

HERMAN MERIVALE AND THE BRITISH EMPIRE, 1806-1874,

WITH SPECIAL REFERENCE TO

BRITISH NORTH AMERICA, SOUTHERN AFRICA AND INDIA.

A dissertation submitted in fulfilment of the degree of

Doctor of Philosophy

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## Abstract

This dissertation is a study of Herman Merivale's relationship to the British Empire from 1837, when he first began to take an interest in the subject, until his death in 1874. The most important aspect of Merivale's career was the great discrepancy between his imperial ideas, formulated when he was a professor of classical political economy at the University of Oxford, and his administrative career as permanent undersecretary at the Colonial and India Offices from 1847 to 1874. When confronted by the enormously complex problems of the Empire Merivale's ideas changed considerably. The idealistic liberal panaceas which he had put forward in his Lectures on Colonization and Colonies in 1841 were inadequate and his administrative career was largely characterized by failure. As Merivale realized by 1860 the Colonial Office was incapable of dealing with, much less ruling the white settlement colonies. At the India Office from 1860 to 1874 he had scant opportunity to influence British policy because of his own inexperience and the manner in which the British government was attempting to govern India after the Mutiny of 1857-58.

The introduction and Chapter one analyze Merivale's ideas concerning liberalism and the British Empire from 1806-1874. Chapter two evaluates his role at the Colonial Office. Chapters three through eight compare his ideas and actions upon what Merivale conceived to be the most important problems facing the Office: free trade, colonial self-government, the "native" question and its administration, the Hudson's Bay Company's monopoly and licence of exclusive trade

in the Pacific Northwest and Rupert's Land. Chapter nine briefly describes Merivale's ineffective and miscellaneous role at the India Office. Although Merivale's private papers have not survived there is no dearth of source material. This study is based upon manuscript collections of Merivale's colleagues, his minutes and memoranda at the Colonial Office in the Public Record Office as well as his written work at the India Office in the India Office Library. His published works, especially the two editions of his Lectures and his essays in the leading Victorian periodicals are also essential in understanding the changes in his imperial ideas from 1837-1874.

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## Abbreviations

B.C.P.A.	British Columbia Provincial Archives
B.M.	British Museum
C.M.	Cornhill Magazine
C.O.	Colonial Office Records
C.U.L.	Cambridge University Library
E.R.	Edinburgh Review
F.R.	Fortnightly Review
H.B.C.A.	Hudson's Bay Company Archives
H.C.R.O.	Hertfordshire County Record Office
I.O.L.	India Office Library
N.L.S.	National Library of Scotland
N.L.W.	National Library of Wales
P.A.C.	Public Archives of Canada
P.A.N.S.	Provincial Archives of Nova Scotia
P.R.O.	Public Record Office
P.P.	Parliamentary Papers
Q.R.	Quarterly Review

## Preface

There is one attitude which a study of the British Empire in the nineteenth century evokes and that is humility. The complexity of the imperial process is so great in both time and space that it is obvious that the generalizations which have been made in the past are of little use when examining a particular aspect of the British Empire, such as a study of the imperial career of Herman Merivale as a commentator and administrator. Nevertheless the work of the pioneers of British imperial historiography should not be denigrated. The research of W.P. Morrell, C.A.G. Bodelsen, P. Knaplund as well as the revisionists have all contributed to a greater understanding of early and mid-Victorian imperialism. This study would not have been possible without their efforts.

Merivale's private papers are not extant. As a consequence I had to travel to the many private manuscript collections and public archives in Britain and Canada in order to locate the enormous number of sources relating to his imperial career. In doing so I had unfailing aid and most pleasant experiences with librarians and archivists from Vancouver Island to the Cambridge University Library where the research was originally begun in March of 1973. My debt to all of these people is very great.

I would also like to thank a number of other people who helped to encourage me to complete this study. To Dr. J.M. Mackenzie I owe an especial thanks for permitting me to research this topic under his guidance from three continents, Europe, Africa and North America, and for his aid in writing innumerable recommendations for grants and

fellowships. Without this support, in the form of a Canada Council Fellowship in 1975 to 1976 and an Interuniversity Centre for European Studies Grant in the summer of 1975, I would not have had the time or the money to continue with my research. In this regard the History Department at Wilfrid Laurier University has also been helpful in allowing me to teach either on a full or part-time basis since the summer of 1973. I thank my colleagues at that institution, especially Dr. B.M. Gough, Dr. R.H. Dumke, Dr. D.A. Lorimer and Professor Harry S. Coblentz at the University of Waterloo for their constant criticism. The actual typing of the dissertation was done at a remarkable speed and accuracy by a number of people, Edith Whitney, in particular, one of Canada's native peoples, stepped into the "imperial breach" when my original typist, an alcoholic "white settler", failed to produce. This dissertation was therefore only typed in time, ironically, with the aid of "native labour".

Above all, I wish to thank my colleague and wife, Ute, for her stylistic and grammatical appraisals of my work during the past four years. I could not have had a better critic. Nevertheless I can only take full responsibility for all the weaknesses of this dissertation.

## Introduction

A study of Herman Merivale's career is significant because of his involvement in the problems of the British Empire for over thirty-five years as an influential administrator and commentator. His ideas and actions accurately reflected the dilemma of the early and mid-Victorian Empire--the conflict between an imperial policy that was intent on economy and consolidation and yet an Empire which expanded rapidly. The cause of this expansion was the encounter between the agents of Empire and the social and economic characteristics of each region within the British Empire.<sup>1</sup> Merivale was, by 1860, very critical of the consequences of the actions taken by himself and his colleagues at the Colonial Office, but he had no solutions for imperial problems. For various reasons, he was also unable to effect any change at the India Office from 1860-1874.

While most British imperial administrators were attempting to implement new panaceas for the devolution of British responsibility for the white settlement colonies, Herman Merivale was attempting to deal with the practical problems involved in the changing relationship between Britain and these colonies. As a consequence he was more cautious in his espousal of imperial policies such as responsible government and federalism. Unlike his predecessor, James Stephen, and his successor, Frederic Rogers, Merivale, as permanent undersecretary at the Colonial Office, was not at all certain that responsible government or imperial federation would provide satisfactory solutions for imperial problems. He realized that the most important

problems with which the Empire had to deal was the conflict between the demands by the white settlement colonies for political freedom and the needs of the native population for protection against the white settlers. British imperial policy, or more accurately the process of policy formation, was delicately balanced between liberalism and imperialism. British imperial administrators had to be liberal with regard to the requests of the white settlement colonies for internal self-government because there was the danger that these colonies might leave the Empire as the Thirteen Colonies had done during the American Revolution. At the same time they had resolved to protect the aboriginal population from the white settlers. Merivale recognized that when these disparate interests clashed, as they frequently did during the early and mid-Victorian period, the dilemma which was created for the imperial administrator was almost insoluble.

During the past twenty years the nature and consequences of British imperialism in the nineteenth century have been vigorously debated. No attempt has, however, been made to evaluate the role of Herman Merivale in this process. Merivale has not been ignored by historians of the British Empire. In addition to his minutes written at the Colonial Office, the usual allusions are to his Lectures on Colonization and Colonies, first published in 1841 when he was Professor of Political Economy at the University of Oxford, and his article "The Colonial Question in 1870" in the Fortnightly Review, February, 1870. These references are, however, frequently taken out of context and are used to suit the purpose of the particular work. As a consequence Merivale has appeared fleetingly as a type of historical chameleon, usually as a "separatist" or an "optimist". Both appellations are misleading because they do not describe fully

Merivale's relationship to the British Empire.<sup>2</sup>

Merivale was not only an imperial commentator. From 1847 until his death in 1874 he was an administrator as well. In the former year he was appointed assistant undersecretary at the Colonial Office and, by March 1848 he had replaced James Stephen as permanent undersecretary. Until 1860 Merivale was the chief adviser to the Secretary of State for the Colonies. From 1852 to 1860 there were frequent changes of ministries because of political instability in Britain and he had a major role to play in the transition of the white settlement colonies toward colonial self-government. In 1860 he was appointed to a similar position at the India Office and became involved in the changes which occurred in the governing of India after the Mutiny of 1857-1858 but with much less effect. At the same time he continued to write articles on diverse topics for the leading periodicals of the day as well as biographies of two British imperialists in India, Sir Philip Francis and Sir Henry Lawrence. Despite this great activity, Merivale's work has not been adequately analyzed by historians of the British Empire.

A study of Merivale's career has not been undertaken for two reasons. One is that he left behind no collection of private papers as so many of his contemporaries had done, for example, Sir Edward Bulwer Lytton, and the third Earl Grey. Merivale's letters are scattered throughout the many private manuscript collections of his friends and colleagues, thereby making it very difficult to reconstruct his life and work. In addition, there have been relatively few studies of the early and mid-Victorian Empire.<sup>3</sup> The 1850's have been particularly neglected because, when compared with the 1840's and the "great struggle for responsible government" and with the 1860's with its "forward policy" of federalism,

this decade has appeared to be an imperial interlude. If, however, one views the 1850's as a decade of great economic and social change then the work of Merivale at the Colonial Office does not seem to be merely an appendage of the "titan", James Stephen.<sup>4</sup> During these years, problems of colonial self-government were worked out on a practical basis in each colony.

The references by British imperial historians to Merivale and his work have been for the most part inaccurate and contradictory. In C.A.G. Bodelsen's Studies in Mid-Victorian Imperialism he was categorized as a "separatist" and one of the chief "architects of the policy of abandonment in the Colonial Office". In this interpretation Merivale was depicted as an anti-imperialist who was attempting to rid Britain of its colonies.<sup>5</sup> Recent studies have revealed that the early and mid-Victorian Empire was certainly more imperialistic than Bodelsen thought it was.<sup>6</sup> Merivale has also been seen as an able administrator who was, unfortunately, working in a period of lull between two decades of spectacular constitutional growth. In this view he was an "optimist" concerning the fate of the Empire at least until 1870. After 1870 he was an imperial anachronism because his ideas and actions did not foreshadow that of the twentieth century British Commonwealth of Nations.<sup>7</sup> This explanation does not account satisfactorily for the changes which took place in Merivale's ideas from 1837 to 1874 nor does it judge him in the context of early and mid-Victorian imperialism. When evaluated in the latter framework Merivale was a competent, influential administrator as well as a critical and prescient commentator.

Merivale's influence on the decision-making process at the Colonial Office was significant. In the period before the



professionalization of the British civil service in the late nineteenth century the Colonial Office was run by men who, like Merivale, had other, mainly literary, interests.<sup>8</sup> Imperial affairs were run by a small group of administrators and politicians which included the Secretary of State, the permanent undersecretary, assistant undersecretaries and chief clerks. The remainder of the clerks were merely gradgrinds. Within the Office, Merivale's role was to read the despatches, comment on them in the form of a minute or a memorandum and then make a decision which would then be sent to the Secretary of State for approval. With the exception of major policy decisions which had to go to the Cabinet, other government departments and eventually the House of Commons, most of the recommendations of the permanent undersecretary were immediately acted upon by the Secretary of State. Once the despatches were sent to a particular colony, they were subject to the interpretation of the colonial governor or his representative.

Merivale's influence was circumscribed because the process of Victorian imperialism was a product of a complex situation involving a great many people who were operating in different contexts, in Britain or in the colonies, and within the severe constraints imposed upon them by time and distance. British imperialism in the nineteenth century can therefore only be understood by examining the work of various officials, commercial companies, indigenous populations, traders and missionaries within the context of the major economic, political and social forces of the century. This study will compare Merivale's ideas and actions with other imperial commentators and administrators and with the historical forces which were operating upon all of them. One of the most important of these was liberalism.

In the nineteenth century, liberalism meant a great many things to many people and much more than the Liberal political platform of "peace, retrenchment and reform".<sup>9</sup> Nevertheless, three characteristics were common to most nineteenth century British liberals. They included: the idea of individual political liberty, the economic policy of free trade and a faith in material progress. All three were present in Merivale's liberalism.

Merivale's faith in material progress was to a great extent determined by his view of the past. He adopted an eighteenth century German philosopher of history, J. G. Herder's idea that history was an organic, evolving process.<sup>10</sup> In the imperial context the growth of a colony to a nation was, in this view of history, compared to the growth of a child to maturity. Merivale also believed in the plurality of cultures, that each culture was different because it had developed at a specific time and in a particular place. Unlike Herder, however, Merivale did not entertain the idea that history was cyclical. He did not believe that all the basic characteristics inherent in one culture would in a later point in time be repeated in another culture. As a consequence, each society was not unique but always different. Unlike many other Victorians he did not believe that European civilization was innately superior but he argued that Britain was materially superior to that of any other country in the nineteenth century.

Merivale qualified the liberal doctrine of material progress. Modern European civilization was in many ways not better than that of ancient Greece or Rome. He even thought it probable that the original inhabitants of North America and Africa had experienced, at one time in their history, a civilization as intellectually and as morally advanced as that of Europe in the nineteenth century. Nevertheless, "each generation" did not

necessarily "enjoy the accumulated knowledge of preceding ones".<sup>11</sup>

Merivale's interpretation of both history and material progress was more discriminating than many of his contemporaries. However, another characteristic of his liberalism, free trade, was less discerning.

Free trade, for Merivale, was the unshakable foundation of his ideas concerning the British Empire and its future. He concluded that the more "mature", white settlement colonies would become full-fledged trading partners with Britain and then the Empire would become "a vast confederacy of nations". Separation would not necessarily follow inexorably. Merivale was not a "separatist" although he constantly recalled the separatists' metaphor of growth, with Britain as the tree and the colonies as the ripe fruit almost ready to tumble to the ground. He changed the analogy considerably. In his version the colonies were not the fruit of the tree but grafts from the parent stem. In time, instead of a complete break, the grafts would become new plants and would thus "afford a more pleasing object of contemplation than the slight changes which may be produced in the condition of the old familiar tree." It was not a question of "separatism" but rather the extent and the manner in which the colonies, when and if they became self-governing, would emulate the mother-country. Merivale never believed that the fate of the Empire would be decided by reference to any analogy whether propounded by "separatists" or any other group.<sup>12</sup>

From 1861 Merivale argued that the "colonial question" would never be answered simply by the rhetoric of "abstract political philosophy" or by totalling up a balance of "profit or loss" in any "imperial account book". Like the Thirteen Colonies at the time of the American Revolution the "colonial question" would be resolved by an imperial crisis. At this

juncture the most important factors would be the "irrational" ones. Imperial statesmen would be, he declared, more concerned with such intangibles as "a sense of national honour, pride of blood, a tenacious spirit of self-defence, sympathies of kindred communities, instincts of a dominant race and a vague but generous desire to spread our civilization and our religion over the world."<sup>13</sup> As a liberal Merivale attempted to solve the "colonial question" according to the circumstances of Britain and each colony.

Herman Merivale's career was significant for his work as an imperial administrator and commentator rather than as a profound liberal thinker. His ideas concerning the fundamental problem which confronted the Empire in the nineteenth century were important and influential.<sup>14</sup> He was primarily interested in colonial self-government and its relationship to the "native question", the need to protect the indigenous population from economic exploitation and ultimately, extinction. Merivale's attempts to solve this imperial problem created many conflicts in his ideas and actions. Until 1847 he had hoped, rather naively, that both liberalism in the guise of colonial self-government for white settlers and religious instruction for the native population would solve these problems.

Merivale discovered, as an administrator, that these liberal panaceas were divorced from imperial realities in each region of the Empire. He knew that the problems arising from white-aboriginal contact would never be satisfactorily settled because there were simply too many economic, political and cultural differences between Europeans overseas and the native peoples. At the same time Merivale's faith in colonial self-government was also shaken. For example, the colonial

legislatures were unwilling to become self-sufficient in such important areas as defence and adequate provision for the protection of the native population. After 1860, Herman Merivale's successors at the Colonial Office misunderstood the "native question" and failed to develop a native policy. Both the European settlers and the native peoples had to work out their own problems and, in this uneven struggle, the latter had little chance against the actions of white settlers, merchants, traders and missionaries.

By 1874 Merivale knew that no panacea such as responsible government, federalism or imperial federation would be able to provide a permanent solution to the problems confronting the British Empire. He completely rejected imperial federation as propagated by the "empire enthusiasts" from 1868-1871. This scheme was totally unpractical because the "imperial tie" was only "voluntary". No central authority could possibly create such an imperial "fabric" as imperial federation. Even if a central authority and the machinery to operate it were set up, it would immediately break down in any imperial crisis because the interests of Britain and the white settlement colonies were now too different. During the colonial agitation of 1869-1870, which followed Lord Granville's attempt to withdraw imperial garrisons, Merivale remained aloof. Like other "traditional defenders" of colonial interests he did so not because he lacked imagination. His administrative work in the Empire had made him aware of the complex problems involved and he was, therefore, more realistic than the "empire enthusiasts".<sup>15</sup> However, imperial federation was not Merivale's only bête-noire in the 1860's and in the early 1870's.

Colonial federation which had been put forward as an immediate solution for the political problems of Upper and Lower Canada was now

being implemented in southern Africa and the British West Indies. Merivale rejected this panacea completely. He argued that even Upper and Lower Canada with which he had a close association in the 1850's had not been ready to adopt federalism in 1867 and had done so only "to meet a mere emergency of local politics." The federation of these colonies had been "simply one of the casualties of human affairs" and was therefore not a model for other regions of the Empire.

In 1870 Merivale was more cautious concerning the future of the British Empire. He did not believe that the "Doom of Athens is already ours". With colonial trade thrown open to all nations and colonization at an end, the problem of maintaining the political and economic bonds of the Empire appeared to him to be almost "insoluble", but at the same time he was aware that many administrative changes would come with the development of "rapid telegraphic communication". For example, eventually "one central management" for colonial affairs would have to be created or they would continue to be "conducted without the slightest attempt at system or unity".<sup>16</sup> Merivale was also prescient with regard to the development of the so-called "new imperialism" in the late nineteenth century.<sup>17</sup>

In the following chapters the development of and the relationship between Merivale's ideas and actions as a commentator and an administrator will be analyzed. The first chapter will examine Merivale's early life, his attachment to liberalism and his interest in the British Empire from the 1830's to 1874. Chapters two to eight analyze and compare his ideas as an imperial commentator with the actions he took as permanent undersecretary at the Colonial Office from 1847 to 1860. The following

topics were chosen because of Merivale's primary interest in them: free trade and imperialism, colonial self-government, the "native question" and its administration and the Hudson's Bay Company. The last chapter will examine Merivale's limited role at the India Office.

Most of the examples of Merivale's work at the Colonial Office were taken from two geographical areas, British North America and southern Africa because these colonies were the primary objects of Merivale's attention as permanent undersecretary. They were considered by Merivale and his colleagues to be extremely valuable colonial possessions although not as economically advantageous to Britain as was India. A complete study of Merivale's involvement with every British colony would have taken many years of research and was far beyond the scope of this work.

## Notes to Introduction

1. In this dissertation I have followed closely the definition of the terms "imperialism" and "mid-Victorian" established by C.C. Eldridge, England's Mission, The Imperial Idea in the Age of Gladstone and Disraeli, 1868-1880, London, 1973, xv-xvii, largely because they are directly applicable to Merivale's ideas and actions.
2. For the most important examples of references to Merivale see the following: C.A.G. Bodelsen, Studies in Mid-Victorian Imperialism, London, 1960 (First Edition, 1924), W.P. Morrell, British Colonial Policy in the Age of Peel and Russell, Oxford, 1930, British Colonial Policy in the Mid-Victorian Age, Oxford, 1969, J.W. Cell, British Colonial Administration in the Mid-Nineteenth Century: The Policy-Making Process, New Haven, 1970, C.C. Eldridge, England's Mission, J.M. Ward, Colonial Self-Government, The British Experience, 1759-1856, Toronto, 1976, Ronald Hyam and Ged Martin, Reappraisals in British Imperial History, Toronto, 1975, B. Porter, The Lion's Share, A Short History of British Imperialism, 1850-1970, London, 1975. The most notable exception in which Merivale appears as the primary focus is A. Harvey, "Herman Merivale, The Colonial Office and the Australian Colonies, 1848-1860", Journal of the Royal Australian Historical Society, Vol. 60, Pt. 2, June 1974, 89-104.
3. The best studies of early and mid-Victorian imperialism from the perspective of London and the Colonial Office are the two books by Morrell above, Eldridge's England's Mission and Cell's British Colonial Administration. Until the 1970's the most influential was Bodelsen's Studies in Mid-Victorian Imperialism.
4. John M. Ward, "The Retirement of a Titan: James Stephen, 1847-50", Journal of Modern History, Vol. 31, 1959, 189-205. See also Cell, British Colonial Administration, 17. For a contrary view see H.T. Manning, "Who ran the British Empire? -- 1830-1850", Journal of British Studies, Vol. 5, 1965, 88-121.
5. Bodelsen, Studies in Mid-Victorian Imperialism, 35, 38, 45, 58. For the first comprehensive attack on this myth see J.S. Galbraith, "Myths of the 'Little England' Era", American Historical Review, Vol. 67, 1961, 34-48. For the first full-length revision see Eldridge's England's Mission, 25-52.



6. B.A. Knox, "Reconsidering Mid-Victorian Imperialism", The Journal of Imperial and Commonwealth History, Vol. 1, No. 2, January 1973, 155-172. Also see R. Robinson and J. Gallagher (with Alice Denny), Africa and the Victorians: The Official Mind of Imperialism, London, 1961, 472 and Cell, British Colonial Administration, 211.
7. Cell, British Colonial Administration, vii.
8. Ibid., 3-25.
9. G.S.R. Kitson Clark, An Expanding Society: Britain, 1830-1900, Melbourne, 1967, 12-13 and for its institutionalization see Harold Perkin, The Origins of Modern English Society, 1780-1880, London, 1969, 376-380.
10. Herman Merivale, Lectures on Colonization and Colonies, (Second Edition), London, 1861, 552-553. All further references will be made to this edition.
11. Herman Merivale, Historical Studies, London, 1865, 444.
12. Herman Merivale, "The Colonial Question in 1870", Fortnightly Review, N.S., Vol. 7, No. 37, February 1870, 153-175.
13. H. Merivale, Lectures, 675.
14. For Merivale's influence on his own age see, for example: Sir George F. Bowen, Thirty Years of Colonial Government, 1859-1888, 2 Vols., London, 1889, Charles W. Dilke, Problems of Greater Britain, London, 1891. James Winter, Robert Lowe, Toronto, 1976, 16. Merivale has remained of historical importance largely because of the Lectures which were originally published in 1841. A second edition appeared in 1861, reprints of the second edition were made in 1928 and in 1967.
15. Eldridge, England's Mission, 135-138.
16. H. Merivale, "Colonial Question in 1870", 175.
17. On this important question see the excellent analysis in Eldridge, England's Mission, 234-255.

## Chapter 1: Liberalism and the British

### Empire, 1806-1874

It is now commonplace for historians of the British Empire to assert that the causes and the consequences of the expansion of the nineteenth century Empire were both complex and pervasive.<sup>1</sup> Nevertheless, three main themes are usually evident in any work written on the subject: the nature of changes within British society, the development of colonial societies overseas and their relationship with the native populations after the initial period of contact. The extent of the British impact upon British North America, southern Africa and India varied enormously. These general statements concerning British imperial historiography are also applicable to a study of the career of Herman Merivale who spent most of his life engaged in these questions both as a commentator and as an administrator. More case studies of individual imperialists are necessary in order to understand more clearly the complexity of British imperialism in the nineteenth century.<sup>2</sup>

Merivale's imperial ideas and his actions were chiefly influenced by liberalism. His response to his own society and the Empire were derived from his professional middle class background.<sup>3</sup> Liberalism was the amorphous creed of the British middle class in the nineteenth century.<sup>4</sup> Liberal doctrines of moral and material progress, social, political reform and free trade were often interpreted in a bewildering

variety of ways. As a consequence its appeal was vast and debates concerning its tenets were fiercely waged in the leading periodicals of the day.<sup>5</sup> Merivale was a direct participant in these debates and he supported the idea of material but not moral or intellectual progress. He desired gradual reform in politics and education in Britain and the colonies and he believed in the efficacy of free trade. The latter tenet was most cogently argued in his Lectures on Colonization and Colonies which were initially delivered at the University of Oxford and published in 1841.

All of the elements which constituted nineteenth century liberalism, progress, reform and free trade, shaped Merivale's attitudes towards the British Empire. They were, however, applied in very different ways at various times throughout his career according to whether he was writing as an imperial commentator or minuting despatches as an administrator. These two roles were sometimes contradictory when they concerned such practical imperial questions as free trade, the "native question" and its administration and the development of colonial self-government.

Herman Merivale's life, until he became Professor of Political Economy at Oxford in 1837, was unusual if compared with his contemporaries in the professional middle class.<sup>6</sup> Born in 1806 as the eldest son of a poor London lawyer, John Herman Merivale, Herman Merivale, like his contemporary, Thomas Babington Macaulay, was a child prodigy. Despite a lack of money, Merivale attended Harrow because his uncle

had been the Headmaster. At Harrow Merivale excelled academically and this success led him to Oriel College, Oxford, where he studied literature and history. Graduating in 1827 he became, in the following year, a Fellow of Balliol College at the age of twenty-two.<sup>7</sup> While at Oxford he met Henry Maine, an acquaintance with whom he would work in the India Office in the 1860's.<sup>8</sup> If it had not been for his poor health in the early 1820's he would have obtained a writership in Bengal instead of going to Oxford. After a tour of Europe in 1829 he became a law student and was called to the Bar in 1832. When the revolution broke out in France in 1830 he rushed off to Paris to view these events. At the same time he began his literary career with articles to Blackwood's Magazine and a prize essay at Oxford on Socrates.<sup>9</sup>

During the 1830's Merivale married and settled down to life in London practising law and writing articles for the Edinburgh Review. He exemplified what has been identified as the "forgotten middle class"<sup>10</sup> and he saw his class just in those terms in 1845:

...the most helpless and least influential class of subjects. Of course the much more powerful body of the mercantile and manufacturing interest are partakers in the grievance, but perhaps to a less striking extent; inasmuch as their gain is greater from the remission of other duties on articles of consumption. The poor are exempt: their dissatisfaction might be dangerous. The higher class makes the law, and lays on the load with due regard to personal interest: the intermediate order must submit--the real peuple taillable<sup>11</sup> et corvéable à mercé et à volonté, of the nineteenth century.

By the time he was appointed Professor of Political Economy in 1837 Merivale, because of his education and profession as a lawyer, was a member of the professional middle class, but certainly not wealthy.

During the 1830's Merivale became a liberal. There is no evidence concerning his attitude to the debate on the passage of the Great Reform

Bill of 1832 but both his father and his uncle had been "staunch Tory".<sup>12</sup> His interest in history and literature, his decision to write for the Edinburgh Review, his growing concern with the relatively new science of political economy and his aversion to the Oxford Movement, all contributed to his conversion to liberalism.<sup>13</sup> The last reason contributed to his appointment as Professor of Political Economy at the University of Oxford almost by "default". The opposition candidate had unorthodox ideas concerning infant baptism which, in Merivale's words, "sealed his fate as a Political Economist, and I being protected by the obscurity of my tenets on these subjects, which have never been exposed to the public, got to windward of him."<sup>14</sup> He may also have been appointed because of his previous connections with the University although there is no firm evidence on this point.

While at Oxford, Merivale criticized the impact of the Oxford Movement upon the Church of England and, more particularly, its effect upon the University. The latter had, he believed, "become dead and spiritless--paralyzed from the dread which prevails of giving mutual offence. Men stand carefully aloof from free intercourse with each other on questions which excite them, and the place supplies no topics of neutral and harmless interest." Knowledge, he argued, should be placed on a plane with faith, if not above, because "all learning is discipline--all discipline self-denial--all denial has the nature of virtue." He concluded that the University should be a place of learning, not of promulgating a creed. The liberal ideal of the separation of church and state was, of course, assumed.<sup>15</sup> This view accounted for his response to one of the leading members of the Movement, Dr. Pusey, in the latter's sermon of November 5, 1837 on the Great Revolution of 1688.

Merivale did not take exception to Dr. Pusey's remarks on the Glorious Revolution because that event had "no more sanctity than any other great political act of which the consequences still survive: the State, by fencing it round with an imaginary sacredness, and intruding the commemoration of it into the solemn service of the Church, did, in our opinion, nothing more than provoke mocking and encourage hypocrisy." It was, he concluded, good "to see its principles attacked in fair and open controversy."<sup>16</sup> He also applied this tolerant approach to other religious groups. He was opposed to "fanaticism" in all its guises.<sup>17</sup>

Such "fanaticism", which Merivale believed the Oxford Movement espoused, meant a serious lack of or even an absence of reason and a rejection of the historical bases of modern European history.<sup>18</sup> Pusey's sermons were a threat to political liberty and, eventually, would lead to the acceptance of the doctrine of the divine right of kings.<sup>19</sup>

During the 1830's Merivale was also concerned with material progress and its basis--history. His idea of progress changed considerably between the 1830's and the 1870's.<sup>20</sup> The idea of progress was used synonymously by Merivale and his contemporaries with that of material improvement and the general advancement of European civilization. Its significance was directly dependent upon the historical context of the argument used.

As early as 1834 Merivale had a clear notion of both progress and its historical basis when he became concerned with the impact of the Oxford Movement upon British society. Speculating upon Pusey's motives with regard to the Movement, Merivale concluded that Pusey appeared to be "actuated by a sincere desire to heal, as far as in him lies, the breaches of the Christian commonwealth; and to point out as subjects of rational rejoicing, those few steps which the world seems to have gained in its

dark and vacillating progress towards better and nobler views of religion."<sup>21</sup> He did, however, disagree with the means which Pusey was taking towards that goal. For Merivale, progress in its moral and religious aspects, was not very important. This conclusion was based upon his interpretation of the past. Merivale was, for the most part, what has been termed a "Whig" historian.<sup>22</sup> The reasons for his critical judgments of other cultures in the past were however, not based entirely upon the attitudes of nineteenth century British society because of his philosophy of history. The past provided continuity in both time and space. It also enabled him to understand more clearly the ideas being propounded in the 1830's and after. Unfortunately, the study of the past did not always provide continuity. He was not worried about the possibility of radically differing interpretations of history<sup>23</sup> because the "laws of nature" were just as important in leading men from individualism through "self-guidance" to "liberty".<sup>24</sup>

This preoccupation with history lasted until the end of his life. In review articles in the prominent journals of the day, in his two editions of Lectures on Colonization and Colonies (1841 and 1861), in his Historical Studies (1865) and in his biographies of Sir Philip Francis (1867) and Sir Henry Lawrence (1872) Merivale approached the past from many different perspectives.<sup>25</sup> Despite this eclecticism he was able to formulate a relatively coherent philosophy of history which at the same time coincided with his more particular descriptions and analyses of people, events and societies.

History, as a discipline, was in the first half of the nineteenth

century largely the preserve of amateurs and the writing of history was much more of a pleasure than thinking abstractly about its purpose.<sup>26</sup> "History", in Merivale's opinion in 1837, ". . . presents the man, surrounded by opposing circumstances and petty agencies, his thoughts and purposes moving only the slow gradations of real life, --and leaves the enquirer to abstract the essential man within for himself . . .". History, by this definition, was limited to the "outside" of an event only. Merivale was aware of the problems created if the historian attempted to get "inside" the event.<sup>27</sup> It was, he argued, a "very simple law of our natures" that "what we see dimly and distantly, we can colour as we please, and bring as near as we please by the power of fancy."<sup>28</sup> Historians have never been able to deal adequately with this problem.

Merivale had very specific ideas about the roles of men, events and societies in the past. Like other early nineteenth century historians he was concerned with the function and importance of the great man in history, but he was never an advocate of hero-worship although his biographies of Sir Philip Francis and Sir Henry Lawrence often came close to being hagiography.<sup>29</sup> He was, however, criticized by his contemporaries for being too "loyal to historical fact" and pointing out the failings of heroes and their reliance upon the "necessities of the age".<sup>30</sup> A "trite rule" but one frequently forgotten was that the historian should judge the individual within the context of his own age.<sup>31</sup> For Merivale, individuals were most important because of what they told the historian about the age itself.<sup>32</sup> Events were secondary.<sup>33</sup>

Merivale also differed from his contemporaries in his refusal to



see history solely in terms of morality. Individuals or periods of history should not be given good or bad marks according to an absolute standard of moral progress. The job of the historian, he reiterated, was quite clear: "We are not, therefore, anxious to lament over the degeneracy of the times, or to quarrel with those who may sensibly prefer the present to the past. We only wish to restore in imagination that which has become obsolete; and this is not as easy as it might seem."<sup>34</sup> The limitations of the historian to account for changes in the past were readily apparent.<sup>35</sup> Merivale also saw the dangers of historicism. He believed there was continuity in every age and it was supplied by "those general characteristics common to men in all circumstances."<sup>36</sup> He hoped that "posterity" would judge Victorian Britain in the same manner.<sup>37</sup>

History, despite its limitations, was useful in helping men and women understand the world in which they lived and the changes which occurred but history could not predict the future of any society because similar "conditions" did not exist in every age.<sup>38</sup> For example, he argued that no one could have foreseen the "mysterious potato blights" which caused the great famine in Ireland and the subsequent Irish emigration to British North America. The same was true of the gold discoveries in Australia and British Columbia in the 1850's. Only in this manner he postulated:

...the world advances: its ordinary cycle of progress and retreat interrupted ever and anon by strange, comet-like phenomena, which seem to have their origin far away in another order of things, and yet are, doubtless, not less reducible to general principles than the recurring events of ordinary life, and not less regularly interposed, as secondary causes, between us and that remote but infinite will which governs all.<sup>39</sup>

He retained this historical perspective throughout his life.<sup>40</sup>

Above all the historian should develop a critical sense of his own age and the particular age with which he was concerned. He must use his

sources warily as they constituted his only link with the past. After reading nine volumes of the Memoirs of Marshal Marmont in 1856 Merivale came to the conclusion that the increase in quantity of one's knowledge about the past does not necessarily result in a corresponding addition to historical knowledge. Upon turning the final page of the last volume of these Memoirs he realized that "...our new guide, like former guides, is of especial value only so far as regarded the limited range of objects within his own particular sphere of vision."<sup>41</sup> The historian must delineate as far as possible between fact and fiction in the past and in his own age.<sup>42</sup> A critical sense of history provided the basis for Merivale's commentary and actions within the context of the British Empire in the nineteenth century.

This abstract analysis of Merivale's philosophy of history was linked to his attitudes towards empires. In 1844 in the Edinburgh Review he examined British involvement in Aden. In a few more years, with a guarantee of "security", he predicted, Aden would become "one of the great emporia of the East". He concluded that empires "...come and go like shadows--cities disappear from the map--all but their traditions vanishes: the same spot of earth witnesses the waxing and waning of several successive births of human pride or industry; yet man remains unchangeable all the while...."<sup>43</sup> Later Merivale applied this view to the British Empire.

Merivale was even more critical of liberalism and liberals who misinterpreted their own national history. Exponents of the ideals of liberalism such as William Gladstone and Thomas Babington Macaulay came under his attack.<sup>44</sup> Merivale's judgments were usually balanced and just and, in some cases, his conclusions still warrant close reading.<sup>45</sup> As early as

1842 he was aware of the chief weaknesses of nineteenth century British historiography. The great amount of religious, political and national bias up to and including the early nineteenth century was caused by a lack of critical analysis. Unless something was done British history ". . . will still be, as heretofore, an exercise for clever pleaders while England remains divided between Whigs and Tories, Dissenters and Churchmen; while each holds himself personally answerable for the character of all his race, down from Thomas à Becket and Wycliffe respectively; and each closes his argument with the honest avowal of the Duchess de la Ferté--Tiens, mon enfant, je ne vais que moi qui aie toujours raison." Merivale accused British historians of writing "Whig" history despite the fact that he was often guilty of the same bias as an imperial commentator.

Despite his emphasis upon the weaknesses of British historiography Merivale was not always negative in his comments. In 1842 he thought he discerned signs of change in historical writing because of the influence of the historical novels of Sir Walter Scott. Scott, he believed, had aided in the process whereby British history was changing from a "picturesque" style to a more "philosophical" one and thereby becoming more critical. This innovation was a consequence of the "same advantages which improved communication, and the passion for travelling, have performed for us in regard to space, have been achieved for us in regard to time by our antiquarians."<sup>46</sup> He urged that these source materials, essential to the study of history, must be collected and be made available to all historians, but he was sceptical because he feared the task would be "insufficient ... towards reproducing the image of that former world which it explores."<sup>47</sup>

Merivale also put forward a method by which "social science" could deal with this problem of source materials. Statistics, he hoped, would be used more than ever in the task of determining the state of a society at any particular point in time or space.<sup>48</sup>

Although he was aware of the limitations of statistics he still believed that it was a much more accurate method than engaging, as many of his contemporaries were doing, in the "profoundest a priori speculations".<sup>49</sup> In 1839 this suggestion was not mere idle talk on his part because he was preparing his comparative study of European expansion which was published in 1841 as his Lectures on Colonization and Colonies. In that volume and in his other works Merivale used statistics to support his arguments.

Herman Merivale's historical focus was usually directed towards three countries--Germany, France and Britain. With each his chief concern, as might be expected of a liberal, was on social and political reform and law and order. Whether discussing the reforms of Frederick the Great in helping the German states to recover from the Thirty Years War or Robespierre's role in the French Revolution in 1789, the relationship between individuals, ideas and the societies in which they lived and the development of political liberty were his constant themes. As he made very clear, the historical development of the idea of liberty was not inevitable, much less constant. Liberty did not begin with the Glorious Revolution of 1688.<sup>50</sup> He believed that the eighteenth century "enlightenment" and the French Revolution were of much greater importance. He was, unlike most of his fellow British historians, decidedly more European in outlook and this characteristic complemented his ideas on free trade.<sup>51</sup>

As has already been noted, Merivale, upon hearing of the outbreak

of the revolution in France in 1830, set out immediately for Paris.<sup>52</sup>

In subsequent years he maintained this deep interest in European political life by travelling frequently on the continent--for example, by visiting Paris again during the "revolution" in 1848. He never became a republican, viewing with extreme distaste the lack of law and order in both France and the United States. Robespierre, to say the least, was never one of his favourite historical characters.<sup>53</sup> He preferred the great politician and administrator, Cardinal Richelieu. For him France was the "cradle of social civilization" primarily due to the efforts of Louis XIV and his administrators. He did not ascribe these changes in France to one person. Louis XIV was a "very ordinary" person and was not able to change the "unbending law of nature, which forbids individual greatness to arise without freedom."<sup>54</sup> The beginning of the French Revolution in 1789 marked the turning point in the development of liberty.

Merivale believed the Revolution was important not for its exhibition of violence and ultimately, tyranny, which he deplored,<sup>55</sup> but rather for its illustration of the principle of liberty overcoming "repression". One of the most important factors in this process was the work and ideas of the philosophes especially Montesquieu, Saint Simon and Voltaire. They had proved that "tyranny is its own Nemesis, and sows the dragon's teeth from which its own future destroyers are to spring."<sup>56</sup> Notwithstanding the fact that Merivale's interpretation of the causes of the Revolution was far too simplistic, it indicated precisely one of the sources of his liberalism and the role which liberty played in social and political change. His view of liberty meant freedom for the bourgeoisie not for the sans culottes.<sup>57</sup>

Merivale was also concerned with consequences of the Revolution especially the intellectual impact of the "Gospel of Rousseau". He disliked

the idea which the "prophet" Rousseau had passed on to later generations of Europeans, the "perfectibility of man". This "new guide" had led man to believe that he was "indeed a law unto himself" and to an uncritical faith in human progress. It was, therefore, very fortunate when both time and circumstances "tamed and disciplined" this powerful intellectual current.<sup>58</sup> From these comments, it is clear that Merivale was extremely concerned about the "dangerous" impact of liberty upon the lower orders of society.

The real "heroes" of the French Revolution in his interpretation were not the "revolutionaries" like Robespierre but the members of Merivale's own class, the "Bourgeoisie and the Professions" especially the "lawyers", who were presumed to be in their own day: "mere 'formalists', 'makers of paper theorems', 'constitution builders by trade'. Such ignoble tailors have no lustre of popularity with mankind in general. When their work is accomplished, they are commonly dismissed into nothing with indifference, or rather contempt." Merivale was, like most nineteenth century British liberals, quite conscious of class differences. As an historian he appeared to be aware of this bias.<sup>59</sup> But as an administrator when dealing with white settlers or indigenous peoples within the British Empire he was much less cognizant of it.<sup>60</sup>

Merivale was contradictory when writing about the French Revolution. The "essence" and "chief historical value" of this event was that it granted social and political equality, yet it also broke down parochialism and created a strong nation and an empire, all of which he approved. Liberalism, imperialism and nationalism were not, for him, incompatible ideas. He seemed unaware of the inequalities which were created as a consequence of imperialism and nationalism.<sup>61</sup> He realized

that the "ordinary sympathy of the English people for oppressed nationalities" who "were struggling for civil freedom as well as independence" blinded the British to the fact that this sympathy, if actively undertaken, might also become in time the doctrine of the "white man's burden" or in Merivale's own words the "trusteeship of savage races". Trusteeship became, ultimately, a form of economic and political control within the framework of the British Empire.<sup>62</sup>

Merivale's interpretation of British history provided the rationale for empire. While not adhering to the idea of uninterrupted progress of liberty in British history,<sup>63</sup> he still emphasized the significance of the Long Parliament for putting an end to the use of torture in England,<sup>64</sup> and the Great Revolution of 1688 for bringing about an increase in political liberty.<sup>65</sup> On the other hand he gloried in the heroism of the British overseas, for example, the victories of Drake, the "distinguished warrior", against the Spanish during the Elizabethan age.<sup>66</sup> This age marked the beginnings of the British Empire and he concluded that Britain was "even from old, the paragon of countries".<sup>67</sup>

With regard to the development of material progress in his own day Merivale was extremely consistent and specific. If progress meant the "gradual improvement" of European civilization then he was not opposed to it.<sup>68</sup> This was a very qualified view of progress, never one of "universal" progress, with which he believed his contemporaries were obsessed.<sup>69</sup> Intellectual or religious progress had no basis in the past, or for that matter, in the present.<sup>70</sup> For example, although the United States had been founded in the same manner as modern Europe, and had improved materially, that country was still confronted with "a struggle in which the banner of progress appears for some time past to have been

giving way before that of barbarians; in which the prevalence of the coarser element tends to keep the grown intellect of the country down to the level of childhood; and its public morality down to the lowest standard compatible with the preservation of society."<sup>71</sup> Despite this fact, he complained in 1854 that the "North American pronounces Europe retrograding, simply because the rapid advance of his republic outstrips that of the old quarters of the world." He rejected this North American judgment as fallacious. He pointed out that material progress was entirely different from the moral state of any society because an "obstinate vitality...often animates what are termed worn-out races and institutions."<sup>72</sup>

Most of his examples of progress were drawn from British society. Improvements in transportation with the advent of railways and steamships were the most apparent. Although they enabled the British to travel to almost every part of the world, they made it inevitable that one travelled for "thousands of miles, pent up with mobs of fellow creatures in steamers, railways and overgrown inns." While the "smartest young Oxonian" was roaming the globe<sup>73</sup> Merivale contended that the condition of the "mass of people" had not improved very much, if at all.<sup>74</sup> He could see this process at work first hand because he lived for a time in Devon and had to take the train to London every week to reach his office in Downing Street.<sup>75</sup> Progress, he concluded, was an extremely complex notion.<sup>76</sup>

At times Merivale wished he had been born in another age:

...we look to this portion of the past; and feel sometimes tempted to exchange all our refinement and luxury all our vast wealth and outward civilization--nay, even the opulence of imagination exhibited in our era, and the ardour of purpose which belongs to it--for the quiet industry, the rude plenty, the tasteless habits, and the unpoetical cast of thought of the first Brunswick reigns.<sup>77</sup>



As a critic of British society Merivale deplored the bad taste of English architecture. It had been built far too quickly and poorly. He hoped his contemporaries would build for the future, not just for the present.<sup>78</sup> In this instance, perhaps, he was unjust as his chief example was the building of the National Gallery. The same was true when he compared ancient and modern art. He preferred the sculptures of Aegina and "Gothic Cathedrals" to the creations of the nineteenth century.<sup>79</sup> Merivale frequently compared his own society to that of Greece and Rome. This love of classical societies was probably a product of his studies at Oxford in the 1820's. He did, however, take into account the differences in time and cultural milieu. In 1865, in his Historical Studies, he wrote that the importance of classical study to modern man revealed:

...the vast ocean of moral and intellectual being such as it really is, subject to aeons of rise and fall, and not a steady onward current continually gaining ground; and, by so doing, administers a reasonable check to that ambitious tendency which elevates but often misleads us--an indiscriminating confidence in the destiny and powers of our species.<sup>80</sup>

It was precisely because "each generation" had not always enjoyed the "accumulated knowledge of preceding ones"<sup>81</sup> that the historian needed to understand both his own world and that of the past.<sup>82</sup> This rule applied to any social reformer who should not mistake "improvements" of a material kind as causes of change. They were merely "signs". What was required to effect change, was "some new motive of action" from individuals in any particular society.<sup>83</sup>

The values which would bring about change would come from the middle class. The greatness of Elizabethan England, he pointed out, was a result of the development of a merchant or "middle class". A gradual social revolution had followed which made England, for the first

time, a great imperial power. Although England had become rich and powerful he had to admit that the late sixteenth century was not a "golden age" because the "labouring body of the people" were "getting rather worse than better".<sup>84</sup> The cause of inequality was inadequate education.<sup>85</sup> Once again, Merivale's middle class bias was evident. The working class were to be denied access to education because of economic exigencies.<sup>86</sup>

On the issue of the condition of the working class Merivale became gradually more pessimistic in outlook. In 1835, he declared that the upper classes would eventually disappear because the English aristocracy was a mere "convention" which had been "founded on fortuitous circumstances", yet he never doubted that the backbone of the aristocracy, the system of property, was inviolable, something for the state to "cherish and defend."<sup>87</sup> Reform, whether social, economic or political, was therefore limited because the lower classes would not improve themselves. However, most of the educational institutions, such as Harrow and Oxford, were the preserves of the upper and middle classes. Aware of this conundrum, Merivale was never able to solve it satisfactorily.<sup>88</sup>

When Merivale linked his ideas of class to the economy of Europe in the nineteenth century, further contradictions appeared. He noted in the late 1830's that very little economic progress had been made since 1815.<sup>89</sup> The industrialization and urbanization of Britain, had caused this economic inequality and Britain was moving "...towards a state of society in which a few great capitalists--a vast multitude of dependent labourers--and an idle class living on fixed revenues derived in various ways from the income of the rest will form the whole population of our non-agricultural districts...." But he refused to consider, much

less advocate, any "radical" program such as socialism to ameliorate these evils. Complacently he placed his hopes for gradual material improvement on statistical research, the "well-directed efforts of the enlightened classes" and the institutions of church (the Church of England of which he was a member) and state.<sup>90</sup> This attitude reflected his relatively pessimistic view of human nature, especially of the lower classes of society who were lacking in "energy" and were for the most part unwilling to be improved by those who thought they knew better.<sup>91</sup>

In 1848, after observing the revolution in Paris, Merivale began to accept the class system as a sine qua non. He became more wary of the possible consequences if the lower classes ever assumed political power.<sup>92</sup> Property and law and order should be maintained at all costs against revolutionary change.<sup>93</sup> Over the next twenty years, Merivale's attitudes hardened on this point. By 1870, he concluded that the adaptability of British institutions was largely a myth. They were

...not created by or for the people, but by and for powerful classes of the people. Their details--speaking for them of course in their early period--were little else than a series of contrivances to render the exercise of power by those classes safer and more complete. And when the possessors of power were obliged to admit a larger section of the community to partake it, they did so, not by fair and equal distribution, but by erecting new privileged classes, fenced by new barriers, alongside their own.<sup>94</sup>

By the late 1860's, Merivale had become an authoritarian liberal like many of his acquaintances, Sir Henry S. Maine, Sir George C. Lewis and Sir James F. Stephen.

