

2ND PRIZE

~~Comment~~

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Royal Empire Society.

Essay competition.

Class B

"Describe the work of the First Lord Durham
in British North America and discuss
its importance for the Empire as a whole."

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F. I. Spite.

Born on 12th April 1792, John George Lambton, afterwards first Earl of Durham, was destined, in his comparatively short life of 48 years, to play a leading part in shaping reforms, the tremendous influence of which, even he, far-sighted as he undoubtedly was, could not have been able to visualize; and which entitle him to the distinction of being, "the greatest Colonial Statesman in British history."

British people of today are inclined to take for granted and to accept as commonplaces, such factors ~~as~~ as democratic government in the Empire; and the relationships to the throne of the communities comprising the Empire. A little over 100 years ago, government in Great Britain, far from being democratic, was in the hands of a privileged few aristocratic land-~~owners~~ owners, and the mass of the people had no vote or say in legislation; while most statesmen, believing that colonies, when strong enough, would naturally fall away as America had done, took no pains to prevent such a result.

Lord Durham, however, was fired with an ardent enthusiasm for democratic ideals, and upon his Bill of 1821, was modelled the Great Reform Act of 1832, by which was inserted into British ~~polo~~ politics, the thin end of the wedge of adult suffrage. Again, the Durham Report on the affairs of North America, that crowning achievement of Durham's illustrious life, gave to the British Government, a new conception of the relationship between the colonies and the Mother Country.

F. G. Spite

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Apart from his profound influence on Parliamentary Reform and colonial administration, Durham won distinction as a diplomat and an ambassador, partly responsible for settling the question of Belgian Independence; for maintaining good relations with Russia; and for his connection with the first attempt to colonize New Zealand. Paradoxical as it may seem, he was at once the fiercest Radical in the ranks of the Whigs and the greatest Imperialist in the Lords; the wealthy owner of extensive collieries and proud of his name and position, yet the staunchest fighter in Parliament for the rights of workers, and associated with many laudable movements to improve the lot of workers; and though handicapped all his life by serious ill-health, he was an energetic worker, grappling with weighty problems that might well have daunted a healthy man.

In December 22nd, 1837, when the startling news of the Canadian Rebellion reached England, Statesmen generally considered that the wisest course would be for Britain to rid herself of this remote, and worse than worthless, colony. With the exception of Durham, the Tories, Whigs, and Radicals alike, disagreed only on the manner in which separation should be effected. Durham alone, took that high-minded, imperialistic & patriotic view that has done so much to build up the Empire. He accepted, at great personal sacrifice, the position, which five months previously he had refused - that of Governor General of Canada, and undertook the arduous task of trying to settle, by reasonable

means the affairs of the Canadas. On this mission he was given wide and dictatorial powers, a commission of experts to investigate land, legal, and other matters; but from his instructions he received neither guidance nor restraint. No ~~sovereign~~ sovereign has ever possessed in England, the power which Durham was given in Canada.

Lord Durham found that in both Lower and Upper Canada the population was sharply divided into apparently irreconcilable factions. Antagonism towards the existing Constitution was a source of trouble in both; but in Lower Canada the clash was aggravated by ~~social~~ racial and industrial differences, and he found, to use his own famous phrase, "two ~~P~~ people warring in the bosom of a single state."

French-Canadian farmers, after having lived for generations their simple, easy-going, and unchanging life, preserving their own language and religion, were harassed by the influx of an ever ~~on~~ increasing number of bustling English merchants and traders, who had so little sympathy with the old customs and traditions, that they were anxious to sweep away everything that hindered efficiency in business. Pride in their French-Canadian blood caused the settlers to become suspicious and to cling more jealously to the old ways, while the impatience and intolerance of the English increased, as their progress was hindered.

No racial problem existed in Upper Canada, because it had been settled by ~~Loyalists~~ Loyalist Americans, who had fled to Northern Canada, rather than take part in a rebellion against Great Britain; and later on by Americans, who

though perhaps not loyalists, became good Canadians, and who, with most of the older settlers, were imbued with the democratic spirit of the American colonies and the early United States. Another source of immigration was Great Britain, ~~from~~ whence, after the Napoleonic Wars came settlers, most of whom were ardent supporters of Parliamentary Reform. It is noteworthy that most of these settlers came from Northern England and Scotland, where the spirit of Reform was strongest and where Durham was most popular. Both Lower & Upper Canada had, then, in common, a grievance which had arisen from causes, almost the same as those which had led to the War of Independence.

Each province had a Governor and a Council ~~nominated~~ nominated by the Home Government, and a Legislative Assembly elected by the colonists. The Councils and the Assemblies were at loggerheads, owing partly to the colonists' resentment at power being given to members of the British ruling class, who ~~knew~~ knew little and cared less about the colony; and partly to the fact, that huge grants of land had been made to these 'outsiders', and to the Church of England, to which few colonists belonged, inasmuch as most of the Lower Canadians were French-Catholics while the Upper Canadians were mostly Presbyterians. Despite the fact that the Assembly was representative, the Government was oligarchic. The representatives of the colonists could discuss Bills, but could never set up a body to administer and execute the laws. In other words, the colonists had representative but not responsible government. To suggest permanent remedies for these

complex problems was the task which confronted Lord Durham. He solved the delicate question of disposing of the political prisoners in Lower Canada, by issuing a series of Ordinances, banishing the leading rebels without trial and pardoning the others. This generous and merciful gesture met with the approval of almost all the colonists.

