space to influence the crisis in Canada. The immediate concern of the Melbourne Government . . . was not to save Canada but to save themselves' (pp. 11–12). It may be so, but it is stretching a point to say that 'Durham was appointed to govern Canada, not to report about it.' Surely a report is implied in Lord Glenelg's remark in his despatch of 20 January 1838 that 'your Lordship will probably have to recommend the adoption of some legislative measure in this country.' And though he had resigned his post, Durham in the House of Lords debate after he had submitted his report, said 'I was urged repeatedly by Her Majesty's Government to produce this report at as early a date as possible, in order that it might be ready before the meeting of Parliament.' This hardly bears out Mr Martin's remark that 'he had no right to expect that it would be treated as a public document' (pp. 28–9).

Mr Martin is no doubt right in saying that the report had a poor reception from the British public and press, though in fact there was little interest and less knowledge about Canadian questions outside a small circle. His argument that 'Ellice's scheme for Canada Union was the more influential' seems justified by the evidence and it would seem therefore that the common conclusion that the decision to unite Upper and Lower Canada was a victory for Durham is not well founded. But after all it was responsible government rather than union that was the key to the development of Canadian self-government and in the long run British North American view's of Durham's recommendations mattered more than Great Britain's. As early as April 1839 Hincks was urging La Fontaine that 'A really responsible Executive Council would accomplish all that we want . . . . As to the Union question, you should not mind Lrd D.'s motives but the effect of the scheme'; and in Nova Scotia 'Durham's *Report* had run like wildfire in *The Nova Scotian* to every village of the province'.<sup>1</sup> Mr Martin makes too much

of Durham's reservations, given the climate of opinion at that time. Robert Baldwin, in his letter to Durham in August 1838, had said 'The Imperial Parliament is the tribunal in whose hands should be retained all the powers of general legislation essential to the welfare of the Empire as a whole.' There could be no Minerva birth of the Commonwealth, and indeed perhaps Minerva has been a little too busy lately producing independent states. A self-governing dependency was indeed, in Cornwall Lewis's and now in Mr Martin's opinion, a contradiction in terms, but for the rest of the nineteenth century the anomaly worked. This was no doubt largely due, as Mr Martin explains, to the more flexible conception of responsible government worked out by Grey and Elgin; but how do we know that Lord Durham, had he lived, would not have let responsible government adapt itself to changing conditions? Mr Martin makes light of Elgin's letters to his newly-married wife on his indebtedness to her father. But when Elgin says, in a letter quoted by Walrond but not by Mr Martin, that he has 'adopted frankly and unequivocally Lord Durham's view of government', one is surely entitled to infer that this was the starting point of his policy and had probably been the basis of his discussions with Lord Grey, whose famous despatch to Sir John Harvey in Nova Scotia had been written before Elgin left for Canada.

Whether or not Mr Martin's interpretation is accepted, his final chapter on 'The growth of the Myth' contains some interesting material. Canadian Confederation, he says, 'gave rise to the first stirrings of the mythology which came to surround the Report.' It was the Home Rule controversy of 1886 and even more the South African situation after the Anglo-Boer War and the high tide of Liberal Imperialism which followed the revived interest in the Report and gave it the status of the Magna Carta of the colonies. In a well-written if rather rhetorical conclusion, Mr Martin refers to the transformation of Empire into Commonwealth and suggests as an explanation one 'which interprets the history of the Empire-Commonwealth less in terms of the brilliance of Durham's prose and more in terms of the variations of British power.' Nevertheless it may be that one result of Mr Martin's critical essay will be to send his readers back to the Report itself. It is still well worth reading.

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<sup>1</sup> Chester Martin, *Empire and Commonwealth*, Oxford, 1929, pp. 258, 180. The *Nova Scotian* was Howe's paper.

*Sovereignty and Protection: A Study of British Jurisdictional Imperialism in the Late Nineteenth Century.* By W. Ross Johnston. Duke University Press, Durham N.C., 1973. vii, 357 pp., bibliography. U.S. price: \$9.75.

STUDENTS of the imperial frontier have long needed a thorough study of the nineteenth-century concept of 'protectorate'. Professor Johnston has made a distinguished contribution to our understanding of the legal evolution and practical meaning of the term within a wide context of African, Far Eastern and