This attitude was further augmented by the apparent failure of republicanism in the United States and, afterwards, by the attempts to pass a reform bill in Britain in the 1860's. Naturally he was influenced

by imperial events as well, particularly by the enormous problem which had been created as a consequence of responsible government and the Indian Mutiny of 1857-1858.

The American Civil War and its consequences dominated Merivale's attention in the early 1860's. During the summer of 1868, he even travelled to the United States to observe the consequences of the War on the spot. His critical assessment was published in two perceptive articles in Fraser's Magazine. He had never been pleased with republicanism because it was prone to lawlessness and violence. The same critique was applied in the 1840's to the United States although he was, then, more optimistic concerning its future. Despite the political divisiveness of American politics and the moral reprehensibility of slavery, the United States had three redeeming features--the elements of future imperial greatness, large amounts of good land, and a vigorous labour force.<sup>95</sup> One year later, in 1847, he began to have more doubts concerning American moral weakness and the "corruption of administrative departments" within its government.<sup>96</sup>

These misgivings grew after the "mad outbreak of 1848 and its first consequences" in Europe.<sup>97</sup> In 1858, reflecting upon the changes which had occurred over the past ten years Merivale regretted that Californians had failed to place their political system on a "rational and solid basis". Such a democracy, "pushed to the extreme", lacked law, order and respect for authority. Comparing the social impact of the gold rushes upon Australia and California, he restated his objections to republicanism:

There was [in Australia] no doubt a considerable amount of crime and violence; one serious insurrection, some sanguinary riots; but the still, regular voice of old English law and order was heard throughout. The true conservative element of society,

reverence for established institutions, insignificant in themselves, but most significant as parts of a whole, carried the community safely through a struggle of unparalleled intensity.

Because of the inherent weakness of republicanism and the volatile nature of the slavery issue Merivale was not surprised by the outbreak of the American Civil War.<sup>98</sup>

Having crossed the North Atlantic to New York in the summer of 1868 he immediately responded to the material splendour and then the "'loudness' of the gay pattern" of New York. He praised Central Park equating it with a "paradise like Kubla Khan's."<sup>99</sup> As he toured the country he became more critical of American life. Constitutionally he admired the Americans for creating on "utilitarian principles", something he had always decried,<sup>100</sup> a state which had endured, by its "sheer elasticity", the ferocity of the Civil War. Nevertheless corruption in American life was still evident and was epitomized in his mind by the impeachment of President Johnson. In the western states lawlessness was still rampant and would continue unless it was in some way checked by lawyers, "assisted by that of the bowie-knife and the revolver."<sup>101</sup> American life would not be immune from the "great" and inevitable conflict of the future--that between the classes of society, but it did not overly concern him for as he put it: "Qui vivra verra: not I."<sup>102</sup>

In Britain in 1866 and 1867 Merivale watched attempts at political reform with a jaundiced eye. Writing to Sir Henry Maine he declared that British politics was "quite asleep" despite news of heated debates over a reform bill and a major cabinet reshuffle. He told Maine he preferred a moderate reform bill--one which "might give us another quarter of a century to prepare for further change." When the bill was passed in

1867 he was very displeased because it was:

A very wild measure indeed: But the oddest, almost the wildest, part of it, to me, is the 'representation of minorities' dodge. As at present passed, it can only affect some twelve votes on both sides together, and therefore is nothing at all. But if meant as the thin end of the wedge to introduce a "principle"--and this is what its promoters say--then it ensures us a pleasing future of unlimited Reform discussion, to begin in the year 1869, and end in the first year of the first British Napoleon.

By 1868, Merivale had grown so disillusioned that he had a greater political allegiance to "steady Toryism" and he certainly admired the "fertile genius" of Disraeli.<sup>103</sup> As a civil servant, however, Merivale could only view party politics from the outside.

Merivale was influenced by events, ideas and individuals within Europe and Britain, nevertheless, his greatest interest after he became Professor of Political Economy in 1837 was the British Empire. During the five years Merivale was at Oxford he wrote and published a series of lectures on the economic history of the Empire. In the Lectures he commented upon British imperial policy in the 1830's. Although he was critical of certain aspects of that policy Merivale did not attack the Colonial Office or James Stephen, the permanent undersecretary, as many other commentators had done. The Lectures established his reputation as a knowledgeable, sympathetic and constructive critic of the British Empire. When Stephen was forced to retire in the fall of 1847 Merivale was chosen as his successor. The next chapter will examine Merivale's role in the Colonial Office from 1847 to 1860.

## Notes to Chapter 1

1. See for example Eldridge, England's Mission, 1-24, Ronald Robinson and John Gallagher, "The Imperialism of Free Trade", Economic History Review, Second Series, Vol. VI, No. 1, 1953, 1-10, D. K. Fieldhouse, Economics and Empire, 1830-1914, London, 1974, 1-88.
2. Vincent T. Harlow, The Founding of the Second British Empire, Vol. 1, London, 1952, 2-10.
3. For a good definition of "class" see Harold Perkin, Origins of Modern English Society, 176-217 and A. Briggs, "The Language of Class", in A. Briggs and J.A. Saville (eds.), Essays in Labour History, 1830-1914, London, 1967, 43-73.
4. A. W. Merivale, Family Memorials, Exeter, 1884. He had little social contact with the Secretaries of State for the Colonies. See, for example, Grey of Howick Papers, MG24 A10, Vol. 15 Pt. 1, Journal, 1846-1850, Oct. 23, 1850, 2336. The one exception was Sir Edward Bulwer Lytton with whom Merivale had literary interests in common and he was frequently asked to attend social functions at Knebworth. Lytton Papers, Hertfordshire County Record Office, especially correspondence in D/EK/01. See for example, Herman Merivale to Sir Edward Bulwer Lytton, Sept. 16, 1858.
5. John Clive, Thomas Babington Macaulay, The Shaping of the Historian, London, 1973, 61-141.
6. H. Perkin, Origins, 252-270 and compare with Clive, Macaulay, 3-60.
7. A. W. Merivale, Memorials, 164-247; Autobiography of Dean Merivale with Selections from his Correspondence, London, 1899, 13-15, 46, 111. Charles, one of the more prominent and popular Roman historians in the nineteenth century and later Dean of Ely, was one of Herman's younger brothers.
8. Papers of Sir Henry S. Maine, I.O.L., MSS. EUR.C. 179, Herman Merivale to Sir Henry Maine, June 13, 1864.
9. A. W. Merivale, Memorials, 252, 284, 291, 299, 304-305, and C. Merivale, Autobiography, 121.
10. Perkin, Origins, 252-270.
11. H. Merivale, "M'Culloch on Taxation and Funding", E.R., Vol. 82, October 1845, 379.

12. A.W. Merivale, Memorials, 224. For his later comments see "Correspondence of William IV with Earl Grey", E.R., Vol. 125, April 1867, 540-548.
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## Chapter 2: The Colonial Office, 1847-1860

Herman Merivale's appointment to an assistant undersecretaryship at the Colonial Office in October 1847 gave him the opportunity to devote the rest of his life to imperial affairs. As his son, Herman Charles Merivale, recalled in 1902, his father had "liked his quiet influence" at Numbers 13 and 14 Downing Street. He left his mark upon successive Secretaries of State for the Colonies, on colonial governors and on colonial affairs in Britain and overseas. This was no small achievement, for during the years from 1847 to 1860 when Merivale was at the Colonial Office, significant changes occurred in the manner in which Britain was linked with its colonies.

In the late 1840's steam was beginning to replace sail power and in the 1860's the telegraph began to be used in emergencies as a substitute for despatches as a mode of imperial communication. Changes were also occurring in the white settlement colonies particularly as a consequence of policies of self-government and defence, wars between white settlers and native peoples and, most importantly, territorial expansion of the Empire. In Britain there was political instability and frequent changes of ministries. In these circumstances Merivale was a steadying force supplying a good measure of continuity to the Colonial Office. Merivale's greatest contribution was to bring about a change in the crucial relationship between the Office and the colonial governors. Nevertheless, as he became aware throughout the 1850's, neither he nor his colleagues in London were able to determine the manner or the degree in which the British Empire expanded at this time. The various complex changes, which

were occurring overseas, proved to be far more significant than any direct actions taken by the Colonial Office in Downing Street.

The administrative workings of the Colonial Office have been accurately and intensively explored by J. W. Cell in a number of studies the most important of which was his British Colonial Administration in the Mid-Nineteenth Century (1970). It is therefore unnecessary to repeat all his judgments which this study of Merivale merely confirms. It is sufficient to reiterate that the Colonial Office was run largely by a few men despite the size of the establishment (approximately 40). Theoretically the Secretary of State always had the prerogative to make the final decision on any matter-- even if it was trivial. The permanent officials, consisting of the permanent undersecretary, assistant undersecretaries and the chief clerks for each department acted as the Secretary of State's advisers. The parliamentary undersecretary aided the Secretary of State with political matters and usually did not interfere in the running of the Office itself. The operation of the Colonial Office depended on the abilities of the Secretary of State and how long he was in Office. In the 1850's, as will be shown below, when the latter was sick, incompetent, disinterested or absent usually the functions of the Secretary of State devolved on the permanent undersecretary. Many times after 1852 Merivale possessed an inordinate amount of power within the Office. In addition the permanent members of the Office continually influenced the Secretary of State by their interpretation of the material which they received from the colonies, particularly the governor's despatches which they wrote down in the form of minutes and memoranda. This state of things was not of course

fully known by contemporary critics of the Empire.<sup>1</sup>

The chief complaint came from the Office's nineteenth century critics who invariably assumed that James Stephen and his colleagues were actually running the Empire and when anything went wrong the latter became the scapegoats for British imperial failures.<sup>2</sup> A myth developed, chiefly propagated by the Danish scholar C.A.G. Bodelsen in his Studies in Mid-Victorian Imperialism, that the permanent members of the Colonial Office were intent on getting rid of the British Empire: "Still more significant however than these proofs of Separatist leanings on the part of party politicians is the fact that Separatism, or at any rate the belief that separation was unavoidable, was for many years accepted as a guiding principle by the leading permanent officials of the Colonial Office."<sup>3</sup> Lacking an understanding of the internal as well as the external administrative practices of the Colonial Office many historians have continued to assert that the Colonial Office lacked "vision" and preferred a devolution of metropolitan influence.<sup>4</sup> In fact the Colonial Office in the early and mid-Victorian period did have long-range plans but it was severely circumscribed by the political situation in Britain, other departments within the British government, notably the Treasury, and most importantly, the existing circumstances in British colonies overseas. British colonial policy, to the extent it emanated from Downing Street, was therefore limited by the process of British imperialism itself.<sup>5</sup>

Merivale understood this relationship between Colonial Office policy and the process of imperialism. He was one of the few members

of the Office who wrote extensively about the problems which confronted the Empire.<sup>6</sup> While the Secretaries of State for the Colonies and the parliamentary undersecretaries were busy with political matters and the lower level of clerks were intent on deciphering despatches and drafting or copying replies for the next mail, Merivale was able, because of the nature of his duties, to see the Empire as a whole.<sup>7</sup> He wrote about all parts of the Empire and even travelled to a few colonies to view conditions there for himself.<sup>8</sup> Merivale's administrative work reveals many influences which had an impact on the Empire.<sup>9</sup>

Within the Colonial Office Merivale's role changed considerably from 1847 to 1860. Appointed as an assistant undersecretary in an emergency with no experience as an administrator, later he became very powerful because of his knowledge and experience. A number of circumstances led to Merivale's appointment in 1847. When his term as Professor of Political Economy at Oxford expired in 1842 he had failed to obtain a similar position as Regius Professor of Modern History at Oxford and he was forced to go back to the profession for which he was trained--the Bar. For the next five years Merivale "rode the Western circuit" but apparently did not do very well financially. He continued to write articles for the Edinburgh Review while maintaining his interest in the British Empire and in political economy.<sup>10</sup> Merivale was therefore looking for a career which was more secure when Lord Grey contacted him in September 1847.



Merivale's appointment by Lord Grey was unusual for a number of reasons. The vacancy in the Colonial Office had come about quite suddenly with the physical decline of James Stephen. Stephen had been under attack in the 1840's by the Colonial Reformers for his dominance of British colonial policy and for his "separatist" leanings. In retrospect it is clear that both these charges were untrue.<sup>11</sup> Nevertheless these pressures took a heavy toll on Stephen who was very, perhaps too, sensitive. The strain of work told upon his eyesight, his mental condition suffered and he became increasingly difficult to work with at the Colonial Office. Grey became aware of this deteriorating situation in August 1847. He had not been aware of it earlier because he seldom visited the Office and had let Stephen handle its day-to-day business.<sup>12</sup> Grey had to find a replacement quickly.

The best candidate for the post, Sir Frederic Rogers, had been transferred in 1846 to the Land and Emigration Board because Grey did not value his work highly.<sup>13</sup> The position was therefore offered first to Henry Taylor, a prominent literary figure, who had been the head of the West Indian Department for many years. Taylor declined on the ground of ill-health. He had ceased to come into the Office every day, had his work sent to him at home and realized he could not handle the volume of business of the Office. Grey then asked James Spedding, another senior clerk, who also refused to take on the responsibility. The search was extended to include candidates from outside the Office.<sup>14</sup>

Eventually, Grey, acting upon the advice of Stephen, appointed Herman Merivale and Thomas F. Elliot as assistant undersecretaries in October 1847 while Stephen went on a temporary leave of absence. Grey

had hoped Stephen would recover and return to his post but by late October after receiving another medical report on Stephen, he made up his mind. In his journal he wrote that he had "...likewise finally determined today to offer Mr. H. Merivale Stephen's place, or at least that he wd. be appointed Under Sec<sup>ty</sup> of State & Council to the depart<sup>t</sup> at £ 1500 a year during Stephen's absence --...."<sup>15</sup> That day he wrote to Merivale: "In making this offer to you I think it right to inform you that I have been principally guided by the advice of Mr. Stephen, who judging I believe from your reputation has proposed to me his opinion that if you can be prevailed upon to undertake this duty it co. [uld] not be committed to better hands -...."<sup>16</sup> While Grey and Stephen did not know Merivale personally, Stephen had recommended him based upon the reputation of his Lectures. Merivale undoubtedly appealed to Stephen because Merivale's early view of the role of the permanent undersecretary was very favourable. Merivale had written in 1842 that "... Colonial Secretaries ought to allow their office to be a sinecure, and let the whole be conducted by some strong permanent undersecretary."<sup>17</sup>

Merivale, who was then at Liskeard in Cornwall and, in his own words, "currently engaged in revising the parliamentary lists of voters for this district" responded promptly to Grey's offer. By Wednesday the third Merivale had accepted the position and Grey noted in his journal "... I hope he will answer and I like what little I have seen of him."<sup>18</sup> By the end of November it was obvious Stephen would never return to full-time duty. Elliot was also appointed assistant undersecretary and was to become Merivale's administrative lieutenant

supervising the North American department. This change, as Grey put it "...renders it indispensable to make, at once, an endeavour which has perhaps been too long deferred, for placing the administration of the Colonial Office on a footing of greater strength and efficiency."<sup>19</sup>

The age of specialization had now come to the Colonial Office. While Merivale's own responsibility was less than Stephen's had been there is no doubt that the efficiency of the Office increased considerably.

One month after his appointment Herman's brother, Charles Merivale, the Roman historian and later Dean of Ely, visited him in London. In a letter to their sister, Louisa, Charles wrote that Herman was very much pleased with his new profession. He remarked that Herman told him that the Colonial Office was "like a College". Charles continued that he "...seems to take the greatest interest ... and has already before him various questions of great importance, all quite in his line ... . The only complaint he has to make is the great restraint under which he is laid by official etiquette, and the state of representation in which he is obliged to live, so different from independence, degenerating into licence, of the lawyers."<sup>20</sup> For the next few years after he became permanent undersecretary Merivale's role at the Office was circumscribed because Grey took a great interest in the internal workings of the Office and made most of the important decisions himself. Stephen even helped out occasionally with legal memoranda and taught Merivale a great deal concerning constitutional questions.<sup>21</sup>

Until the winter of 1852, when Lord Grey left the Colonial Office, Merivale was relegated to tending the affairs of the less important regions of the Empire notably the Australian colonies, Natal and the

Hudson's Bay Company territories in British North America. Grey was one of the few Secretaries of State for the Colonies who took his role at the Colonial Office extremely seriously. He had a great amount of knowledge and experience as attested by his journal and his defense of Lord John Russell's colonial administration.<sup>22</sup> After Grey's departure Merivale's role increased considerably. There were frequent changes in the position of Secretary of State for the Colonies because of political instability within Britain. While Merivale could always be overruled in theory, in practice he was, from 1852 to 1860, generally able to lead his political masters and this situation made his position "crucial".<sup>23</sup> During his first four years at the Colonial Office, however, in comparison with that of James Stephen, Merivale's role was a minor one.<sup>24</sup>

In 1853 Lord Grey published his Colonial Policy of Lord John Russell's Administration. In it he described his relationship to the permanent officials in the Colonial Office. He attempted to put to rest the idea, propagated by the Colonial Reformers, that the "business of the Department is conducted ... by some mysterious influence within the walls of the Colonial Office, which under every different Secretary of State prevents what is right from being done, and causes disappointment and discontent to the Colonists, and persons connected with the Colonies, who have business to transact with the Department." Grey wrote that the opposite was true and he acknowledged his debt to the permanent staff:

... for the exceedingly able and willing assistance I received from them in conducting its business while I presided over it, I can assert, in the most positive manner, that never upon any occasion was there on their part the slightest attempt improperly to influence my decision upon questions brought before me, or to withhold the best aid they could afford, in the execution of measures which may have been decided upon contrary to their opinion.<sup>25</sup>

Grey was however, not the last Secretary of State for the Colonies who set out to confront the problems of the Empire. While many of his successors were disinterested or incompetent, the fifth Duke of Newcastle and Sir Edward Bulwer Lytton worked closely with Merivale and supplied the Office with continuity in the face of complex imperial problems.

Merivale possessed all the necessary characteristics of a good permanent undersecretary of state. Sir Edward Bulwer Lytton, Secretary of State for the Colonies in 1858-1859, described him as "somewhat combative and formidable" in appearance and "massive in intellect". A quiet person, he was also a "remarkably good and quick writer", being able to get through an enormous number of despatches every day. If there was "inconsistency" in British colonial policy it was not due to Merivale's presence. As one commentator has declared emphatically, "inconsistency" was "...repugnant to his logical mind. He knew that compromise, moderation and expedience must guide him in most constitutional and semi-constitutional questions. But, upon occasion, his clear perception of consequences made him impatient of positions which were only tenable for the time being." He was, as a consequence, "...too advanced to be followed by his colleagues ...."<sup>26</sup> There were very good reasons why British colonial policy has been characterized as a "pattern of 'drift'".<sup>27</sup>

From 1852 to 1860 Merivale spent a great deal of his time helping the Secretaries of State for the Colonies adjust to the internal working of the Office. As soon as one Secretary of State began to understand colonial affairs the ministry fell and another politician appeared at the doors of Numbers 13 and 14 Downing Street. One example was Lord

Palmerston, as Merivale's son later recounted:

And so it was that the airy and famous Minister introduced himself one morning. "Well, you hear that I've come to look after the Colonies myself now Russell's gone. In the first place, Mr. Merivale, where are the Colonies? Glad to see that you've plenty of maps about."<sup>28</sup>

With ministers such as Palmerston, Merivale gained more responsibility in the Colonial Office but at the same time the work of the Office became concerned with immediate problems rather than with any long-range planning. More than ever Merivale and the Secretaries of State had to rely upon the reports of the colonial governors.<sup>29</sup> Particularly with respect to the "native" question and responsible government, British colonial policy became increasingly less influenced by Downing Street and more by individuals and events overseas.

Despite these trying circumstances Merivale got along very well with the clerks in the Office even if they failed to pass on an important document to him or misplaced one and he also had a sense of humour. For example, in 1854 upon receiving a letter from a settler in southern Africa proposing to send a gift of two lion cubs to Queen Victoria and asking whether the Queen would take the gift as a compliment or not, Merivale minuted to the parliamentary undersecretary of state: "As to the lions you will be the judge: I should think the Queen would not look a gift lion in the mouth, and that Mr. Vowe may be safely informed that he need fear no such misconstruction of his present as he apprehended ...." The Secretary of State, the fifth Duke of Newcastle, ever concerned, responded that he had not yet consulted the Queen in this matter.<sup>30</sup>

Ironically, the Duke of Newcastle and Sir Edward Bulwer Lytton, with whom Merivale had the best relations, have been portrayed inaccurately by imperial historians as incompetent. Lytton was the only Secretary of State with whom Merivale carried on an extensive private correspondence. Many of the important decisions made with respect to British North America and southern Africa in 1858 were taken by Merivale in consultation with Lytton at the latter's estate in Hertfordshire. In August 1858 Lytton made a marginal note concerning their relationship: "The long experience of H. Merivale, the solidity and breadth of his intellect enable me to pause long before I dissent from any suggestions of his -- even tho' he gave it at the impulse of the moment." Lytton obviously thought about the last clause because, after he wrote it, he crossed it out. There is no doubt that the feelings were reciprocal.<sup>31</sup> Merivale accepted a "C.B." (the only public honour he ever received) in September 1858 because it was recommended by Lytton. One year later he refused a knighthood offered to him by the Duke of Newcastle because he thought it would cause jealousy among his subordinates in the Colonial Office.<sup>32</sup>

The most accurate view of Merivale's role at the Colonial Office came from the young and inexperienced parliamentary undersecretary of state, the fourth Earl of Carnarvon in 1858 and 1859. Carnarvon and Merivale differed in their imperial ideas, especially on colonial federation, but Carnarvon had an enormous amount of respect for Merivale describing him as "'... 'a very able, clear-headed, cool, and remarkably good and quick writer.' It took him some months to know and like him, but, 'when I see how completely the affairs of the Office have been in

his hands and how steadily and safely he has guided them, I feel that much is due to him."<sup>33</sup> With respect to imperial administration Carnarvon realized the importance of Merivale's vast amount of knowledge and experience. In theory he believed quite correctly that he and Merivale were equal in authority under the Secretary of State for the Colonies. In practice he knew that when there was a difference of opinion: "... I need hardly say that in his experience, intimacy with colonial subjects and clear judgement, I have always seen good reason for Mr. Merivale's view and have often ultimately acquiesced in it myself after holding at first an opposite opinion."<sup>34</sup>

It made little difference to Merivale whether his political masters were Liberal or Conservative. He seems to have been just as friendly with Conservatives as Liberals. His interest in the British Empire rather than British politics was paramount.<sup>35</sup> While Merivale's role changed considerably from 1847 to 1860 the physical surroundings in which he worked did not.

When Merivale arrived at Numbers 13 and 14 Downing Street in October 1847, he found himself in very delapidated quarters. Housed in two old dwellings which had been condemned as unsafe Merivale had found the conditions in which the permanent staff had to work appalling. All the rooms were used including the basements and the attics. There was no space for an adequate library and there were very few maps. In 1859 the Colonial Office had requested that a "competent Architect" be sent to investigate the buildings "to make sure Number 14 Downing Street will not fall in." When the report was received one of the staff minuted that it was "by no means tranquillizing." Merivale commented that the



situation was: "Very much the reverse, I think: but what can we do?

Nothing will be done until the public is shocked by some great accident."<sup>36</sup>

No major change was made in these conditions until the 1870's.<sup>37</sup>

Fortunately, the internal administration of the Office did not at all reflect its external appearance. It was not, at least for Merivale and the higher officials, a "sleepy and humdrum" place.<sup>38</sup> Confronted with changes in technology and an increasing number of despatches, Merivale and his colleagues conducted their affairs, in comparison with other branches of government at the time, with efficiency and, in most cases, with humanity. The most important change which occurred included a devolution of responsibility between the members of the Office and the colonial governors and an increasing amount of specialization.<sup>39</sup>

The first important change in the internal organization of the Colonial Office came in 1853-1854 with the Northcote-Trevelyan Commission. The commissioners, investigating the Colonial Office as well as other branches of government, focused their attention on patronage in the civil service and attempted to determine whether or not greater efficiency could be achieved if appointments were made by means of competitive examinations. The result was a compromise for the Colonial Office largely because of Merivale's testimony to the Commission against the use of formal examinations.<sup>40</sup> Only a limited form of competition was adopted by the Office and then only for the lower ranks, not the higher.

Merivale's testimony to the commissioners was equivocal. He believed that if competition was introduced to the civil service the "abuse of patronage would be altogether destroyed." Nevertheless, he refused to say to what extent patronage really "injures the Public Service". This

form of competition for positions would, if established, not ensure that the clerks would be better qualified for their jobs because the work could only be learned through practice. It was a boring and tedious business because the copying of despatches required perseverance rather than originality. The important point he cautioned was that the "motive" for a candidate applying to the civil service was to make a "...livelihood:, and from no other motive. They go in to obtain a certain income, rising gradually, there is no lottery -- no expectation of prizes. The scant possibilities of what are called 'staff' appointments, or removal to some other and better paid sphere of action are, as all acquainted with the Civil Service know, hardly admissible into the calculation." In the Colonial Office, for example, it took at least twenty years before a clerk would reach a salary of £400 a year, but Merivale noted that they were not "underpaid" compared with other departments. He concluded by advocating "a very much modified system of competition". Appointments to the Colonial Office should be left in the hands of the Secretary of State for the Colonies and the latter should encourage applications and compile a list. When a vacancy occurred the place should be filled by means of a "fair competition" preferably by an "independent body".

In 1855 Henry Labouchere, the Secretary of State for the Colonies, adopted Merivale's recommendations and introduced a mixed system of patronage and merit with competitive examinations for junior clerks. Appointments to positions of responsibility such as assistant or permanent undersecretaryships remained a matter of patronage.<sup>41</sup> Early in 1856 Merivale confessed to Labouchere his doubts as to the efficacy

of this scheme. The major drawback, he argued, was the manner in which the business of the Office was conducted:

... Division of labour is not practised in our office -- probably not in other offices -- as it ought to be. If we possessed a clerk with that not very uncommon faculty, a capacity for accounts, and a taste for them, he would be invaluable. To him we should submit the numerous & often ravelled questions which arise on colonial estimates. At present, these, when of importance, are generally referred to Mr. Strachey, the précis writer, who is able to deal with them very effectually: but we want to have him assisted, & there is, I fear, scarcely anyone capable of doing so. But one good accountant would serve our turn -- to exact of every candidate he should be a good accountant would be very superfluous, and deprive us of good men....

All this arises from the extremely miscellaneous character of our work: which you will appreciate, but which I doubt whether the examiners thoroughly do. This is the great difficulty in the way of any system of examination being of much real service to us.<sup>42</sup>

By 1860 he was less reserved in his comments. In the last five years he admitted that the appointments had produced "on the whole" a "superior class" of clerks than ever before. Nevertheless, he maintained that the chief criterion should be that of intellect: "Taken all things together, the man with the better brain will be the better man."<sup>43</sup> This dictum should not be taken too literally because Merivale used his position at the Colonial Office to obtain posts in the civil service for his friends and even his son.<sup>44</sup>

Patronage within the Colonial Office was also present in the Office's relationship to individuals and departments in Britain and in the colonies. White colonists who promoted the interests of the British Empire were sometimes given "honours" or material rewards for their services and there were even a few cases of nepotism.<sup>45</sup> Many colonial governors received their initial appointment because of their friendship with the Secretary of State for the Colonies or Merivale. For example, Sir George Bowen, was appointed to the governorship of Queensland largely due to

Merivale's intercession on his behalf.<sup>46</sup> The problem was exacerbated by the fact that there was, at least in the early and mid-Victorian period, a dearth of qualified candidates to undertake positions of responsibility in the civil service at home or overseas.<sup>47</sup> Any appointment was, however, dependent upon the ability of the person once in office.

The chief criterion in the Colonial Office for promotion was merit. While few clerks were ever fired, it was difficult for anyone who did not possess exceptional ability to be promoted. If anything, by the late 1850's, the Office had fallen seriously behind other departments in salary increases because, as Merivale minuted:

... 1. The constitution of the office, being composed of many more juniors & fewer seniors, relatively, than other offices: which makes promotion relatively slow: 2. The accidental circumstance that the office was formed, about 1824, by appointing together a number of young men of the same age: You will observe that (after Mr. Smith) the next nine gentlemen were appointed almost simultaneously. All the rest are considerably their juniors: & kept from rising by the number thus stationed over their heads....

This condition of the office has been recognized by successive Secretaries of State, but the very rapid succession in that office of late years has prevented its being seriously considered.

Merivale supported the petition by his clerks, interceded on their behalf with the Secretary of State and gained from the Treasury the funds necessary to augment their salaries. He argued that the Colonial Office was losing many competent individuals because of these conditions. After a "paper war" with the Treasury Merivale, having nothing to gain materially for himself, stood by his colleagues and their salaries were increased.<sup>48</sup> For the most part he adopted the same attitude with regard to individual requests for promotion.<sup>49</sup>

In 1859 the chief clerk at the Colonial Office, Peter Smith, retired. The Secretary of State for the Colonies turned first to candidates within the Office before making the appointment. As permanent undersecretary Merivale was responsible for recommending members of the Office for promotion and his advice guided the decision of the Duke of Newcastle. Merivale explained that the choice was an important one because the chief clerkship was retained "...mainly as a mode of rewarding senior clerks of high merit, who each have no other promotion to look to." The chief clerkship had developed from 1848 into a post of "... very great importance, though in minor details: & the efficiency of the department greatly depends on it. He must be constantly at his post, conferring with other departments, household, &c. &c. though of course he has time enough for doing a great deal of departmental business besides." For these reasons Merivale resisted any attempts to have Henry Taylor, senior clerk in charge of the West Indian Department and the most senior of the clerks, appointed. For many years Taylor, suffering from asthma, had capably handled his responsibilities but had done so from home, as Merivale put it succinctly, "on paper". Taylor wanted the promotion to increase his salary and had promised to come to the Office on a regular basis. Merivale doubted that Taylor would be able to keep it up for very long: "... I am perfectly certain that in such work Mr. Taylor would break down. Neither his health, nor his habits of many years would suit it. He would try: would fail: and then we should have all the ordinary difficulties of devising substitutes and accommodations." Merivale recommended the senior clerk of the Australian department, Gordon Gairdner, and the latter was appointed chief clerk. Taylor was given a substantial raise in salary.

Merivale had great success in handling the internal affairs of the Colonial Office but he had more difficulty in his relations with other branches of government particularly the Treasury which was the bête noir of the Colonial Office in the nineteenth century. This department forced Merivale to reconsider very carefully every request for funds for the Office or for colonial projects overseas. As a consequence the "watch-word" of the Office was "economy" and many worthwhile endeavours designed to aid the social and economic development of the British colonies were not undertaken. Throughout his years at the Colonial Office Merivale fought a continual battle with the Treasury over trivial as well as important items of expenditure.<sup>51</sup>

Merivale's chief complaint was that the Treasury continually delayed making its decisions. Important projects, such as the proposed railroad between Halifax and Quebec City through New Brunswick in 1848, had to be examined closely and approved by the Colonial Office, the Treasury and, of course Parliament. In cases like these it was important that time and care be taken.<sup>52</sup> In others, such as compensation to individuals for loss of property, usually involving small amounts of money, the Treasury often held up the process for months by refusing to accept the report of the Colonial Office.<sup>53</sup>

By the late 1850's Merivale had had enough of the Treasury. It seemed to him that Treasury "interference" was growing and was completely unwarranted. In 1856 he stated the problem clearly:

For four and five months respectively the Treasury have had these matters under consideration requiring only an hour or two's thought to settle. I am very sorry to enter into disputes with other departments, but I must record my own belief that these constant & most unreasonable delays are a very serious evil in the present

state of our relations with governments under representative institutions: besides the private suffering they occasion. I have never found that private remonstrances are of any use in this matter, & should propose to write to the Treasury, officially, to the effect of the draft subjoined. But I would request you to weigh it attentively before concurring, as it may very possibly provoke a quarrel.<sup>54</sup>

Henry Labouchere agreed that the Colonial Office should send a strongly-worded protest to the Treasury but private meetings and official letters of protest were all to no avail. By 1860 it seemed to Merivale as though the Treasury was the department of the British government which was "ruling" the colonies and helping to create friction especially between the colonies which had representative and responsible government and the Colonial Office.<sup>55</sup>

Merivale and the Colonial Office had less business with the other branches of government and with a few exceptions, relations were much more cordial.<sup>56</sup> The best example was the co-operation between the Colonial and the Foreign Office with respect to the Palliser Expedition from 1857 to 1860. This undertaking, which became extremely important for the future economic development of Canada was first suggested by Sir Roderick Murchison, president of the Royal Geographical Society. Both Merivale and John Ball, the parliamentary undersecretary, had personal interests in geology and geography and persuaded the Secretary of State for the Colonies to support the Expedition. It received the approval of the Treasury and the Foreign Office. In the next few years the Office continued to support Palliser despite the disappointing results and increasing expense of the Expedition.<sup>57</sup> The best relationships between departments were almost always a consequence of personal friendships between the permanent undersecretaries or the politicians or both.

Until the Crimean War in 1854 the Colonial and the War Offices were one and the same department. When they were separated there were many close friends in both departments. For example, Merivale had worked for a number of years with Benjamin Hawes who had been the parliamentary undersecretary under Lord Grey from 1848 to 1852 and who was later transferred to the War Office. There was in the late 1850's considerable co-operation between the two departments over the issue of colonial self-defence. A complex system was devised for making the colonies, which possessed responsible government, pay for their own defence as much as possible. Imperial garrisons however, would be reduced only gradually.<sup>58</sup> Hawes and Merivale also arranged for the first interdepartmental council on colonial defence and participated in a special commission on reductions in colonial military expenditure in 1859.<sup>59</sup> On only one occasion, with regard to the proposed transfer of the Straits Settlements to the Colonial Office early in 1860, Merivale worked with the India Office. At the India Office from 1860 to 1874, he seldom acted as a liaison between the two Offices.<sup>60</sup>

Merivale's greatest contribution to the efficiency of the Colonial Office concerned the massive amounts of paper containing the despatches sent to London by the colonial governors. Although it is true that the Colonial Office was separated physically from the colonies and the members of the Colonial Office rarely, if ever, visited the colonies, there were concrete links between the two.<sup>61</sup> Increasingly white settlers and even some Amerindians were visiting the Colonial Office.<sup>62</sup> The most important connection between London and the colonies was communication, both official and private, between the Colonial Office and



their officials in each colony. Merivale, realizing the importance of these links, contributed to their development in his role as permanent undersecretary.

Only a few months after his appointment Merivale initiated a very simple but extremely important means of improving the efficiency of the Colonial Office. After receiving a long despatch from Sir Harry Smith in southern Africa, Merivale suggested to Lord Grey that all despatches and reports should be paginated and paragraphed by their originators. Merivale's model, although he had no experience with it prior to his coming to the Colonial Office, was India: "The latter is the practice in Indian correspondence as far as I have seen, and I am told uniformly so. The ease which it affords of referring, is very great: especially in the case of a colony like the Cape, where the reports are often necessarily long; ...." Lord Grey agreed and ordered Merivale to send out a colonial circular to implement this change. As a result imperial administration became more efficient. The permanent undersecretary could immediately direct his attention to the most important parts of a governor's despatch and its enclosures and then send out his response more quickly, first to the Secretary of State for the Colonies for his approval and then to the colonial governor. This change did not, of course, mean that errors were no longer made by the permanent staff or by the colonial governors.<sup>63</sup>

Another change from Stephen's time was Merivale's ability to delegate authority within the Colonial Office. Whereas Stephen had conducted most of the business of reading all the despatches and minuting each one laboriously Merivale gave greater responsibility to his assistant under-

secretary, Thomas F. Elliot, and to his senior clerks.<sup>64</sup> Nevertheless, letters were sometimes delayed, misplaced or even lost in the large amount of paper which circulated through the halls of 13 and 14 Downing Street. In June 1852 one such delay occurred and it clearly revealed the manner in which the internal affairs of the Office were conducted:

I [Merivale] am afraid I cannot altogether coincide in Mr. Blackwood's minute. To myself personally it is of very great importance that the boxes should be seen by my private secretary on their way from the Sec<sup>ty</sup> of State to the department. He selects for me, by the minutes, papers which he thinks it essential I should see at once, either with a view to prepare the drafts on them, or in order that I may know Sir J. Pakington's decision on important questions which have been before me. If he did not do so, they would all come down together from the department with the drafts on them: or else I must put each department to the trouble of looking out & sending down what they think is important. I should see at once: which is far better done by one private secretary who has general judgment as to what I may require. I concur in the last remark; but think, that when a private secretary has occasion to absent himself for more than an hour he should either ask another private secretary to do this for him, or, in his absence, let the box go up at once to the department. I am quite aware some delay is occasioned by the present method, but believe much greater inconvenience would result from changing it.<sup>65</sup>

Considering the number of despatches, reports and letters from private individuals in Britain and the colonies the number of errors which were made was surprisingly few and the business of the Colonial Office was conducted with more than a reasonable amount of efficiency.<sup>66</sup> In one important case Merivale discovered a significant error made by another branch of the civil service, the Admiralty. A spelling error in a despatch from the Admiralty to Captain Fremantle of H.M.S. Juno led directly to the annexation by the East India Company of the Cocos or Keeling Islands instead of the Andaman Islands in the Bay of Bengal. The error was not rectified and both groups of Islands became part of the British Empire in 1857.<sup>67</sup>

Confronted with a dearth of information concerning the colonies, the permanent staff did their best to obtain more.<sup>68</sup> Nor did they hoard that which they possessed. They loaned or gave material to other branches of government, to private persons and to institutions such as the British Museum and the Royal Geographical Society. Historical documents, which for reasons of security might have a detrimental effect on relations between Britain and other countries, were the only exceptions.<sup>69</sup> Merivale had to be careful about what literary assignments he undertook because he was not allowed to write on subjects with which he was dealing at the Colonial Office. In private correspondence however, he did discuss these matters with his friends in Britain or in the colonies.<sup>70</sup>

The most important problem the Colonial Office faced, however, was distance. No matter how much information was accumulated concerning the colonies or how accurate it proved to be, the greatest difficulty was, as Merivale was constantly aware, that most of it was obsolete by the time it reached Downing Street. With the exception of the eastern colonies of British North America and those in the Mediterranean most despatches took more than a month to reach London. The Colonial Office was thereby less influential in determining the course of imperial events. As Merivale put it to Carnarvon in 1858 during the conflict with Sir George Grey over federation in southern Africa: "...it constantly & most inconveniently happens in Cape correspondence, that when despatches have been determined on, new intelligence comes at the last moment to influence the decision -- but there is no help for it & I can only ask for you

[Carnarvon] to let Sir E. [Bulwer Lytton] have them as soon as possible." <sup>71</sup>  
 The only means which the Office could use to counteract the disobedience of colonial governors was the use of censure, immediate recall or transfer to a "punishment station". <sup>72</sup>

The Colonial Office relied only once upon the telegraph in the 1850's and that occurred in 1858 in the Ionian Islands. In this case the Colonial Office used the telegraph to maintain contact with their special commissioner and the former Secretary of State for the Colonies, William Gladstone. <sup>73</sup> No greater use was made of the telegraph because Merivale believed that it did not provide the Colonial Office with sufficient information in comparison with despatches. Colonial Office policy in the 1850's was directly connected with the ability of their official representatives in each colony to interpret events and then to act with or without the advice of the Colonial Office.