Lord Durham set to work to convince the French colonists that he understood their point of view, and was their friend. He visited Upper Canada, and used his authority to restrain Sir George Arthur, the stern Lieutenant-Governor, from permitting the execution of any more political prisoners. From Nova Scotia and the other maritime provinces, he summoned delegations to meet him. As he visited the various towns, hearing the views of, and discussing the problems with the different factions, he made a wonderful impression on all parties and was a most popular figure. He had the enviable gift of being both able and willing to see both sides of a controversy; and of combining an engaging manner with the poise and dignity his office demanded.

His generous and friendly treatment of Americans broke down the barriers of reserve and suspicion, which had previously existed between Canadians and Americans; and our cordial relations with U. S. A. today, and the fact that we boast the longest unfortified, international frontier, with a proud record of over 100 years of peace, are closely related to Durham's achievements in Canada. The significance and romance attaching to this unguarded frontier have

probably never been appreciated as ^{they are} in these days of frightful conflict, and tortured, crumbling frontiers in Europe.

While Durham was busy with his constructive work in ~~Canada~~ Canada, his political enemies in England, shocked by what they considered his high-handed and illegal proceedings against poor, wronged, French-Canadian prisoners, caused the Home Government, for selfish reasons, to disown his actions and cancel his ordinances. The Ministry complained, too, that Durham had failed to supply information necessary for answering questions in Parliament. It is interesting to contrast this outcry by statesmen in Britain, with the almost universal satisfaction the ordinances had produced among the colonists on the spot.

The London Times made this reasonably accurate summing up, "True to their base and selfish interests, the time-serving Whigs..... finding their Cabinet to be in dangerous waters, they have thrown him and his Ordinance overboard in order to save themselves."

Immediately he knew of the Government's desertion, Durham resigned his office and returned to England. Instead of vindicating his conduct as he might well have done, he put personal considerations aside and set about writing his Report, from the comprehensive mass of material he and his commissioners had collected in Canada. The Report appeared in February, 1839 - just five days before Durham's death.

A large part of the Report dealt with a history of the causes of the Canadian problems, and if some of the statements were misleading in

a purely historical sense, a mass of valuable information was contained, nevertheless. The rest was concerned with the constructive recommendations, which were the starting point of a line of policy, which led to the establishment of the Empire, as it exists today.

Although, as seems usual with any masterly work, various mean and profitless attempts have been made to ascribe the authorship of the Report to others, rather than to Durham, those historians most competent to ^{judge} ~~judge~~, agree that Durham ~~wrote~~ his own Report.

The Union, (1840), though faulty, and a failure in many respects, created the germ of a nation, and paved the way for the federal system, which had been visualized by Durham, and which (1867) brought together into a United Canada, all the provinces; but under which, each province possessed its own parliament and Government, for carrying on its local affairs.

✓ One excellent result of the Federation was that French-Canadians, whom Durham realized could never become Anglicized, preserved not only their language and institutions, but that peculiar pride of race which probably was not fully understood or appreciated until after their ~~very~~ magnificent conduct during the Great War.

The Report contained sound advice on Municipal Government; Public-works; Communication; the Independence of judges; and improvement in the Jury laws. Durham deprecated any attempt by the Government to place the Church of England in a privileged position, and advocated equal treatment for all denominations.

Competent and critical historians have described the Report as, "The Magna Charta of the

colonies," and have stated that it, "laid down the foundations of colonial liberty that have given to British Imperialism whatever qualities of endurance it possesses."

The readiness with which the British Government granted self-government to Australia, 1856, Cape Colony 1842, and New Zealand 1857, was a direct result of the Report; and today, each Dominion of the Empire is daughter in her Mother's house ~~as~~ but Mistress in her own.

Gradually, almost every shackle has been removed from the Dominions' sovereign power, till there remains but one link, besides that of common blood and common heritage — they are united by a common allegiance to the Crown.

Twenty-five years ago, the real strength of this loose and seemingly easily-broken tie was demonstrated to the world; and early in September of this year, the roll of answering drums again encircled the world of British Dominions, to prove that our Empire is knit by bonds, more firm, than any vaunted, steel-bound Axis.

The changes which Lord Durham advocated for the appeasement of Canada, and for the continued loyalty of the colonies, were, in his time, so revolutionary, that the contemporary eye was quite unable to appreciate their magnitude; but, with the passing of 100 years, History has known how to measure the tremendous debt of gratitude, our whole Empire owes to this noble and enlightened Earl.

"Amid earth's vagrant noises, he caught the note sublime."

List of Books Read

Lord Durham - Chester W. New, Ph.D.
The Earl of Elgin - G. M. Wrong, M.A.
The Cambridge History Series.
The Encyclopedia Britannica.
The Short Modern Commonwealth.
Lord Durham's Report - Sir C. P. Lucas K.C.M.G.