Considering the great distance between Britain and the colonies, one of the most important aspects of imperial administration, as Merivale realized, was the appointment of a competent colonial governor. The Colonial Office was biased because it preferred to appoint someone from the metropolis rather than from the colonies. Although the colonial governors came from a wide variety of social and economic backgrounds, the majority were drawn from the military, such as Sir George Grey, or from the professions -- lawyers, doctors or administrators in other branches of government. Merivale and the Secretaries of State for the Colonies were often personally acquainted with them before their appointment. For example, Merivale was a friend of Sir Edmund Head, a governor in New Brunswick and later in Canada, of Sir George Bowen in the Ionian

Islands and Queensland and of Sir William Reid in Malta. After visiting Reid in Malta in 1857 Merivale, not without bias, described him as a model:

... of the British veteran soldier of the better stamp. In saying this, I of course imply that he possessed, in addition to a high sense of honour, a courtesy of manner, gentleness, and a consideration of others, which are essential to my conception of that character. But these, in him, were combined with somewhat rarer qualities. Possessed of varied accomplishments, and distinguished for general scientific knowledge, besides that of a very learned branch of his profession to which he belonged, he was withal a man of singular modesty; almost too deferent to the opinions of others in trifles, and too diffident of his own; though he had a fund of quiet obstinacy, too, on points which appeared to him to involve a principle. He had the warmest love of justice in the abstract: and (as happens not infrequently with men of his stamp) when he judged wrongly, it was generally from the strong sense of some ulterior right, interfering with his perception of the immediate right. His sense of duty towards those whose government he administered, amounted almost to a passion: and so did his hatred of oppression exercised, or arrogance exhibited, towards them; the first happily rare in English dependencies, the latter only too common.

Reid was therefore, despite his inability (like other colonial governors) to speak the language of the people who he was supposed to govern, a " ... fitting representative of England's rule in its aspects of beneficence and equity, and consideration for the governed."<sup>74</sup>

Merivale had a conscious bias in favour of the colonial governors and he allowed them a great amount of flexibility.<sup>75</sup> Distrusting the ability of colonial politicians and civil servants to govern themselves efficiently, he had no choice but to rely upon the colonial governor. Generally, this was even more true of colonies which did not possess representative institutions because the power of the governor was more direct and paternalistic. As a consequence, as one historian has noted, many of the decisions which were made by the Colonial Office were "... largely concerned with the extent of the Governor's discretion, and with the extent

of his responsibility to the Imperial Government for the general administration of his office."<sup>76</sup>

Merivale attempted to increase the power and the influence of the colonial governor because he realized the Colonial Office was severely limited in its capacity to govern the Empire. The ideas of colonial governors usually contained more substance than the theoretical ones of the civil servants in London. Merivale's private correspondence with colonial governors, designed to prevent conflict between the governor and his colonial assembly, which possessed responsible government, was extremely important.<sup>77</sup> The best example was Merivale's correspondence with Sir Edmund Head in New Brunswick and in Canada. As Merivale explained to Sir Edward Bulwer Lytton in 1858 Head had written privately because " ... of the rapid changes of this office (seven Secretaries in one year, 1855...6) he scarcely could correspond privately with the chiefs: though he did so with Mr. Labouchere latterly. The consequence is that he has gone into a way of writing his narration of events in the form of long private letters to me ...." Merivale concluded that it was "always" best to have a "full private communication" between the colonial governor and the Colonial Office.<sup>78</sup>

If private correspondence or confidential despatches were not possible, then, Merivale declared in another memorandum to Lytton, public despatches would have to be used and a "... public despatch to the Governor, is a despatch to his Council, and his Parliament, and the people of Canada. You cannot separate the Governor from the Government and nation. And his Council will, certainly, dictate the answer: probably in the form of a minute which he will have to send."

If the Colonial Office answered the Canadian politicians by

a public despatch the specific issue would almost inevitably be lost and an imperial quarrel would ensue: "They will probably answer sharply -- perhaps offensively -- to the effect that we ought to mind our own business. Then we shall have a choice between an undignified retreat, and a continued controversy with Separation as the probable end of it."<sup>79</sup> A satisfactory mode of communication between the colonial governor and the Colonial Office was therefore essential in maintaining a stable and working relationship between Britain and the colonies.

Recognizing the importance of the colonial governor for the British Empire, Merivale fought throughout the 1850's to better their lot. For example, when Sir Donald Campbell died in October 1850, Merivale received a request from his widow asking that her return passage to Britain be paid. Normally the governor was remunerated for his own passage to and from the colony which he governed but his family was not. In this case as in many others, Merivale succeeded in getting these restrictions changed. He also asked for increases in salaries for the governors, campaigned to have them receive pensions and usually supported them in quarrels with other officials in the colony.<sup>80</sup> Either the British government paid good salaries or it would not obtain efficient administrators.<sup>81</sup> If the colonial governor was not competent, he could be, and often was, censured or recalled from his position.<sup>82</sup> Dismissal was however, usually only adopted as a last resort. The most common error which a colonial governor could commit was to become politically partisan. For this he was rebuked by the Colonial Office but if he persisted, he was transferred to another colony. The ultimate "sin" as Sir George Grey discovered in 1858 in southern Africa, was to continue to disregard orders from

London. Merivale and the other members of the Colonial Office were, however, enormously impressed by a governor who could act competently on his own with only general guidance from the Colonial Office, such as James Douglas did in 1858 during the gold rush on the Fraser River.<sup>83</sup>

Merivale was not as influential an administrator at the Colonial Office as was his predecessor James Stephen. Merivale had introduced only a few innovations into the Office, most notably in the processing of despatches because he believed that the Colonial Office was already reasonably efficient.<sup>84</sup> He was aware of the great limitations placed upon the Office's ability to govern the Empire, primarily the important factors of distance and communications. He concluded that the only means which he had to deal with these problems was to re-organize the Office and its relations with the colonial governors. He was, however, unable to accomplish that goal. Merivale tried to introduce specialization into the formation of policy. As a consequence, the Office was better equipped to handle the increase in the number of despatches and more cordial relations were usually, but not always, developed with the colonial governors. British colonial policy, such as it existed in the 1850's, became increasingly fragmented and beset with vacillation. Despite Merivale's attempts to bring the Empire closer to London, it remained as far away as ever.<sup>85</sup>

Merivale's guidelines for the Colonial Office's relationship with the colonies consisted of the limitations of knowledge, economy and distance. The watchword in the Colonial Office after the departure of Stephen and Grey was not innovation but co-operation between the various members of the Office and their official representatives overseas.



However, the Office's inability to control events overseas led it into conflicts with white settlers concerning colonial self-government and even more so into costly wars between native peoples and white settlers particularly in southern Africa.

## Notes to Chapter 2

1. H. C. Merivale, Bar, Stage and Platform, Autobiographic Memories, London, 1902, 66-67. For an early and inaccurate view see James A. Gibson, "The Colonial Office View of Canadian Federation, 1856-1868", Canadian Historical Review, Vol. 35, No. 4, December 1954, 279-313. Gibson's interpretation, in which he described the 1850's as the "bad old days", was based on W.A. Baillie Hamilton's "Forty-Four Years at the Colonial Office", The Nineteenth Century and After, Vol. 65, April 1909, 603-612. Hamilton was appointed to the Colonial Office as a clerk in 1864 and could not have known the conditions of the Office from 1847-1860. Of greater importance was the fact that Hamilton judged the Office based upon the "activities" of the clerks. It was a "sleep and humdrum" existence for the clerks but not for the Secretary of State, the parliamentary undersecretary, the permanent undersecretary, the assistant undersecretary and the chief clerks who carried on their shoulders all the responsibilities of the Office. The clerks merely copied mechanically all the despatches or other correspondence. For a full and accurate account of the functions of the various members of the Office see Cell, British Colonial Administration, 3-44.
2. J. A. Froude, Océana, London, 1886, 14-15, 390. See also R.C. Snelling and T.J. Barron, "The Colonial Office and its permanent officials, 1801-1914", in G. Sutherland (editor), Studies in the Growth of Nineteenth Century Government, Totowa, N.J., 1972, 139-166.
3. Bodelsen, Studies in Mid-Victorian Imperialism, 48, 58; A.P. Thornton, The Imperial Idea and its Enemies, London, 1959, 41. For a more sympathetic view of Stephen see P. Knaplund, James Stephen and the British Colonial System, 1813-1847, Madison, 1953, and P.A. Buckner, "Colonial Office Government in British North America, 1828-1847", Unpublished Ph.D. dissertation, University of London, 1969.
4. W. P. Morrell, British Colonial Policy in the Mid-Victorian Age, 115; Eldridge, England's Mission, 25-52. Compare with G.W. Martin, "'Anti-Imperialism' in the mid-nineteenth century and the nature of the British empire, 1820-1870", in G.W. Martin and R. Hyam, Reappraisals in British Imperial History, Toronto, 1975, 88-120; J. S. Galbraith, "Myths of the Little England Era", American Historical Review, Vol. 67, No. 1, October 1961, 34-48.

5. Morrell and K.N. Bell (editors), "Introduction", Select Documents on British Imperial History, 1830-1860, Oxford, 1928, xxvii; J.W. Cell, "British Colonial Policy in the 1850's", Unpublished Ph.D. dissertation, Duke University, 1965, 66; G.W. Martin, "Britain and the Future of British North America", Vol. 1, Unpublished Ph.D dissertation, University of Cambridge, 1972, 23, 29-30; Blakeley, The Colonial Office, xiv-xv; D.M.L. Farr, The Colonial Office and Canada, Toronto, 1955, 167. See also Cell, British Colonial Administration, 253, 283; B.A. Knox, "Reconsidering Mid-Victorian Imperialism", 155-172; O. Macdonough, "The Nineteenth Century Revolution in Government", Historical Journal, Vol. 1, No. 1, 1958, 54; and for specific example of how external events could affect the Colonial Office see Grey of Howick Papers, Journal, Vol. 15, 1846-1850 Pt. 1, 2162. For example, Chartist petition and "revolutionary" meetings in London made it difficult for Lord Grey to reach the Colonial Office on April 10, 1848.
6. Cell, "British Colonial Policy", 64-65; P.D. Curtin, The Image of Africa; British Ideas and Action, 1780-1850, Madison, 1964, vii; Farr Colonial Office and Canada, 46.
7. Grey of Howick Papers, Journal, Pt. 1, see for example the entries of Wednesday May 10, 1848, 2170; Sunday May 30, 1852, 2447; Wednesday November 29, 1848, 2217; Monday February 5, 1849, 2241; Saturday October 20, 1849, 2290.
8. For Merivale's interest in Crimean War see Louisa A. Merivale to Charles Merivale, May 1855 in C. Merivale, Autobiography, 285; Carnarvon Papers, P.R.O. 30/6/69, Sir G.E. Bowen to H. Merivale, September 2, 1858 ff. 148 which reveals Merivale visited the Ionian Islands; also see H. Merivale, "Westward", F.M., 28, for his visit to Canada and the United States.
9. For one example see C.O. 323/240 H. Merivale Minute, November 17, 1852 on Hugh Robertson to the Earl of Desart, November 13, 1852, ff. 351-352.
10. A.W. Merivale, Family Memorials, 389; R.B. Pugh, "The Colonial Office 1801-1923", Cambridge History of the British Empire, Vol. 3, 730-731; D.P. Clarke "The Attitude of the Colonial Office towards the Working of Responsible Government, 1854-1868", Unpublished Ph.D dissertation, University of London, 1953, 43-44.
11. Grey of Howick Papers, Journal, Pt. 1, Vol. 15, see entries for Saturday July 4, 1846, 2036-2037; Tuesday July 7, 1846, 2038. Also compare J.S. Galbraith, Reluctant Empire; British Policy on the South African Frontier, 1834-1854, Berkeley, 1962, 15, Knaplund, James Stephen, 5, 284.
12. Grey of Howick Papers, Journal, Pt. 1, Vol. 15, entry for Monday August 2, 1847, 211; Sir Henry Taylor, Autobiography, London, 1885, Vol. 1, v, 134, 136, 233.
13. Grey of Howick Papers, Journal, Pt. 1, Vol. 15, 2073-2074, Tuesday December 1, 1846, 2073-2074; C.O. 323/252 ff. 188; Cell, "British Colonial Policy", 313.

14. Grey of Howick Papers, Journal, Pt. 1, Vol. 15, see entries of Tuesday October 12, 1847, and Friday October 15, 1847, 2115-2116; Newcastle Papers, Ne C 10,897, H. Merivale to the Duke of Newcastle, September 29, 1859 unfoliated; Taylor, Autobiography, 30.
15. Grey of Howick Papers, Journal, Pt. 1, Vol. 15, entry of Wednesday October 20, 1847, 2118.
16. Ibid., Saturday October 30, 1847, 2120; also see Lord Grey to H. Merivale, October 23, 1847, unfoliated; J.M. Ward, "The Retirement of a Titan", Journal of Modern History, Vol. 31, 1959, 192.
17. Napier Papers, British Museum, Add. MSS. 34622, H. Merivale to Macvey Napier, January 27, 1842, ff. 372; H. Merivale, Lectures, Ward "Retirement of a Titan", 194; A.G.L. Shaw, "British Attitudes to the Colonies", Journal of British Studies, Vol. 9, November 1969, 73.
18. Grey of Howick Papers, Pt. 1, Vol. 15, Journal, entry of Wednesday November 3, 1847; H. Merivale to Lord Grey, October 26, 1847; C. Merivale, Autobiography, 238.
19. Grey of Howick Papers, Journal, Pt. 1, Vol. 15, entry of November 17, 1847; C.O. 323/232 Grey to C. Trevelyan, November 27, 1847, ff. 170-175.
20. C. Merivale, Autobiography, C. Merivale to L.A. Merivale, November 30, 1847, 238.
21. Papers of Sir Henry S. Maine, H. Merivale to Sir H.S. Maine, August 12, 1867, unfoliated; Grey of Howick Papers, Journal, Pt. 1, Vol. 15, entry of December 13, 1849, 2294-2295; C.O. 323/232 H. Merivale Marginal Note February 6, 1848 on P. Smith to Earl Grey, February 9, 1848, ff. 156; C.O. 48/284 H. Merivale Minute August 8, 1848 on H.G. Smith to Earl Grey March 13, 1848, ff. 2; C.O. 48/295 H. Merivale Minute August 15, 1849, on H.G. Smith to Earl Grey, April 30, 1849, ff. 292-295; C.O. 217/217 H. Merivale Minute June 5, 1855, on H. Merivale to J.B. Ford, June 6, 1855 ff. 321. See the following for an evaluation of Stephen's influence on the Colonial Office after 1847, P. Knaplund, James Stephen, 4; J.M. Ward, "Retirement of a Titan", 205.
22. Grey of Howick Papers, Journal, Pt. 1, Vol. 15, entry of Friday November 12, 1847, 2125; C.O. 226/72 H. Merivale Minute November 13, 1847 on E.R. Humphries to H. Merivale November 11, 1847 ff. 87; J.M. Mackenzie, "African Labour in South Central Africa, 1890-1914 and Nineteenth Century Colonial Labour Theory", Unpublished Ph.D. dissertation, University of British Columbia, 1969, 36; Martin, "British North America", Vol. 1, 9. For Merivale and the Australian colonies see Harvey, "Herman Merivale", 89-104.

23. Cell, British Colonial Administration, 7; "The Colonial Office in the 1850's", Historical Studies, Vol. 12, No. 45, October, 1965, 56; H.C. Merivale Bar, Stage and Platform, 66; Galbraith, Reluctant Empire, 11, 17, 21; Martin, "British North America", Vol. 1, 7, 13-14; W.P.N. Tyler, "Sir Frederic Rogers, Permanent Under-Secretary at the Colonial Office, 1860-1871", Unpublished Ph.D. dissertation, Duke University, 1962, 343.
24. For specific examples see the following: C.O. 305/1 H. Merivale Minutes undated, to B. Hawes on J. Fitzgerald to H. Merivale, February 14, 1848, ff 259; C.O. 42/551 H. Merivale Minute June 24, 1848 on Lord Elgin to Earl Grey, June 1, 1848 ff. 10-12; C.O. 48/295 H. Merivale Minute June 5, 1849 on H.G. Smith to Earl Grey March 26, 1849 ff. 121-128; C.O. 48/300 H. Merivale Minute March 19, 1850 on H.G. Smith to Earl Grey, December 31, 1849 ff. 325-326; C.O. 323/232 Earl Grey Minute N.D. on H. Merivale draft despatch to C. Sargeant, February 8, 1848 ff. 159-160. For Grey's view of Merivale see Grey of Howick Papers, Journal, Pt. 1, Vol. 15, 2178, 2180, 2192, 2214, 2243, 2256, 2295, 2328, 2368, 2375, 2432-2433; C.O. 48/303 Earl Grey Minute July 24, 1849 ff. 76; C. Merivale, Autobiography, 259-260.
25. Grey of Howick Papers, Journal, Pt. 1, Vol. 15, entry of Monday May 2, 1852, 2425; "Preface" to his The Colonial Policy of Lord John Russell's Administration, 2 Vols., London, 1853, vi-viii.
26. Clarke, "Attitude of the Colonial Office", 47-48, 57; Morrell, British Colonial Policy in the Mid-Victorian Age, 29.
27. Cell, British Colonial Administration, 28; "British Colonial Policy", iii, 9.
28. H.C. Merivale, Bar, Stage and Platform, 2; Clarke, "Attitude of the Colonial Office", iv, 44-45; Morrell, British Colonial Policy in the Mid-Victorian Age, 29. The fifth Duke of Newcastle, Secretary of State from 1852 to 1854 and from 1859 to 1864 was an exception, see Eldridge, England's Mission, 42-44.
29. Ibid., 74-75; Newcastle Papers, Ne C 9, 612, A. Blackwood to H. Merivale, August 3, 1853, 413-415; C.O. 194/140 H. Merivale, October 13, 1853 on P. Latrobe to H. Merivale, October 11, 1853, ff.176; C.O. 42/582 H. Merivale Minute September 11, 1852 on Lord Elgin to Sir John Parkington August 18, 1852, ff. 248-250.
30. C.O. 48/363 H. Merivale Minute June 14, 1854 on T.W. Vowe to F. Peel June 13, 1854 ff. 604. For Merivale's view of Labouchere and his (Merivale's) "sense of silent fun" see H. C. Merivale, Bar, Stage and Platform, 16-17.

31. Lytton Papers, H.C.R.O., D/EK/01, Sir Edward Bulwer Lytton Minute on "Sarawak" August 1858; H. Merivale to Sir Edward Bulwer Lytton August 13, 1858; September 16, 1858, unfoliated.
32. Ibid., H. Merivale to Sir Edward Bulwer Lytton, September 20, 1858, unfoliated; C3/49 H. Merivale to Sir Edward Bulwer Lytton, June 15, 1859, unfoliated and see D/EK/01 Sir Edward Bulwer Lytton to H. Merivale June 18, 1859, unfoliated; H.C. Merivale, Bar, Stage and Platform, 73-74; C. Merivale, Autobiography, 47-48.
33. Sir Arthur Hardinge, The Life of Henry Howard Molyneux Herbert, Fourth Earl of Carnarvon 1831-1890, Vol. 1, Oxford, 1925, 113.
34. Ibid., 136; Lytton Papers, D/EK/01 Carnarvon to Sir Edward Bulwer Lytton, April 28, 1859, Carnarvon to Sir Edward Bulwer Lytton May 8, 1859, Carnarvon to Sir Edward Bulwer Lytton May 20, 1859, unfoliated.
35. Lytton Papers D/EK/01 Sir Edward Bulwer Lytton to H. Merivale, June 18, 1859; Duke of Newcastle to Sir Edward Bulwer Lytton June 20, 1859; C 18/69 H. Merivale to Sir Edward Bulwer Lytton, December 20, 1859, unfoliated.
36. C.O. 323/248 H. Merivale draft despatch May 15, 1856 to Alfred Austin at the Office of Works ff. 90-98; C.O. 323/252 Carnarvon Minute of October 27, 1858 and Sir Edward Bulwer Lytton, October 29, 1858 ff. 419-420; C.O. 323/255 P. Smith Minute January 13, 1859, H. Merivale Minute January 15, 1859 on Secretary of State for the Colonies to the Office of Works, January 12, 1859 ff. 80.
37. For the period after 1860 see Blakeley, The Colonial Office ix-xiii; 3, 20, 36, 38, 51, 62-63, 152; Farr, Colonial Office and Canada, vii, 42, 44.
38. Hamilton, "Forty-Four Years at the Colonial Office", 603-604, 611-612.
39. Clarke, "Attitude of the Colonial Office", 42; Cell, "British Colonial Policy", v; British Colonial Administration, 10, 34; "The Colonial Office in the 1850's", 47.
40. MacDonough, "The Nineteenth Century Revolution in Government", 65; Pugh, "The Colonial Office", 717, 730.
41. P.P., Papers Relating to the Re-organization of the Civil Service, November 6, 1854, 314-317; Appendix to Report on Civil Service Commission, Vol. 49, H. Merivale to J.A. Maitland "Clerkships in the Colonial Office" December 27, 1855, 133-134.
42. C.O. 323/248 H. Merivale Minute January 5, 1856 on J.A. Maitland to H. Merivale, January 2, 1856 ff. 18-19.

43. P.P., Report on the Select Committee on Civil Service Appointments, 274; H.C. Merivale, Bar, Stage and Platform, 74-75.
44. Newcastle Papers, Ne C 10, 682 A. Blackwood to H. Merivale, n.d. Wednesday, 1854, unfoliated; Carnarvon Papers, P.R.O. 30/6/150 H. Merivale to Carnarvon, August 28, 1866 ff. 36-37.
45. For example see the following cases: C.O. 42/596 H. Merivale Minute April 21, 1854 on C.P. Traill to the Secretary of State for the Colonies, March 26, 1854, ff. 512-519; C.O. 323/253 H. Merivale Minute March 29, 1858 on L. Foster to Sir Edward Bulwer Lytton January 19, 1858, ff. 266-267; C.O. 323/253 H. Merivale Minute September 7, 1858 on A.G. Shawe to H. Merivale, September 3, 1858, ff. 693; C.O. 323/252 H. Merivale Minute August, 1858, on Colonial Agents to H. Merivale, May 24, 1858 ff. 32-35; Lytton Papers, 026 H. Merivale to Sir Edward Bulwer Lytton, December 15, 1858, unfoliated.
46. B.A. Knox, " 'Care is more important than haste': Imperial Policy and the Creation of Queensland, 1856-9", Historical Studies, Vol. 17, Spring 1976, 80-81 and compare with Lord Grey's assertion that Lord Elgin's appointment was not an example of patronage in his Colonial Policy, 207-208.
47. B. Porter, The Lion's Share, 1-27.
48. C.O. 323/249 H. Merivale Minute April 24, 1857 on J. Wilson to H. Labouchere April 21, 1857 ff. 278-279; C.O. 323/250 H. Merivale Minute January 24, 1857, on Colonial Office petition to H. Merivale January 17, 1857 ff. 307-308; C.O. 323/250 H. Taylor Minute February 2, 1857 to H. Merivale, ff. 317-324.
49. C.O. 323/255 H. Merivale Minute February 23, 1859 on W.A. Nunes to H. Merivale, January 19, 1859 ff. 382-282.
50. Newcastle Papers, Ne C 10, 897, H. Merivale to the Duke of Newcastle, September 29, 1859, unfoliated; Ne C 10, 898 H. Merivale to the Duke of Newcastle, September 30, 1859; Ne C 10, 897 H. Merivale to the Duke of Newcastle, undated letter but it concerns the same subject, 2-4; Ne C 10, 897 H. Merivale to the Duke of Newcastle, September 29, 1859; unfoliated, Ne C 10, 899 H. Merivale to the Duke of Newcastle, October 25, 1859, unfoliated.
51. Blakeley, The Colonial Office, 138, 150-151; Tyler, "Sir Frederic Rogers", 84.
52. Cell, British Colonial Administration, 12 ; also see the correspondence concerning the proposed railroad between Halifax and Quebec through New Brunswick in C.O. 42/556, 1848; and also C.O. 48/351 H. Merivale Marginal Note December 2, 1853 on his draft letter to the Treasury, C.E. Trevelyan, December 6, 1853, ff. 179; C.O. 48/363 H. Merivale Minute January 9, 1854 on "Memorial from Cape Merchants in favour of Mr. Montagu", January 7, 1852 ff. 593.

53. C.O. 48/362 H. Merivale Minute February 2, 1854 on J. Wilson to H. Merivale, January 31, 1854, ff. 170; C.O. 188/23 H. Merivale Minute December 12, 1854 on C.E. Trevelyan to H. Merivale, December 9, 1854, ff. 61. The Treasury was, of course, overworked. See Cell, "British Colonial Policy", 39-41.
54. C.O. 188/127 H. Merivale Minute July 3, 1856 on J. H. Manners Sutton to H. Merivale July 11, 1856, ff. 223-224.
55. C.O. 188/128 H. Merivale Minute November 29, 1856 on C.E. Trevelyan to H. Merivale, November 28, 1856, ff. 277; C.O. 323/249 H. Merivale Minute February 7, 1857, on C.E. Trevelyan to H. Merivale February 5, 1857, ff. 200; C.O. 323/252 H. Merivale Minute May 24, 1858 on Crown Agents to H. Merivale, May 7, 1858, ff. 30-31; Lytton Papers, D/EK/01 H. Merivale to Sir Edward Bulwer Lytton, December 24, 1859, unfoliated.
56. C.O. 217/214 H. Merivale Minute July 19, 1854 on B. Hawes to H. Merivale, July 12, 1854 ff. 81.
57. H.C. Merivale, Bar, Stage and Platform, 68; C.O. 6/22 H. Merivale Minute January 14, 1857 on R. Murchison to H. Labouchere, January 13, 1857, ff. 320-321; C.O. 6/30 H. Merivale Minute January 14, 1859 on C. Berens to Sir Edward Bulwer Lytton, January 12, 1859, ff. 422 and compare I.M. Spry, (editor), The Papers of the Palliser Expedition, 1857-1860, Toronto, 1968, 281-282.
58. C.O. 323/247 H. Merivale Minute November 24, 1856 on War Office to H. Merivale October 24, 1856, ff. 420; C.O. 323/250 H. Merivale Minute March 16, 1857 on B. Hawes to H. Merivale March 11, 1857 ff. 18-19; C.O. 323/250 H. Merivale Minute April 21, 1857 on B. Hawes to H. Merivale, April 15, 1857, ff. 29; C. Merivale, Autobiography, C. Merivale to L.A. Merivale, October 10, 1854, 277, L.A. Merivale to C. Merivale May 1855, 285.
59. H. Merivale, Lectures, 586-590.
60. C.O. 144/18 H. Merivale Minute February 9, 1860 on C. Lord to Duke of Newcastle, February 7, 1860 ff. 205: Also see Chapter 9 on the India Office below..
61. Hyam, Elgin and Churchill, 339; H. Merivale, Historical Studies, 453-454.
62. Hardinge, Carnarvon, Vol. 1, 124.
63. C.O. 179/3 H. Merivale Minute April 15, 1848 on H.G. Smith to Earl Grey, October 18, 1847, ff. 426; C.O. 48/355 H. Merivale Minute August 2, 1854, on J. Darling to the Duke of Newcastle, June 9, 1854, ff. 254; C.O. 226/73 H. Merivale Minute May 23, 1848 on D. Campbell to Earl Grey, May 1, 1848, ff. 269; C.O. 136/133 H.



Merivale Minute May 28, 1850 on "Private & Confidential Despatch from Corfu of December 27, 1849, unfoliated; C.O. 323/240 "Return of the number of Registered Documents, Papers, correspondence, ... during the years 1830, 1840 & 1850", ff. 140-141; C.O. 323/233 "Circular to Department Heads" by H. Merivale, December 19, 1848, ff. 617-618.

64. Papers of the Third Earl Grey, University of Durham, H. Merivale to Earl Grey, August 28, 1852( ? ); C.O. 48/366 H. Merivale Minute May 10, 1852 on G. Cathcart to Earl Grey, March 3, 1852, ff. 68; C.O. 48/325 H. Merivale Minute May 12, 1852 on P. Smith to Earl Grey, ff. 90.
65. C.O. 144/9 H. Merivale Minute June 15, 1852 on E. Hawkins to Sir John Pakington, May 27, 1852, ff. 298-299.
66. C.O. 48/337 H. Merivale Minute April 9, 1853 on G. Cathcart to the Secretary of State for the Colonies, February 11, 1853, ff. 166; C.O. 217/212 H. Merivale Marginal Note November 15, 1853 on H. Merivale draft letter to the Queen's Advocate, November 15, 1853 ff. 435; C.O. 217/212 H. Merivale Minute December 6, 1853 on Sir J. Gaspard Le Marchant to the Duke of Newcastle, November 23, 1853 ff. 49; C.O. 194 /146 H. Merivale Marginal Note undated, to Sir George Grey on draft despatch to J. Crowdy January 31, 1855, ff. 385; C.O. 188/126 H. Merivale Minute November 24, 1855 ff. 13; C.O. 60/2 H. Merivale Minute December 3, 1858 on Admiralty to H. Merivale, December 30, 1858, ff. 71.
67. C.O. 323/249 H. Merivale Minute September 11, 1857 on Admiralty to H. Merivale, September 7, 1857, ff. 18. Also see Nicholas Tarling, "The Annexation of the Cocos-Keeling Islands", in his Imperial Britain in South-East Asia, London, 1975, 258-266.
68. C.O. 188/115 H. Merivale Minute July 12, 1851 on Office of Commissioners of Railways to H. Merivale, July 2, 1851, ff. 342; C.O. 323/255 H. Merivale Minute January 20, 1859 on G.H. Smith to Sir Edward Bulwer Lytton, undated, received at the Colonial Office January 20, 1859, ff. 429.
69. C.O. 323/255 H. Merivale Minute June 30, 1859 on N. Sainsbury to the Duke of Newcastle June 27, 1859, ff. 156; C.O. 226/87 August 18, 1856 on D. Daly to H. Labouchere July 28, 1856, ff. 199; Lytton Papers, 026, H. Merivale to Sir Edward Bulwer Lytton, November 20, 1858, unfoliated; C.O. 323/250 H. Merivale Minute June 25, 1857 on A. Panizzi to H. Merivale, June 23, 1857, ff. 180-181; C.O. 323/252 H. Merivale Minutes June 4 and 5, 1858 on C.E. Trevelyan to H. Merivale June 3, 1858, ff. 230-231; C.O. 323/252 H. Merivale Minute July 19, 1858, on N. Foster to H. Merivale July 1858, ff. 403.

70. Lewis Papers, N.L.W., Harpton Court Collection, C/2026 H. Merivale to G.C. Lewis, July 28, 1853, unfoliated.
71. C.O. 48/390 H. Merivale Minute August 27, 1858 on Sir George Grey to Sir Edward Bulwer Lytton July 17, 1858, ff. 33; C.O. 217/198 H. Merivale Minute June 26, 1848 on J. Harvey to Earl Grey June 14, 1848, ff. 357; C.O. 305/5 H. Merivale Minute July 25, 1854 on James Douglas to the Duke of Newcastle, May 11, 1854, ff. 56-57; C.O. 305/14 draft despatch, the Duke of Newcastle to Douglas March 27, 1860, ff. 50.
72. Cell, British Colonial Administration, 42; Blakeley, The Colonial Office, 66; Manning, "Who ran the British Empire?", 89.
73. Cell, British Colonial Administration, 44; C.O. 323/249 "Accounts for 1856 and 1857" ff. 343-348 in which there were no expenses recorded for the use of the telegraph and compare with C.O. 323/254, ff. 407 in which the amount is £ 245.8/5. Also see C.O. 323/255 H. Merivale Minute September 22, 1859 on Secretary of the Electric and International Telegraph Company to H. Merivale September 8, 1859, ff. 183 on establishing a rule to retain all original telegraphic messages or merely copies for later reference. Merivale suggested that the Colonial Office adopt the practice of the Foreign Office to maintain consistency and both Carnarvon and the Duke of Newcastle agreed with this suggestion. See their minutes of September 23, 1859, ff. 183.
74. H. Merivale, Historical Studies, 450-451 and compare with Taylor's view, Autobiography, 244-245.
75. Clarke, "Attitude of the Colonial Office", 72, 102-103, 132; C.O. 48/337 Draft despatch of the Duke of Newcastle to G. Cathcart April 14, 1853 which announced the appointment of Sir George Russell Clerk as Special Commissioner to proceed with the British withdrawal from the Orange River Sovereignty. The draft despatch was made "from verbal directions of the D. of Newcastle" to Merivale, ff. 102.
76. Clarke, "Attitude of the Colonial Office", 70, 82, 86; Martin, "British North America", Vol. 1, 53. See C.O. 226/77 H. Merivale Minute March 21, 1850 on D. Campbell to Earl Grey February 18, 1850, ff. 29 which gives one example of the problem of communication between the Colonial Office and the colonial governor.
77. For example see the following: Head-Lewis Correspondence, P.A.C., MG24 A20 Vol. 4, E. Head to G.C. Lewis March 2, 1850, ff. 23-32 and E. Head to G.C. Lewis December 29, 1853, ff. 86; C.O. 48/335 H. Merivale Minute May 10, 1850 on S. J. Bell to Earl Grey March 27, 1852, ff. 70; C.O. 136/161 H. Merivale Minute July 31, 1858 on Sir J. Young to Sir Edward Bulwer Lytton July 20, 1858 ff. 539-540. Merivale's use of private correspondence was not new or original. One of the best examples was that between Lord Grey and Lord Elgin from 1846-1852.

78. Lytton Papers, D/EK/01, H. Merivale Memorandum to Sir Edward Bulwer Lytton September 6, 1858, unfoliated; H. Merivale to Sir Edward Bulwer Lytton August 12, 1858, unfoliated; Head-Lewis Correspondence, Vol. 4, E. Head to G.C. Lewis, July 1, 1850, ff. 34; also see Martin "British North America", Vol. 1, 15-16, Vol. 2, 182.
79. Lytton Papers, D/EK/01, H. Merivale to Sir Edward Bulwer Lytton marked "Public Despatches to Canada" September 11, 1858 and his Memorandum to Lytton on the same subject on September 22, 1858, unfoliated.
80. For examples of Merivale's attempts to better the lot of the colonial governor see the following: C.O. 226/77 H. Merivale Minute November 11, 1850 on A. Lane to Earl Grey October 25, 1850, ff. 167; C.O. 323/242 H. Merivale Minute December 7, 1854, on Admiralty to F. Peel October 26, 1854, ff. 44-45; C.O. 226/80 H. Merivale Minute October 28, 1852 on D. Maclean to Sir John Pakington September 30, 1852, ff. 607; C.O. 194/137 H. Merivale Minute December 4, 1852 on Treasury to H. Merivale December 2, 1852, ff. 275-276; C.O. 48/345 H. Merivale Minute March 26, 1853 on Darling to Sir John Pakington February 5, 1853, ff. 35; C.O. 48/354 H. Merivale Minute June 10, 1854 on Darling to the Duke of Newcastle April 17, 1854, ff. 274; C.O. 48/354 H. Merivale Minute June 26, 1854 on Darling to the Duke of Newcastle April 17, 1854, ff. 278-279; C.O. 48/338 H. Merivale Minute September 17, 1853, on G. Cathcart to the Duke of Newcastle July 14, 1853, ff. 415; C.O. 48/346 H. Merivale Minute October 4, 1853, on Darling to the Duke of Newcastle August 19, 1853, ff. 233; C.O. 48/342 H. Merivale Minute October 4, 1853 on Darling to the Duke of Newcastle August 10, 1853, ff. 247; C.O. 48/348 H. Merivale Memorandum on the "Abandonment of the Orange River Sovereignty", October 27, 1853 in which Merivale backed Clerk's position: "How far all these directions should be made subject to the directions of Sir G. Clerk is of course a serious question. It might be more satisfactory to leave large scope to the judgment of a man of his capacity, but that he himself seem to crave for specific instructions, and probably feels that they would give him additional strength in the negotiations into which he must enter." C.O. 188/122 H. Merivale Minute December 18, 1854 on J.H. Manners Sutton to Sir George Grey November 15, 1854, ff. 222-223; C.O. 48/365 H. Merivale Minute May 2, 1855 on Sir George Grey to George Grey, January 29, 1855, ff. 156; C.O. 305/6 H. Merivale Minute June 25, 1855 on James Douglas to Sir George Grey March 6, 1855, ff. 44-45; C.O. 136/159 Sir J. Young to Henry Labouchere December 21, 1857 and G.F. Bowen to H. Merivale November 25, 1857 and Merivale's Minute of December 30, 1857, unfoliated; C.O. 226/89 H. Merivale Marginal Note to Carnarvon July 9, 1858 on Sir Edward Bulwer Lytton to D. Daly July 9, 1858, ff. 400; Papers of the Third Earl of Grey, H. Merivale to Grey January 12, 1860, unfoliated. See also Blakeley, "Pensions and Professionalism", The Journal of Imperial and Commonwealth History, Vol. 4, No. 2, January 1976, 138-153.

81. C.O. 48/364 H. Merivale Minute January 11, 1855 on Sir George Russell Clerk to Sir George Grey October 31, 1854, ff. 447-448; C.O. 136/158 H. Merivale Minute March 14, 1856 on Sir J. Young to Henry Labouchere February 4, 1856 unfoliated; C.O. 234/2 H. Merivale Minute August 2, 1859 on Treasury to H. Merivale August 16, 1859, ff. 558-559.
  
82. Newcastle Papers, Ne C 10,907 b. Sir Edward Bulwer Lytton Minute June 15, 1859 on Sir Edward Bulwer Lytton to H. Merivale June 17, 1859; Head-Lewis Correspondence, Vol. 4, E. Head to G.C. Lewis, February 12, 1859, ff. 148; E. Head to G.C. Lewis, July 27, 1859; Lytton Papers D/EK/01 H. Merivale Minute to Sir Edward Bulwer Lytton December 23, 1859, unfoliated; C.O. 48/398 H. Merivale Minute December 2, 1859 on R.H. Wynard to the Duke of Newcastle October 27, 1859, ff. 176.
  
83. C.O. 226/88 H. Merivale Minute March 20, 1857 on D. Daly to Henry Labouchere, January 12, 1857, ff. 54; C.O. 226/90 D. Daly to Sir Edward Bulwer Lytton March 14, 1859, ff. 84; C.O. 188/131 H. Merivale Minute October 7, 1858 on J.H. Manners Sutton to Sir Edward Bulwer Lytton April 17, 1858, ff. 187; C.O. 48/394 H. Merivale Minute March 29, 1859 on Sir George Grey to Sir Edward Bulwer Lytton February 18, 1859, ff.126; C.O. 48/395 H. Merivale Minute June 4, 1859, on Sir George Grey to Sir Edward Bulwer Lytton April 8, 1859, ff. 59 and for a much more sympathetic view of Grey see James Rutherford, Sir George Grey, 1812-1898. A Study in Colonial Government, London, 1961, vi, B.C.P.A., B402 a, Private Letter Book of James Douglas, James Douglas to Arthur (?) March 7, 1868, unfoliated.
  
84. Clarke, "Attitude of the Colonial Office", 49.
  
85. Morrell, British Colonial Policy in the Mid-Victorian Age, 2; for a different view and one which emphasizes the role of the metropolis see Robinson and Gallagher, Africa and the Victorians, 19-21.

### Chapter 3: Free Trade and the British Empire, 1847-1860

Merivale's advocacy of the doctrine of free trade accounted for his initial interest in and his long contact with the British Empire. Free trade led him into academic discussions on aspects of political economy in the 1830's and 1840's and once his reputation was established he was appointed to the civil service where he remained until 1874. Free trade had two effects on Merivale's thought and actions with respect to the British Empire. It provided the initial theoretical justification for the maintenance of the British Empire. As an administrator he supported the creation of an empire for Britain which was based on practical principles derived primarily from classical political economy. Merivale wanted to develop an overseas empire which could be controlled from Downing Street and yet could be expanded economically by commercial companies or white settlers. While Merivale's imperial ideal failed, largely because the Empire could not be ruled from London, he contributed to the development of an informal economic empire alongside that of a formal one. By dominating the world "by means of a natural superiority in industry and commerce" Britain had created by the 1870's "almost an empire, in all but name." In Merivale's view "...by actual possession here and there; by quasi-territorial dominion, under treaties, in other places; by great superiority of general commerce and the carrying trade everywhere, we have acquired an immense political influence in all that division of the world which lies

between India and Japan."<sup>1</sup> This expansion caused complex problems for Merivale at the Colonial Office particularly with respect to colonial self-government and the "native question". All these questions were, of course, unforeseen by Merivale in the late 1830's when he became interested in political economy, Adam Smith and free trade.

The Political Economy Club was founded in 1821 and meetings were held regularly throughout the year. It was exclusive and the members were supposed to develop their own interests in political economy. However, their "real and important obligation" was to keep a watch over public affairs, particularly "the Press" and to publish articles which would maintain the objectives of political economy in relationship to Britain and the Empire. As Drummond Professor of Political Economy at the University of Oxford from 1837 to 1842 Merivale automatically became an honorary member of the Club. He did not become a full-fledged member until February 1847. As an honorary member he led the discussion of only one question and that occurred on June 6, 1839 after he had published a number of articles on political economy for the Edinburgh Review. That first question, however, was most revealing because it involved an important problem: "What meaning is to be attributed to the proposition of Adam Smith, that Capital employed in the Foreign Trade 'gives but one half the encouragement to the industry, on productive labour of the Country', which is given by Capital employed in the Home Trade?" By comparison, his last question on May 6, 1870, was equally as complex but much more

direct: "What are the economical advantages or disadvantages arising to this country from the possession of India?"<sup>2</sup> Merivale's interest in the British Empire was a direct consequence of his study of Adam Smith and the classical political economists of the early nineteenth century.

The first written evidence of Merivale's interest in political economy was his "Introductory Lecture on Political Economy". In this masterly discussion of the objectives of political economy Merivale laid the groundwork for his Lectures. In all these writings he was not an original thinker but rather an "intelligent eclectic". As a result Merivale was not necessarily less influential in propagating free trade within his own society although he undoubtedly had little impact on the theoretical development of political economy in nineteenth century Britain. He was regarded as representative of capitalist ideology by no less a person than Karl Marx in Das Kapital.<sup>3</sup>

In his "Introductory Lecture" Merivale defined political economy as "the science of those laws which regulate the production and distribution of national wealth." But he went on to make an important distinction about this "science" which he continued to make for the rest of his life. Political economy was "...strictly a science, not in name only, but in method. Its object is to discover and lay down theoretical truths: not to produce certain results: not to create but to prove." This perspective of the function of political economy also defined his view of the political economist:

...who proceeds, in part, on assumptions, not on facts:  
and its conclusions are mere approximations to actual  
phenomena, although logically derived from the assumed

premises. He deals in the first instance, with certain general tendencies of human nature only: it is for the experimental politician to connect their results with those of the other conflicting tendencies which seem to cross and disturb and counteract each other in the complicated movements of the social machine.<sup>4</sup>

Nineteenth century assumptions of political economy were extremely important because they revealed the direct connection between the economy of the nation and the politics of its leaders. The ultimate objective was the maximization of wealth within the country. The model used by Merivale was a very primitive one. Although he acknowledged that the "production and distribution of wealth" depended on a "variety of extrinsic causes" he concluded that "nations seem to vary like individuals: some are sunk in habitual indolence: some are devoted to the pursuit and accumulation of wealth" some, too active to fall under the former description, but too vain or too impatient for the latter, seem to labour with energy, but to spend instead of accumulating." It was only a short step from this idea to its application. The link between these ideas and actions was provided by Merivale and his fellow political economists' interpretation of history. The European past had revealed that material progress was inevitable. As Merivale put it succinctly: "Do not suffer yourselves to be misled by the declamations of those whose discontent with its moral tendencies induces them to undervalue the real conquests which it [ progress] has made in the mechanical part of civilization." Using a circular argument he concluded that the cause of material progress was to be "found in the gradual prevalence of sounder opinions on the subject of national wealth, and the exchanges on which it is based. It arises from the gradual conversion of those conclusions which economical science has discovered and proved into maxims



for the guidance of statesmen."<sup>5</sup> Within ten years Merivale found himself at the Colonial Office, applying these ideas to the British Empire.

In January 1837 Merivale had written a letter to Macvey Napier, the editor of the Edinburgh Review, concerning a review of Nassau Senior's work published in 1836 entitled An Outline of the Science of Political Economy. This work had originally been delivered as a series of lectures at Oxford during the late 1820's while Merivale was a student. He had read the work and eventually published a review of it in October 1837. In the letter Merivale remarked that he had been "stimulated" by Senior's assertion that political economy was the "science of national wealth". This was the first extant evidence of Merivale's interest in political economy. Senior's work probably led to his application for the professorship at Oxford and his "Introductory Lecture" and the publication of his Lectures.<sup>6</sup> It was fitting that one of Merivale's first works on political economy should have been a critique of the work of the first Drummond Professor of Political Economy.

After defining the various schools of political economy in Britain and in Europe and putting Senior into this context Merivale turned his attention to the nature and function of political economy. He conceded that political economy until the 1830's had been an "art" rather than a "science", in effect, a study of the "art of managing the resources of a nation." But he emphasized that political economy was an "art founded on the maxims of the several sciences, --of moral philosophy, of political philosophy, and, finally, of the abstract science of national wealth." Merivale reiterated his contention that the political economist must deal with both the theoretical and practical

aspects of his subject and must always distinguish between them. "History" and "observations" were the only sure guides for the evaluation of the theories of political economy.<sup>7</sup> Merivale's views on the subject of political economy clearly revealed that he believed the ultimate test of ideas was their applicability to society. At the Colonial and India Offices he recognized the severe limitations of applying imperial schemes formulated in London to the colonies.

In the next five years Merivale attempted to apply the theories of nineteenth century political economy, primarily free trade, to the British Empire. In 1838 he wrote "Five Lectures on the Provisions for the Poor in Ireland" which dealt with the economic problems of Ireland and their possible solutions.<sup>8</sup> Of far greater importance, however, was the publication of his Lectures on Colonization and Colonies. His initial interest in this subject was mentioned in a letter to Macvey Napier. He wrote that "English colonial policy" was a subject which he would like "to attack some day or other. . . not with immediate reference to the questions now quarrelled about, but rather looked at in an historical point of view." Despite this declaration it was obvious that he was (as the remainder of the letter revealed) more concerned with the present:

My impression is, that the laissez-faire system which is now called democratic is in fact the old policy of England towards her settlements: and that the notion is imbuing colonists with the politics of the mother-country, instead of allowing them to frame their own, is comparatively modern: dating principally from the American war. Our ancestors, in short, placed their colonies under severe commercial restrictions for the benefit of England (or they imagined) and left them in other matters to shift for

themselves. We give our colonies enormous commercial advantages, to our own great loss, that we may have the pleasure of governing them as we please, giving them church<sup>9</sup> establishments &c. &c. and disposing of their lands.

Merivale's chief concern as an imperial commentator, however, was with the important economic questions raised by Adam Smith in the Wealth of Nations in the late eighteenth century and their effect on the economic objectives of the British Empire in the nineteenth century.

From 1838 to 1841 Merivale wrote a great deal on this aspect of political economy. In his "Introduction to a Course of Lectures on Colonization and Colonies" (1839) and in the Lectures he came to the conclusion that the Empire should be founded primarily on free trade rather than settlement. Far from being a "separatist" it is obvious from reading his early work that he wanted the British to develop an empire in which each colony would be self-sufficient and would therefore cost the mother-country as little as possible to administer. Economic rather than political, military or cultural reasons should provide the rationale for the British Empire.

Merivale divided the economic history of the British Empire into three phases--the beginnings of empire to the middle of the seventeenth century and the passing of the Navigation Acts; the mid-seventeenth century to the American Revolution; the "modern" period from 1783 to the mid-nineteenth century. The first phase contained adventure, romance, avarice and international rivalry caused by nations coming "under the influence of the most sanguine dreams of extending their wealth and power." In contrast, for Merivale, the greatest impediment to British expansion in the second phase was the loss of Britain's "ancient

ardour for colonization in the mere eagerness of commercial monopoly." Easily accessible regions such as the eastern coast of North America had been explored and monopolies granted with the result that European nations were fighting "ruinous wars to extend or protect their foreign dominions." There was therefore a great difference between the initial reasons for the foundation of the British Empire and the way in which it had developed to 1783.<sup>10</sup> Although Merivale believed that there was continuity within the British Empire he realized that each age had its own different objectives and motives for imperial expansion. India was always an exception, because it was an empire in its own right and not strictly a colony like the rest. One major weakness of his historical argument and his advocacy of free trade as an administrator was his support for the trading monopoly of the Hudson's Bay Company in Rupert's Land. The Company had been flourishing since its foundation in 1670.

In the third period of Merivale's historical synopsis of the Empire he pinpointed the reasons for imperial expansion in the early nineteenth century. There had been a "revival in the spirit of colonization" reminiscent of the seventeenth century and with it "the general extension of commercial activity" which created conditions necessary for the creation of a new empire. This situation had occurred through a concatenation of causes, as Merivale expressed it, because of "accidental circumstances". These included: an "excess of unemployed labour and capital" in Britain after 1783 which led to the migration of both to British North America; stimulation of the economy of

the West Indian islands by the American Revolution; the emancipation of the Spanish and Portuguese colonies which led to British interest in these regions; the foundation of penal settlements in Australia. Despite this evidence of expansion Merivale believed that Britain was not as prosperous as it had been in the sixteenth and seventeenth centuries. British North America was "a region well fitted for the multiplication of a hardy and prosperous people ... but not for the creation of much surplus wealth" while Britain's "western tropical possessions" such as Cape Colony were valuable for the "production of wealth" but not for colonization by white settlers. Australia and New Zealand, which contained both qualities were too far away from Britain. At this point in time, however, Merivale was not pessimistic about these problems.

Merivale believed that the greatest change was the nineteenth century revolution in transportation and communications. Particularly the development of "steam navigation" would open up a new area of the world for Britain, the Pacific Ocean. Fully cognizant that the Empire had always had a maritime base, Merivale argued convincingly that steam would replace "this laborious and unequal communication", sail. In addition "...steam navigation has, as it were, forced the masters of the isthmus of Suez to open that great highway of the Old World; for the exigencies of trade will in the end triumph over all political obstacles." Merivale believed that this process was inevitable. He was both fascinated and repelled by the prospects of the next fifty years which would, he declared: "...in all probability, see a change analogous in character, and more than equal in extent, to that which

was effected in the first half century after the landing of the Spaniards in America. Whatever revolutions may await Europe at home, her destinies of foreign conquest and domination seem fixed and unalterable as far as any thing future can be so." In this manner Merivale linked the two most important factors in British expansion in the nineteenth century--the ideology of free trade with the inevitability of technological progress.

The basis of the British Empire was material progress, specifically the amount of wealth to be derived from another region by opening new markets for trade and "new outlets" for the population of the mother-country. This process should not, however, be undertaken by a "policy of securing those markets by prohibition, and keeping our customers in subjection by force" but by free trade. Free trade would enable the British at home and overseas to engage in such economic activities which would give scope to individual liberty and individualism and thereby contribute to British status and power throughout the world.<sup>11</sup> This preoccupation forced Merivale to examine the theoretical basis of free trade in the Wealth of Nations which had just been published in 1838 in a new edition.<sup>12</sup>

In the Edinburgh Review Merivale pointed out the value of the Wealth of Nations since its publication in 1776. He admitted that its practical usefulness was largely gone because the "principles which he [Smith] advocated with such force of reasoning and illustration, have, to a great extent, passed into axioms in political science; and form the general basis of commercial legislation in Europe." Smith's greatest contribution was, however, "one of the most active and efficient instruments in doing the great work of that age; the work, namely, of destruction; -- of clearing away the encumbrances of ancient systems of which the vitality was gone, and the ponderous and

inanimate remains encumbered the earth." Merivale saw his own age and career being devoted to carrying on the great work of Adam Smith with regard to the British Empire first as a commentator in his Lectures and then as an administrator at the Colonial and India Offices.<sup>13</sup>

From his initial dedication of the Lectures in 1841 to the Earl of Devon, whom he described as the "zealous and active promoter of colonial enterprise", to his conclusions concerning the value of colonies to Britain, Merivale was intent on unravelling the complex relationship between free trade, imperial expansion and its consequences for Britain, Europe and the Empire. He was aware of the difficulties of dealing with such a "vast subject". His specific objectives were "to convey information on a very popular and interesting topic, on which information in a condensed shape is not easily attainable"; to develop the elementary principles of political economy as far as they have affected colonization; to question the "speculations of late years respecting the most profitable mode of applying capital and labour in the foundation and improvement of settlement."<sup>14</sup> The analysis of these objectives which followed in the pages of his Lectures was one of the most penetrating ever made in the English language to 1841. Its influence upon British imperial historians since its publication has been significant.<sup>15</sup>

Merivale's Lectures have also offered an insight into British imperial attitudes in the mid-nineteenth century. Written before the work of Marx and his disciples and the great expansion of the British Empire in the late nineteenth century the Lectures have given twentieth century historians an understanding of the economics of empire relatively uncluttered by

political dogma and complex theoretical economic analyses which arose after the "new imperialism" occurred. In addition the Lectures were significant because Merivale was an "informed contemporary observer" and an "intelligent eclectic" in classical political economy.<sup>16</sup>

Merivale defined "colony" in very simple and clear terminology as a "...territory of which the soil is entirely or principally owned by settlers from the mother country." A colony was not a "military station" like Gibraltar, Malta, a "conquered district" like Ceylon or part of Britain's informal empire. The most important exception was India, which in Merivale's view, was not a colony because colonization by Europeans was not only "unknown but prohibited". As a consequence he made only passing reference to India in his Lectures. This distinction concerning colonies of white settlement, strategic outposts of empire and areas of economic dominance, revealed his awareness of the variety of complex forces at work in the nineteenth century.<sup>17</sup>

Merivale's definition of a colony was followed by an investigation of the motives for British expansion from the sixteenth to the nineteenth century. The "fundamental principles of colonization", he believed, "have always been those of exclusive dominion, generally of exclusive trade." In general terms these two elements had interacted such that the "former has often been jealously preserved for the sake of the latter; often, too, from the feeling of national pride in extensive possessions." British attitudes and actions towards the Thirteen Colonies before 1776 were the best examples. Colonies, he believed, went through three stages of development. All three stages he expressed in terms of material progress.



The first or "infant" stage was the one in which the major problems were largely economic, the introduction of capital and labour to the new land. The second or "adult" stage occurred when there was economic stability, a harmony between land, capital and labour, during which British political institutions could be introduced. The third stage was that of "virtual or actual independence" at which time the colonists would be allowed to control both their domestic affairs and external relations. <sup>18</sup> Merivale therefore made a very clear distinction between Britain's political and territorial control over an area, a formal empire and economic dominance by means of trade, an informal empire. This theory of empire was confirmed by his detailed historical analysis of the Spanish, French, Dutch and British empires.

Merivale added the details of the economic development of European empires to Adam Smith's model in the Wealth of Nations. Unable to accept completely the "black legend" of Spanish rule in the Americas and the Caribbean he wrote that improvement had come to the Spanish possessions because of the "commerce and the spirit of America." The English smuggler and the example of the commercial success of the Thirteen Colonies had forced Spain to lift its economic and political restrictions. When revolution finally broke out in the Spanish colonies it was caused by the "feeling which recruited the armies of the patriots, and made their cause popular with the community in general, even when stained by the greatest excesses and devastations--a most pregnant warning to governments. Tyranny, in the ordinary sense of the word, falls heavily only on the few, and is often endured for a long time through the acquiescence of the many." After this great change Merivale believed that the new republics were making substantial progress with the abolition of slavery, improvements

in education and race relations. Brazil, Cuba and Mexico, in particular, had made great strides despite opposition from the planter class.<sup>19</sup>

By the mid-nineteenth century the former Spanish colonies in the Caribbean were, according to Merivale, once again in a perilous state. They were "rapidly acquiring the degraded characteristics of factories" and were not models of material, social and political progress. In contrast, the development of Brazil since British intervention in 1807 was very marked and had proved that "freedom of trade to be established in Brazil [was] a singular instance of great internal benefit resulting to a nation through the temporary interference of a foreign country in her affairs." By ideology and action in the nineteenth century Britain was, with respect to its commercial policy, having a great impact on the rest of the world. In Brazil the ports were "thrown open to foreign goods in foreign vessels, in payment of an ad valorem duty; for purposes of revenue only; and then England became, in a commercial sense, the metropolis of Brazil. Perfect freedom was given to internal industry; and a country in which, up to that time not a single book had ever been printed, became the seat of a court, a representative government, and what are called national institutions."<sup>20</sup> Merivale realized he was describing the state of Brazil as moving from the control of one metropolitan European power to that of another, from formal to informal imperialism.

Merivale completely failed to reconcile the internal contradictions in the relationship between monopoly, free trade and imperialism. He did, however, make a distinction between a state monopoly and a private commercial undertaking. While all state control inevitably inhibited economic and political progress Merivale believed that private monopolies were acceptable

because they did not directly interfere with political development. Sometimes they even helped the economic foundation of a colony in its "infant" stage. Private monopolies given to commercial companies by the state had to be run efficiently and humanely. In his Lectures his primary historical example was the Dutch East India Company which "...declined partly through the natural unsoundness of monopoly, partly through the consequences of its own wealth and prosperity. That prosperity led it to form expensive establishments, which involved it in debt; and, thus burdened, it was ill able to withstand the competition of the English, either in war or commerce, while these were as yet free from similar impediments." The failure of the combined effort by private companies and the state in New France in the seventeenth and eighteenth centuries were also used by Merivale to highlight the triumph of free trade within the British Empire. For the most part he neglected the environmental factors which had an effect on the imperial endeavours of other European countries. The climate and soils of the majority of the Thirteen Colonies were for example, much more suitable for settlement than the St. Lawrence Valley.<sup>21</sup>

In his Lectures Merivale oversimplified the relationship between free trade and imperialism in his description of the failures of other European empires. Historical evidence was subordinated to the doctrines propounded by Adam Smith although he recognized that British imperial history "...presents a prospect so wide and so diversified; it is so rich in great enterprises and strange events; so abundant in economical lessons, and carries our attention from point to point over so vast a portion of the surface of the earth, that selection and compression appear almost equally

difficult." Merivale was primarily concerned with the general characteristics of the Empire and its usefulness as a guide for the present and the future and his analysis was distinctly "Whiggish."

Merivale's entire interpretation was primarily a history of the development of economic and political liberty. The only exceptions were those colonies "acquired by conquest" and the "chartered colonies of North America." For the most part he asserted that the first colonists had grown "...in a spirit of independence and self-reliance; and instead of parting with a portion of his rights when he settled in a distant dependency, the emigrant felt that he breathed a freer air than that of the land he had relinquished." British policies which promoted political and economic liberty had given British settlers much more freedom than other European settlers. The eighteenth century was an exception because the British had begun to enforce the Navigation Acts.

Merivale's interpretation of the American Revolution was crucial to his view of the British Empire in the nineteenth century. The Revolution had been caused by the adoption of mercantilism:

...the colonies were brought, both as to their commerce and their internal affairs, under regular government and subordination, in which they continued until the attempt to reduce those of North America to more complete subjection, by taxing them without their own consent, occasioned their separation from the mother country. This event, and the results of the great French war, which placed under our government a great number of the dependencies of other countries, materially changed the character of our colonial relations.

The American Revolution, the rise of free trade, the Napoleonic wars and the industrial revolution in Britain signalled the end of mercantilism and the "first" British Empire. The new Empire, which was beginning to be

developed after 1814, was based on trade rather than settlement.

By 1841 free trade had still not become the dominant policy of Britain toward the colonies. Merivale had, as a consequence, a very critical attitude towards British imperial policy in the 1830's and the 1840's which led later commentators to assume that he was an advocate of "separatism". In fact he wanted an empire of free trade and one that benefited Britain economically. As he declared emphatically in 1841: "We give them [the colonies] commercial advantages, and tax ourselves for their benefit, in order to give them an interest in remaining under our supremacy, that we may have the pleasure of governing them." Merivale wanted to cut administrative costs in colonies which had not proven to be economically valuable. Any colony which had any economic value or which was of strategic significance would be retained. It is clear that he was not opposed to British imperial expansion if it was done in a controlled manner. For Merivale the economic motive for empire was clearly dominant.<sup>22</sup>

Merivale's attitude to free trade made him conclude that the British West Indian colonies were anachronisms. The English "distaste" for slavery and the attempts to eradicate it were, in his view, a consequence of economic changes rather than its cause. The end of the sugar monopoly in the British West Indies was due to "the extraordinary progress of the French sugar colonies" and "the American revolution, which deprived them [the British sugar colonies] of their American customers, who, having achieved their independence, resorted to the cheapest market." Alternative sources of trade with the remaining British North American colonies had failed to develop because Canada, Nova Scotia and Newfoundland were not able to supply the British West Indian colonies with the goods needed

in exchange for sugar. As a consequence the latter colonies went into severe economic decline from which they did not recover in the nineteenth century. Merivale did not lament the "loss" of this part of the British Empire because of their racial and economic problems.<sup>23</sup>

Merivale was convinced that the nineteenth century Empire should be based on free trade, material progress and liberty for white settlers. One of the constant themes running through his imperial commentaries, his minutes and memoranda at the Colonial and India Offices was the essential need for "plain and practical institutions" for all new settlement colonies. The "foundation of a colony is like a house: you may throw in at first loose stones, and any kind of rubbish; the finished elevation must follow afterwards."<sup>24</sup> This attitude was reflected in his policy with regard to the penal settlements in Australia, as well as colonies in New Zealand, southern Africa and British North America. In 1841 he was extremely optimistic with regard to British policy towards these new regions and their natural resources. The British "North American empire" possessed enormous potential with an excellent climate and soils for agriculture in the colony of Canada and elsewhere, valuable "staple articles for export" such as fish in the North Atlantic colonies, timber in New Brunswick and fur in the Hudson's Bay Company's territories. "South Africa" also had "some great natural advantages, which seem to ensure its eventual prosperity", a good climate and geographical location because it was "lying in the middle of one of the great highways of maritime communication." But as yet these advantages had not been developed by British settlers.<sup>25</sup> The same was true of Australia and New Zealand although they were separated from Britain by great distances.<sup>26</sup>

In 1841, considering this inventory, Merivale became exhilarated with the present and future prospects of the British Empire. He wrote that these colonies would, in time, surpass the wealth and power of Britain:

The fortunes of the new shoot, when separated from its parent stem, afford a more pleasing object of contemplation than the slight changes which may be produced in the condition of the old familiar tree. The mere effort of directing the mind to travel abroad to those new regions of romance and expectation, where all is life, and hope, and active energy, affords a relief to the spirits, which again feel wearied and fettered when it is called back to fix its attention at home.

The imperial motive was, according to Merivale, to be found in the peculiar nature of the British character, the "yearning after the distant and unseen", which had led the British to become "masters of every sea, and colonists of every shore". Merivale's analysis of the British Empire was grounded in political economy.

The British Empire was a product of a material process and imperial ideas. Free trade was, for Merivale and many of his contemporaries, the link between the two and the rationalization for both. "Empire" was therefore "a sort of instinctive feeling to us all, that the destiny of our name and nation is not here, in this narrow island which we occupy; that the spirit of England is volatile, not fixed; that it lives in our language, our commerce, our industry, in all those channels of inter-communication by which we embrace and connect the vast multitude of states, both civilized and uncivilized, throughout the world." This conclusion raised an imperial dilemma. Britain would inevitably expand and spread liberty and equality throughout the world while, for the native peoples, the impact of the imperialism of free trade would not be liberty or equality. Merivale recognized this problem but, as will be shown below, he had no practical solution for it.<sup>27</sup>

Merivale knew that the process of the imperialism of free trade was not entirely a natural development but entailed the intervention of the state in the economy of the Empire. Besides "political considerations", Merivale believed that there were only two economic factors in colonization and they both needed planning in order to be established: "First. To furnish a means of bettering their condition to the unemployed, or ill-employed, portion of the people of the mother-country. Secondly. To create a new market for the trade of the mother-country." Both these economic purposes were connected because they provided the two necessary elements for the foundation of any colony, capital and labour. The British government would have to encourage emigration from Britain to the colonies by a system of bounties. Once the settlers had arrived it was imperative that capital be supplied to enable the new settlers to open up "new sources of production and new outlets for our trade". Merivale admitted that the creation of an empire of free trade meant that Britain would have to rely on a system similar to that propounded by Edward Gibbon Wakefield, one which would be "well-regulated".<sup>28</sup> Free trade for Merivale and many of his contemporaries meant, in political terms, the spread of British traditions of liberty and equality throughout the world. In economic terms it meant something very different, the exploitation of the human and material resources in colonies for the benefit of the mother-country.

The objective of empire was to maximize the wealth and ultimately the power of the mother-country. In 1841 Merivale believed the remnants of the "old colonial system" were inhibiting the growth of wealth of Britain. It was therefore only in exceptional circumstances that an "artificially monopolized market" might be valuable to the mother-country. He concluded that practically:



...such gain is found to be wholly illusory; that the disadvantages of a forced trade in manufactured commodities are almost always greater than its advantages, but that to a country possessing the means of manufacturing cheaper than the rest of the world the benefit must be visionary altogether; while, in order to secure this delusive profit, we are forced to concede to our colonists a monopoly for their raw produce, which is a real and substantial loss to ourselves. It is plain, therefore, that the whole fabric is, in truth, maintained by sacrifices on our part, amounting to an enormous national expenditure.

Quite accurately he argued that the old colonial system had been "constructed with a view to the present gain of particular classes" but once it had been established in the seventeenth century it was self-perpetuating, and had "found ingenious advocates to defend it, on the ground of prospective utility." The economic basis of the first Empire had been destroyed when it was discovered that trade had increased between the new American republic and Britain after 1783.

Free trade was therefore in the interests of the Empire but not all the colonies. Colonies should only be retained if they were profitable. This philosophy, as Merivale was to discover in the late 1840's and 1850's, was vigorously opposed by the white settlement colonies because Britain was increasingly diverting its attention to an empire based on trade, consisting of both formal and informal areas of economic influence throughout the world. Merivale was aware that schemes which advocated the development of a kind of "colonial zollverein" would not work to Britain's economic advantage. There would be little practical difficulty in forming a colonial zollverein

...on the grandest imaginable scale. Many an independent state would gain, commercially speaking, by surrendering its sovereignty, and becoming enlisted in the catalogue of British dependencies. But every extension of such a commercial league could take place only at the expense of additional burdens on British industry, and additional loss to British consumers, if the products of the regions comprised in it required protection in order to enable them to compete with foreign products in the British market.<sup>29</sup>

If Britain was to continue to develop its own economy it would have to expand its Empire but such expansion, he believed, would have as its primary purpose the self-interest of the mother-country.

All these themes Merivale developed from 1841 until 1874. In the Edinburgh Review he reiterated that Britain did not have enough colonies. In July 1843 when reviewing Sir Charles Lyell's Travels in North America Merivale wrote that the "perilous greatness" of Britain depended almost entirely upon "colonization"--"the opening of new markets, the creation of new customers". This process meant that the new colonies had to receive British emigrants but Merivale did not regard the loss of labour as detrimental to the interests of the mother-country in the long term because they were only "dribblets from our teeming multitudes." "Every new colony" would "far from diverting strength from the older ones, infuse into them additional vigour. To them as well as the mother-country it opens a new market." One such new area for imperial expansion was the northwest coast of North America.<sup>30</sup> British involvement in this area would, he realized, bring the British into conflict with the American republic.

As a consequence of Merivale's concern for colonization in the western regions of North America he found another exception to the imperialism of free trade. In October 1847 in the Edinburgh Review he discussed the adoption by the United States of a protective tariff and attempted to understand the American rejection of free trade principles. While regretting the American system of tariff protection he could only

conclude that it "...began in a desire of just, but impolitic retaliation on England. Once implanted in the state--according to the uniform history of such evil growths--it struck its roots too deeply in popular feeling to be eradicated, so long as the close balance of parties, and the difficulty of conducting the government, might render it an object with statesmen to bid for the votes of a protected class, strong in united self-interest rather than numbers." The economic consequences for the West Indies had been calamitous but the United States had prospered. He believed that the United States had so many natural advantages that it did not really need tariff protection, but there was little that Britain could do to change American policy. Merivale continued to view this situation with a certain amount of regret.<sup>31</sup>

Merivale was greatly impressed by the development of the informal empire of the United States. With the American conquest of California he wrote that their next sphere of economic influence would be the Pacific Northwest and Latin and South America. Contradictorily Merivale condemned the American conquest of the former Spanish American colonies. He was motivated, at least partially, by a sense of rivalry between the British and the American empires in the mid-nineteenth century. As he put it prophetically:

To bring internal peace and the benefits of commercial enterprise to these wretched little states, impotent alike to defend their rights and ameliorate their internal condition, seems a mission worthy of a great and flourishing people: and thus the spirit of rapacity is varnished over by one of those plausible hypocrisies so dear to human self-righteousness. That Central America is to become substantially a dependency of the Union--whether by conquest, or the milder process of improving the natives off the face of the earth--is an article of faith which meets, we conceive, with no dissenters, from Maine to California; and such determined faith is apt enough to realize its own accomplishment.

Merivale realized that these words could readily apply to any nation with imperial designs on other regions of the world including the British.<sup>32</sup> Nevertheless his critical awareness of the effects of imperialism on aboriginal populations did not prevent him from advocating the expansion of the British Empire either at the Colonial or the India Offices.

With the advent of free trade in 1849 the way was open for Merivale and the Colonial Office to persuade the white settlement colonies to adopt free trade. In every case except one, the Reciprocity Treaty among some British North American colonies and the United States in 1854, the colonial response to free trade was a negative one. Acting out of economic self-interest the colonies attempted to put up tariff barriers against Britain in order to protect their developing industries and to raise revenue for internal improvements. British opposition to colonial tariffs created almost as much conflict in the 1850's as the British proposal to withdraw its imperial garrisons in the 1860's. In one particular case which has hitherto received very little attention from either Canadian or British imperial historians, the Merivale-Peigard Treaty of 1856, Merivale was caught squarely in the middle of one of these conflicts and only then did he realize the limitations of developing an imperial policy based on free trade.

The first case of opposition by a colonial assembly to free trade, with which Merivale was concerned, came from New Brunswick in the spring of 1848. Receiving news from the colonial governor, Edmund Head, of the passage of an act imposing differential duties on the United States, Merivale deplored the action but suggested that its cause was trade rivalry between New Brunswick and the United States. His greatest fear was that such an action would re-

sult in a tariff war which might possibly include Britain but the Colonial Office was very reluctant to disallow colonial acts and did not do so with this one. Under the leadership of Lord Grey, who was also a free trader, the Office knew it had to find some way to prevent the proliferation of tariffs in British North America.<sup>33</sup>

The most obvious solution was the negotiation of a reciprocity treaty with the United States. Grey instructed both Head and Lord Elgin, Governor-General of Canada, to sound out colonial politicians and American representatives on the prospects. Both Head and Lord Elgin responded that such a proposal would encounter no opposition from Canada or most of the Atlantic colonies. The most serious question was whether the United States could be convinced of its economic efficacy. Lord Elgin and his lobbyist in Washington, Israel D. Andrews, negotiated a reciprocity treaty in 1854. The treaty also settled the long-standing fisheries dispute in the Grand Banks for the next ten years.<sup>34</sup>

Merivale approved of these negotiations largely undertaken by the Foreign Office and by Lord Elgin in Washington. As the Office's legal expert he pointed out a problem which would continually frustrate British politicians and administrators throughout the 1850's and later. It was fairly easy to obtain the support of the colonial governor and those interested in free trade in each colony. The real problem came with ratification when each colonial assembly had to pass the clauses of the Treaty. Theoretically Parliament could, Merivale minuted, overrule existing colonial laws but in practice such interference was seldom undertaken. Each colonial assembly could pass the necessary laws itself but they could not be forced to do so.<sup>35</sup> This legal problem, associated with the introduction of free trade into British North America, was

extremely important and would come back to "haunt" Merivale and his colleagues in 1856 with regard to a fisheries treaty in Newfoundland.

While the Colonial Office was pondering these problems Lord Elgin was in Washington negotiating the reciprocity treaty. A few weeks before it was signed the Colonial Office received a despatch from James Douglas, governor of Vancouver Island, asking if the proposed agreement would also include that colony. This query was important because much of that colony's trade was with California and Oregon rather than with Britain or the rest of British North America. The Colonial Office was surprised and Merivale admitted that no one had thought of including Vancouver Island. It was not until December, three months after the signing of the Treaty, that Merivale learned from the Foreign Office that it had not been found "practical" to include Vancouver Island. This colony was, in the view of the Foreign Office, too far away from Britain and the rest of British North America to be considered, although the Colonial Office was also aware that the colony was economically backward and could have been materially assisted by the Treaty. There was, therefore, a certain amount of inconsistency in the application of free trade to the British North American colonies.<sup>36</sup>

Newfoundland, the oldest British colony in British North America, (but one which always had great economic difficulties) gave Merivale and his colleagues the most trouble in the 1850's. This case also revealed the deficiencies of a policy of free trade after the granting of responsible government.<sup>37</sup> Ever since the Peace of Paris in 1763 French fishermen had a legal right to land on the west coast of Newfoundland to dry their fish. This problem was further complicated by the fact that many Newfoundlanders made their living by selling bait to both Newfoundland and French fishermen. If there was a shortage of bait, Newfoundland

fishermen were sometimes placed at a disadvantage. Merivale's first contact with this problem came in 1849 when a petition arrived at Downing Street. The major complaint was that Newfoundland interests were being sacrificed to imperial ones because the British government had refused to enforce the laws against selling bait. It alleged that Britain's primary interest was to maintain good diplomatic relations with France. Merivale recommended that the complainants' request for enforcement in the form of a "small armed naval force" be considered by sending the request to the Board of Trade and the Admiralty. Lord Grey, not wanting to involve Britain in a confrontation with France, vetoed Merivale's suggestion.<sup>38</sup> Nothing was done until Grey left the Colonial Office in 1852 and until the complaints were linked with Newfoundlanders' demands for responsible government.

In 1854 and 1855, William Strachey, the précis writer at the Office, compiled information on this problem while Merivale and the Secretaries of State were busy with the implementation of responsible government. In 1855, in consultation with the Foreign Office the Colonial Office decided, without consulting the inhabitants of Newfoundland, to solve the problem by negotiating a treaty with France. In the summer of 1856 Captain Peigard, the French representative, arrived in London to negotiate the treaty. Merivale was appointed as the British negotiator. The treaty was accepted in September 1856 by the French government and was formally signed in January 1857.<sup>39</sup> The entire proceedings had been conducted without consulting Newfoundlanders who had been granted responsible government.

Newfoundlanders were informed of the Merivale-Peigard Treaty in January

1857. Within one month Merivale and Henry Labouchere, the Secretary of State, were presented with a petition from the colonial legislature protesting the fact that Newfoundlanders had not been consulted. They believed that their interests had been sacrificed by the British government. The colonial governor, Sir Charles Darling, sent a report on public reaction. Opposition was wide-spread. A large public meeting in St. John's had proposed a motion in favour of annexation to the United States, there was general condemnation of the British government for granting too many concessions to France and for not consulting the Newfoundland assembly before signing the agreement. Merivale and the Colonial Office were confronted with the ultimate colonial sanction when the assembly refused to ratify the Merivale-Peigard Treaty. The Treaty, they argued, would give the French commercial and strategic advantages over Newfoundland and eventually lead to French annexation.

The whole question was then, quite rightly, dropped into the permanent undersecretary's lap in Downing Street. Merivale had to placate the colonists, try to get them to change their minds and ratify the Treaty. He drafted a despatch to Darling on March 26, 1857 in which he explained that the Treaty had been signed "...in the hope of bringing to a satisfactory arrangement the many complicated & difficult questions which have arisen between the two countries on the subject of the Newfoundland Fisheries." Attempting to assuage the feelings of Newfoundlanders he reiterated that the British government was not trying to force them into the Treaty and he adhered to "...two principles which have guided them, and will continue to guide them; namely that the rights at present enjoyed by the community of Newfoundland are not to be ceded or exchanged without their assent,



and that the constitutional mode of submitting measures for that assent is by laying them before the Colonial Legislature." The next stage of Merivale's argument was less convincing. He wrote that the British government had simply followed the same pattern of negotiation as the reciprocity treaty with the United States in 1854. This statement was incorrect because the British had consulted most British North American colonies before the 1854 agreement had been signed. Nevertheless he realized that the Colonial Office had no choice but to accept the wishes of the colonists: "The proposals contained in the Convention having been now unequivocally refused by the Colony, they will of course fall to the ground. And you are authorized to give such assurance as you may think proper that the consent of the Community of Newfoundland is regarded by H.M.'s Gov't as the essential preliminary to any modification of their territorial or maritime rights."<sup>40</sup> In effect Merivale's draft despatch conceded to Newfoundlanders the right to determine their external economic relations when they came into conflict with those of Britain and the Empire.

This conflict with Newfoundland occurred two years before a similar case, Canada's protective tariff of 1859, was allowed by the Colonial Office. In granting responsible government the Colonial Office discovered that free trade had not been a panacea for imperial problems. Merivale spent three more years attempting to re-negotiate the Treaty with full consultation by Newfoundlanders. It was imperative for the Colonial Office to continue because there was a danger of the possibility of armed conflict between the French and the Royal Navy off the French shore of Newfoundland. The Office sent a representative to visit Newfoundland to conduct an informal inquiry with the help of the new governor, Sir Alexander Bannerman.<sup>41</sup>

At the same time the Colonial Office received notification from the French government that Captain Peigard had arrived in London to commence the re-negotiations. By this time however the Colonial Office had learned its lesson, as Merivale minuted: "This note expresses the expectation of the French government that new proposals shall come from our side. If so, they must I conclude come from or be made with the priority of the government of Newfoundland." Acting on Merivale's advice Henry Labouchere thought it was wise not to renew the negotiations until there was consultation between the representatives of the colonies of Newfoundland and St. Pierre.<sup>42</sup> Merivale and the Colonial Office had adjusted their colonial policy to allow for colonial representation.

In 1858 the Colonial Office learned from Bannerman that, because of public feeling against the French in Newfoundland, Newfoundland politicians had refused to consider the re-negotiation of the Treaty. They requested that the Royal Navy be sent to protect them from the French. The colonists were demanding the right of self-determination in their external relations but, like responsible government, they would not take on the responsibility of taking steps to see to their own defence.<sup>43</sup> Despite pressure from the French government the Colonial Office did not take any action in the matter until Newfoundlanders changed their position.<sup>44</sup> Meanwhile the colonial governor was in a very delicate predicament. Fearing violence between French and Newfoundland fishermen on the French shore and the intervention of the French navy Bannerman ordered, without consulting the Colonial Office, Newfoundland fishermen not to go into the disputed area. He also suggested that the whole affair could easily be solved if the Colonial Office told Newfoundlanders that the matter was an imperial rather than a colonial

question and therefore an act of some sort should be passed to overrule the assembly. The Office did not agree with this proposal. Both Lord Stanley, the new Secretary of State, and his parliamentary undersecretary, Carnarvon, agreed with Merivale's assessment: "Like most Governors, he sees the difficulty of his own position, and does not fully understand the much greater difficulty in which the Home Government is placed. I am afraid he is doing little good where he is. But much abler men would be equally non-plussed by the exceeding awkwardness of the situation."<sup>45</sup> Like many other important questions, particularly "native" affairs, the Colonial Office found itself caught between a policy which it believed was the right one to follow but it could not act because of the attitudes and the actions of the colonists.

In 1859, after rejecting a proposal from the French government and the Foreign Office to appoint a third and impartial power to act as a mediator in the dispute, the Colonial Office agreed that a commission should be appointed. If the Newfoundland assembly did not agree with this proposal the French government warned that it would send in a naval force to protect its claims during the 1859 fishing season. Violence was a distinct possibility. However, all parties agreed to this compromise and a commission was appointed which included two French, one English and one Newfoundland representative.<sup>46</sup>

During the spring and summer of 1859 the commissioners investigated the problem in Newfoundland and then made their recommendations on September 22, 1859. Their report was an unanimous one. The commissioners suggested that a "common and local administration" should be set up in the disputed areas. In order to enforce the regulations of this local body a "joint local Police" (a naval rather than a military force) should be appointed to "safeguard"

the rights of both French and English fishermen. The report was adopted and a new convention was signed in Paris on June 26, 1860.<sup>47</sup> Coming simultaneously with the Colonial Office's troubles with Sir George Grey over the "native" question in southern Africa and with the Hudson's Bay Company's charter and licence in Rupert's Land, the four years of negotiations with Newfoundland made Merivale realize how ineffectual the policy of the Colonial Office could be when confronted with specific social and economic problems in the colonies. Events such as these tempered Merivale's ideal of free trade and his hope that it could be implemented throughout the British Empire.<sup>48</sup> It was highly ironic that the concomitants of free trade, material progress and political liberty, had forced Merivale to respond positively to the demands of the British North American colonies for responsible government and in doing so the colonies had used their freedom to subvert the policy of free trade.<sup>49</sup>

Although the most serious example of colonial opposition to free trade occurred in Newfoundland, there were a number of other cases in British North America in the late 1850's. In 1859 Nova Scotia fishermen complained that French fishermen from St. Pierre and Miquelon were receiving bounties from the French government and therefore had a distinct commercial advantage. The Colonial Office response was, in keeping with their policy of free trade, a negative one.<sup>50</sup> In the same year Canadian politicians placed duties on foreign shipping into the colony. This action was against the "most-favoured nation clause" in British treaties with Russia, Austria and "South American states". As in the case of Newfoundland Merivale could not see any way out of the colonial-imperial conflict except to accede to the request:

To tell the Canadians that they must not exclude U.S. ships (against which this is directed) on account of a possible construction of treaties with Ecuador--Paraguay (far inland states) and half a dozen more, which never "produced" a ship since Canning called them into existence, seems more lawyer than statesman-like... .

The real objection to the Act is that it violates free trade principles. Are we determined enough in their maintenance, to make them the ground of disallowing a Canadian Act?

If we are, then the objection arising from treaty stipulations might very well come in by general words & as a makeweight. But it seems a narrow ground to rest a disallowance on, taken by itself.<sup>51</sup>

Merivale was forced to concede the colonial right to adopt tariffs against other states or even Britain if it was in the colonial interest. The Colonial Office had no choice because the granting of responsible government had given the colonies liberty to conduct their own domestic affairs and trade was obviously inseparable from the colonial economy.<sup>52</sup>

In the west and northwest regions of British North America, where responsible government had not been granted, the Colonial Office and Merivale found it almost impossible to implement free trade for other reasons. In the territories under the control of the Hudson's Bay Company the Colonial Office agreed with the Company that the introduction of free trade with the United States would not be in the best interests of Métis and Amerindians. If American traders were allowed into Rupert's Land the Colonial Office was convinced that increased competition in the fur trade would ensure a greater use of alcohol and eventually cause a further decline of the Amerindian and Métis population. The Colonial Office did its utmost to prevent the introduction of free trade in the 1850's and they were successful in their immediate objective.<sup>53</sup> However they were not able to protect Amerindians or Métis.

From 1841 to 1861 Merivale regarded the northwest coast of British North America as the last favourable region for European colonization. His dreams of imperial expansion were confirmed by the gold rushes in California in 1848 and on the Fraser and Thompson Rivers in 1858. However, British hopes for Oregon, Vancouver Island and British Columbia were dimmed by the presence of the United States and the repeated failures of the Hudson's Bay Company to colonize Vancouver Island.<sup>54</sup> The issue of free trade did not arise until 1858 when James Douglas, the colonial governor, decided to impose a ten per cent ad valorem duty on gold exported out of the colonies (British Columbia and Vancouver Island) and a similar amount on foreign goods imported into the colonies. Designed by Douglas to keep the wealth inside the colonies the duties were well-received by Merivale and his colleagues at the Colonial Office. They hoped that such duties, although against their idea of free trade, would help British Columbia become economically self-sufficient.<sup>55</sup>

By 1859 Merivale had become more pessimistic about the duties after hearing of their impact on the colony. Merivale believed that free trade would not be in the best interests of the colony but he found that the duties could not be effectively enforced. As he put it to Lord Carnarvon succinctly: "You cannot make miners pay an export duty on gold they may carry off with them. The only way is to make it worth their while, 1. by facilities of conveyance, 2. by a mint, 3. by facilities of assaying." In this case Sir Edward Bulwer Lytton took Merivale's advice and the Colonial Office ordered Douglas to establish a "government assay office and refinery" in British Columbia.<sup>56</sup> In every case in British North America Merivale's

ideal of free trade was subordinated to the economic characteristics of each colony and the response of the colonists. In practice free trade, when it clashed with colonial, commercial or imperial interests, was sacrificed when it was not in the British interest to do so.

In southern Africa the question of free trade was less complicated. Both Cape Colony and Natal did not have control over their domestic affairs, much less their external relations with other countries. There was very little demand by the colonists for customs duties and any petitions were immediately vetoed by the Colonial Office.<sup>57</sup> Important mainly for its strategic value and plagued by costly "native" wars, southern Africa remained throughout the 1850's the bête noir of the Empire. Free trade was not combined with territorial expansion in these colonies because of their lack of economic potential. This situation was revealed very clearly by Merivale in the spring of 1854 when he received a despatch from the colonial governor reporting the discovery of minerals in Cape Colony. Merivale remarked that the Colonial Office had no funds to send a competent geologist from Britain to determine whether the reports were true or not. With Britain having just withdrawn from the Orange River Territory, Merivale wrote that the "discovery of gold in the O.R. Territory if true...will be embarrassing."<sup>58</sup> The mineral revolution in southern Africa did not take place until the 1870's and Merivale was spared the embarrassment of giving away a valuable portion of the British Empire. Nevertheless his comment was significant. The British would not hesitate to move into an area on a formal or an informal basis if that region had immediate economic potential.<sup>59</sup>

Merivale was, by the time of the publication of the second edition of his Lectures, aware of the impact which free trade had on the British Empire. He made his contemporaries

cognizant of the transformation which had occurred in the British Empire within twenty years. In a perceptive article in the Edinburgh Review in January 1862, George Cornwall Lewis noted the "inconsistency" in British imperial policy since 1841. The British had abandoned territory in southern Africa and yet had annexed Hong Kong, Labuan and British Columbia while making Lagos a new station in the battle against slavery and adding Oudh to the "Indian dominions."<sup>60</sup> The causes of this change in imperial policy, Merivale believed, were: "...partly such as arose out of the general progress of the community in the long peace; but in part also the result of fortuitous and unconnected events." These events included: the Irish famine and emigration to North America; the Canadian "outbreak" of 1837 and Durham's mission which he believed had paved the way to a return to the eighteenth century view of empire, an "older and freer polity"; the emancipation of slaves in the West Indian colonies and its effect on the West Indian economy; the "progress of free trade doctrines"; the ending of transportation; the rise of a debate between the "Little Englanders"--a "new generation of sceptics" and, at the same time, a group of "young and sanguine sect of colonial reformers" who had helped to renew interest in the British Empire.<sup>61</sup>

Although Merivale believed there had been no substantial change in the "leading principles of administrative and commercial policy" since 1841 he was aware of "signs of reaction" in the early 1860's especially an increase in the amount of imperial expenditure as a consequence of territorial expansion and a decrease in importance of the white settlement colonies after responsible government had been granted.<sup>62</sup> In a paper presented to the British Association for the Advancement of Science on October 8, 1862 Merivale directed his attention to the "Utility of Colonization" with the advent of free trade. In theoretical terms the question



was an easy one because "...under a system of free trade, a country would gain as much by directing her capital and her emigrants to a new soil under foreign dominion as under her own." In the 1860's these conditions did not exist because Britain was the "only colonizing country of Europe." The economic advantages of colonies were for the consideration of the "politician, not the economist." He might have added that they were for the concern of the imperial administrator as well.

Viewing the question of the relationship between imperialism and free trade from a practical point of view, Merivale came to the conclusion that there was no antipathy between the two ideas. Writing during the time of the Civil War in the United States, he was more than ever aware of the economic value of colonies. The loss of the American market for cotton and as an outlet for British emigration made him conscious of how quickly the future of the Empire could change. It was obvious that "...under a system of free trade it would be immaterial how soon a colony shook off the dominion of the mother-country (or, rather, the mother-country would gain through a reduction of expenditure), if the emancipated colony remained equally prosperous and equally friendly." Referring to the predicament of the British North American colonies during the Civil War Merivale continued: "But if it did not; [remain prosperous] if its advance was checked by internal security; if it became actuated by feelings of hostility; if it fell under the dominion of, or into connexion with foreign States; if it adopted hostile tariffs, or opposed the admission of our emigrants; then we should find that the loss of the colony was the loss of an economical advantage." In this situation Britain would discover that "...ships, colonies, and commerce' are a little more nearly connected than it is now the fashion in some quarters to suppose

them." Despite the implications of free trade Merivale had become convinced, largely because of his experience as an administrator at the Colonial Office, of the economic necessity and the potential value of an empire.<sup>63</sup>

While Merivale was dealing with these conflicts over free trade, he and his colleagues at the Colonial Office were also confronted with an issue which proved to be even more serious. During the 1840's and 1850's colonial self-government was the dominant policy of the Colonial Office towards the colonies. With the white settlement colonies it took the form either of representative or responsible government. The Colonial Office hoped to reduce imperial expenditure by granting these colonies control over their own domestic affairs which would make them self-sufficient in such matters as defence, civil administration and "native" affairs. However, as will be shown in the next chapter, the consequences of this policy of self-government proved in most cases to be exactly the reverse of what Merivale and the Colonial Office had hoped it would be. By 1860 Merivale realized colonial self-government had been a mere political panacea for the social and economic problems of the white settlement colonies.

### Notes to Chapter 3

1. H. Merivale, "The Colonial Question in 1870", F.R., 174; Porter, The Lion's Share. On this whole subject see the analysis by Eldridge, England's Mission, Chapter 1, Imperialism in the Free Trade Era, 1-24. For the relationship between political economy and free trade see B. Semmel, The Rise of Free Trade Imperialism, Cambridge, 1970, especially 203-229. Merivale is only mentioned in Semmel's work primarily in connection with Wakefield and "systematic colonization".
2. Political Economy Club, Vol. 1, London, 1860, 5, 51, 70, 94, 98, 101-102, 105-106, 114; Vol. 2, 1872, 38, 41, 43-45, 48, 50, 52, 58; Vol. 3, 1881, 29.
3. Donald M. Winch, Classical Political Economy and Colonies, Cambridge Mass., 1965, 132, Karl Marx, Capital: A Critical Analysis of Capitalist Production, Translated from the third German Edition by Samuel Moore and Edward Aveling and edited by Frederick Engels, London 1949, Vol. 1, 647-648, 796, 800; Ward, Colonial Self-Government, 209-227. See also Perkin, Origins, 187.
4. H. Merivale, "An Introductory Lecture on the Study of Political Economy", delivered June 1, 1837, London, 1837, 9-10, 14.
5. Ibid., 16, 18, 24, 26.
6. Napier Papers, H. Merivale to J. M. Napier, January 16, 1837. For a different interpretation and one which is incorrect see Harvey, "Herman Merivale," 90. For an assessment of Senior see S. Leon Levy, Nassau W. Senior, 1790-1864, New Edition, Newton Abbott, 1970, 50-59.
7. H. Merivale, "Definitions and systems of political economy; Senior on political economy", E.R., 80, 83, 87, 102.
8. H. Merivale, "Five Lectures on the Principles of a Legislative Provision for the Poor in Ireland", delivered in 1837 and 1838, London, 1838, unpaginated.
9. Napier Papers, H. Merivale to J. M. Napier, June 18, 1839, ff. 269-270.
10. H. Merivale, "Introduction to a Course of Lectures on Colonization and Colonies", London 1839, 6-8. For a modern view of the question of the periodization of the first and second British empires see Harlow, Founding of the Second British Empire, Vol. 1, and Peter Marshall, "The First and Second British Empires: A Question of Demarcation", History, Vol. 49, February 1964, 13-23.
11. H. Merivale, "Introduction to a Course of Lectures on Colonization and Colonies", 9-14, 16, 21-24, 32, 35-37, 39-40.

12. D. P. O'Brien, J. R. McCulloch, A Study in Classical Economics, London, 1970, 75-76.
13. H. Merivale, "Wealth of Nations", E.R., 428-431, 445.
14. H. Merivale, Lectures, xi, 2.
15. For example see Eric Williams, Inward Hunger, Chicago, 1969, 40-41.
16. Winch, Classical Political Economy, 132.
17. H. Merivale, Lectures, xii, "Introduction to a Course of Lectures on Colonization and Colonies", 17-18.
18. H. Merivale, Lectures, xiv; "Introduction to a Course of Lectures", 19.
19. H. Merivale, Lectures, 15, 28-29, 31-32, 36-39, 41.
20. Ibid., 53-54.
21. Ibid., 56-59, 62-63.
22. Ibid., 73-78, 87, 97-98, 103-105.
23. Ibid., 82, 84-86.
24. Ibid., 96.
25. Ibid., 107-111, 113, 116, 276.
26. Ibid., 137-139, 159, 253, 260-261.
27. Ibid., 160-164, 170, 379, 458.
28. Ibid., 188-192, 194-196, 201-206, 209-213.
29. Ibid., 219-221, 229-233, 236, 238-240, 246-247.
30. H. Merivale, "Mexico and the Great Western Prairies", E.R., 192; "Lyell's Travels", E.R., 136.
31. H. Merivale, "Macgregor--American commerce and statistics", E.R., 370-371, 374; "Dixon's Life of Penn", 248.
32. H. Merivale, "Squier's Nicaragua", E.R., Vol. 95, April 1852, 557-558, 560, 568.
33. C.O. 188/105 H. Merivale Minute May 4, 1848 on Edmund Head to Lord Grey, April 14, 1848 ff. 21; C.O. 188/107 H. Merivale Minute December 11, 1848 on C. E. Trevelyan to H. Merivale, December 9, 1848, ff. 93-94; D. B. Swinfen, Imperial Control of Colonial Legislation, 1813-1865, Oxford, 1970, 58-59, 108-111; Kerr, Sir Edmund Head, 39-55.

34. C.O. 42/551 H. Merivale Minute December 20, 1848 on Lord Elgin to Lord Grey, July 12, 1848 ff. 281-282; C.O. 42/577 H. Merivale Minute January 22, 1851 on C. E. Trevelyan to H. Merivale January 15, 1851 and Lord Grey's Minute January 24, 1851 ff. 22-23; C.O. 42/585 H. Merivale Minute January 1, 1853 on Admiralty to H. Merivale December 21, 1852 ff. 144-145; C.O. 6/21 H. Merivale Minute May 11, 1854 on E. Hammond to H. Merivale May 9, 1854 ff. 47 and Duke of Newcastle Minute, May 16, 1854 ff. 49; Head Papers, P.A.C., MG24 A20, Vol. 3, E. Head to Lord Elgin, undated but probably May 28, 1848 ff. 34-37; E. Head to Lord Elgin undated but probably May 30, 1848 ff. 38-39; Head-Lewis Correspondence, Vol. 4, E. Head to G. C. Lewis, July 22, 1850 ff. 19-21; Kerr, Head, 84, Grey, Colonial Policy, 252; For the Canadian background to the negotiations see D. C. Masters, The Reciprocity Treaty of 1854, Toronto, 1963, 10-28.
35. C.O. 6/21 H. Merivale Minute July 14, 1854 on E. Hammond to H. Merivale June 21, 1854 ff. 90-91.
36. C.O. 305/5 H. Merivale Minute July 26, 1854 on J. Douglas to Duke of Newcastle, May 13, 1854 ff. 71; C.O. 6/21 H. Merivale Minute August 18, 1854 on E. Hammond to H. Merivale August 18, 1854, ff. 133; H. Merivale to Lord Elgin August 18, 1854 ff. 137.
37. This treaty has been neglected by Canadian historians with the exception of J. B. Brebner, Canada, A Modern Study, (New Edition, revised and enlarged by Donald C. Masters) Ann Arbor, 1970, 165-166; W. S. MacNutt, The Atlantic Provinces, The Emergence of Colonial Society, 1712-1857, Toronto, 1965, 256-257; F. F. Thompson, The French Shore Problem in Newfoundland, Toronto, 1961, 32-38.
38. C.O. 194/144 H. Merivale Minute July 31, 1855 on C. H. Darling to Lord John Russell July 8, 1855 ff. 307; C.O. 194/149 H. Merivale Minute July 26, 1856 on E. Hammond to H. Merivale July 25, 1856 ff. 187-188; W. Strachey Minute July 26, 1856 on E. Hammond to H. Merivale July 24, 1856 ff. 184; Baron de Malaret to Lord Clarendon September 8, 1858 ff. 209.
40. C.O. 194/150 "Address to the Secretary of State on the Fisheries" February 3, 1857, enclosure in C. H. Darling to H. Labouchere, February 5, 1857, ff. 57; C. H. Darling to H. Labouchere February 28, 1857 ff. 73-76; H. Merivale draft despatch to C. H. Darling March 26, 1857 ff. 103-105.
41. C.O. 194/150 H. Merivale Minute September 24, 1857 on Sir A. Bannerman to H. Labouchere September 3, 1857 ff. 630.
42. C.O. 194/151 H. Merivale Minute September 14, 1857 on E. Hammond to H. Merivale September 12, 1857 and H. Labouchere Minute September 14, 1857 ff. 464-465.
43. C.O. 194/152 Sir A. Bannerman to H. Merivale, January 22, 1858 ff. 97.

44. C.O. 194/154 H. Merivale Minute April 17, 1858 on E. Hammond to H. Merivale April 12, 1858 ff. 73; H. Merivale Minute May 18, 1858 on E. Hammond to H. Merivale May 8, 1848 and Lord Stanley Minute May 20, 1858 ff. 76; C.O. 194/153 H. Merivale Minute August 24, 1858 on Sir A. Bannerman to Sir Edward Bulwer Lytton July 21, 1858 ff. 125-126; H. Merivale Minute August 21, 1858 on Sir A. Bannerman to Sir Edward Bulwer Lytton August 19, 1858 ff. 261.
45. C.O. 194/153 H. Merivale Minute September 18, 1858 on Sir A. Bannerman to Sir Edward Bulwer Lytton August 30, 1858 and Lord Carnarvon Minute September 18, 1858 and Lord Stanley Minute September 22, 1858 ff. 290-291.
46. C.O. 194/154 H. Merivale Minute December 17, 1858 on E. Hammond to H. Merivale December 15, 1858 and Sir Edward Bulwer Lytton Minute December 17, 1858 ff. 166-167; H. Merivale Minute December 31, 1858 on E. Hammond to H. Merivale December 30, 1858, Sir Edward Bulwer Lytton and Lord Carnarvon Minutes of January 1, 1859 ff. 213-216; C.O. 194/159 H. Merivale Minute January 13, 1859 on E. Hammond to H. Merivale January 10, 1859 and Minutes of Sir Edward Bulwer Lytton and Lord Carnarvon January 12, 1859 ff. 18; H. Merivale Minutes March 24, 1859 and April 4, 1859 on E. Hammond to H. Merivale March 22, 1859 ff. 90-91; C.O. 194/155 H. Merivale Minute April 4, 1859 on Sir A. Bannerman to Sir Edward Bulwer Lytton March 4, 1859 ff. 159.
47. C.O. 194/155 H. Merivale Minute April 4, 1859 on Sir A. Bannerman to Sir Edward Bulwer Lytton, March 5, 1859 ff. 185-186; C.O. 194/159 Lord Carnarvon to Sir A. Bannerman April 20, 1859 ff. 239; C.O. 194/156 H. Merivale Minute August 4, 1859 on Sir A. Bannerman to Duke of Newcastle July 26, 1859 ff. 30; C.O. 194/160 "Commissioner's Report on the Fisheries", September 22, 1859; see especially ff. 75-77.
48. C.O. 194/156 H. Merivale Minute December 27, 1859 on Sir A. Bannerman to Duke of Newcastle December 13, 1859 and Minute of C. Fortescue January 3, 1860 ff. 377.
49. This point has not been sufficiently explored by British imperial historians. See for example Morrell, British Colonial Policy in the Age of Peel and Russell, 167-200 and Ward, Colonial Self-Government, 287-290.
50. C.O. 217/225 H. Merivale Minute June 7, 1859 on J. South to T. F. Elliott June 6, 1859 ff. 43.
51. C.O. 42/620 H. Merivale Minute August 12, 1859 on J. Booth to H. Merivale August 5, 1859 ff. 85-86.
52. C.O. 42/619 H. Merivale Minute December 1, 1859 on E. Head to Duke of Newcastle November 11, 1859 ff. 309.

53. H.B.C.A., A12/8 G. Simpson to J. Shepherd April 11, 1856 ff. 79-80.
54. H. Merivale, Lectures, 115-116; "Annals of California", E.R., 295-298, 302-303, 305.
55. C.O. 60/1 H. Merivale Minute December 17, 1858, on J. Douglas to Sir Edward Bulwer Lytton September 9, 1858 ff. 163; H. Merivale Minute March 2, 1859 on J. Douglas to Sir Edward Bulwer Lytton December 30, 1858 ff. 566-567; C.O. 60/2 H. Merivale Minute December 20, 1858 on Board of Trade to H. Merivale December 20, 1858 ff. 254.
56. C.O. 60/4 H. Merivale Minute June 11, 1859 on J. Douglas to Sir Edward Bulwer Lytton April 25, 1859 ff. 330-331; C.O. 60/6 H. Merivale to J. Douglas September 30, 1859 ff. 222-223.
57. C.O. 48/330 H. Merivale Minute August 17, 1852 on C. H. Darling to Sir John Pakington June 29, 1852 and Sir John Pakington Minute August 20, 1852 ff. 54.
58. C.O. 48/354 H. Merivale Minute April 21, 1854 on C. H. Darling to Duke of Newcastle February 23, 1854 ff. 193.
59. C.O. 136/166 H. Merivale Minute July 28, 1859 on Sir H. Storks to Duke of Newcastle July 15, 1859 ff. 86.
60. G. C. Lewis, "Military Defence of the Colonies", E.R., Vol. 115, January 1862, 117, 126. See also "Merivale on Colonization", Saturday Review August 10, 1861, 146-148.
61. H. Merivale, "Preface" to the 1861 edition of the Lectures, v-ix.
62. H. Merivale, Lectures, 187, 190-191, 237, 462.
63. H. Merivale, "The Utility of Colonization", Paper read before the British Association for the Advancement of Science and published in The Evening Mail, October 8, 1862, unpaginated, B.C.P.A., The Crease Collection.

#### Chapter 4: Colonial Self-Government in British North America and Southern Africa, 1847-1860

The most important aspect of mid-nineteenth century British imperial policy was colonial self-government. Imperial administrators believed that the Empire would be kept intact if white settlement colonies, and in time all colonies, were granted control over their domestic affairs. A distinction therefore had to be made between colonial and imperial interests but British administrators soon discovered that such interests could never be distinguished in practice and the granting of forms of self-government was a political panacea for deeper social, economic and political problems which confronted the British Empire. Colonial politicians, however, misunderstood British intentions and believed that self-government was one of the first steps to political independence. Merivale, as permanent under-secretary, was caught squarely in the middle of this imperial dilemma. By 1860 he had experienced all the practical implications and the conflicts arising from this policy and was not at all convinced of its efficacy, much less its success.

Most colonial and imperial commentators possessed a theoretical idea of colonial self-government, its implementation and its consequences.<sup>1</sup> In practice there was no consistency at all involved in the granting of self-government or in its implementation in each colony. The cause of this inconsistency was the conflict in priorities between the colony and the mother-country. The colonies wanted self-government in order to manage their own affairs. Lacking natural and human resources this process was very haphazard. On the other hand the object of British imperial policy



was the reduction of imperial expenditure. This motive was rarely understood in the colonies.<sup>2</sup> The consequence, as Merivale found out in the 1850's, was conflict between colonial politicians and imperial administrators. From the point of view of the latter, colonial self-government had been only marginally successful. The colonists had taken the freedom which had been given by Britain but had failed to take on the responsibilities of self-defence and political and civil administration.

This process can be seen most clearly in the British North American colonies in the 1840's and 1850's. The consequences were important in affecting the Colonial Office's decision not to grant responsible government to the Cape Colony at the end of the 1850's and also made it reluctant to introduce colonial federations into British North America and southern Africa.<sup>3</sup> Responsible government did not, as one historian has contended, solve "the practical problems without raising the theoretical ones."<sup>4</sup> It was designed to ameliorate practical colonial problems, which it did up to a certain point, but it also raised more practical and theoretical problems than it solved. By 1854 Merivale was aware that responsible government "... rests on no law, but simply on recognized usage ... it is not established by any law, generally speaking, in the Nth. Am.[erican] colonies, where it is best understood ... the danger of legislation on such subjects is that the necessary arrangements & modifications on a subject which must often require them are thus rendered more difficult."<sup>5</sup> In 1841, writing in his Lectures, he was not aware of these problems because at that time responsible government had not been granted to any British colony.

Merivale's discussion of colonial self-government in his Lectures was largely an abstract one and he confined his argument chiefly to the white settlement colonies. He believed there were three important elements in the development of any colony: the political character of the mother-country, especially the social and political background of the emigrants from the mother-country; the environment in which the settlers found themselves in the colony when they arrived; the model to be adopted by the mother-country for each colony.<sup>6</sup> The environment in which the new settlers found themselves was by far the most significant factor. He believed that the tendency of all new communities was essentially "republican".<sup>7</sup>

An abundance of good land and cheap labour were of the greatest importance in creating social equality in new colonies. Merivale believed that these conditions would help to modify the development of a class system in each colony because there was "... none of that depressing poverty which elsewhere weighs down the energies of large masses of mankind...." All settlers, at least initially, were equal in the race for material wealth, and yet he was aware of the dangers of "social equality". Subsequent generations would later live on their accumulated wealth, the distinctions between wealth and social status would become extremely blurred and a class system would develop. Depending on the abundance of land and the relative population of a colony, only two forms of society were possible: "servitude" or equality.

According to Merivale, the history of colonies differed considerably from that of European countries. Europe had passed gradually but directly from feudalism to capitalism without any intervening stage of social

equality while new colonies, because of the greater amount of economic opportunity, had passed through the stage of equality before the development of capitalism.<sup>8</sup> The reason for this difference was clear. New colonies could be planned. They had the experience of European and other colonial models upon which to draw to build their new social order. Merivale's ideas were influenced by utilitarianism and Edward Gibbon Wakefield's ideas of "systematic colonization" but they were not dogmatic.<sup>9</sup>

In his Lectures, Merivale's model colony was Pennsylvania before the American Revolution. Specifically, he laid down the conditions necessary for the development of such a settlement. The emigrants should come from a country like England with

... a poor but industrious class; proceeding from a community in which freedom prevails, but in which as yet, the usages of old times, and an affectionate reverence for antiquity, have hardly died away; from a community possessed of commercial activity, but not engrossed by it; religious in popular sentiments and observance; and governed by wise and equal laws, cherishing the self-respect of the citizen.

Putting these people, hopefully, into a community with "happier physical circumstances" would help to create the greatest political "virtue", "moderation".<sup>10</sup> Nevertheless, Merivale did not accept the notion that a model community such as the one he described could ever exist<sup>11</sup> because the history of colonization had taught him that there was an enormous difference between the abstract thinking of "arm-chair" philosophers and the circumstances which confronted those people actively engaged in colonization. In the late 1840's and 1850's, Merivale was to discover, as an administrator for the British Empire, the truth of this proposition. In 1841, not being in a position of responsibility, he was free to speculate what would happen "if one could turn political reveries into realities".

Once a model colonial community had been set up, the next problem was its government. In the early 1850's Merivale concluded that only two methods of governing a new colony existed: "absolute government" or "absolute freedom". By the former, the colony would be governed directly by means of the presence and authority of the colonial governor without a "representative assembly". They would be governed paternalistically but efficiently for their own welfare and that of the metropolitan power.

If the mother-country gave the colony "absolute freedom", Merivale argued, using the reasoning of Sir George C. Lewis, his friend and fellow political economist, then the

... executive power in the colony claims no greater rights than it has in representative government at home. ... In this case the colonists are left to tax themselves to administer themselves municipally, to superintend their own domestic institutions. Under such a government there should seem much reason to expect that the colony would remain an integral part of the empire just as long as mutual interest appears to recommend: there need be no prejudice or irritation at work to bring about permanent separation; nay, perhaps the connexion might be maintained by mutual goodwill, longer than mere considerations of advantage would have upheld it; for there is, undoubtedly, a natural attachment between a colony and its metropolis, wherever the inhabitants of the former do not feel their sentiments or their interests interfered with by the conduct of the latter. And the natural attachment is kept alive to a great degree by the process of immigration.<sup>12</sup>

In this important passage Merivale was, even in the 1840's, not a "separatist".<sup>13</sup> Merivale recognized the possibility of separation but did not endorse such a plan because he realized it might lead to the collapse of the British Empire. Alternatively, he proposed ways in which separation could be avoided.

Merivale was also fascinated by the United States. All too often, however, British commentators did not really understand the real issues

involved or why Americans acted the way they did, primarily because they interpreted American events in comparison with British goals and achievements.<sup>14</sup> Merivale was aware that the American example also influenced colonial attitudes:

The future and the distant form the domain in which the imagination of the colonist delights to revel. Exempt from passing want and engrossing toil, with little to occupy his thoughts in the monotonous scene around him, he wanders willingly forth into visionary regions of future opulence and grandeur: his ideas, his expressions, acquire a certain colour of habitual exaggeration.<sup>15</sup>

This colonial habit had an impact on the development of colonial nationalism in the nineteenth century.<sup>16</sup>

Merivale insisted that the development of nationalism in white settlement colonies was derived from the process of British imperialism. The example of the Thirteen Colonies during the American Revolution, at least in its political and constitutional implications, had been a model for British colonies in the nineteenth century. This experience taught the British that there were only two alternatives, that of granting self-government or maintaining direct control over colonies. Serious limitations were therefore put upon British policy because the United States had provided an alternative. The United States had broken away from the Empire and had prospered:

... the effect of the example of the United States, ever present and fructifying in the imaginations of colonial reformers in every corner of the world. There will always be a government party and a popular party; a party resting for its existence and influence on the detection of abuses, and inflamed representation of grievances; a party which must of necessity, be it consciously or unintentionally, incline towards principles of national independence.

In 1841 however, he was not certain what sort of institutions these colonies would have in the future and he was not sure whether any

"temporary" or "experimental" schemes should be adopted by the mother-country to prevent the "more dangerous influences of the democratic spirit" in the white settlement colonies. Whether the colonies, if given self-government, would become responsible for the administration and defence of their colony and yet still maintain their loyalty to Britain and the Empire, was a serious question.<sup>17</sup> In 1860, after dealing directly with the white settlement colonies which possessed responsible government, Merivale had become disillusioned by the consequences of the experiment. Responsible government was, he concluded from an imperial perspective, not very responsible in practice.

Merivale believed the colonists were either incapable or unwilling to develop the political, social and economic institutions of their own country. Accepting self-government from the British, the colonists refused to attend to such mundane tasks as the levying of local taxation for roads and other public works which would, in time, make them self-sufficient. The natural resources of the colony would not be developed because colonial politicians would become more interested in power and patronage than in governing responsibly. Withdrawal of competent imperial civil servants in the wake of self-government would mean a dearth of trained and qualified colonials. The same process would occur as well with the development of civil establishments, especially the important institutions of religion and education. Merivale concluded that it was of the utmost importance that an "infant nation" be taught the principles of self-government by the mother country otherwise it would fail to develop out of "its own permanent existence -- its own nationality".

The United States had developed its own culture since the American Revolution despite the "transplantation" of British laws and institutions. Unfortunately the British North American colonies had experienced no comparable revolution. As a consequence, there was a "tendency in new colonial communities to allow those institutions which are of domestic origin to grow up carelessly and at random; to frame laws merely for actual emergencies; to fill up the foundations with rubbish, and let future generations care for the finished building." It was Merivale's utmost concern, both in 1841 and later at the Colonial Office, that colonies should be planned and yet be adaptable to their environment.<sup>18</sup>

The undogmatic utilitarian bent to Merivale's thinking in his Lectures placed great priority upon the development of colonial self-government instead of imperial federation. From 1841 to 1870 Merivale continually dismissed any plan in which colonial representatives would be admitted to an imperial parliament. Once again, his arguments were based not on abstract political theory but upon the practicality of such a scheme. There is no doubt at all that he was right in his judgment in this matter. Imperial federation would not solve the problem of separation between British North America and the mother-country.<sup>19</sup> It would do precisely the opposite. He believed that the British North American colonies would lose their political and economic freedom if imperial federation was adopted:

But if colonies were to retain their own legislature for internal taxation and the smaller details of government, and at the same time send representatives to the central parliament then the question would necessarily arise, what functions do these colonial representatives actually perform? Where the power of taxation is, there resides in truth the supreme domestic authority. The transoceanic members of parliament, destitute of real importance, would become

mere hangers-on of parties in the mother-country; the provincial assembly would represent public opinion, as it does now, and the quarrels between it and the executive would be altogether unaffected by the influence of the little knot of gentlemen who might be sent to enact the visionary part of legislators in London.

This view of imperial federation influenced his thinking on the desirability of colonial federation in British North America and southern Africa in 1858.

In 1841 Merivale, as we have seen, had developed a relatively coherent abstract theory of colonial development although it was obviously not original. He was also acutely aware of the practical limitations of any theory of colonization. He came to the conclusion that, however many restrictions were put on colonies by the mother country, they would eventually become separate political entities because of their environment. This process would not, however, mean that the colony would lose all its "dependence on the imperial sovereignty". There would be political and cultural links because the historical process of imperialism was very gradual.

Merivale's analysis of the experience of imperial Rome also made him aware of the limitations of abstract theories of colonization. The Romans had maintained their empire for so many years by a flexible political relationship with their subject states. Loyalty to the parent state was the most important factor:

... May we not figure to ourselves, scattered as thick as stars over the surface of this earth, communities of citizens owning the name of Britons, bound by allegiance to a British sovereign, and uniting heart and hand in maintaining the supremacy of Britain on every shore which her conquered flag can reach? These may be extravagant views; but, if rightly understood, they have this advantage, -- that the pursuit of them cannot lead the mind to wander in an unprofitable track. They are altogether inconsistent



with the notions which have at different times led this country so fatally astray, in the defence of valueless rights or imaginary advantages; they are altogether inconsistent with the idea of a subjection bought through the means of a constant and galling expenditure, or by the still more injurious method of conceding commercial monopolies.<sup>20</sup>

In the 1850's, as an administrator, Merivale experienced in southern Africa, the full force of these dangers. The Kaffir War was an example of a British adventure using "bayonets". The consequence was a "constant and galling expenditure". Merivale became more and more disillusioned with his attempts to formulate an abstract theory of empire and turned his attention to practical methods of developing the loyalty of the white settlement colonies to Britain.

In 1852 Merivale emphasized the value of the cultivation of "loyalty". It was, he argued, "... in the wider sense ...not extinct; no great nation, capable of high impulses, could exist without it. It must have a cause and a symbol, strange and even grotesque as these may appear to the philosopher." In the United States the symbol of loyalty was the American constitution, in Turkey the "banner of the Prophet", in Russia the "Czar" and in France "Buonapartism".<sup>21</sup> White settlement colonies had no indigenous symbol upon which to base their nationality but as Merivale realized when he became an administrator at the Colonial Office in 1847, colonies in British North America, Australia and New Zealand regarded their achievement of responsible government as their symbol of loyalty.

Merivale was one of the few people in London who realized this fact.<sup>22</sup> He has, therefore, been praised by many historians for his "broad views" on the question of responsible government in the 1850's.<sup>23</sup> While many of his colleagues in London viewed responsible government as a method

to solve the political problems of these colonies, Merivale, because of his reliance on private and confidential correspondence from colonial governors, knew that the colonists interpreted this system of government as an end in itself.<sup>24</sup> Responsible government, therefore, meant something very different to colonial politicians, compared with British politicians and administrators. In the 1850's Merivale attempted to make the Secretaries of State for the Colonies aware of this difference.

British inability to understand the colonial view of responsible government was caused by their general ignorance of the geography and the history of the colonies. Unable to judge the distance from and the size of their North American colonies, British politicians and administrators consistently underestimated the difficulties involved in governing them. They alternated between optimism and pessimism about the future of the Empire. If they were optimistic, they generally believed British North Americans were "loyal Britons transplanted to a distant soil". If pessimistic, the same colonists became "republican in character, feelings and institutions" that is, more like the United States.<sup>25</sup>

Merivale conceded that in the late eighteenth and early nineteenth centuries, the British North American colonies had already been granted at least "representative forms" of political freedom. He also believed that geographical considerations were important for their political development because British North America was so vast and had a relatively small population. Given these facts, they must become "essentially republican" whether they kept their British institutions or not.<sup>26</sup> From 1847 to 1860 while attempting to deal with the practical implications of

responsible government, Merivale focused his attention on each individual colony in British North America.

Nova Scotia was the first British North American colony to be granted responsible government in 1848. Merivale did not participate directly because of Lord Grey's great interest in this subject.<sup>27</sup> After Grey left the Colonial Office in 1852, Nova Scotian affairs were handled capably by the chief clerk for the North American Department, Arthur Blackwood, and the assistant undersecretary, Thomas F. Elliot. Merivale did, however, make some observations about Nova Scotia. Even before his appointment to the Colonial Office, while reviewing a book written by the British geologist, Sir Charles Lyell, concerning his travels in North America in the early 1840's, Merivale remarked that Lyell's "...glimpse of the state of affairs in the country of the 'Blue Noses', taught him a lesson early learnt by travellers in most parts of our scattered colonial dominion -- that many of the peculiarities which, when exhibited by a Yankee, we term democratic, flourish quite as luxuriantly in certain parts of Her Majesty's dominions under the shadow of royalty."<sup>28</sup> Merivale reiterated that it was the social and economic conditions in which the colonials lived which fostered their desire for self-government.

Throughout the 1850's Merivale supported the premise that the colonial governor should defer to the wishes of a majority in the colonial assembly. In 1856 when filling the position of Chief Justice of Nova Scotia, Merivale minuted, and it was approved by the Secretary of State for the Colonies, that the governor should be informed:

... that the system of government which he administers does not admit of any broad distinctions between the office of Ch. Justice & any

other: that he must be guided by the advice of his Council as between the several claims of candidates for the office: subject only to this, that if he conscientiously regards the man selected as unfit by reason of absolute defects not mere relative inferiority, he is then bound especially in an office of such influence to the whole community to prefer the public interest to every other consideration, & not to appoint him.<sup>29</sup>

The governor was in a highly anomalous position because he was responsible to the imperial government for appointing competent officials and yet was forced to defer to the demands of colonial politicians. This situation was one of the disadvantages of responsible government.

In 1858 when a union of the Atlantic colonies was being considered, Merivale made his views known at the Colonial Office and by this time they carried considerable weight. These colonies had not developed satisfactory municipal institutions which would replace their colonial assemblies if a larger union was created. Moreover, he agreed with the governor's assessment that the presence of strong colonial identities would prevent such a union because it would lack the "general support" of the population in each colony. If a union of all the eastern British North American colonies occurred, Canada would gain the most because a union would provide a solution for its political difficulties.<sup>30</sup> If a relatively "mature" colony like Nova Scotia was not ready for a larger union then the same was even more true for a much smaller, less populous colony like Prince Edward Island.

Prince Edward Island had a difficult problem, absentee landlordism. In 1848 Merivale had minuted that "the land question in P.E. Island should be settled as soon as possible, than [sic] that the island is otherwise unfit for responsible government...."<sup>31</sup> This question was not settled

for many years because landlords were opposed to the granting of responsible government. They knew that if the assembly gained control over the executive branch of the government then the assembly would be able to pass legislation to end their power. The onus was on the Colonial Office to come up with a solution. Merivale recommended that responsible government should not be granted "... unless the Imperial government is prepared to say to the landowners, 'We can do nothing more for you, are bound to do nothing for you, and shall leave you to be despoiled by your tenants'. Whether this can be said, or ought to be said, and whether any measure which shall secure to the landowners something of their claims can be made to the foundation of a bargain conceding responsible government are questions requiring so much knowledge & wisdom to solve that I can presume to do no more than suggest them ...." He suggested sending out a commissioner to arbitrate the dispute.<sup>32</sup>

After following this complex problem very closely, Merivale decided on a different course of action. He agreed with the colonial governor's decision to dissolve the assembly and to hold new elections. The result was a vote of eighteen to six by the new assembly in favour of responsible government.<sup>33</sup> Despite having doubts about its implementation, Merivale and Grey acquiesced to these demands. Within a few years however, Merivale was lamenting the problems which had occurred. By 1853 he believed that in Prince Edward Island, there was a lack of "good working Attornies General", that is, men who would put the welfare of their colony above partisan politics. Moreover, self-government had not solved the land question.<sup>34</sup> In 1854 Merivale concluded that the full meaning of responsible government was being misunderstood:

"Responsible government" is as yet only a few years old in Canada, and in its infancy every where else, and therefore it is not to be wondered at if parties are yet a good deal at sea about its meaning, & if many of its elements conflict a little with our old colonial forms invented for a different state of things. If the analogy of British government is to be followed -- and I do not see what else can be done -- then I suppose it is clear, 1. That a governor ought to dismiss his Council if they cease to be supported by a majority in the Assembly, 2. That if they possess a majority in the Assembly but are in his opinion taking steps contrary to good government, he ought first to dismiss them & call new advisers, and then (with the advice of the second set) dissolve the Assembly. Here, on the contrary, we find Sir A.B. Bannerman dissolving the Assembly in opposition to the advice of his Council -- and the Council contending that he has no right to do it (in which I think they were wrong) him answering that he not only has a right but is following the proper constitutional course -- in which he seems to me equally wrong ....<sup>35</sup>

Far from solving the problems of responsible government, the Colonial Office discovered that it had created more conflicts between the governors and colonial politicians.

Five years later Merivale confessed that the experiment of responsible government in Prince Edward Island had been a failure. The land question had not been solved and the politicians continued to squabble among themselves over patronage. Merivale rejected "departmental government" as a substitute because the "... colony would be driven back on the American system -- viz. -- a free legislature with an irresponsible executive. But the American executive is removable with the President by the popular vote every four years. The colonial executive would be permanent -- & 'responsible' government would work back to the very system out of which it emerged a few years ago." The only hope was that a new governor would find a way of "harmonizing antagonists" without causing more constitutional conflict. Merivale concluded that he had, despite objections, "... little doubt that elective Councils will be formed by degrees in all of the

N. [orth] Am. [erican] provinces and with no detriment to imperial interests. But the opposition between landlord & tenant in P.E.I. render radical experiments more questionable here than elsewhere." Disillusioned with events in Prince Edward Island since 1848, to an even greater degree than in Nova Scotia, Merivale had become very pessimistic concerning the future of Prince Edward Island and responsible government.<sup>36</sup>

In most of the British North American colonies the problems of responsible government were directly related to the inability of colonial politicians to govern efficiently and to work together to solve their social and economic problems. However in Newfoundland, because of its economic and social "backwardness",<sup>37</sup> the problems were even greater. When it was granted in 1856, the colonists used their new powers to block an important treaty between the British and the French which would have settled the long-standing dispute over the French shore. The consequences, therefore, were for the Colonial Office and Merivale extremely exasperating. Colonial politicians and the Colonial Office were working at cross-purposes, each acting out of self-interest and within their own understanding of the working of responsible government.

The first movement toward responsible government in Newfoundland came in 1849 and the initiative was taken by the colonial assembly when a question arose concerning tenure of office held by the members of that body. Merivale was quick to point out that any concession on the part of the Colonial Office would imply "very nearly the same thing as granting 'responsible government' itself" but Grey decided this important

question. Grey, very conscious of Newfoundland's problems, rejected the request because he believed the "wealth and population" of the Island must first of all increase.<sup>38</sup>

In the spring of 1852 the issue of responsible government arose again at the Colonial Office. By this time, without the influence of Grey, Merivale was able to make a full report concerning the desirability of responsible government for this colony. The basic problem involved the close relationship between religion and politics in Newfoundland:

... political parties are so unfortunately influenced by religious differences, and where a Prelate of the R.C. Church has intimated his intention to take part in them as a political leader .... At present the state of parties seems to stand thus: 8 R.C. to 7 Protestants in the Assembly: 5 Protestants to 2 R.C. in the Council: but I cannot quite make out the number of acting members of the latter body.

A less favourable state of things for the introduction of responsible (that is, party) government, cannot of course be imagined. Yet both sides of the question must be weighed. It must be remembered that the present system, while it never works very well in a colony with a numerous European population, works worst of all when it is regarded on all hands as provisional & temporary only. And one of its most questionable features seems to me to be, that it prevents rather than aids, the action of the conservative elements which may exist ....

Merivale concluded that the chief reason for not granting responsible government was " ... that opposition to democracy is in colonies generally the unpopular side; and that men will not take the unpopular side until they are forced; but will lean on the Home government, and its official representation in the colony, rather than exert themselves, as long as they can."<sup>39</sup> Merivale's major objection was that the colonies would not be better governed if the colonists governed themselves.<sup>40</sup>

In 1856 responsible government was granted, as Merivale put it so simply, to this "unfortunate colony". Even the bill bringing responsible



government into effect had been delayed many months because Protestants and Catholics could not agree on the division of electoral districts.<sup>41</sup> From 1856 until he left the Colonial Office in the spring of 1860, Merivale watched Newfoundlanders struggle to make responsible government work satisfactorily.<sup>42</sup> In March of 1860 he stood by helplessly while the colonial governor, Sir Alexander Bannerman, attempted to develop an efficient government, laws and institutions for the colony. Merivale gave Bannerman as much support as he had previously given Sir Edmund Head in New Brunswick and in Canada. Once self-government had been granted, Merivale realized that there was little either the governor or the Colonial Office could do to help the colonists govern themselves except support the actions of the colonial governor.<sup>43</sup>

In the late 1840's New Brunswick was just as poor as Newfoundland. Most of the population lived in port towns and were involved in lumbering, shipbuilding, fishing and subsistence farming. Like other British North American colonies, New Brunswick lacked unity because of its geographical position. Only the building of an inter-colonial railroad in the 1860's would bring about any significant change.<sup>44</sup> Nevertheless, Merivale took a greater interest in this colony, probably because his friend, Edmund Head, was appointed its governor. In 1848 Head consulted Merivale and Grey in London concerning the "strategy" to be adopted in granting responsible government to New Brunswick.<sup>45</sup> Head was instructed to choose his "new" colonial ministers carefully thereby ensuring that self-government would be placed in trustworthy hands. As one historian has aptly remarked, this attitude reflected the "characteristic attitude of moderate liberalism -- ... sympathetic with reform but suspicious of

revolution, and inclined rather to build on foundations already laid than to break new ground."<sup>46</sup>

During Head's five years in New Brunswick, Head and Merivale collaborated, without too much interference from Lord Grey, in the process of transferring political power to the colonists and trying to educate them for self-government.<sup>47</sup> The most important problems, they realized, were economic. Only free trade and the development of a railroad connecting Halifax to Montreal, through New Brunswick, would change the isolation and the primitive economy of that colony. Head and Merivale experimented with the problems arising out of the new relationship between the governor and the assembly. As Head put it one year after his arrival in this colony, the influence of a governor had changed:

... a governor's power is mainly that nothing can be done without him. He has only to doubt & hesitate & require further documentation. His power of positive action independently must be small but so much the better for his tranquillity of mind. Personal influence with the members of the Council will do much too.<sup>48</sup>

Although the governor could not interfere in the domestic affairs of the colony,<sup>49</sup> he could still do a great deal to influence the course of events.<sup>50</sup>

In 1850 a political crisis arose because Head had failed to consult his executive council before he appointed a judge. Under responsible government he was, theoretically, supposed to govern through his council according to the wishes of the assembly. In this case, although the colonial politicians complained to the Colonial Office about the action taken by Head, they did not quarrel with the appointment and the executive council did not resign in protest. Head was supported by the Colonial Office, especially by Merivale, whose minute summed up its attitude:

"... if the affair ends in producing more unity of action and purpose among themselves [the Council], good will have been done, even at the expense of some discontent with the Lt. Govr." Once again, the primary concern of the Colonial Office was the development of efficient government for these colonies. From this crisis Head and Merivale developed a greater perception of the practical problems of responsible government as Merivale revealed in a minute on the subject:

... the Lt. Gov. [ernor] has very accurately stated the principles of the system called "responsible government" in colonial administration. But his own statement shows in what respect it is, and must be, anomalous. The Executive Government of an independent community may be responsible to the Legislature only. The Executive Government of a dependency has a double responsibility: that of the Governor's Council towards the Legislature: that of the Governor himself towards the Home Government: and it is the difficulty of reconciling this double obligation which produces most of the temporary differences & hitches in colonial government as at present organized in the N. [orth] Am. [erican] provinces.<sup>51</sup>

Despite the "hitches" Merivale and Head had little trouble with the political affairs of this colony until 1854. New Brunswick continued to be plagued with economic problems which responsible government could provide no solution whatsoever.

Only free trade, in this case reciprocity with the United States, and the building of an inter-colonial railroad would lessen the economic isolation of New Brunswick in the 1850's. The former was accomplished but not the latter. The facts which governed both these decisions for the Colonial Office were the proximity of the colony to the United States and need to maintain the connection between the British North American colonies and Britain. The British feared that these colonies might become annexed to the United States or become the cause of war between Britain and that country. Much was done in the Colonial Office to obviate

both possibilities. The proposed route of the railroad, with loans guaranteed by the British government, was to be along the Gulf of the St. Lawrence and the Gaspé peninsula rather than through New Brunswick. The Colonial Office feared that the shorter and cheaper route desired by the colonists would, in time of war with the United States, not only be unsuitable for the military defence of the British colonies but would also enable Americans to capture it easily.<sup>52</sup> For these reasons construction of the railroad was not started in the 1850's.

The reciprocity negotiations were, however, successful and a treaty was signed in 1854. The effect of this treaty was to link New Brunswick more closely to the other maritime colonies and it brought, at least for a time, prosperity to New Brunswick. Head had persuaded the Colonial Office to include New Brunswick in the treaty.<sup>53</sup> The Colonial Office and Merivale were not opposed to this suggestion because it complemented their plan to reduce the economic dependence of the colonies on the mothercountry without noticeably weakening the political connection.

Late in 1853 Head wrote a private letter to Merivale concerning the state of New Brunswick. Despite the fact that the implementation of responsible government had been more successful than in many other British North American colonies Head reported:

... The fact is the last session of an assembly here, where there is no check on the introduction of money votes by any single member, is a scene of lavish jobbing of the grossest kind & it will be more than ever this winter because our revenue is larger. Every member tries to secure his re-election by this species of bribery. As it is of course I should not feel it necessary to weigh this matter further as it ought to rest with my successor if I am to be relieved this autumn. The present House is a very bad one, though too feeble to do much mischief. Pray give me as early a notion as you can of my prospect of moving & let me hear from you. <sup>54</sup>

Merivale and the Colonial Office were satisfied, however, with Head's first governorship. Merivale minuted to the Duke of Newcastle in February of 1854, that it "... must be matter of great satisfaction to Sir E. Head to have witnessed the rapid recovery of the province under his government from the state of extreme depression which existed in the beginning of his administration, and its present very flourishing condition: though not, as he truly says, the result of any specific action on the part of government." Economic conditions improved because of the reciprocity treaty and prosperity in North America and Europe. As Merivale pointed out the colony's political problems, arising from responsible government, continued.<sup>55</sup>

The next governor, Sir John Manners Sutton, had greater difficulties with New Brunswick. He kept the Colonial Office informed about the problems within the colony but little was done. Merivale realized that unless the colony showed some financial stability the British government would not provide an imperial loan or a guarantee for one. Without a railroad to tie these scattered colonies together there was little basis for any kind of union. The Colonial Office was resolved that the initiative had to come from the colonial politicians. In 1858 it came in such a feeble and parochial manner that the Colonial Office rejected it as premature.<sup>56</sup> The greatest pressure came from Canadian politicians who, as Merivale observed in 1859, "... have rather injured the prospects of the whole scheme by using it for their own political purpose, i.e. that of creating a balance in the East against the preponderating power of the West...."<sup>57</sup> Any union would depend ultimately upon the development of responsible government in Canada.

Merivale had very little to do with the actual granting of responsible government in Canada. Lord Grey was quite clear in his instructions that it must be initiated by colonial politicians. In 1848 he minuted that, if Canada was to develop, the "administration of all internal affairs" should "... be left with very little interference indeed to the local authorities. It may very probably be necessary very soon to extend this system to other colonies in which the principle of responsible government has been established but it is advisable to wait till the necessity shows itself."<sup>58</sup> In this instance Grey relied to a great extent upon the advice of Lord Elgin. Within the next year, responsible government was granted to Canada.<sup>59</sup>

Merivale contented himself with his role as legal adviser to the colony, for example, dealing with the defectiveness of bankruptcy law, with the use of lotteries to finance railroads, with the appointment of judges, and with the complaints from Egerton Ryerson, the Canadian journalist and educator, about the use of American maps in Canadian school-rooms.<sup>60</sup> In 1850 he helped to bring about the transfer of the postal system in British North America from imperial to colonial control.<sup>61</sup> In addition, he opposed the proposed Halifax and Quebec Railway scheme:

... however desirable it may be to encourage the settlement & improvement of our Eastern American colonies, all arguments which seem to assume that they need only encouragement to thrive like the West seem to be based on a fallacy. Climate & soil make the radical differences which no public work can cure: The State of Maine, with more than an average amount of American enterprise does not advance like Ohio, nor will New Brunswick advance like Canada West. Therefore all extraordinary outlay on the former is like spending money on barren land when there is still fertile to cultivate and though there may be very good political reasons for it, cannot be justified on strictly economical grounds.<sup>62</sup>

Merivale repeated the same warning throughout the 1850's with regard to British North America and southern Africa. The granting of responsible government to any colony was directly dependent on its economic maturity.

In 1853 Merivale and Head replaced Grey and Elgin. The former continued the Grey-Elgin practice of dealing with the affairs of the colony by means of private letters and despatches, using informal as well as formal means of communication. Unlike Elgin and Grey, Merivale and Head were aided by economic prosperity in Canada at least until 1858 and no serious crisis arose. Instead, colonial issues centred on mundane and sometimes humorous questions such as the conferring of titles on colonial politicians and the order of precedence for the wives of colonials dining at Government House.<sup>63</sup> In 1858 three important questions confronted Head and Merivale: the possibility of the annexation of the Hudson's Bay Company territories by Canada, the "double shuffle" crisis and the location of the "seat of government". In all three instances Merivale and Head were forced to interfere in these domestic disputes. The outcome proved to Merivale and the Colonial Office that responsible government had not developed very far and also that Canada and the other British North American colonies were not ready for federation.

Although the subject of a union of all the British North American colonies had been discussed for many years by colonial and imperial politicians, commentators and administrators, it was not until 1858 that it was seriously considered by the Colonial Office. Like the 1860's, the 1850's also had its debate on the practicability of a British North American federation.<sup>64</sup> The attention of the Colonial Office was focused

on this important issue largely because of Head's interest in it. Previously an academic, Head was very interested in the abstract as well as the practical political problems of colonial development. In 1857 he set down his ideas in the form of a memorandum on the "expediency" of uniting either the maritime colonies or all of the British North American colonies. In 1857 he wrote that these considerations were not necessary because the "... temper of the United States & their future weight in all public affairs must make us think twice before we add to their strength. But if we cannot shake off the B.N. American provinces -- what must we do-- we must make the best of them."<sup>65</sup>

Head's ideas on the viability of a federal union became significant in August 1858 because of the "seat of government" question, whether the capital of Canada should be located in Upper or in Lower Canada. Canadian politicians could not agree and the matter had to be decided in Britain. The resulting deadlock brought down "Head's Ministry", a coalition led by John A. Macdonald. Another important and related issue was the great interest which Canadian politicians were taking in the Hudson's Bay Company territories now that the British government, by the recommendations of a Select Parliamentary Committee in 1857, had opened the way for Canada to annex Rupert's Land.

Upon receiving Head's despatch, Merivale and the Secretary of State for the Colonies, Sir Edward Bulwer Lytton, became very worried. Merivale wrote to Lytton: " I fear it must be, a very serious matter, and ominous of troublesome complications for you to deal with, if not of a general break up of Lord John Russell's united Canadian Republic."<sup>66</sup> The next despatch brought even more serious news because Head reported that he had



refused to call an election for either the coalition of John A. Macdonald or its successor led by George Brown and A.A. Dorion. The consequence was the "double shuffle" crisis.<sup>67</sup> Head explained to Lewis that Brown had no chance of forming a stable government and he thought, incorrectly as it turned out, that Brown knew it also.<sup>68</sup> Head had used his wide discretionary powers, as the governor of a colony under responsible government, not to dissolve the assembly and call an election because he believed the expense could not be justified. After receiving Merivale's advice that Head had acted correctly, Lytton supported the actions taken by Head.<sup>69</sup>

The Colonial Office began to consider an alternative form of government for Canada if the present one stopped functioning altogether. The discussion centred largely on the possibility of forming a federal union of all the British North American colonies. Merivale remarked that the chief problem of a federal union was "...it is chiefly popular with politicians, not in the community, and rather as a mode of getting out of the inextricable scrape in which they seem involved by the present Union."<sup>70</sup> Merivale also wrote an important memorandum on federation, the state of responsible government and the desirability of sending private as opposed to public despatches to Canada. Concerning the political immaturity of Canadian politicians in the "double shuffle" crisis he wrote: "...Messrs. Brown & Dorion will know that nothing would injure them so much in Canada as to invoke English interference. If they are in earnest, they will ask for the recall of the Governor." Even if the Canadian politicians did take this step Merivale was certain the Colonial Office would defend Head largely because British politicians were reluctant to interfere in the domestic politics of Canada after responsible govern-

ment had been granted. As he put it: "I cannot but think that even Mr. Roebuck himself would find it difficult to get any one to back him in a discussion on a Canadian change of ministry which in no way affects this country." Colonial self-government could work in the self-interest either of Britain or the white settlement colonies.

Merivale was opposed to a federation of the British North American colonies. He did not think Lytton should adopt this panacea because Canadians were not ready for it and there was a much better alternative. Although he admitted federation was a "... most proper subject: nor would even a Canadian Council be so unreasonable as to consider it otherwise: But I do not see in the present stage of the affairs, what possible information you expect to get. If the Governor has personally erred in the matter, the private letter will call him to order." Private letters, Merivale explained to Lytton, had helped to avoid the problems which had arisen from public despatches which were published in the Canadian press. With public despatches the Colonial Office was frequently misunderstood: "... they will certainly attribute to you a deeper meaning: and, if they did not, they would be affronted. They have no idea of the domestic affairs of two millions of people being overhauled in Parl't like that of Sierra Leone or St. Helena." Canadians considered themselves, now that they had responsible government, as politically equal "under the Crown with the Imp. Gov't."<sup>71</sup> Therefore, in order to avoid petty squabbles, Merivale and the Colonial Office had to use an informal system of communication.

Head was able to weather this political storm with the support of Merivale at the Colonial Office.<sup>72</sup> The Colonial Office did not change

its view of federalism until the 1860's and by then Merivale had left the Colonial Office.<sup>73</sup> Considering the economic and political situation of all the eastern British North American colonies it is difficult to disagree with Merivale's conclusion that in the 1850's these colonies were simply not ready for federation.<sup>74</sup>

If the larger eastern colonies in British North America were not ready for federation and had many practical difficulties with responsible government, it is no wonder then that the colonies of Vancouver Island and British Columbia did not obtain responsible government. In 1856 the Colonial Office took the initiative and ordered the colonial politicians to form an assembly. Unlike eastern British North America, there was no struggle for self-government.<sup>75</sup> In this case Merivale's dictum for the other colonies was also true; economic and social development should occur before a colony would be granted control over its domestic and external affairs.<sup>76</sup> In the negotiations for the grant of Vancouver Island to the Hudson's Bay Company in 1848, Merivale had noted to Lord Grey: "Practically some time must of course lapse before any representative assembly can be summoned. But the H.B.C. have no power to render that it shall be postponed 'until it is desirable'".<sup>77</sup>

From 1849 to 1855 there was little economic development on Vancouver Island other than the fur trade. There was no initiative by the colonists, the Hudson's Bay Company or the Colonial Office to call an assembly. By 1855, Merivale began to doubt the viability of the colony:

... I think it very doubtful whether a settlement can in reason be said to have been established, when after 6 years no attempt has been made to call the people together to manage their own affairs, though this may be no fault of the Company. It is also worth considering whether it is desirable the present state of things

should longer continue with Russia on one side of the little settlement & the U.S. on the other. But on the other hand, to depose the H.B. Co. will unavoidably entail some expense on the Home Government, for the place can hardly be in a situation to maintain itself.<sup>78</sup>

In 1855 the Hudson's Bay Company informed the Colonial Office of its desire to call an assembly of colonists on the Island but Merivale was very cautious when he learned that there were only forty eligible electors.<sup>79</sup> Nevertheless, one year later, with the support of the Colonial Office, the colonists found themselves building a house of assembly.<sup>80</sup> Responsible government did not follow.

After the gold rush in 1858 a new colony was created by Lytton and Douglas on the mainland. Like Vancouver Island, it was granted representative institutions. At least until 1860, the Colonial Office relied largely on the advice of James Douglas, the governor of both colonies.<sup>81</sup> Distance from England, lack of knowledge by the Colonial Office and the ability of Douglas dictated this situation. Merivale held out little hope that these colonies would develop economically and become self-sufficient.<sup>82</sup> For example, late in 1859, he received a petition from the "Reform Association at Queensborough inquiring whether the colony would be allowed political rights. Somewhat surprised at this request, he minuted that he had "... always wondered, & thought it rather a singular sign of the times, that Sir E. Lytton's bold measure in starting this colony without any political rights whatever had hitherto engendered so little opposition." The petition was denied by the Colonial Office.<sup>83</sup>

By the time Merivale was transferred to the India Office in the spring of 1860, his ideas concerning the granting of representative institutions and responsible government to the British North American colonies had

changed. His work at the Colonial Office made him even more critical of the problems associated with colonial self-government. In 1841 he had written: "...it is certain that when the expected boon arrives it will find the colony divided into two classes -- those who are its masters now, and those who expect to be its masters hereafter; and that it will find the minds of a large number possessed with a prejudiced hatred toward those elements of good society which may be introduced during the period of minority." By 1860 he understood that economic self-sufficiency should come before self-government.<sup>84</sup>

Cape Colony and Natal were not granted responsible government in the 1850's for different reasons. Southern Africa was vital as a strategic factor because Britain had to protect the sea routes to India. In the 1850's, led by the "influential Herman Merivale", a "convention policy" was attempted. It resulted in the independence of two Afrikaaner republics and the consolidation of British influence in southern Africa.<sup>85</sup> This policy, with the exception of a scheme to deploy military pensioners on the frontier, also discouraged British colonization. British settlers were heavily outnumbered by the Boers and even more so by Africans. The Colonial Office was therefore even more reluctant, if not resolutely opposed, to granting self-government. For the same reason, it opposed the solution proposed in the late 1850's by Sir George Grey, federalism.<sup>86</sup> As a consequence responsible government and federation were not given to the Cape Colony until the 1870's and not to Natal until the 1890's. The Colonial Office's dilemma was apparent: "Security

had to be balanced against economy." Self-government played only a minor role between these two pillars of British colonial policy in southern Africa from 1847-1860.<sup>87</sup>

The Colonial Office knew a great deal about British North America: its geography, Amerindian culture and the economic problems facing white settlers. Southern Africa and its inhabitants were largely shrouded in myths.<sup>88</sup> Merivale, in 1841, was an exception for he gave a precise description of the Boers:

... form still the mass of the people, living in single families, at a wide distance from each other, occupied in the pasture of their numerous herds, and in the most animating and dangerous exercises of the chase; they are strangely changed in outward circumstances from their Batavian ancestors, yet are said to retain much of the same national character.<sup>89</sup>

Later Merivale analyzed the actions of the Boers based on this knowledge.

At the Colonial Office Merivale, using a primitive frontier thesis, ascribed the Boers' "trekking" to economic factors rather than to their "national character". The analogy which he used to explain their actions was the American west in the nineteenth century. He attempted to explain the Boers to the Secretaries of State for the Colonies by comparing them to the "backwoodsmen in America" because the politicians knew more about the United States than Africa. In this way he became, even with Lord Grey, influential. After a few months at the Colonial Office he informed Grey that the latest emigration of the Boers from the Cape Colony was caused not by their "disaffection" with the British government but because of their social and economic requirements:

It seems from the account of the Boers themselves to be literally a case of "overpopulation" according to the existing agricultural economy of the district. But I suppose there is something of the same passion which compels the backwoodsman of America & the squatter in Australia to leave civilization as far behind as they can. This instance ... is quite different from the movement of a body of settlers en masse from political or social discontent.<sup>90</sup>

Merivale was also aware that the colonial governor, Sir Henry Pottinger, misunderstood the Boers and their way of life. He drafted and sent out despatches with Grey's approval advising him of his error.<sup>91</sup> The Office could only wait and hope that its instructions were obeyed, and when they were not, it became more and more defensive in its attempts to govern southern Africa.

By 1847 the Colonial Office had not granted representative institutions to the Cape Colony. The problem was very simple, the scattered nature of the white settlements and the differing economic base of each region.<sup>92</sup> The pressure from white settlers for representative institutions mounted and in 1849 the Colonial Office was forced to recommend that representative government be given to the Cape Colony. The Office warned the governor of the consequences.<sup>93</sup>

In the meantime Smith had set out to enlarge the frontiers of the Cape Colony to the north and to include the territory to which the Boers had migrated only a few years before. This action, Smith's "forward policy", threw the Colonial Office into a state of alarm. For Merivale it raised legal problems: "Can a Governor, by his Proclamation, approved by the Queen, through a simple despatch, extend the frontiers of the colony? Can he thereby import into the newly acquired district the legislative power of the Colonial Legislature? Can he thereby import into it the existing law of the colony--in this instance the Roman Dutch law? I believe he can do all this, but I am quite unaware of the authorities by

which these important questions are to be answered." If the annexed territory became part of the British Empire Merivale believed the Boers had no right to representative institutions just because the Cape Colony had them, because he felt the Boers should have a government consistent with their own needs and aspirations. The rationale for Merivale's "convention policy" was the right of the Boers to maintain their own nationality and the freedom to develop economically without British interference.<sup>94</sup>

Another important problem which the Colonial Office was forced to consider in the early 1850's because of the outbreak of the Kaffir War, was the "native question". If the British did not withdraw from the frontier then they would become responsible for the enormous cost of defending the Boers against Africans. At the same time the Office had very little control over the "native" policy of the Boers. By the end of 1851 Merivale was convinced that withdrawal from the frontier "... will never be taken, unless under distinct orders from hence."<sup>95</sup>

From 1852-1854 "orders" from the Colonial Office formulated by Merivale were issued and a special commissioner, Sir George Russell Clerk, was sent and two treaties were signed with the Boers -- the Orange and the Sand River Conventions. After the signing of the Orange River Convention on February 16, 1852, Merivale outlined the reasons for taking this step, its implications for British policy and the future of the Boers:

It is unquestionably the recognition of a new South African Republic, and under their instructions I do not know what other course was open to the Commissioners. There was no alternative between absolute control & absolute freedom -- any partial mention of sovereignty over these people would inevitably have implied protection, and the expense attending it.



Were the population of the Sovereignty simply composed of Boers, I should believe the best course was to leave them equally free: the only difficulty in the case arises from something of a British interest having gathered at Bloemfontein & perhaps elsewhere within its limits.<sup>96</sup>

But the policy of withdrawal was short-lived. In 1854 Sir George Grey was appointed governor of the Cape Colony primarily because of his success with the Maori in New Zealand. Merivale hoped he would be able to save the British government from another expensive war in southern Africa.

By the time Grey arrived in the colony it had finally received representative institutions. The Kaffir War had delayed the implementation of a constitution and elections to the new assembly. Even when these steps had been taken Merivale was not entirely satisfied with the constitution or its operation because the assembly was not being run by "men of experience" nor was it truly representative.<sup>97</sup> Merivale did not think that many of the white inhabitants of the Cape Colony had enough experience to take an active role in the administration of the colony.<sup>98</sup> After an assembly was called the Colonial Office began to receive petitions from inhabitants of the "Eastern District of the Cape" for a separate executive but the petitioners were not concerned with the fundamental problem of such a plan, the additional payment of the salaries of these officials.<sup>99</sup> The attitude of the Colonial Office began to harden against the granting of responsible government.

When the first Cape assembly met in 1854 the colonial politicians demanded that the legislative council have the power to amend money bills which, under representative government, only the colonial governor and his appointed executive council were allowed to have. Immediately, Merivale

realized the implication: "Responsible government will no doubt be the upshot: whether it would be advisable to indicate in any way that it may be contingent on the adoption of strong measures of frontier defense may be worth considering."<sup>100</sup> As in British North America, Merivale insisted that responsible government meant political freedom for the colonists and that they should take on the responsibilities of providing for their own economic and social development. In this case, settlers at the Cape must, under responsible government, also provide protection for themselves. The Colonial Office was supported by Sir George Grey who was attempting to create harmony between white settlers and Africans by a policy of "amalgamation". However, Grey believed that "amalgamation", his solution to the "native" question, should come before responsible government was granted.

In 1855 Merivale was astounded when he learned of Grey's decision to create a federation for southern Africa, an essential part of Grey's plan to "amalgamate" both whites and Africans. If implemented it would mean the end of the convention policy. Therefore Merivale was sceptical of federation:

There is every antecedent probability that the two Dutch South African republics, if left alone, will run through the career of the Spanish South American Republics. Great firmness, and great forethought, will be required to resist the pressure of those who will endeavour to force the British government into interference, ... I think Sir G. Grey premature, to say the least of it, in alluding already to the probability of the reunion of these states under the British Crown in a kind of federation. <sup>101</sup>

Despite Grey's intentions the Colonial Office felt, until 1858, that they were bound to support the man they had chosen to solve the problems of southern Africa. <sup>102</sup>

Meanwhile the decision of the Colonial Office not to grant respons-

ible government to the Cape Colony in 1855 had proven to be a wise one. Local administrators had mishandled the colony's finances and there was by 1856, a huge deficit. An official inquiry was held but it proved to be inconclusive. Despairingly Merivale minuted: "This seems to be one of the many cases in which 'Nobody' is ultimately in fault. If the Cape Parl't is satisfied, I do not know that we need pursue the subject further ...." The Secretary of State for the Colonies, Henry Labouchere agreed and nothing further was done.<sup>103</sup> It proved once again to Merivale that the Cape Colony was not competent to handle its own affairs.

In March of 1857 Grey used Pretorius' claim, the leader of the Boers in the "Trans-Vaal" republic, to the Orange River Territory, (which Merivale regarded as "preposterous" because it violated the treaties signed with the two republics in 1852 and 1854) to put forward "views of his favourite project of the 'Federal Union' under the British Crown." But Merivale, supported by Henry Labouchere, saw the implications of Grey's policy:

... coalition should be likely to ensure through force from abroad & revolt within affecting one of the two states -- that the annexing State should be the most hostile to this country and the most addicted to slave-dealing -- and that the event should come to pass under a governor who loses no opportunity of expressing his dissatisfaction at what has been done and his hope of the reunion of the O.R. Territory -- these are circumstances which no doubt try the principle of non-intervention to the uttermost.

Merivale minuted that Grey should be warned that the Colonial Office would not sanction any union of the republics, the policy of the Colonial Office was one of "non-interference" and Grey's sole concern should be the defence of the southern African frontier and British interests within that frontier.<sup>104</sup>

In 1857, after Grey had been warned by the Colonial Office, he turned his attention to another area. He recommended a union of British Kaffraria

with the Cape Colony without consulting the Colonial Office. This proposal meant, according to Merivale, "...placing at once the whole of our Sth. African possessions under a popular legislature of two elective houses --and that while we maintain 9 or 10,000 men there." The chief objection by Merivale and the Colonial Office was economic.<sup>105</sup>

One year later Grey proposed a federal government which would include the Cape Colony, Natal, British Kaffraria and the Boer republics.<sup>106</sup>

Unfortunately some confusion was created by the changing of ministries in Britain and Grey did not receive, as he had in the past, unequivocal instructions to the contrary. The new Secretary of State for the Colonies, Sir Edward Bulwer Lytton, paid very little attention to southern Africa and he left the problem to Merivale. Lytton was far more concerned with founding the new colony of British Columbia and in September 1858 he left the Office for the weekend without signing the Cape despatches, the ones which were to tell Grey that the Colonial Office would not sanction his proposal. Merivale felt they were so important that he signed them himself and wrote privately to Lytton and told him that it was "not worthwhile to suspend their transmission for form's sake only...."<sup>107</sup> Late in 1858

Lytton became ill and for a number of months, was unable to come to the Office. Merivale wrote privately to Lytton about the decisions being made with, of course, the latter's approval. For the most part Lytton did not object to Merivale's actions.

In October 1858 Merivale took a decisive step against Grey in order to bring his policy into line with that of the Colonial Office. At the same time Sir Edmund Head had also submitted proposals for federation in British North America. If federation was not a suitable policy for colonies with responsible government then it certainly was not for south-

ern Africa. It appears there was no private communication between Merivale and Grey as there was with Head. As Merivale minuted succinctly on October 5th: "But I think the Governor has fallen into the same error imputed to Sir E. Head and on a question, in one respect at least, more delicate: inasmuch as 'federation' certainly means one or the other of two things: either enormous expense to the mother-country, or the independence of South Africa." He recommended that Grey should be reminded that there is "another party" which he must consult, the "Imperial Government".<sup>108</sup>

Grey responded by sending a long despatch giving his version of recent history of southern Africa at the end of which he concluded there was only one solution, federation. Merivale, who had been at the Colonial Office for eleven years and had observed the development of southern Africa during the "history" of which Grey was writing, minuted to Lord Carnarvon, the parliamentary undersecretary, that Grey's:

... historical sketch ... is very disappointing to me. I had expected greater fairness & freedom from mere passion, when his judgement was seriously appealed to. The facts are so distorted or loosely stated, as to be worthless: the motives which he attributes (and I speak from knowledge of successive Secretaries of State) purely imaginary. Unless he is referring to some expressed sentiments of Sir George Clerk, whom he is always controverting: but I cannot suppose so.

Merivale went on to give the young and inexperienced Carnarvon a lecture on the history of southern Africa. Merivale's "history" lesson revealed the wide gulf which now separated Grey and himself:

The Cape Colony was confined for many years to the old Dutch limits. Little more than twenty years ago the Boers began to emigrate in number beyond the limits of the colony -- partly because they were disgusted with slave emancipation: more, I dare say, because, as Sir G. Grey suggests, the countries beyond the boundary were found better adapted for their pastoral purposes. It became the policy of this country to follow them, treat them as rebels & subdue them; a policy chiefly founded I believe, on missionary motives. The Boers

trekked into Natal -- they were conquered, & annexed. They trekked into the Orange River Territory -- they were conquered and annexed. They trekked beyond the Vaal -- they were not indeed annexed, but they were kept at a distance as enemies. At last a change came over our policy, produced simply by some reaction against the missionary spirit, by a conviction of the idleness of attempting to follow Boers wherever they might "trekk", and, far more than aught else by awful impressions of increasing expense, & fear of Parliament. These, I believe, have been the mainsprings of our policy -- missionary feelings pulling one way, dread of expense the other -- and not the strange Machiavellisms imagined in this despatch. The result is the two treaties of which so much has been said.

Merivale went on to demolish Grey's analogy based upon the latter's experience of New Zealand in the creation of a federation for southern Africa. The major difference was that southern Africa was a strategic area and "a vast section of a continent" whereas New Zealand was not. Merivale's most forceful reason was economic. Grey's proposal, if carried out, would create a "new United States" in southern Africa and would give that state:

... the power of war and peace; while the only consolation for such abandonment of power is to be taken away from us: for we are to find and pay the soldiers, only with the hope of "prospective diminution" -- and we know, I fear, what the "prospective diminution", turn out. The ultimate rewards he holds out, of increased trade and advancing colonization, are to repay us.

He concluded that the whole plan was "wild & impracticable".<sup>109</sup>

When Grey disregarded the next despatches, which ordered him to desist, the Colonial Office had no alternative but to recall him to account for his disobedience. Merivale put the case to Lytton in March of 1859 as one in which "...there is no help for it. Sir G. Grey is so evidently, to my mind, bent on forwarding his scheme of Federation, that I must say with all reluctance I have no reliance whatever on his statements on subjects bearing on it ...."<sup>110</sup> On May 30, 1859 Merivale wrote to Lytton in Hertfordshire telling him that, after fully considering the case, he

thought it would be "better to recall Sir G. Grey" because of "his absolute disregard for orders" otherwise he would "likely bring the Home Government into very heavy difficulties and responsibilities".

Grey had submitted his federation scheme directly to the Cape Parliament without the consent of the Colonial Office. With great prescience Merivale summed up the dilemma of southern Africa from his own day to present in the form of a question: "The time may very possibly come (if he [Grey] is left alone) when startled by the appearance of a Great South African Republic, men will ask, 'why was not this stopped at the outset when it might have been?'" Merivale also told Lytton to wait until early July to send out a very guarded statement of recall and one without "censure". By the time the letter reached the Cape Colony, however, Grey had departed for London and the ministry which had sanctioned his recall had fallen. The new one, with the Duke of Newcastle as Secretary of State for the Colonies, rescinded the order. The whole business became a fiasco for Grey, Merivale and the Colonial Office.<sup>111</sup>

In the meantime there were renewed efforts by the Cape colonists to obtain responsible government as well as federation because of Grey's pronouncements. Merivale, very disillusioned with the whole situation, did his best to make sure that responsible government was not granted by linking it with Grey's federation scheme for southern Africa. By 1860, with Grey's recall, responsible government along with federation, was discredited in southern Africa. It was therefore, as Merivale argued once again, inconceivably "... rash to trust Imperial interests too

exclusively to their cognizance."<sup>112</sup> By the end of March 1860, Merivale was transferred to the India Office and was no longer involved in the controversy.

If southern Africa was a graveyard for colonial governors, it was also important in Merivale's administrative career. Merivale was, within a year, "promoted" to the India Office. There is no evidence that he was removed by the new Secretary of State for the Colonies, the fifth Duke of Newcastle, for his part in this affair although Merivale was partially responsible for these events. It is more likely that Merivale was becoming increasingly disillusioned with the continual vacillation of British policy in southern Africa. When an offer came from the India Office, probably from his old friends, Sir George Russell Clerk and Sir Charles Wood, he took the new position to "escape" the Colonial Office.<sup>113</sup>

Merivale had fewer problems with colonial self-government in Natal which was, in the Colonial Office, his special concern. Natal had not received representative government because a few hundred white settlers were surrounded by at least a hundred thousand "natives". There was no reference at all by Merivale or his colleagues to the strategic importance of the colony on the sea routes to India, although they might have simply assumed that fact. In their view, the greatest need for the colony was to increase its economic development and thereby reduce imperial expenditure. The "native question" was therefore paramount.<sup>114</sup>

Natal, like other British colonies at the time, was plagued by internal problems which affected the white settlers and their attempts at self-government. All was quiet in the colony until Benjamin "Chilly"



Pine arrived from Sierra Leone in 1852. Pine failed to remain impartial in colonial disputes. He quarreled with Theophilus Shepstone over the latter's "native" policy. He attacked Shepstone in his despatches to the Colonial Office and, in 1852, he suspended Shepstone's Registrar. After examining the evidence Merivale disallowed the suspension because "the whole evidence seems to show a very unfortunate state of things, and to lead to the suspicion that while Mr. Pine is the object of very unscrupulous hostilities from others, he is himself addicted to strong partialities and to choosing his favourites without much regard to their decency of conduct."<sup>115</sup> In the same year he feuded with the Recorder, because Pine charged that the latter was acting as a "partizan" in the administration of justice in the colony.<sup>116</sup>

These problems, although annoying to the Colonial Office, were minor compared with the chief obstacle to the development of representative institutions in Natal. Late in 1852 Pine asked the Colonial Office whether the colony could have an assembly. In his minute to Sir John Pakington, Merivale reflected that there was:

... no objection that I am aware of to the introduction of representative institutions into Natal. & on the contrary many reasons in favour of it, were it not for the one great difficulty -- the formidable "native" question. How a free government will work in the presence of 100,000 natives of these savage & predatory races, I cannot pretend to anticipate. I can only say that the boldest policy is often in such cases the most successful.

Merivale thought it would be better if "municipal institutions" were given to Natal before an assembly was called. He said that he would write to Sir George Clerk to look into the problem while the latter was in southern Africa negotiating the treaties with the Boer republics.<sup>117</sup>

In April of 1853 the Colonial Office decided that Natal should have municipal institutions but not representative government. Merivale acknowledged that the problem was one of the "most difficult" he had confronted at the Colonial Office:

... Lord Grey was firmly of opinion that they were essential to the good working of a constitution and certainly the experience we have acquired of the mischief resulting from their absence in many colonies speaks strongly in favour of his view. At the same time it is very difficult to create any feeling in favour of these institutions among colonists, who are apt in such matters to be led by some small political section of active people who are all or nothing in the way of constitutional rights. And they will even set themselves against municipal institutions as only a device for delaying complete freedom -- as was the case in Australia. A good deal no doubt is owing to the habit engendered by our modern system of Crown legislatures, of expecting that everything local is to be done by Government for them.

As was often the case in the 1850's, the Secretary of State fully approved Merivale's minute and the draft despatch.<sup>118</sup>

After 1852 and the granting of municipal institutions to Natal there was only one other occasion when the possibility of representative institutions was considered. After the Sand River Convention, Pine reported the likelihood of a number of Boers returning to "British protection" in Natal. Merivale speculated that if a sufficient number arrived in the colony then the setting up of an assembly and a constitution might be seriously considered. Few Boers apparently wanted to move back into British territory and that was the last that was heard of the matter.<sup>119</sup> The white settlers in Natal were simply too few in number, defenceless, except for British sea power, and surrounded by too many Zulu to receive self-government.<sup>120</sup>

By 1861 Merivale, in the second edition of his Lectures, was much less favourable to colonial self-government than he had been in 1841.

The reasons for this change are quite evident from a close examination of his minutes at the Colonial Office and his Lectures. In British North America and southern Africa as well as in Australia, New Zealand, the Mediterranean and in the Far East, Merivale was directly involved in changing the political relationship between Britain and these colonies. No longer were the colonies to be given only two choices, either "absolute" freedom or complete dependency. He became aware that the most important factor in the development of colonies was economic, that is, the amount of capital, land and labour which the colony possessed and, even more important, the relationship between these factors. He became, as a consequence, less concerned with the question of "separation". The future of the British Empire would be decided by the colonies themselves, not by Britain.<sup>121</sup>

In less than fifteen years Merivale began to see that each colony had its own particular problems. Imperial analogies were helpful but British policy could not be based solely on these because, in most cases, differences in their social and economic circumstances were far too great. In Natal by 1860 no representative institutions had developed because of the insolubility of the "native" question. The Cape Colony was faced with the same problem but the number of white settlers was increasing and they were demanding responsible government. However, the strategic importance of the Cape Colony made it impossible for the Colonial Office to grant their request. In British North America there was a similar diversity. Vancouver Island, because of a lack of white settlers and a preponderance of Amerindians, received representative institutions only

in 1856 and even then, it was still under the control of the Hudson's Bay Company. British Columbia became a crown colony only after the gold rush in 1858 and was not granted self-government until it joined the Canadian confederation in 1871. The eastern colonies all received responsible government by 1860 but they had not become, as the Colonial Office had hoped, economically and politically self-sufficient. A change in the political relationship between Britain and these colonies did not for the most part bring about the social and economic changes which Merivale and his colleagues had desired.

In 1861 Merivale emphasized in his Lectures the problems which responsible government had created in British North America. These colonies, he explained, had been given "free institutions as a kind of bribe to take care of themselves. The colonists have taken the bribe, but show no disposition whatever to take on their necks the yoke of the supposed conditions." They had accepted the privileges associated with political freedom, but had not the ability or the willingness to take on their responsibilities.<sup>122</sup> The experiment was, for a Victorian liberal, a sad commentary, and one which taught the lesson that "self-government" did not imply "cheap government".<sup>123</sup> It had also created a confusing, and, at times, a highly disruptive situation for the colonial governor in his relationship to the Colonial Office and colonial politicians. Responsible government brought about "...little more than a transfer of local patronage from the old executives -- commonly a local and unpopular "clique" -- to the popular side. The real importance and magnitude of the revolution, though fully

foreseen by the statesmen who planned it, were scarcely understood by the colonial or by the British public until some time later." Despite the problems which had arisen under responsible government in the 1850's Merivale was quick to point out that it was impossible to return to the former system which had not worked as well and was characterized by "corruption" and a "constant internal antagonism".

Merivale emphasized in his minutes at the Colonial Office and later in the second edition of his Lectures, the importance of the economic factor. Economic development had helped these colonies and, as a by-product, had made responsible government a qualified success. There was no denying the "beneficial effects" when a colony gained its freedom from Britain. There was the

... cessation, as if by magic, of the old irritant sores between colony and mother country ... . Not only are they at an end, but they seem to leave hardly any traces in the public mind behind them. Confidence and affection towards the "home", still fondly so termed by the colonist as well as the emigrant, seem to supersede at once distrust and hostility. Loyalty, which was before the badge of a class suspected by the rest of the community, becomes the common watchword of all: and, with some extravagance in the sentiment, there arises no small share of its nobleness and devotion. Communities, which but a few years ago would have wrangled over the smallest item of public expenditure to which they were invited by the executive to contribute, have vied with each other in their subscriptions to purposes of British interest; in response to calls on humanity or munificence, for objects but indistinctly heard of at a distance of half the world. Nor is the advance in social progress, contemporaneous with this change, less remarkable than the improvement in public feeling. Progress of this description depends so far on economical than political causes, that it is necessary to pronounce with caution respecting its origin: nevertheless the fact itself is undeniable.

But time has not yet been afforded to test the real merits of the system, or to ascertain whether it furnishes in truth a practical and durable form of government or no.<sup>124</sup>

In addition, Merivale was very much aware of the manner in which responsible government had worked in Australia as compared with the British

North American colonies, especially the economic differences in these regions and the type of settlements which had developed. Merivale realized it would be very difficult to "correct" the "excesses and errors" of responsible government from Downing Street. The colonial environments would inevitably help to shape them "into democracy" and only violence would be able to stop this political advance.<sup>125</sup>

Merivale proposed an "experiment" which he hoped would make the colonists more "responsible". It was a modification but not a radical change in their mode of government. His plan was to separate "administrative office from political place". Rather idealistically, he hoped it would provide the colonists with more efficient and cheaper government. It might also even make the political life of the colony more stable and less reliant on patronage but he admitted that such measures were "limited" in their effects because:

They might aid the temperate working of democracy, and smooth away some pressing difficulties. But they would in no respect affect its real spirit and tendencies. It remains to consider the far more important question, what effect may be produced on these by the advance of time, by the increase of popular power, and the increase along with it of popular intelligence.<sup>126</sup>

If there was a method of planning the development of these colonies it was to be found only in the future, in the "gradual and slow" formation of the "national character" of each community. Though the political connection between the mother country and the colonies might become slight, Merivale believed that Britain would still be able to aid in colonial development by means of the advice of the Colonial Office and the guidance of the colonial governors.

At the Colonial Office Merivale had become aware of the extreme

importance of the colonial governors in the practical working of responsible government. A good colonial governor would help to obviate the "errors" and the "excesses" which occurred. His role, Merivale emphasized, was just as important after the granting of responsible government as it had been before and was not one of "parade and sentiment only". His description of the functions of the colonial governor was extremely cogent and it reflected his experience of working with Head in British North America and with Grey in the Cape Colony. "Under responsible government" he believed the

... functions of a colonial governor ... are (occasionally) arduous and difficult in the extreme. Even in the domestic politics of the colony, his influence as a mediator between extreme parties, and controller of extreme resolutions, as an independent and dispassionate adviser, is far from inconsiderable, however cautiously it may be exercised. But the really onerous part of his duty consists in watching that portion of colonial politics which touches on the connection with the mother-country. Here he has to reconcile, as well as he can, his double function as governor responsible to the Crown, and as constitutional head of an executive controlled by his advisers. He has to watch and control, as best he may, those attempted infringements of the recognized principles of the connection which carelessness or ignorance, or deliberate intention, or mere love of popularity, may, from time to time, originate. And this duty, of peculiar nicety, he must perform alone; as we have already seen in considering the subject of executive councils. He can have no assistance. His responsible ministers may (and probably will) entertain views quite different from his own. And the temptation to surround himself with a camarilla of special advisers, distinct from these ministers, is one which a governor must carefully resist.<sup>127</sup>

The colonial governor was indispensable to the British Empire even after the granting of colonial self-government. He alone would be able to mediate personally between imperial demands and colonial interests and thereby maintain a modicum of co-operation between Britain and the colonies. If the plan of the Colonial Reformers to distinguish between colonial and imperial interests were put into effect Merivale had no doubt that

the result would be "separation" because the colonists with their developing nationalism would not " ... long endure the new system."<sup>128</sup>

Merivale's conclusions led him into an imperial paradox. The granting of colonial self-government meant that the colonial politicians would have control over their own domestic affairs, eventually including the administration of the native population. While aware that the latter needed protection from the white settlers Merivale also knew that the native population would, in terms of material progress, hinder the development of these colonies. The essence of the paradox was, he discovered in the 1850's, the difference between European and native conceptions about land and labour.



#### Notes to Chapter 4

1. Cell, British Colonial Administration, 92-93.
2. Knox, "The Rise of Colonial Federation as an Object of British Policy, 1850-1870", Journal of British Studies, Vol. 11, No. 1, November 1971, 92.
3. Cell, British Colonial Administration, 85-86, 166-167.
4. Ibid., 187, 190; Martin, "British North America", Vol. 2, 199; Hyam and Martin, Reappraisals, 107.
5. Cell, British Colonial Administration, 142.
6. H. Merivale, Lectures, 612.
7. Ibid., 601.
8. Ibid., 612-612.
9. Semmel, Rise of Free Trade Imperialism, 98-99. One of the best analyses of the relationship between colonization and utilitarianism is Eric Stokes, The English Utilitarians and India, London, 1959.
10. H. Merivale, Lectures, 618-619.
11. See Stokes, English Utilitarians and India and J. Burrow, Evolution and Society; A Study in Victorian Social Theory, Cambridge, 1966, 137-178, for a comparison of Merivale with utilitarians such as J.S. Mill and Sir Henry Maine.
12. H. Merivale, Lectures, 619, 622-624.
13. H. Merivale, Lectures, 662-667 and compare Bodelsen, Mid-Victorian Imperialism, 49, 58.
14. Cell, British Colonial Administration, 85-94 and for the Civil War see Douglas A. Lorimer, "The Role of Anti-Slavery Sentiment in English Reactions to the American Civil War", The Historical Journal, Vol. 19, No. 2, June 1976, 405-420.
15. Merivale, Lectures, 619-620.
16. For a specific example see Carl Berger, The Sense of Power: Studies in the Idea of Canadian Imperialism, Toronto, 1970.
17. H. Merivale, Lectures, 624-631.

18. Ibid., 448, 585, 589-599.
19. Eldridge, England's Mission, 140-141; Martin and Hyam, Reappraisals, 121-138.
20. H. Merivale, Lectures, 631-635.
21. H. Merivale, "Tyndale's Sardinia", E.R., Vol. 90, July, 1849, 229; "Mallet du Pan", 508.
22. Grey, Colonial Policy, 200; Kerr, Sir Edmund Head, 29.
23. For examples see Ward, Empire in the Antipodes; The British in Australasia: 1840-1860, London, 1966, 82-87; Swinfen, Imperial Control of Colonial Legislation, 58, 117; Knox, "Moreton Bay separation: a problem of Imperial Government, 1825-1856", Historical Studies, Vol. 14, 1971, 569-570. In contrast Canadian historians have generally ignored Merivale and his influence. See for example, J.M.S. Careless, The Union of the Canadas, 1841-1857, Toronto, 1967.
24. Cell, British Colonial Administration, 46.
25. Martin, "British North America", Vol. 1, 34-38.
26. H. Merivale, Lectures, 106, 109, 115.
27. Morrell, British Colonial Policy in the Age of Peel and Russell, 447-471.
28. H. Merivale, "Lyell's Travels", E.R., 147. Also see Grey, Journal, Vol. 15, Pt. 1, 2339-2340.
29. C.O. 217/218 H. Merivale Minute, May 21, 1856 on G. Le Marchant to Henry Labouchere, May 5, 1856 ff. 201; C.O. 217/223 H. Merivale Minute, March 10, 1859 on Earl of Mulgrave to Sir Edward Bulwer Lytton, February 23, 1859, ff. 90.
30. C.O. 217/222 H. Merivale Minute, January 12, 1858 on Earl of Mulgrave to Sir Edward Bulwer Lytton December 30, 1858ff. 578; also see Mulgrave's despatches to Lytton December 30, 1858 ff. 556-576 and C.O. 217/226 to the Duke of Newcastle March 1, 1860, ff. 164-181.
31. C.O. 226/73 H. Merivale Minute, June 23, 1848 on Sir Donald Campbell to Grey, June 1, 1848 ff. 373 and compare with Merivale's Lectures, 615, 616.
32. C.O. 226/75 H. Merivale Minute June 1, 1849 on Campbell to Grey, May 14, 1849 ff. 142; C.O. 226/78 H. Merivale Minute February 16, 1850 on Campbell to Grey January 16, 1850 ff. 89-90.
33. C.O. 226/78 H. Merivale Minute April 17, 1850 on Campbell to Grey, March 28, 1850 ff. 134-135.
34. C.O. 226/81 H. Merivale Minute August 3, 1853 on Sir Alexander Bannerman to the Duke of Newcastle, July 18, 1853 ff. 173; C.O. 226/83 H. Merivale Minute April 3, 1854 on Bannerman to

35. C.O. 226/83 H. Merivale Minute June 21, 1854 on Bannerman to Newcastle, June 5, 1854 ff. 151-152.
36. C.O. 226/90 H. Merivale Minute August 23, 1859 on Sir Dominick Daly to Sir Edward Bulwer Lytton, May 24, 1859 ff. 240-242.
37. H. Merivale, Lectures, 110.
38. C.O. 194/131 H. Merivale Minute March 3, 1849 on Le Marchant to Grey, April 10, 1849, ff. 124.
39. C.O. 194/136 H. Merivale Minute March 18, 1852 on Le Marchant to Grey, February 13, 1852 ff. 38-39.
40. C.O. 194/139 H. Merivale Minute May 28, 1853 on K.B. Hamilton to the Duke of Newcastle, May 4, 1853 ff. 135; also see Memorandum by the Duke of Newcastle, "Address from Newfoundland on Responsible Government" January 31, 1854, ff. 182.
41. C.O. 194/142 H. Merivale Minute December 18, 1854 on K. B. Hamilton to Sir George Grey November 29, 1854, ff. 126-127; C.O. 194/144 despatch of K. B. Hamilton to Lord John Russell, April 26, 1855 ff. 82; C.O. 194/144 H. Merivale Minute on C. H. Darling to Lord John Russell May 29, 1855 ff. 149; C.O. 194/148 despatch of C.H. Darling to Henry Labouchere, August 31, 1856 ff. 302.
42. MacNutt, The Atlantic Provinces, 256-257.
43. C.O. 194/161 H. Merivale Minute March 17, 1860 on A. Bannerman to the Duke of Newcastle, March 5, 1860 ff. 138-139.
44. Kerr, Sir Edmund Head, 23.
45. C.O. 188/104 H Merivale Minute February 29, 1848 on W. G. Colebrooke to Earl Grey February 8, 1848 ff. 135-137 and see also W. G. Colebrooke to B. Hawes October 10, 1848, ff. 447.
46. Kerr, Sir Edmund Head, 33.
47. C.O. 188/102. This volume contains a number of important decisions made by the Colonial Office and they are made by Earl Grey. Merivale is well in the background as far as policy formation is concerned.
48. Head-Lewis Correspondence, E. Head to G. C. Lewis, July 2, 1849 ff. 4-14.
49. C.O. 188/110 H. Merivale Minute August 8, 1849 on E. Head to Grey July 15, 1849 ff. 39.
50. Compare with Head's crisis in Canada in 1858, see below 148-151.
51. Kerr, Sir Edmund Head, 74-75, 82.

52. C.O. 188/118 H. Merivale Minute May 19, 1852 on Board of Trade to Herman Merivale May 17, 1852 ff. 48.
53. C.O. 188/117 Despatch of E.W. Head to Sir John Pakington, December 16, 1852 ff. 296, 301 and compare Kerr, Sir Edmund Head, 85-86.
54. Head Papers, Vol. 2, E.W. Head to Herman Merivale, "Private" August 22, 1853; also see E.W. Head to G.C. Lewis, January 24, 1853 ff. 80; Kerr, Sir Edmund Head, 85-86.
55. C.O. 188/121 H. Merivale Minute February 3, 1854 on E.W. Head to the Duke of Newcastle, January 14, 1854 ff. 50.
56. C.O. 188/122 Despatch of Sir John Manners Sutton to Sir George Grey, October 7, 1854 ff. 147; C.O. 188/124 H. Merivale Minute May 10, 1855 on J.H. Manners Sutton to Lord John Russell April 20, 1855 ff. 253 and compare Martin, "British North America", Vol. 2, 199a; C.O. 188/125 H. Merivale Minute November 20, 1855 on J.H. Manners Sutton to Sir Wm. Molesworth, October 16, 1855 ff. 171-172; C.O. 188/125 H. Merivale Minute January 1, 1856 on J.H. Manners Sutton to Henry Labouchere November 30, 1855 ff. 353; C.O. 188/128 H. Merivale Minute January 15, 1856 on Charles Fisher to Henry Labouchere January 11, 1856 ff. 355; C.O. 188/132 H. Merivale Minute July 19, 1859 on J.H. Manners Sutton to Sir Edward Bulwer Lytton June 20, 1859, ff. 220.
57. C.O. 188/132 H. Merivale Minute October 12, 1859 on J.H. Manners Sutton to the Duke of Newcastle, September 29, 1859 ff. 362.
58. C.O. 42/551 Earl Grey Minute June 25, 1848 on Lord Elgin to Earl Grey June 1, 1848 ff. 13 and compare with H. Merivale, Lectures, 602-603, 616-617.
59. A.G. Doughty, The Elgin - Grey Papers, 1846-1852, Ottawa, 1937. Also see Kerr, Sir Edmund Head, 121-122; For Grey's view see Journal, Vol. 15, Pt. 1. Entry of Tuesday May 15, 1849, 2260; C.O. 42/560 Earl Grey Minute January 7, 1850 on Lord Elgin to Earl Grey November 19, 1849 ff. 77-78; Grey, Colonial Policy, 216.
60. C.O. 42/551 H. Merivale Minute September 21, 1848 on Lord Elgin to Earl Grey August 27, 1848; ff: 421; C.O. 42/561 H. Merivale Minute July 26, 1849 on Office of Commissioners of Railways to Herman Merivale, July 24, 1849 ff. 401-403; C.O. 42/560 H. Merivale Minute January 1, 1850 on Lord Elgin to Earl Grey November 26, 1849 ff. 153. Also see Knaplund, James Stephen, 59.
61. C.O. 42/569 H. Merivale Minute October 4, 1850 on "Colonial Posts" ff. 156-58; C.O. 42/569 H. Merivale to C.E. Trevelyan October 23, 1850 ff. 159-164.
62. C.O. 42/552 H. Merivale Minute January 11, 1849 on Lord Elgin to Earl Grey December 20, 1848 ff. 338.

63. Head-Lewis Correspondence, Head to Lewis July 7, 1855 ff. 117, 124; C.O. 42/603 H. Merivale Minute March 8, 1856 on E. W. Head to Henry Labouchere, February 23, 1856 ff. 330-331; C.O. 42/606 H. Merivale Minute August 7, 1856 on Law Officers to Henry Labouchere, August 5, 1856 ff. 421-424; Morrell, British Colonial Policy in the Mid-Victorian Age, 2.
64. Head-Lewis Correspondence, Head to Lewis, December 29, 1853 ff. 89; Martin, "British North America", Vol. 1, 75 and Vol. 2, 214.
65. C.O. 537/137 E. Head "Memorandum on the Expediency of uniting under one Government the Three Provinces of Nova Scotia, New Brunswick and Prince Edward Island", January 21, 1860. This memorandum was written in 1857 but was included in a supplementary Memorandum dated January 21, 1860 ff. 306-351; Head-Lewis Correspondence, Vol. 4, Head to Lewis October 21, 1857 ff. 126-129.
66. Lytton Papers, D/EK/01 H. Merivale to Sir Edward Bulwer Lytton, "Immediate", August 12, 1858, unfoliated.
67. For an account of the "Double Shuffle Crisis" see W. L. Morton, The Critical Years: The Union of British North America, 1857-1873, Toronto, 1964, 15-20.
68. Head-Lewis Correspondence, Head to Lewis, Vol. 4, Head to Lewis, August 9, 1858, and for a different view see J. M. S. Careless, Brown of the Globe, The Voice of Upper Canada, 1818-1859, Vol. 1, Toronto, 1959, 269-279.
69. C.O. 42/614 H. Merivale Minute August 27, 1858 on E. Head to Henry Labouchere, August 9, 1858 ff. 177.
70. C.O. 42/614 H. Merivale Marginal Note on Sir Edward Bulwer Lytton to E. Head September 10, 1858 ff. 146; H. Merivale Minute August 31, 1858 on E. Head to Sir Edward Bulwer Lytton August 16, 1858 ff. 295-296.
71. Lytton Papers, D/EK/01 Sir Edward Bulwer Lytton letter, September 9, 1858 (The recipient was not marked). H. Merivale Memorandum, "Public Despatches to Canada", September 22, 1858, unfoliated.
72. Lewis Papers, N.L.W., C/2028, H. Merivale to G. C. Lewis, September 23, 1858, unfoliated.
73. Carnarvon Papers, P.R.O. 30/6/69 Memorandum of Lytton on "The Union of British North America--Federal or Legislative" ff. 298-299; Memorandum by T. F. Elliot on the "Question of Federation of the British Provinces in North America, ff. 300-301. See also Knox, "Colonial Federation", 93; Martin, "British North America", Vol. 2, 206-207, 219-219a, 228-229, 235.
74. Morton, The Critical Years, 228.

75. D. B. Smith (editor), The Reminiscences of Doctor John Sebastian Helmcken, Vancouver, 1975, 150-152.
76. H. Merivale, Lectures, 615, 620-621; C.O. 305/3 H. Merivale Minute June 14, 1852 on Sir John Pakington, to H. Holloway June 9, 1852, ff. 533. For a view which is extremely critical of the Colonial Office's policies on Vancouver Island see Ellice Papers, N.L.S., E 91, E. Ellice to A. G. Dallas September 14, 1859, ff. 135-151.
77. C.O. 305/1 H. Merivale Marginal Note November 20, 1848 on "Rough Draft of Grant of V. Is. to H.B. Co." enclosed in letter J. H. Pelly to Lord Grey, November 18, 1848 ff. 147.
78. C.O. 305/5 H. Merivale Minute January 8, 1855 on A. Cockburn and R. Bithell to Sir George Grey, December 28, 1854, ff. 187.
79. C.O. 305/6 H. Merivale Minute April 17, 1855 on A. Colville to H. Merivale, April 16, 1855 ff. 249-250.
80. Smith, Reminiscences of Helmcken, 150-160.
81. Lytton Papers, D/EK/01 H. Merivale to Sir Edward Bulwer Lytton August 7, 1858, unfoliated; C.O. 60/1 Sir Edward Bulwer Lytton to J. Douglas, August 14, 1858 ff. 239-240 and H. Merivale Minute January 20, 1859 on J. Douglas to Sir Edward Bulwer Lytton, November 8, 1858 ff. 383; C.O. 6/27 H. Merivale Minute August 28, 1858 on G. Barber to Sir Edward Bulwer Lytton, ff. 137-138, C.O. 305/11 H. Merivale Minute October 12, 1859 on J. Douglas to the Duke of Newcastle, August 27, 1859 ff. 138.
82. C.O. 60/1 H. Merivale Minutes December 15 and 21, 1858 on Sir Edward Bulwer Lytton to J. Douglas December 30, 1858 ff. 269, 272; Ellice Papers, N.L.S., E 91, E. Ellice to A. G. Dallas September 14, 1859 ff. 135-151 and also E. Ellice to the Duke of Newcastle, September 21, 1859, ff. 152-161. Despite Ellice's criticism of the Colonial Office he wrote that Merivale kept the Colonial Office from being altogether inconsistent in its policies.
83. C.O. 60/5 H. Merivale Minute, October 13, 1859 on J. Douglas to Sir Edward Bulwer Lytton, August 23, 1859, ff. 78.
84. H. Merivale, Lectures, 631 and compare with his critique in 1861, 636-656.
85. D. M. Schreuder, Gladstone and Kruger, Liberal Government and Colonial 'Home Rule', 1880-1885, Toronto, 1969, 21-23; Robinson and Gallagher, Africa and the Victorians, 17.
86. Schreuder, Gladstone and Kruger, 7; C. F. Goodfellow, Great Britain and South African Confederation, 1870-1881, Cape Town, 1966, 206 ; H. J. M. Johnston, British Emigration Policy, 1815-1830, Oxford, 1972, 116-118.

87. Schreuder, Gladstone and Kruger, 13-14, 26; Morrell, British Colonial Policy in the Mid-Victorian Age, 187.
88. See Curtin, Image of Africa. In 1885 J. A. Froude was aware of these, Oceana, 32-61.
89. H. Merivale, Lectures, 119.
90. C.O. 48/276 H. Merivale Minute February 4, 1848 on H. Pottinger to Earl Grey November 12, 1847, ff. 420.
91. C.O. 48/284 H. Merivale Minute May 31, 1848 on H. G. Smith to Earl Grey March 30, 1848 ff. 489-490.
92. C.O. 48/287 H. Merivale Minute December 28, 1848 on H. G. Smith to Earl Grey October 21, 1848 ff. 212.
93. C.O. 48/289 Earl Grey to H. G. Smith February 12, 1849 ff. 46.  
Merivale drafted the whole despatch based upon instructions from Grey. This volume is entirely devoted to memoranda on representative government for the Cape Colony and the petitions by the Cape colonists.
94. C.O. 48/295 H. Merivale Minute June 5, 1849 "Confidential Print No. 4", 27-30. See also B. Hawes Minute of June 19 and Earl Grey of June 21, ff. 148.
95. C.O. 48/320 H. Merivale Minute March 13, 1852 on H. G. Smith to Earl Grey December 23, 1851 ff. 172.
96. C.O. 48/326 H. Merivale Minute June 10, 1852 on E. Cathcart to Earl Grey April 20, 1852 ff. 142; C.O. 224/1 Report of Sir George Clerk as Special Commissioner to the Orange River Territory. Clerk recommended abandonment, ff. 1-27. Volume 2 contains the claims for compensation on abandonment of the Territory. See also H. Merivale Minute March 4, 1853 on E. Cathcart to the Secretary of State January 13, 1853 ff. 95; C.O. 48/337 H. Merivale Minute April 9, 1853 on Cathcart to the Secretary of State February 11, 1853 ff. 166-167; C.O. 48/348 H. Merivale Memorandum October 27, 1853 on "Abandonment of Orange River Sovereignty" on Sir George Clerk's despatch of August 25, 1853 ff. 35-43, in a Minute of November 7, 1853 the Duke of Newcastle agreed with Merivale and Clerk, ff. 52; C.O. 48/350 H. Merivale Minute October 25, 1853 on J. D. Harding to the Duke of Newcastle September 28, 1853 ff. 319; C.O. 48/364 H. Merivale Minute February 12, 1855 on Sir George Clerk to Sir George Grey November 30, 1854 ff. 485.
97. C.O. 48/324 H. Merivale Minute April 10, 1852 on H. G. Smith to Earl Grey February 18, 1852 ff. 310.

98. C.O. 48/323 H. Merivale Minute March 13, 1853 on H. G. Smith to Earl Grey January 13, 1852 ff. 207; C.O. 48/330 H. Merivale Minute September 11, 1852 on C. H. Darling to Sir John Pakington July 24, 1852 ff. 255; C.O. 48/333 H. Merivale Minute December 13, 1852 on J. Montagu to the Earl of Desart December 10, 1852 ff. 67; C.O. 48/328 H. Merivale Minute December 16, 1852 on E. Cathcart to the Secretary of State October 12, 1852 ff. 59; C.O. 48/342 H. Merivale Minute July 27, 1853 on C. H. Darling to the Duke of Newcastle, June 6, 1853 ff. 148.
99. C.O. 48/339 H. Merivale Minute September 30, 1853 on E. Cathcart to the Duke of Newcastle August 14, 1853 ff. 99; C.O. 48/366 H. Merivale Minute July 25, 1855 on Sir George Grey to Lord John Russell June 8, 1855 ff. 324.
100. C.O. 48/358 H. Merivale Minute January 12, 1855 on C.H. Darling to Sir George Grey October 27, 1854 ff. 303.
101. C.O. 48/365 H. Merivale Minute May 16, 1855 on Sir George Grey to Henry Labouchere August 13, 1856 ff. 290.
102. C.O. 48/375 H. Merivale Minute November 14, 1856 on Sir George Grey to Henry Labouchere August 13, 1855, ff. 290.
103. C.O. 48/373 H. Merivale Minute June 1, 1856 on Sir George Grey to Henry Labouchere March 26, 1856 ff. 84; C.O. 48/377 H. Merivale Minute December 16, 1856 on Sir George Grey to Henry Labouchere October 6, 1856 ff. 149.
104. C.O. 48/381 H. Merivale Minute May 28, 1857 on Sir George Grey to Henry Labouchere March 20, 1857 ff. 247-248.
105. C.O. 48/382 H. Merivale Minute September 9, 1857 on Sir George Grey to Henry Labouchere June 29, 1857 ff. 156; C.O. 48/383 H. Merivale Minute November 23, 1857 on Sir George Grey to Henry Labouchere August 1, 1857 ff. 59.
106. C.O. 48/389 H. Merivale Minute August 24, 1858 on Sir George Grey to Lord Stanley July 5, 1858 ff. 484.
107. Lytton Papers, D/EK/01 H. Merivale to Sir Edward Bulwer Lytton September 6, 1858, unfoliated. Compare with Cell's analysis of Merivale's role, British Colonial Administration, 199 which argues that he was "...knowledgeable and willing to offer advice, but refusing to become involved." Cell, of course, did not have access to the Lytton Papers and based his judgment solely on the correspondence in C.O. 48.
108. C.O. 48/390 H. Merivale Minute October 5, 1858 on Sir George Grey to Sir Edward Bulwer Lytton August 14, 1858 ff. 210.



109. C.O. 48/390 H. Merivale Minute January 1, 1859 on Sir George Grey to Sir Edward Bulwer Lytton November 19, 1858 ff. 496-598. Also compare Goodfellow, South African Confederation, 18.
110. C.O. 48/393 H. Merivale Minute March 1, 1859 on Sir George Grey to Sir Edward Bulwer Lytton January 13, 1859 ff. 143; C.O. 48/393 H. Merivale Minute March 5, 1859 on Sir George Grey to Sir Edward Bulwer Lytton January 12, 1859 ff. 99.
111. Lytton Papers, D/EK/01 H. Merivale to Sir Edward Bulwer Lytton May 30, 1859 unfoliated; C.O. 48/395 H. Merivale to Sir Edward Bulwer Lytton June 3, 1859 ff. 110. For an analysis much more partial to Grey see Rutherford, Grey, 292, 406-407, 416.
112. C.O. 48/395 H. Merivale Minute June 4, 1859 on Sir George Grey to Sir Edward Bulwer Lytton April 8, 1859 ff. 58; C.O. 48/395 H. Merivale Minute June 4, 1859 on Sir George Grey to Sir Edward Bulwer Lytton April 19, 1859 ff. 158; C.O. 48/395 H. Merivale Minute July 30, 1859 on Sir George Grey to Sir Edward Bulwer Lytton June 17, 1859 ff. 504; C.O. 48/396 H. Merivale Minute July 30, 1859 on Sir George Grey to Sir Edward Bulwer Lytton June 20, 1859 ff. 8-9.
113. For a more complete discussion of Merivale's decision to go to the India Office see chapter 9 below.
114. Morrell, British Colonial Policy in the Age of Peel and Russell, 305-307.
115. C.O. 179/21 H. Merivale Minute July 13, 1852 on B. Pine to Earl Grey April 15, 1852 ff. 51.
116. C.O. 179/26 H. Merivale Minute November 27, 1852 on B. Pine to the Governor-General at Cape Town February 27, 1852 ff. 16-17.
117. C.O. 179/22 H. Merivale Minute December 18, 1852 on B. Pine to Sir John Pakington December 28, 1852 ff. 223.
118. C.O. 179/22 H. Merivale Minute April 12, 1853 on B. Pine to Sir John Pakington December 28, 1852 ff. 231-232.
119. C.O. 179/29 H. Merivale Minute August 2, 1853 on B. Pine to the Duke of Newcastle June 3, 1853 ff. 112-113.
120. C.O. 179/46 H. Merivale Minute December 18, 1857 on J. Scott to Henry Labouchere September 8, 1857 ff. 231.
121. Martin and Hyam, Reappraisals, 99-100; Clarke, "Attitude of the Colonial Office", 45.
122. H. Merivale, Lectures, 521, 607-608.
123. Ibid., 627.

124. Ibid., 636-643.
125. Ibid., 646-653. For the Australian colonies see Ward, Colonial Self-Government, 291-329.
126. Ibid., 656-661.
127. Ibid., 648-649, 666.
128. Ibid., 668-669.

## Chapter 5: Slavery and the "Native Question", 1837-1874

The most important consequence of the granting of colonial self-government in the British Empire was that it created complex problems for the Colonial Office concerning the future of the native population. Before he was appointed to the Colonial Office, Merivale had considered the effects and the possible solutions for the British government when white settlers moved into a region, took the land and commanded the labour of the aboriginal population. In the nineteenth century this imperial dilemma was termed the "native question". "Natives" were regarded as a lower class like the Irish or the poor in Britain and British liberals sought to better the material condition of these people by means of the panaceas of education and religion. Their object was humanitarian and their methods were usually paternalistic. Merivale, in his role as a commentator on the "native question", was both naive and at times utopian in his attempts to find a solution. As an imperial administrator he was involved in the ineffectual attempts to implement the schemes of "amalgamation" (gradual union leading to assimilation) and "insulation" (reservations). British "native" policies failed largely because of resistance by native peoples and the weaknesses of imperial administration rather than British racial attitudes.<sup>1</sup>

For Merivale "race" was a cultural idea derived from early nineteenth century ethnography, not a pseudo-scientific rationale which determined that native peoples were physically and, therefore, intellectually and materially inferior. Until the 1860's, at least, his ideas on this subject were not very different from those of his

British contemporaries and were derived from a wide variety of written sources rather than direct observation.<sup>2</sup> In his study of political economy Merivale was eclectic in his ideas about race, was seriously concerned about the history and culture of all peoples, for example "aboriginal" Americans, Mexicans, Corsicans and Africans and he maintained this interest until his death. In the late 1860's, for instance as permanent undersecretary at the India Office, he took a great interest in the first archeological survey of India.<sup>3</sup> He had little patience with the propagators of racism in Britain in the 1860's. In his Historical Studies in 1865, Merivale developed a racial theory which was designed to satirize pseudo-scientific racial ideas:

The North produces the races of more commanding aspect: it sends them forth conquering and to conquer; they subjugate the so-called feeblar races of the South; but, in the midst of their conquests, they sicken and perish, and become extinct. The populations of the South gradually penetrate northwards, and by their own more prolific multiplication, as well as by crossing or intermixture, in which their more essentially vigorous nature attains predominance, they efface the type of the Northern races, and cause it ultimately to disappear.<sup>4</sup>

Merivale was always aware that the future of every race was not predetermined by heredity.

Merivale's scepticism of racial theories was connected to one of the most controversial questions of the nineteenth century and one which was closely related to the "native question", slavery and the slave trade. Compared with his contemporaries such as James Stephen, his predecessor at the Colonial Office, and Thomas Babington Macaulay, the historian, Merivale was never directly influenced by missionary and humanitarian societies in London.<sup>5</sup> He approved of the cessation of slavery and the slave trade within the British Empire but wrote that hysterical crusades against such evils in Britain would not help the native peoples, freed slaves, white settlers, or the Colonial Office solve the social, political

and economic problems created by slavery.<sup>6</sup> His analysis of slavery and the "native question" was therefore placed in the context of classical political economy rather than in an evangelical, religious one. He viewed slavery in his Lectures as one of the solutions to the "native question" although a highly unsuitable one. His evaluation of slavery and its consequences was focused on the British West Indies after 1833.

Unlike Henry Taylor, Merivale's colleague at the Colonial Office, who believed that emancipation of West Indian slaves in the 1830's had been "one of the simplest of all questions of organic change", Merivale was extremely aware of its complexity.<sup>7</sup> Once the slaves had been freed many questions arose. What would be the social and economic function of freed blacks in the society in which they had lived? How were they to be educated in order to take their political role in an assembly of settlers? Despite being "free" they would still be bound economically to their former master or a new one. Above all they would still be forced to live with the white settlers. Both the former slaves and native peoples were at inherent disadvantages, Merivale postulated, once they came into contact with European civilization. They were in exactly the same economic position as the labouring classes in Britain. As a remedy Merivale could only propose the usual liberal panaceas of efficient government action, religious instruction and education. In Merivale's view slavery and the "native question" were not mutually exclusive and their effects were similar.

Merivale became increasingly concerned with both problems in the 1830's especially the Report on Aborigines in 1837. Frequent references to the Report are made in the first edition of his Lectures in 1841. Originally, however, Merivale's interest appears to have been stimulated

by accounts from travellers and missionaries in the West Indies, North America and Africa.<sup>8</sup> His analysis of the problem appeared in articles in the Edinburgh Review and in his Lectures and greatly influenced subsequent commentators on slavery, particularly Eric Williams in his Capitalism and Slavery.<sup>9</sup>

Merivale's ideas concerning slavery and the slave trade were based upon his historical interpretation of European expansion overseas. He compared the Spanish colonial empire in South America in the seventeenth century with the British Empire in the nineteenth century. His conclusions did not entirely take into account the differing historical contexts in which these two empires had operated. Like his British contemporaries Merivale deplored the Spanish use of slave labour, the "avarice" and the "practices revolting to human nature" which had often accompanied it.<sup>10</sup> In contrast the "great measure", introduced by the British in 1833 which abolished slavery within the British Empire was a "national act of disinterested self-denial". From the moral and political point of view of his own age he admitted that abolition was extremely important. It would not, in economic terms, "produce any very great revolution" in the immediate future. He pointed out that the abolition of the slave trade earlier in the nineteenth century had increased the cost of production and had failed to permit the extension of cultivation. However, the primary cause of diminished prosperity of the British West Indies after 1815 was due to increased competition from other areas of the world, the East Indies, Demerara, and Mauritius. As a classical political economist he believed political measures were not sufficient to remedy economic problems.

Slavery for Merivale and his contemporaries was a most "difficult

and intricate" subject. Merivale was chiefly concerned by the economic consequences of the abolition of slavery which was linked to another important dilemma of the nineteenth century, the "native question", because both involved the impact of European overseas expansion upon native peoples. Slavery differed from the "native question" only in the degree of control exercised by Europeans.

Slavery and the "native question" were always, in his view, connected with two important economic factors, the amount of good land and the availability of a supply of cheap labour. It was, he argued in his Lectures, "more profitable to cultivate a fresh soil by the dear labour of slaves, than an exhausted one by the cheap labour of free men." That was however, not the case in the British West Indies. The soil had become so exhausted from centuries of use that it no longer mattered a great deal whether the supply of labour was slave or free. Slavery had been abolished in 1833 when it was no longer economically profitable and it made little difference to the British. Therefore the British had no right to call themselves "saints" and the "rest of the world sinners". The large ports and industrial cities such as Liverpool and Manchester has grown tremendously as a consequence of the slave trade. In the nineteenth century they had profited by the "exchange of their produce with that raised by the American slaves; and their present opulence is as really owing to the toil and suffering of the negro, as if the hands had excavated their docks and fabricated their steam engines." For Merivale slavery was a "social evil" which differed not in kind but only in degree from pauperism and child labour in Britain. As a result Britain should, in the future, do its utmost to "watch, as far as in her lies, over the interests of the negro race" but with care and respect for

the independence of other states.<sup>11</sup>

Merivale was also highly critical of Sir Thomas Fowell Buxton's manifesto and his expedition to western Africa. The whole plan, Merivale concluded quite correctly, was "visionary" and had no chance of success as a substitute for slavery. The reasons for his rejection of Buxton's plan for "civilizing Africa" were economic. The use of "government bounties" in Britain to establish a flourishing commerce between Africa and Britain was hopeless because the means of attaining the objectives were inadequate.<sup>12</sup> Economic change was necessary before any improvement would occur in the condition of blacks. The possibilities for such change depended upon the amount of available land, capital and labour.<sup>13</sup>

As early as 1841 Merivale perceived the economic effects of the abolition of slavery in the British West Indies. There were conflicting opinions concerning the reaction of blacks to their new freedom. On the one hand blacks in the British West Indies were reported to have been spoiled by the payment of wages which they spent on articles of luxury. While commercial activity had been greatly stimulated with respect to consumer goods, Merivale noted the decrease in the production of staple products which had been the backbone of the West Indian economy.<sup>14</sup> On the other hand many blacks had used their freedom wisely and had "passed through the ordeal of enfranchisement most triumphantly, as far as order and good conduct are concerned." Most reports revealed the scarcity of "civil crime". Social and political freedom, he concluded, must be accompanied by economic prosperity and its concomitant, individual economic freedom.<sup>15</sup>

By the 1860's Merivale was less certain of these early statements concerning the material progress which had been achieved since emancipation.



This change also affected his attitudes toward slavery in the United States. He believed the writings of the abolitionists and their opponents were unreliable. The only other source was statistics taken from the official reports of administrators who had been working in former slave societies. Statistics were, however, "only conclusive within certain limits" because it was "very rare for an English functionary to remain long enough in those colonies to form correct notions respecting them, without acquiring prejudice on one side or the other, if he did not carry it out with him."<sup>16</sup> It was exceedingly difficult for Merivale to form an opinion about economic and social development in the British West Indies since 1833.

Despite these cavils, Merivale thought he saw signs of change and even improvement in the British West Indian colonies. The formation of "a middle class of inhabitants, chiefly coloured" and "independent of manual labour", who were engaged in commerce, was one indication. The freedom of this class working to their full potential would lead eventually to general prosperity. This idea was, however, extremely vague and certainly not mapped out in any coherent fashion. The lower classes would be induced to work by competition, specifically by the introduction of imported labour from other parts of the British Empire. Labour would be plentiful, wages would fall and eventually, productivity would increase. By 1861 Merivale estimated that the British West Indian colonies had reached almost the "same amount of productiveness" which they had before slavery was abolished.<sup>17</sup> He was certainly overly sanguine about the consequences of slave emancipation.

Merivale's comments about slavery were not always confined to the British Empire and he recognized that different varieties of slavery

existed throughout the world. For example, the influence which the Arabs exerted over Africans on the east coast of Africa concerned Merivale as a commentator and as an administrator at the India Office. In 1844 the Arab "empire", based in Zanzibar, was powerful and its economic basis was slavery.<sup>18</sup> Nevertheless this empire was very different from European empires in the Americas. Slavery was part of the African "social system" and immediate emancipation was not always the best for slaves.<sup>19</sup> Therefore Merivale concluded it was not as "hideous and unnatural institution" as European varieties. While deprecating the "idea of European political intrigue" in the Arab "empire", Merivale hoped that slavery would gradually disappear in eastern Africa by means of the peaceful presence of British commerce.<sup>20</sup>

Two years later Merivale commented on slavery in its American context despite being aware of the "enormous difficulties" involved in dealing with it.<sup>21</sup> In 1860 he compared the consequences of slavery to the social and economic characteristics of the region in which it existed. He concluded that it was natural for the Arab "empire" in eastern Africa to have slavery but it was both "anomalous and exceptional" for the United States to maintain the institution because the latter, as a former part of the British Empire and inhabited by Europeans, had a "higher civilization". If slavery continued white Americans would, in the long term, suffer from its effects. On the other hand, considering emancipation, slave-owners would naturally feel their way of life was being endangered and would respond "by creating a reign of terror around them."<sup>22</sup> The only possible solution was, using the precedent of the British West Indies in the 1830's, "progressive emancipation", that is, the gradual

emancipation of slaves during which the worst evils of slavery would be eliminated and, at the same time, the slave owners would not feel that their economic existence was being destroyed. If liberal attempts at amelioration failed to work, however, then Merivale advocated that change should be introduced by means of "an arbitrary and sweeping policy."<sup>23</sup>

Merivale based these conclusions on "historical truth and practical experience" rather than moral grounds. Slavery should be put into perspective because it was a human characteristic and differed only in "degree" not in "kind" from the "thousand other forms of compulsory subjection of one man to the will of another -- l'exploitation de l'homme par l'homme -- which prevail among civilized and uncivilized nations." He was also critical of the consequences of slave emancipation in the United States after the Civil War because the American Negro was still under the economic and social control of white Americans in the United States. Once again he emphasized that the two problems were not mutually exclusive and were the consequences of "dealings of Europeans with subject races".<sup>24</sup>

At the India Office Merivale did his utmost to stamp out the "iniquitous traffic" of slaves in Zanzibar. David Livingstone, who was in 1872 "Her Majesty's Consul for Inner Africa", sent a report on the slave trade to the Foreign Office. He protested that it was being conducted by British subjects, chiefly by east Indian merchants, collaborating with Arab slave-dealers off the coast of Zanzibar. Subsequently the report was sent to Merivale and he took responsibility for the preparation of a draft despatch to India. Both politicians and administrators at the India Office took Livingstone's accusations seriously and asked the Governor-General of India to discuss with his Council the following

alternatives. The first option, which was frequently exercised on both the west and east African coasts, was to dispatch a British naval force to board vessels transporting slaves on the high seas. Secondly, British treaties with Zanzibar could be revised. Thirdly, the best means, Merivale argued, would be to obtain the co-operation of Indian rulers to pass laws which would prosecute Indian merchants engaged in the trade and thereby cut it off at its source. Although he was aware the slavers had always found means of circumventing laws against slavery Merivale emphasized, in his draft despatch, that it was the only means of dealing with the offenders. The British government still had to respect the national boundaries of independent states such as Zanzibar which had not outlawed the slave trade.<sup>25</sup> As an administrator Merivale was concerned with slavery and helped to bring about its cessation within the British Empire. He was also able to place it into perspective as part of the larger problem of contacts and conflicts between Europeans and native peoples.

The "native question" was the most important problem of European expansion overseas. Merivale realized that the problems which were raised by the "native question" were connected to other important imperial concerns such as responsible government, free trade, commercial companies, missionary enterprises and imperial defence. Eventually Merivale perceived that the problem was an insoluble one and the best that could be done was to ameliorate the condition of the native peoples in the present and hope that in the future they would be able to adapt their culture to European civilization. It was extremely ironic that Merivale was aware of these

difficulties but found it increasingly impossible to influence British imperial policy as an administrator. Changing British attitudes toward race in the 1860's put him out of step with his administrative colleagues, politicians and public opinion.<sup>26</sup>

Merivale's attitudes to the "native question", developed in the 1830's when he was appointed Professor of Political Economy at Oxford, were influenced by three changes in British society. Merivale's two incisive and important chapters on this question in his Lectures were a direct response to the Report on the State of the Aborigines. However the manner in which he responded to the question was not simply influenced by the humanitarianism of Exeter Hall. Merivale's ideas were shaped by two other developments, the development and popularization of free trade and the growing importance of political economy as a body of systematic knowledge which proposed answers to the problems with which the British Empire was confronted. In many instances they were linked in such a way that nineteenth century political economists advocated the panacea of free trade. The doctrines and the application of free trade ran directly counter, however, to the evident need for the British government to protect the native peoples by direct intervention in the domestic affairs of white settlement colonies. The dilemma for Merivale was acute and his responses to the "native question" affected his attitudes towards other important imperial questions.

In his "Introduction to a Course of Lectures on Colonization and Colonies" published in 1839, Merivale wrote that the "native question" was the "greatest moral difficulty of colonization". The effect of European expansion on native peoples had been "misdirected". Whatever the reaction of Amerindian, African or Maori, conflict between white

settlers and the native peoples was a certainty. Consequently the latter had been reduced to a "servile or quasi-servile state" or had been removed from contact with Europeans. Moral rationalizations by Europeans had done nothing to explain or solve the dilemma because:

When men superior in intelligence and in power are brought into contact with their feeblers brethren, when they are turned loose among them without the possibility of a complete, efficient, and, above all, a disinterested control, to expect that they will not grossly abuse their power, is to imagine that the evil principle of human nature will be rendered harmless by diminished restraints and an extended sphere of action.

This situation could not be resolved by a change in the methods of colonization because the consequences of cultural contact were unpredictable. The only hope was amelioration by Europeans after contact.<sup>27</sup> In his Lectures Merivale provided a substantial explanation for his gloomy prognostications.<sup>28</sup>

In Merivale's historical analysis the roots of the "native question" dated from the beginning of European expansion in the Americas in the fifteenth and sixteenth centuries. He closely examined the Spanish expansion into South America and concluded that it had been characterized not by "principles" but rather by pragmatic decisions made in an "irregular" and "arbitrary" manner.<sup>29</sup> The consequences had been disastrous reducing the native population through disease and warfare. Imperial governments also had to pay for long, costly wars. All attempts by European governments to rectify the situation had been "ineffective".<sup>30</sup> Nevertheless he felt there had been some signs of improvement. The Spanish regime in South America had been both "monstrous and unnatural" but it was important to put the Spanish experience in its historical context. From the point of view of the Spanish government and the white colonists the "normal state of the subject Indian had always been regarded as one of servitude or quasi-servitude".<sup>31</sup> There were ameliorative circumstances

which tempered the worst effects of the Spanish system of which the role of the Jesuits and their missions was the most significant. The Jesuits could never compensate for the loss of Amerindian "liberty of action",<sup>32</sup> nevertheless they had done their best to treat their charges with kindness, to care for their physical well-being and to provide moral instruction. In the 1840's Merivale constantly stressed the value of religious instruction in teaching native peoples the "rudiments of civilization".<sup>33</sup> He hoped that an "amalgamation" of both societies would be the consequence.

Merivale's advocacy of religion as the primary agent in the process of amalgamation was based upon his belief that the desire for religion was common to all cultures. If Europeans followed the dictates of their religion they would, he hoped somewhat naively, act toward native peoples with "zeal, perseverance, and charity". On the other hand the native peoples would undergo a change of life which would alter their "savage" habits. Merivale would have liked to have seen the native peoples become Europeanized while losing their traditional culture.<sup>34</sup>

Merivale did not believe non-Europeans were physically inferior. Instead he viewed them in terms of the class system in Britain and frequently compared them to the labouring class. They were thus materially inferior, but if they attained political freedom they would enjoy the prosperity of the "wholly emancipated classes". Once native peoples had adapted to the ways of European civilization, had been set free and become "industrious" they would be protected by British law.<sup>35</sup> The latter would also provide for an orderly transition and security for a colonial society undergoing these changes.<sup>36</sup> Merivale's judgments concerning the "native question" reflected his ideas of the state of British and European society. This perspective no doubt limited the alternatives which he put forward to solve the "native question" in his Lectures.

After dealing with the problem at the Colonial Office he was less certain of the capacity of Europeans to civilize those with whom they came into contact.<sup>37</sup>

Merivale did not divide Europeans into either heroes or villains in their treatment of native peoples. All were imperfect in their principles and methods of "native" administration. He did not, however, question the presence of Europeans overseas. Only in the early 1850's in southern Africa Merivale supported a policy of withdrawal.<sup>38</sup> Very few nineteenth century commentators or administrators questioned the possibility of European withdrawal from their overseas territories.<sup>39</sup> With the exception of southern Africa Merivale advocated more direct British intervention in colonies as a means of protecting native peoples from white settlers.

Merivale was aware of these particular effects but he never spent an inordinate amount of time bemoaning their consequences because "the wretched details of the ferocity and treachery which have marked the conduct of the civilized men, too often of civilized governments, in their relations with savages, either in past times, or during the present age, [were] rich almost beyond precedent in such enormities." In his Lectures Merivale was much more interested in finding a solution to these problems the essence of which was "the duty and right policy of colonists and colonial government towards the native inhabitants of the regions which they occupy."<sup>40</sup> Historians have taken Merivale's comments about the **devastating** consequences of British conduct toward native peoples out of context and have disregarded the thrust of his argument, the alternatives for amelioration.<sup>41</sup> He believed that to exaggerate the effects of contact was



... a painful, and I am sure an unnecessary task. The general features of the subject are by this time sufficiently known, and perhaps regarded with sufficient abhorrence: it remains for us now to act; and with a view to that purpose, it is perhaps desirable that we should not cease to dwell so exclusively on the dark side of the picture, as many have hitherto done; still more, that we should not rest contented with vague and general desires of good, or imagine that the evil influences at work are to be counteracted by great undirected efforts -- by proclaiming principles -- by organizing societies -- by pouring forth the lavish contributions of national generosity, without examining for ourselves the channels into which they are to flow. All this is little better than idle philanthropy; or, it should rather be said, than the mere fulfilment of certain ceremonies, by which the mind relieves itself of the sense of a debt.

In contradistinction, what was needed were "practical and dispassionate views" and actions requiring an enormous amount of "patience", "faith", "zeal", "firmness", and lastly "contentment in small successes and imperfect agents." <sup>42</sup> Merivale was accused by his contemporaries and later commentators for being much too pessimistic but it made him shy away from facile solutions.

Merivale had reservations about the efficacy of solutions which advocated a change in the "system" by which the native peoples were governed. The errors made in the past, he argued cogently, were not due to "conception" by any metropolitan government but rather a general lack of understanding of the consequences. "Execution" of policy by the imperial government was the factor which had been most often ignored. He perceived that "laws and regulations" were almost always unenforceable. The actions of the "trader, the backwoodsman, the pirate, the bushranger" were far more important elements in the development of the relationship between the native peoples and Europeans than laws. Laws reflected the society which established them and were of limited value as a means of social control between two or more different cultures. Laws and religion were not of much use after the "natives" had lost their "natural tendencies and capacities" and "ancestral habits" through contact. British imperial

policy had to take this fact into consideration.

If the attempts at "reform and amelioration" were not originally "thwarted by the perverse wickedness of those outcasts of society" then the first white settlers would arrive and a similar effect would occur. The only realistic response by the imperial government would be the restraining "arm of power". The imperial government should act systematically with "tact, prudence, and firmness" with the ultimate objective being the "protection" and "civilization" of the native peoples. By this means Merivale hoped it would be possible to reduce the worst effects of contact between the colonizers and the colonized. Ultimately he believed that the only solution was the "Euthanasia of savage communities", by which the native peoples would suffer a gradual erosion of their culture by a process of "amalgamation".<sup>43</sup>

The power of the imperial government could be used effectively to protect the native population by "the appointment in every colony of a department of the civil service for that especial purpose, with one or more officers exclusively devoted to it."<sup>44</sup> The idea, although not original, had never before been tried in British colonies. The Spanish colonies in South America had such an institution and Merivale believed it had worked fairly well. He was aware of the presence, in the British continental colonies in America, of the office of Deputy Superintendent of Indian Affairs, which had been established and extended to Quebec and Acadia after the Conquest in 1760. He recognized the powerlessness of the Deputy Superintendent to protect Amerindians in the past and wanted to expand it into a more formal and larger branch of imperial government. In Canada there had long been "... a considerable and expensive Indian department, with superintendents, secretaries, and interpreters; but the mismanagement of the affairs of that colony, as regards the natives, seems

to have rendered them of little service, except to superintend the mischievous practice of the annual delivery of presents." He did not approve of the Department because it was run by white settlers who had little sympathy for the well-being and protection of Amerindians and who were primarily concerned with the material development of their colony. If the settlers obtained the power to protect Amerindians then the future of the latter would become even more perilous.

The history of Amerindian-European contact was crucial to Merivale's interpretation of the "native question". In 1841 he advocated removing "altogether from the colonial legislature" responsibility for the protection of Amerindians. It should be in the "hands of the central executive" which would then delegate its power to a special imperial department. The most important advantage of this system would be its impartiality, as Merivale put it, to "arbitrate dispassionately between classes". The one disadvantage would be distance, the problem of obtaining accurate information from each colony in order to make a judgment when conflicts arose. In the end, however, Merivale believed the "able execution of native policy depends far more on individual tact, zeal, courage, and humanity" in making decisions than the "goodness" of any "systematic arrangement". At the Colonial Office he followed this precept by relying to a large extent upon the experience of colonial governors for accurate information.<sup>45</sup>

The officers of this imperial department would be responsible for the "detection and prosecution of offences" committed against the "native" and the "regulation of contracts" between "master and servant". Instead of passing fixed laws regulating labour Merivale argued that better protection would be provided if each case was examined individually by an officer from the department. In cases involving transient labour, the officers would also have the right to "control the summary power"

which for example, travellers could use against "native" labourers. The development of such a department and the delegation of specific duties to these officers raised the crucial question of enforcement. Merivale was acutely aware of the problems involved in applying the laws of one culture to another. His scheme would not succeed without solving the legal difficulties which would confront the officers.

Native peoples needed the protection of English law because it was the only way to check the actions of white settlers, traders and merchants. English law was however, a distinct product of English culture and "natives" in each colony would be placed at a distinct disadvantage if placed under the direct jurisdiction of English law. They would, he argued, be "... ignorant of it and would be tried for crimes of which they are not aware." Recognizing these problems Merivale believed it was an insoluble dilemma while "natives" remained in their "uninstructed state". A policy of amelioration must therefore follow protection; only then would cultural and economic conflicts in British colonies be reduced.<sup>46</sup>

On the question of amelioration Merivale was greatly influenced by the governor of South Australia, George Grey and his solution of immediate amalgamation. Both "natives" and settlers should be put under British law from the initial period of contact. If "natives" did not interfere with white settlers they should be left alone and allowed to retain their own customs and laws. Merivale recognized the limitations of Grey's plan. It did not take into account cultural differences among such diverse peoples as Amerindians, Australian aborigines, Maori or Africans. He concluded that no one solution or policy was practicable for all regions of the British Empire. Central control and flexibility were both needed. "Officers" in the "native department" should possess this legal power until the native peoples

become "mature" enough to understand the laws and culture of British society. The consequences of a lack of flexibility were obvious, "a constant danger, either of the reduction of the native to actual slavery, or of the uncertain, and therefore mischievous interference of the authorities to prevent hardship in particular cases." Merivale's scheme was essentially a primitive type of trusteeship with officers functioning as imperial ombudsmen.

These imperial officers would also have power to deal with those who lived closest to the native peoples, the white traders, merchants and settlers. These "lawless aliens" possessed an "enormous power" for evil, committing such offences as selling alcohol. One possibility which had been put forward to deal with the "buccaneers" and their raids on New Zealand was to give the Royal Navy "certain legal powers" which would make them into a kind of "locomotive tribunal, to take cognizance of offences committed by British subjects against natives on the high seas and in the islands."<sup>47</sup> In 1841, as a temporary measure, Merivale considered this idea which dealt only with the consequences of contact not with its cause.

The use and ownership of land was another important problem. Native peoples had different economies and ideas concerning property from Europeans. Amerindians, for example, lived at a subsistence level and generally shared their property within their extended family. Unlike most nineteenth century Europeans who led a sedentary existence on the farm or in a town, Amerindians moved about seasonally in search of food. These economic and cultural differences created disadvantages for native peoples when a reserve policy was implemented. To Merivale it was quite clear that "... fixing a body of people, generally harassed by defeats and wanderings, and in a condition most unfavourable to speedy improvement and in the midst of a country in process of rapid settlement" would fail

because the "establishments of the whites soon press on the limits of of the Indian ground; generally long before the Indians, kept, by the policy hitherto observed by American governments, in a state of insulation from the whites, have learnt to improve it." Despite its good intentions the consequences of a reserve policy were disastrous for white settlers and native peoples. Valuable agricultural land was left idle because the Amerindian economic base was hunting, trapping and fishing. The only solution was to create more reserves in "some distant territory" which would last until the settlers moved into that particular area and then the same process would occur over again. A reserve policy was therefore only a temporary measure and obviously did little to solve cultural and economic conflicts arising from prolonged contact.

A reserve policy was also not in the best interests of the native peoples. Migration from their traditional hunting lands had caused a "loss of capital and of comfort" and of even greater significance the "tribe, become agricultural, is thus placed in a country far more abounding in game in its former seats, and exposed to the strongest temptation to relapse into the hunting condition." This constant shifting of the economic base was ruinous to the native peoples and they became entrapped in a kind of social and economic limbo, losing their original skills and, at the same time finding it almost impossible to adapt to an agricultural economy. Confusion and loss of purpose caused the "last and greatest of all these causes of degeneracy" -- "insecurity, the despair of permanence, the conviction of approaching annihilation." It is no wonder then that the "native" exhibited a kind of "sullen apathy". Merivale's analysis of the disadvantages of a reserve policy was quite accurate. At the Colonial Office, however, he was unable to do much to prevent the development of a reserve policy in British North America and southern Africa.

In 1841 Merivale foresaw only three alternatives for the "ultimate destiny" of native peoples. The first was the most obvious, they might be "exterminated". The second was "insulation", essentially a reserve policy. The third, "amalgamation with the colonists", was the one which he preferred at that time.

Merivale did not believe "extermination" would ever occur. He did not, however, give any reasons for this position. If it was "inevitable" that they perished then, he concluded rather pessimistically, there was no use even considering the problem at all. It only remained for Europeans to "insure that the inevitable end be not precipitated by cruelty and injustice." Merivale's objections to the theory of "necessary depopulation" prompted this conclusion.

Merivale was equivocal about amalgamation because he failed to distinguish between immediate and gradual amalgamation. Both "reason" and "experience", he argued, made assimilatory schemes "impossible". The Spanish and Portuguese experience had revealed the "ill success" of previous attempts. This "civilizing process" was "slow" and "uncertain". The consequences of such a solution would also be unsatisfactory for the development of native peoples and white colonists. Religious and educational instruction for the "savage" might succeed in making him "more innocent" but at the same time Merivale observed that it would hinder his [the "savage's"] intellectual development. The ultimate effect would be to render the apparently "civilized savage" into a person who was "feeble and dependent". As far as the colonists were concerned the project of civilization also gave them undue hardship because it would take too long to obtain any concrete results. The cultural and economic differences were simply too great.

There was, in Merivale's view, only one practical solution to the "native question", amalgamation. Compared to extermination and civilization it was the "very keystone, the leading principle, of all sound theory on the subject -- that native races must in every instance either perish, or be amalgamated with the general population of their country." By amalgamation Merivale implied that it was a form of acculturation between white colonists and native peoples. In his own words it meant the "union of natives with settlers in the same community, as master and servant, as fellow-labourers, as fellow citizens, and, if possible, as connected by intermarriage." To be successful this alternative had to be an "immediate and an individual process -- immediate, if not in act, at least in contemplation." The emphasis had to be on the present not the future and the aboriginal peoples had to be regarded from the outset as "potential citizens". Although Merivale admitted **amalgamation** seemed to be "somewhat wild and chimerical" he believed that it was better to confront the problem directly with "prudence" and to act quickly rather than to delay. He regarded the process of acculturation as irreversible and amalgamation was therefore the "only possible Euthanasia of savage communities."<sup>48</sup> He did not believe that the native peoples could return to their traditional way of life.

One of the chief advantages which amalgamation possessed was simply that it had never been tried before "in earnest" in the history of European overseas expansion. Attempts had been made but there had not been a co-ordinated effort by church and state over a long period of time. The only instances had been in New France and Spanish America in the sixteenth and seventeenth centuries and they had been, relatively



speaking, failures.<sup>49</sup> When Merivale attempted to describe his plan of **amalgamation** in more detail in his Lectures, however, there was very little to distinguish it from other assimilatory schemes.

For Merivale and his contemporaries religion was to be the most important means of bringing about the "civilization of savage tribes". Merivale's idea of amalgamation, if implemented, would have lead to assimilation. The key to the success of both was the similarity of European and "native" religious beliefs which "in the savage races of mankind, from the most advanced to the most degraded, the sense of religion not only exists, but exists accompanied by that which may be termed its necessary condition in the human mind -- a feeling of pressing want, a longing for support, a craving after instruction."<sup>50</sup> With proper religious instruction aboriginal peoples would be able to overcome their "material" and "intellectual" backwardness. He realized that some of the native peoples had greater opportunities to advance more quickly than others. Amerindians had a better chance to amalgamate more quickly than Australian aborigines because the former were more sophisticated in their religious beliefs.

In this process Merivale regarded the role of missionaries as crucial. He had no doubt that missionaries had been, like other informal agents of empire, producers of both good and evil effects. The Jesuits in South America, the Church Missionary Society in New Zealand and the American Society of Friends in the United States had experienced setbacks but, considering the frequent exaggeration of reports of their work, Merivale concluded that they had made some progress. Nevertheless, it was quite a different matter whether native peoples benefited

from contact with missionaries. Merivale was optimistic and found

on minute examination how many little insulated spots of light appear to present themselves in the gloomy map of aboriginal ethnography -- how many little communities exist, almost overlooked by travellers who perceive only the general face of things, in which Christianity is professed, and the arts of life cultivated, and orderly and moral habits prevail, at one and the same time, because the development of religion and civilization has proceeded together. How far the comparatively slight amount of good which has resulted, after all, from so much zeal and self-devotion, is owing to its misdirection; whether a different mode of teaching Christianity might not, in many cases, have led to a more satisfactory result; whether the instructors of savage tribes have not dwelt too much on their deficiencies, and too little on their advantages, regarding them rather as creatures out of whom the old life was to be utterly extirpated, than as possessed of an exquisite moral sense and high religious capabilities ... .

He regretted that he did not have sufficient scope in his Lectures to undertake a more thorough investigation and as a consequence he kept an open mind on the subject. In the next thirty years in his published works and at the Colonial and India Offices he became less optimistic about the value of missionaries in the process of amalgamation because he discovered they had helped to create social and economic conflict and moreover prevented amalgamation by "insulating" the "natives" from the white settlers.

The work of missionaries, although "indispensable", was not sufficient to complete the process. Teachers of more secular matters, particularly of science and technology, were also essential agents in the material progress of European civilization. Merivale proposed that the imperial government supply qualified teachers to educate young "natives". This part of Merivale's plan involved another difficult question for both whites and "natives", that is, whether these young people would be immediately or gradually integrated into European schools. Merivale believed the former would be the

best for both whites and "natives" because "... children of most native races are fully or more than a match for those of Europeans in aptitude for intellectual acquirement. Indeed it appears to be a singular law of nature, that there is less precocity in the European race than in any other. In those races in which we seem to have reason for believing that the intellectual organization is lower, perception is quicker, and maturity earlier." He concluded that children of both groups would benefit from their mutual contact. He precluded the possibility that native people might not want to remain as they were and would not mind a "relapse into barbarism". He did not understand that one of the consequences of a "material training, in the arts and industry of a civilized life" might at the same time destroy their culture.

After the missionary had awakened in native peoples the need for material progress and the imperial government had provided the necessary secular education, the process of amalgamation would occur. Colonists and "natives" would intermarry, their children would form a new society and ease the cultural tensions which had hitherto existed. Merivale believed that miscegenation would be "impossible to prevent" and he pointed to the fur trade society in Rupert's Land as an example of the possibilities inherent in amalgamation. He was essentially correct in his assertion that miscegenation was a "... considerable check to that mutual repulsion which arises merely out of prejudices of colour, and for which there can be no substantial reason where slavery does not exist. And there is strong testimony to the superior energy and high organization of many of these half-blooded races."<sup>51</sup> He was never impressed by moral arguments against miscegenation except insofar as it might initially cause "degradation"

among native peoples. Merivale was not dogmatic about the efficacy of his plan because it was, like other ideas of mankind, imperfect.

Merivale believed that there were two objections to amalgamation. The past had "proved" that native peoples were "irreclaimable" and therefore any attempt to change them in the present or in the future was futile. Merivale quickly disposed of this pessimistic assertion pointing out that it was not inevitable. Such an attitude denigrated the potential of native peoples to survive in the modern world as well as the efforts of Europeans to come to terms with the problems of European-aboriginal contact.

The second objection was, Merivale confessed, much more "fatal". Some commentators, such as Charles Darwin, had argued that the theory of necessary depopulation decreed that "... the feeblar race must yield to the stronger; the white is destined to extirpate the savage." Aware of a new school which made the theory of necessary depopulation into a "science", he was highly critical of applying biological analogies to human beings. According to Merivale, such a view was false because it confused cause and effect; moreover the decline in population was a consequence of "natural agencies". Events in the natural world did not necessarily bear any relation to those in the affairs of mankind because "if it be true, that the mere presence of a white population is sufficient to cause the red Indians, or the Polynesians, to dwindle and decay, without any assignable agency of the one or the other, it must be confessed that this is an anomaly in the laws of Providence utterly unexplained by all our previous knowledge, wholly at variance with all the other laws by which animal life, and human society are governed." Referring to the

"recent revelations" of George Catline, a traveller, in North America, Merivale stressed that such important causes as "firearms", "spirituous liquors" and "epidemics" were sufficient to explain the "devastation". He concluded that racial theories hid the material causes and provided his contemporaries with a means of escaping from their own guilt, the real problem and its possible solutions.

Merivale used history, reports from travellers, missionaries, imperial officials, and statistics to reveal that, in most instances, depopulation was not inevitable. In North America the situation was not good but there was no evidence that Amerindians would disappear in the future. In Mexico, "perhaps in Peru", and in southern Africa there was no doubt that the opposite was true. In the second edition of his Lectures, Merivale was less optimistic concerning the ultimate fate of native peoples but he still did not believe that the theory of necessary depopulation was correct. Once again he emphasized that material causes such as the "great recent mortality of female children" in New Zealand, wars and disease accounted for depopulation. The "deterioration of the human race" was not due to inbreeding of any particular group because, if that was true, not only would native peoples be dying out but so also would the population of the Scottish Highlands, the Swiss and Italian Alps, and "doubtless many other mountain regions". If material causes were insufficient to account for depopulations then there "must be some other causes in combination, with which we are not acquainted."

The idea that the native peoples would inevitably disappear because they did not have the capacity or the potential to develop like Europeans, was dismissed by Merivale as misleading. He drew upon archeological

evidence which revealed Amerindians had been a great people before contact with Europeans. Amerindians, who were known to the first Europeans who came to North America, were the "mere fragments of a great family of the human species, losing, in every successive generation, something of the qualities which had distinguished their predecessors, diminishing in numbers and resources, and on their way towards extinction; and there are some who hold the same opinion respecting all the races commonly called savages." Amerindian-European contact had brought about the process of decline. Merivale did not preclude the possibility of a renaissance among the native population and he cited examples of the successful adaptation of southern Africans working with Moravian missionaries and of Amerindians with Anglicans in the Red River Colony and in Canada.

Herman Merivale's experience as an administrator made him less optimistic concerning the fate of native peoples in 1861. Merivale's scheme of amalgamation should be judged as an experiment devised by a lawyer and a political economist who had no practical experience. From 1841 to 1861 his views changed substantially and he was aware of the "futility of sanguine expectations". Failure to solve the "native question" was not due just to a lack of "perseverance" and the use of "reason and truth" by Europeans, but one which was extremely complex.<sup>52</sup> Therefore it certainly could not be easily solved if it could, in fact, be solved at all. Despite a few examples of success in various parts of the world

the project of national civilization, which at once multiplies the numbers of Europeans in the distant parts of the earth, and arms them with even greater superiority of force than heretofore, tends also to diminish the caution and considerateness which formerly to some extent controlled them in their intercourse with its feebler inhabitants; more easily able to awe them, to subjugate them, to exterminate them; less fit to excite their love or their respect, to evangelize or to civilize them.

One of the important elements in the scheme of amalgamation, missionary instruction, had made little or no impact upon Amerindians or Africans since 1841. Nevertheless he concluded that there was hope for change in the future and he based this judgment on one of the most notable exceptions, the success of missionaries in the Pacific.<sup>53</sup> The reasons for Merivale's changing attitude to the "native question" from 1837 to 1874 cannot be understood apart from his experiences as an administrator at the Colonial Office from 1847 to 1860. The next two chapters will analyze Merivale's relations as an imperial administrator with Amerindians and Africans.

## Notes to Chapter 5

1. Merivale's views on the native question have never been fully analyzed and have been frequently misunderstood. See for example, Christine Bolt, The Anti-Slavery Movement and Reconstruction, A Study in Anglo-American Co-operation, 1833-77, London, 1969, 34-35, Victorian Attitudes to Race, London, 1971, 72.
2. For his contemporaries see Bolt, Attitudes to Race, 1-28, Marvin Harris, The Rise of Anthropological Theory, A History of Theories of Culture, New York, 1968, Curtin, Image of Africa, 29. For a different interpretation see Lorimer, "Bibles, Banjos and Bones: Images of the Negro in the Popular Culture of Victorian England" in B.M. Gough (editor) In Search of the Visible Past, Waterloo, 1975, 31-50.
3. H. Merivale, "Senior on Political Economy", E.R., 87-88; "Statistics of France", 61; "Gypsies of Spain", 64, 66; "Great Western Prairies", 165; "Lyell's Travels", 146; "Pascal Paoli", 444-45, "Trojan's Lacustrine Abodes of Man", Vol. 116, July 1862, 157, 160; "Palgrave's Arabia", Vol. 122, October 1865, 482-483.
4. H. Merivale, Historical Studies, 431.
5. Galbraith, "Myths", 34-48.
6. H. Merivale, Lectures, 488-489.
7. Taylor, Autobiography, 112.
8. H. Merivale, "Colonel Flintner's Account of Puerto Rico", E.R., Vol. 60, January 1835, 334-337 and compare with Lectures, 487-512.
9. Eric Williams, Capitalism and Slavery, New York, 1966 and for the direct influence of Merivale's Lectures on Williams see Inward Hunger, 40-41.
10. H. Merivale, Lectures, 83-89, 91.
11. Ibid., 300, 302-304, 307-308.
12. Ibid., 311, and compare Gallagher, "Fowell Buxton and the New African Policy, 1838-1842", Cambridge Historical Journal, Vol. 10, No. 1, 1950, 36-58.
13. H. Merivale, Lectures, 313, 315-17.



14. Ibid., 320
15. Ibid., 330-332
16. Ibid., 336-337
17. Ibid., 344
18. H. Merivale, "British Mission", E.R., 45
19. C.O. 136/126 H. Merivale Minute of January 1, 1848 on Foreign Office to H. Merivale, December 31, 1847, unfoliated. This case concerned the emancipation of Tripolitan Negresses from a Turkish vessel which landed in the Ionian Islands in 1847.
20. H. Merivale, "British Mission", E.R., 58-66.
21. H. Merivale, "Lyell's Travels", E.R., 38; Lectures, 309.
22. H. Merivale, Lectures, 304.
23. H. Merivale, Historical Studies, 16-17.
24. H. Merivale, "Westward", F.M. 31-34.
25. India Office Library, L/P&J/3, Vol. 1227, Judicial and Legislative Despatches to India, original drafts, H. Merivale draft despatch to Governor-General of India in Council, September 16, 1872, "East African Slave Trade", 1-22. See also Christopher Lloyd, The Navy and the Slave Trade, London, 1968, 229-268.
26. See Curtin, Image of Africa, 374-375, 387; Tyler, "Sir Frederic Rogers", 225; Bolt, Victorian Attitudes, 75-108. Compare with H. Merivale, "Westward", F.M., 30.
27. H. Merivale, "Introduction to a Course of Lectures on Colonization and Colonies", 26-27, 29, 35-36.
28. H. Merivale, Lectures, 487-512.
29. Ibid., 505
30. Ibid., 490-491.
31. Ibid., 281-282.
32. Ibid., 298-299.

33. Ibid., 282.
34. Curtin, Image of Africa, 56.
35. H. Merivale, Lectures, 128.
36. Ibid., 282.
37. C.O. 144/9 H. Merivale Minute of May 28, 1852 on E. Hawkins to Sir J. Pakington, May 27, 1852, ff. 294. On the question of a bishopric for Labuan, Merivale had no objection to the plan because it was part of missionary work in China and Borneo but he could see little benefit deriving from it. Labuan was not an exception. See also his articles in the Quarterly Review, "The Missions of Polynesia", December 1853, Vol. 94, 80-122, and "Christianity in Melanisia and New Zealand", Vol. 95, June 1854, 165-206.
38. C.O. 224/1 and 2 and see Merivale's Minutes on Sir George Russell Clerk's despatches as Special Commissioner to the Orange River Colony in Chapter 7 below.
39. Galbraith, "Myths", 27-45 and compare with Merivale's important article "The Colonial Question in 1870", F.R., 152-175.
40. H. Merivale, Lectures, 487.
41. See, for example, R.H.W. Reece, Aborigines and Colonists: Aborigines and Colonial Society in New South Wales in the 1830's and 1840's, Sydney, 1974, 212-13; Leslie Upton, "The Origins of Canadian Indian Policy", Journal of Canadian Studies, Vol. 8, No. 4, November 1973, 51-61; Harold Adams, Prison of Grass, Canada from the Native Point of View, Toronto, 1975, 34.
42. H. Merivale, Lectures, 487, 490, 492.
43. Ibid., 511-512.
44. Ibid., 494-495.
45. For specific examples see chapter 6 and 7 below concerning Merivale's handling of the "native question" as an administrator.
46. H. Merivale, Lectures, 495-498.

47. H. Merivale, Lectures 499-504; Ward, British Policy in the South Pacific, 1786-1893, Sydney, 1948. For a perceptive discussion of this factor see Galbraith, "The Turbulent Frontier' as a Factor in British Expansion", Comparative Studies in Society and History, Vol. 2, 1960, 150-168.
48. H. Merivale, Lectures, 506-512.
49. Cornelius J. Jaenen, Friend and Foe, Aspects of French-Amerindian Cultural Contact in the Sixteenth and Seventeenth Centuries, Toronto, 1976, 153-189.
50. H. Merivale, Lectures, 524. For an excellent case study see Jean Usher, William Duncan of Metlakatla, Ottawa, 1974.
51. H. Merivale, Lectures, 531-538 and compare with Sylvia Van Kirk, "Women and the Fur Trade", The Beaver, Outfit 313:3, Winter 1972, 4-21, for a description of miscegenation in the fur-trading society in Rupert's land at the time Merivale was writing his Lectures.
52. H. Merivale, Lectures, 539-553.
53. Ibid., 560-563

Chapter 6: Amerindians and Imperial Administration  
in British North America, 1847-1860

Herman Merivale's greatest failure was his inability to find a solution to the "native question". His attempts to develop a comprehensive "native" policy and, even more importantly, to implement and administer such a policy, were wholly inadequate. Merivale, shortly after his appointment to the Colonial Office in 1847, recognized that in each region the "native question" was unique. The massive task of developing "native" policies, without adequate resources to assess each situation and to implement a course of action, was far beyond the capacities of the Colonial Office. Merivale and his colleagues in London had to rely upon the ideas and actions of the colonial governors. In addition by the early 1850's colonial self-government had been granted to the white settlement colonies and, as a consequence, administrative control over native peoples gradually passed from the Colonial Office to the white settlers. The only two exceptions in British North America were the Hudson's Bay Company territories and Vancouver Island. In southern Africa the situation was exactly the reverse. Responsible government was not granted because no adequate solution to the "native question" could be found.

Imperial administrators in the 1840's and 1850's were largely concerned, when dealing with the "native question", with conflicts between native peoples and white settlers over land and labour. Solutions were utilitarian and usually similar to those propounded by Merivale in his Lectures, specifically the alternatives of extermination, insulation and amalgamation. Another alternative, slavery, was not considered

because it had been outlawed in 1833 in the British Empire. The pressure of humanitarians and their societies effectively ruled out extermination as well as slavery. Nevertheless there were a number of commentators who believed that native peoples would disappear as a result of "natural" causes such as disease or starvation. Imperial administrators, only considered the more practical schemes of insulation and amalgamation. The former, in the short term, led to the alienation of lands held by the native peoples and, later, to the loss of their economic self-sufficiency. The scheme of amalgamation would entail immediate loss of the traditional economy and culture. In the end, however, the "native question" was not decided by these theoretical, and largely utopian, ameliorative measures. Many factors were important: the demands of the white settlers for colonial self-government; pressure from politicians and the Treasury to rationalize the Empire in economic terms; the failure of missionaries to "civilize" and christianize "native" culture; of great importance, the resistance, sometimes armed, sometimes passive, on the part of native peoples to attempts by Europeans to change their way of life.

As a commentator Herman Merivale's position had been to maintain, as long as possible, metropolitan control over the relationship between white settlers and native peoples by a policy of insulation or amalgamation. In 1841 he believed the best alternative was amalgamation. As an administrator experiencing these problems and their consequences directly, he recognized that both schemes were relatively innocuous as far as their original objectives were concerned. In each case there were variations but the consequences were similar. Inadequate knowledge of conditions in each region and the attempt to rationalize British imperial policy by

means of free trade and colonial self-government were the primary reasons for the failure of the Colonial Office to administer adequately the "native question" in the 1850's.

The permanent officials of the Colonial Office usually agreed on measures to be adopted to solve the "native question", especially after James Stephen left the Colonial Office in 1847. With Stephen went the "old missionary ideal of segregating natives from contact with the white settlers". In 1841 Merivale believed amalgamation was the best solution but as an administrator he was less certain. Control over "native" affairs passed slowly to the colonists in British North America and later in southern Africa. The "native question" was Merivale's greatest concern at the Colonial Office and he had a substantial impact on this aspect of British imperial policy.<sup>1</sup>

In British North America Amerindian and Métis problems seldom reached the Colonial Office and, if they did, very little action was taken on them.<sup>2</sup> Amerindian and Métis did not fit into any future plans for the British North American colonies. To a certain extent Merivale and his colleagues were limited in their interest in the plight of native peoples in British North America by their lack of knowledge. If one looks at the particular case of Herman Merivale, it is obvious that his ideas and the sources upon which he based his decisions were, for the time in which he lived, typical. Merivale took a great deal of ethnographical interest in Amerindians but still described them largely in stereotypes:

... [they] seemed possessed of higher moral elevation than any other uncivilized race of mankind, with less natural readiness and ingenuity than some but greater depth and force of character; more native generosity of spirit, and manliness of disposition; more of the religious element; and yet, on the other hand, if not with less capacity for improvement, certainly less readiness to receive it; a more thorough wildness of

temperament; less curiosity; inferior excitability; greater reluctance to associate with civilized men; a more ingovernable impatience of control. And their primitive condition of hunters, and aversion from every other, greatly increases the difficulty of including them in the arrangements of a regular community.<sup>3</sup>

Except for their religiosity, they were, therefore, certainly not very susceptible to a scheme of amalgamation.

Merivale believed Amerindian religiosity had been the cause of the creation of the image of the Indian as "unpredictable". The Indian obeyed only the dictates of his religion and was thus "a law unto himself". Comparing Amerindians to other native peoples Merivale concluded that they were "wonderfully developed", despite the fact they were not Christians. But their religiosity hampered their educational development, the second primary step in his scheme for their amalgamation. They were too self-sufficient and satisfied with their existence to gain such "advantages" of education as "intellectual acquirement" and then "material improvement". From the viewpoint of a graduate of Oxford University, he concluded Amerindians were "barbarians"<sup>4</sup> and he realized white settlers also viewed them as "savages".<sup>5</sup> Acting on these assumptions white settlers had pushed Amerindians into the interior of the continent until there was no more room:

... [and] the vast surface of the Prairies was unable to receive the retreating myriads who had been expelled from the Forest. Then the reflex took place. Thinned, dispirited, degraded, the remnants of powerful tribes returned eastwards toward their former seats; and either threw themselves on the mercy of governments, or attracted attention to their wants by becoming dangerous neighbours on the skirts of the settled country. Then, and rarely till then, reserves of lands were allotted to them, in various parts, both of the States and of Canada; and endeavours were made to Christianize and civilize them. Up to that time, the notion of assigning to them a property in a part of the soil they once occupied seems to have been hardly entertained.<sup>6</sup>

Merivale was aware, as early as 1841, that the major problem in dealing with the native peoples of North America was the conflict over land. This question was crucial to the condition of Amerindians while Merivale was at the Colonial Office in the 1850's.

The Atlantic region, comprised of the colonies of New Brunswick, Nova Scotia, Prince Edward Island and Newfoundland, had been one of the first areas of European-Amerindian contact in North America. Despite having more than three hundred years in which to solve the "native question", by the 1850's the British government was still not any closer to a solution. The Beothuk of Newfoundland had become extinct by 1829 and twenty years later the Colonial Office believed that a similar fate would befall the Micmac. Although Micmac title to land had been acknowledged by the British government, white settlers, usually squatters, continued to alienate land. The Micmac were not consciously ill-treated or made slaves. They were for the most part simply ignored and, as one historian has remarked, the "ideal Indian was the invisible one."

The Micmac in the 1850's had to be either exterminated or amalgamated. They had been converted to Christianity in the seventeenth century but had not been forced to give up their traditional way of life as hunters and fishermen. Experiments had been tried to settle them on farms but each had failed.<sup>7</sup> The only other solution, which had been tried in New Brunswick, was the reserve system by means of which lands were granted by the Crown to the Micmac for their occupancy and use. The reserve "system", however, which had been set up in 1779, had many flaws. The Micmac were not granted lands outright nor compensated for the loss of lands they had previously held. They were treated "equally" with white settlers. For example, to obtain land they had to apply for it by



petition, in English, to the proper government authority. Even then the Micmac did not have full title to the land because the grants "only entitled them to occupy and possess during pleasure". Until 1847, little had been done for the Micmac. Moses H. Perley, the Superintendent of Indian Affairs for New Brunswick, had in the 1830's done his utmost to make both the Colonial Office and the Legislative Assembly aware of the problems of the Micmac but he had been disregarded because the Assembly refused to have the squatters removed from Micmac land.

In 1841, the new colonial governor, Sir William Colebrooke, began to take an interest in the land question. He consulted with Perley and, through Perley, with the Micmac who believed that at long last something was going to be done. The Indian Act of 1844 was not very satisfactory for the Micmac because it alienated reserve lands and gave only fifty acres of land to every family. The Micmac were to be removed to separate villages while the remainder of their lands were to be sold or leased at public auction. Income received from this sale was to be put into trust to "civilize" the Micmac. The law was approved by the Secretary of State for the Colonies, Lord Stanley.

After the Act was implemented, Perley immediately perceived the total inadequacy of the legislation. The Micmac were removed and settled in villages, however, they received no compensation for their reserve lands because few white settlers could afford to buy the land. The government had to sell the land at low prices, often on credit, and most of the revenue which had been collected paid only for the administration of the land sales. Meanwhile the squatters refused to move or to buy the Indian land on which they lived. When Perley objected to Colebrooke, the latter expressed sympathy but said that he could not obtain the consent of the

Assembly to change the Act. He knew the Assembly would refuse to allocate funds for the welfare of the Micmac either by means of an annuity or by leasing the lands on a long term basis. He did, however, send a full and rather "gloomy report" to the Colonial Office with Perley's critical comments on the Act.

This despatch and Perley's report found its way to Lord Grey, the Land and Emigration Commissioners and, ultimately, Herman Merivale in 1848.<sup>8</sup> Colebrooke's despatch correctly stated that the land question had always been a source of conflict between the colonists and the Micmac. However, the governor also argued that unless the problem was quickly solved the economic development of the colony would be retarded. The colonial government and railroad entrepreneurs were demanding that these lands should be made available. Very pointedly, he observed that the Micmac were declining in numbers and it was very easy to conclude that the Micmac needed less land and the colonists needed more.<sup>9</sup> Merivale, in his minute on the Colonial Land and Emigration Commissioner's report, wrote that the Secretary of State for the Colonies should wait until the new governor, Sir Edmund Head, arrived and submitted his views. After reading all this material Merivale minuted that the land issue was crucial and warned: "... if the Assembly continue to sell Indian lands at 4 s. [shillings] an acre there would be only a capital of £ 12,000 secured for their benefit after all the existing reserves had been parted with."<sup>10</sup> Like many new colonial governors, Head was briefed by Merivale and the Secretary of State for the Colonies on this and other questions at the Colonial Office before he left for New Brunswick. The Colonial Office decided to make a decision based upon Head's findings.<sup>11</sup>

Head immediately sent Lord Grey his report which was largely based upon Perley's original criticisms. At the same time, Head attempted to find a compromise between Perley's report and the assembly's assertion that the Act had never been given sufficient time to prove itself. In retrospect, it seems very difficult to uphold the position of the assembly because the Act had been simply disastrous for the Micmac and had left them with less land, no money for the land they had lost and economic and social dislocation by their removal to separate villages. Head, as a new and inexperienced governor, needed the support of the assembly in order to govern the colony. Head proposed a "new set of instructions" to the Act which would help to ameliorate the condition of the Micmac. He also believed that there were only two ways of handling Amerindians in a colony such as New Brunswick: to admit that they had legal rights and to recognize that they needed to be protected from white settlers. At least for a time he concluded, they should be made wards of the government.<sup>12</sup>

Head's recommendations revealed that the most important problem concerning Indian-European relations in New Brunswick was land and its usage. Two land commissioners should be appointed for each county, these commissioners would supervise the sale of Indian lands and a "separate fund" should be allocated from the income derived from the sale. This fund would be used to provide for "the ordinary relief of the Indians" in each year and the remainder was to be held in trust and "untouched" unless the Governor and his Council should decide that part of it should be used "for some permanent object of utility, such as a school or chapel for the Indians" or the "industrial training" of the younger members of the tribe. Timber on Micmac reserves was also to be protected. Lastly, compensation

should be paid to the Micmac for land which had been taken from them and used as part of the civil list fund of the colony.

Despite these changes, Head was just as pessimistic concerning the future of the Micmac as his predecessor had been. He doubted whether there would be any "permanent improvement" or any "real advancement" because their numbers were declining rapidly and they were a "harmless race". Head, unlike Merivale, believed in the theory of necessary depopulation of native peoples and he spent very little of his time on Micmac affairs. He was more concerned with introducing responsible government.<sup>13</sup> Head also suggested that Moses Perley, the one person who knew the most about the Micmac in New Brunswick, should not be allowed to implement the new instructions. Perley had openly disagreed with the policy of the government as embodied in the Act of 1844 and had conveyed his views to the Micmac after announcing the policy. Technically Head was correct, but practically, as he realized himself, he had now lost the most informed official the colony had on Micmac affairs.<sup>14</sup>

The Colonial Office's response to Head's report was not ambiguous. They knew very little about the Micmac and had no choice but to defer to their colonial officials. They told Head to put the new regulations into force without Perley's aid. Merivale agreed with the Colonial Office's "expert" on Indian affairs in eastern British North America, Arthur Blackwood, and Lord Grey, the Secretary of State for the Colonies.<sup>15</sup> Merivale had very little influence on Indian policy in this region because he was preoccupied with Amerindian affairs in Rupert's Land, Vancouver Island and British Columbia.

Head's new regulations failed because they had not taken into account the advice given by Perley in his report concerning the alienation of land.

White settlers had simply ignored the new regulations.<sup>16</sup> In the 1850's the Indian fund was not large enough to provide relief because white settlers did not buy Indian lands. They simply squatted on the land or moved and bought land more cheaply elsewhere.<sup>17</sup> The "administration of Indian affairs remained chaotic. Matters beyond the scope of individual commissioners continued to go directly or via the Provincial Secretary's Office to the Surveyor General, the Crown Lands Commissioner, the Executive Council, or, if extra money was needed for emergencies, the Assembly itself." Moreover only a small amount of money was provided each year for the relief of the Micmac by the assembly and the Colonial Office.

Indian affairs in New Brunswick in the 1850's were characterized by imperial mismanagement and colonial neglect. The Micmac suffered economically but they survived extinction because lack of financial resources prevented Head's policy of "improvement" from being implemented. Micmac lands were not entirely sold because the settlers had found land available more cheaply elsewhere. The problem of squatting remained, however, a very serious one.<sup>18</sup> The situation in Prince Edward Island and Nova Scotia was very similar to that in New Brunswick.

In the early 1850's an incident occurred which accurately revealed the Colonial Office's neglect of Indian affairs in these colonies. Silas Rand, a Baptist minister and one of the few men seriously concerned about the Indians of Nova Scotia, sent a petition in English because the Micmac were not able to do so. Merivale minuted that he did not believe that it was a genuine petition because it "was written and conceived in English". As a consequence, the Secretary of State for the Colonies, the Duke of Newcastle, merely referred the claims of the petitioners back to the colonial government and nothing was done.<sup>19</sup> The demands of the Micmac

for aid were ignored by Merivale, the Colonial Office and the local government and this case was not an exception.<sup>20</sup> Although the Indians in Canada fared much better during the period from 1847 to 1860, imperial policy did not differ significantly from that of the Atlantic colonies.

British imperial policy with respect to the Indians in Canada from 1830 to 1860 consisted of protection and insulation leading to amalgamation. Indians were to be protected from the white settlers by putting them on reserves, if they were not already on one. This policy made Indian land available to the greatly increasing number of white settlers, a process which had been underway since the American Revolution. It was also assumed, erroneously, that putting Indians on reserves and encouraging them to amalgamate with white settlers would help to lower the cost of Indian administration. The Colonial Office's primary interest in the Indians in Canada was economic not humanitarian.

Nevertheless the Colonial Office and the colonial governors were genuinely concerned about the welfare of these people. They knew a great deal about the Indians in Canada because of the writings of travellers, military officers and missionaries. Generally their attitude, including Merivale's, was one of paternalism.<sup>21</sup> Unfortunately their attempts to protect the native peoples was subordinated to an imperial policy which had accompanied the coming of free trade and responsible government in Canada in the 1840's and was designed to make the colony economically and politically self-sufficient. Their chief purpose was to cut down on British imperial expenditure. This object of British policy was stated clearly by Grey in 1853 in his Colonial Policy. There are only two references to Indians and they both deal with Grey's attempt to cut expenditures: "With regard to the Indian Department, as by the

arrangement lately made, the extinction of the charge (except so far as regards some payments for their lives to individuals) is provided for within five years, no further steps are required to be taken." <sup>22</sup>

Merivale agreed with Grey's idea on this aspect of British imperial policy.

In his Lectures Merivale had written, as one historian has noted, the "best summation of the conventional wisdom of Empire (as it stood)" with regard to the "native question" in Canada. He had been particularly scathing in his comments concerning inefficiency in the Indian Department. In a position to implement a scheme of amalgamation at the Colonial Office he did nothing at all to change the situation because he was more concerned about implementing responsible government and dealing with its consequences. In addition his interest in "native policy" in Rupert's Land and the Pacific Northwest overshadowed this problem in Canada. As permanent undersecretary he supervised all aspects of colonial policy and read most of the incoming despatches but he simply did not have enough time to deal with more than a handful of specific problems.

In 1841 Merivale had accurately described the problem which Amerindians in Canada faced. They had been granted certain legal guarantees by the Royal Proclamation of 1763 but their condition in Canada by the 1840's was:

... a remarkable instance of the mischievous manner in which even the best intentions towards the Indians have been carried into execution. After declaring in the most solemn language the perpetuity of the cession of the lands, it ends with the saving clause, 'unless the Indians shall be inclined to part with them'. By virtue of this proviso, every art has been introduced to obtain their consent to the usurpations made upon them; bit by bit they have been deprived of their magnificent hunting-grounds, which are not altogether possessed by whites.<sup>23</sup>

Despite being aware of this situation Merivale did nothing in the 1850's to alleviate it. He agreed with Thomas F. Elliot that responsibility for Amerindians in Canada should be transferred to the local government because this policy complemented the introduction of responsible government and free trade. In addition they believed that these people were already experiencing the "Euthanasia of savage communities".

From 1856 to 1860 the Colonial Office debated these problems with Head who had been transferred to Canada from New Brunswick in 1854. Their greatest concern was the methods to be adopted to transfer control of these Indians to the Indian Department. A special commission was also set up to inquire into this problem.<sup>24</sup> Merivale's attitude was callous considering his views in his Lectures fifteen years before. In a minute of June 6, 1856 commenting on Head's plan, Merivale believed that it would be adequate to "get rid of the responsibility of the Home Government" in the matter.<sup>25</sup> Merivale's view prevailed in 1856 when he composed the draft despatch to Head for Henry Labouchere, the Secretary of State for the Colonies. This despatch gave Head approval to do as he liked, with the consultation of his Executive Council, as long as it "... at the same time is consistent with the full preservation of the faith of the Imperial Government so far as it may be pledged to the natives."<sup>26</sup> The inconsistency of this policy was quite apparent. Aware of the promises made to the Amerindians in Canada in 1763, Merivale, his colleagues and the colonial governors were divesting themselves of responsibility. The Indians were never consulted and were left to fend for themselves. In 1860 by an imperial act, responsibility for their welfare was given to the local government. Merivale's ideas and good intentions as a commentator were minimized when he became an administrator at the Colonial



Office and had an opportunity to do something constructive. The Indians of Canada fared even worse after 1860. Paternalism by the imperial government was over but dominance by colonial politicians and administrators was to increase in the future.<sup>27</sup>

The contradiction between Merivale's ideas as a commentator and his actions as an administrator were already present in his Lectures with respect to land policy. He argued that settlement colonies should have control over their own land because "if we recognize the principle that colonists should govern themselves, except in those particulars where the exercise of self-government would necessarily clash with the imperial sovereignty, this is one of the functions which should seem in theory more peculiarly fit to be exercised by the colonial, not the imperial, authorities."<sup>28</sup> Merivale did not reconcile the difference between white settlers using the land for agricultural purposes and aboriginal title.<sup>29</sup> Before the nineteenth century the problem had not arisen because, he argued, there had been no "systematic regulation" in the "disposal of lands"; there was plenty of land for all to use for agriculture, hunting and trapping and lastly, the "danger from Indians" kept the white settlers from straying too far into the wilderness.<sup>30</sup> However, in the nineteenth century, he believed that a colony, in order to develop itself economically, needed to be self-sufficient in land, capital and labour. The latter was the most important element of the three because "land and capital are both useless unless labour can be commanded".<sup>31</sup> Merivale began to understand this contradiction when he examined questions concerning the Hudson's Bay Company territories.

In eastern Canada in the 1850's the economic function of Amer-  
 indians had disappeared and it appeared to many commentators that they  
 would either become extinct or would eventually become assimilated with  
 the white settlers. In Rupert's Land and on the Pacific northwest coast  
 the situation was very different. It was an area of which only a few  
 traders and missionaries had any knowledge. The Cree, Assiniboine and  
 Blackfeet still had an important role in the fur trade although the trade  
 itself was in decline. These Indians were the chief source of labour.  
 It was clear, although not usually acknowledged by the Company, by the  
 British government or Merivale before 1847, that these people held title  
 to the land on which they were living.<sup>32</sup> There was only a very small  
 agricultural settlement at Red River. During this transitional period  
 Merivale became involved with Rupert's Land.<sup>33</sup>

Merivale's main concerns were with land, its usage by the Hudson's  
 Bay Company and its title by the Indians; labour, the Amerindian economy  
 basically consisting of hunting, fishing and trapping furs; capital, the  
 monopoly and economic control of the Company. The Hudson's Bay Company's  
 presence was, despite its monopoly, generally in the interests of the  
 Amerindians. The Company needed the latter as a skilled labour force in  
 the fur trade just as the Indians were dependent on the Company's trade  
 goods. Merivale revealed his reasons for supporting the Hudson's Bay  
 Company as early as 1848 when he had to deal with the complaints of  
 Alexander K. Isbister, a former employee of the Company, against the  
 Company's treatment of the native peoples in its territories.<sup>34</sup>

Merivale was in a quandary; as a free trader, he also supported the  
 monopolistic rule of a commercial company. He became the liaison between

the Colonial Office and the Hudson's Bay Company and his decisions in cases involving Company rule were accepted by many Secretaries of State for the Colonies.

The greatest problem was the distance of the Colonial Office from the Red River colony. The administrator in the metropolis, thousands of miles away from Indians and traders, found it difficult to make a judgment. The administrator had to find someone who was relatively impartial, such as Merivale's "imperial officer" or "Protectors" of the Indians as described in his Lectures.<sup>35</sup> However, his suggestion had not been adopted by British imperial administrators. As a substitute, Merivale relied in this case and others, on the reports of naval and military officers or colonial governors who understood the problems.<sup>36</sup>

Merivale therefore put great weight upon the report of Major John Crofton, who had been appointed governor of Assiniboia and commander of the troops stationed at Red River. Unfortunately, Crofton had been tampered with by George Simpson before he had made his report which exonerated the Company. Merivale dismissed Isbister's accusations that the Company was using liquor to obtain furs from Amerindians and, on the whole, he concluded that the Company's rule was "very advantageous to the Indians". He argued that if the Company's monopoly ceased, the fur trade would become open to all traders and the situation would become much worse because the Company and its competitors would use liquor indiscriminately as a trading item.

Merivale suggested to Lord Grey that the only solution was to appoint a special military officer or English traveller to check upon such complaints and then report directly to the Colonial Office. He rejected the

use of missionaries and their reports in such disputes because he believed that they had a vested interest in the Indians. Another proposal was the appointment of a commission in England which would be sent to investigate the complaints. He cautioned Grey that a commission would mean a direct investigation of the Company and its relationship with the native peoples in Rupert's Land and might lead to the cessation of the Company's responsibility and its replacement by the Colonial Office.

Influenced by Merivale, the Colonial Office refused to take on the difficult task of creating a new crown colony in Rupert's Land. Merivale realized that the financial resources of the Colonial Office were severely limited and it could not readily replace the Hudson's Bay Company. In addition he believed the Company, like the East India Company, had one important advantage over the Colonial Office:

... their power of dealing on a regular system with inferior or less powerful races. The Hudson's Bay Company have converted for trading purposes an immense region into a fur preserve, with a success which is perfectly astonishing, and could not be believed were it not in evidence from the supply of furs. Of course, this was simply for their own interest. But it could only be done through introducing a strict and vigorous discipline, which nothing but self-interest would have introduced, and which forms the best possible basis of dealing with savages.

Merivale also compared the situation to that south of the forty-ninth parallel and concluded that there was no "alternative between the present system and perfect freedom, that is, such a state of perpetual war and pillage as subsists in the American prairies." He ended this minute by stating bluntly that "Mr. Isbister would have us destroy a regular government on account of its corruption, when the only alternative for it is anarchy."<sup>37</sup> Grey agreed entirely with this analysis and sent out a

despatch based upon Merivale's minute.<sup>38</sup> For the Colonial Office, law and order was more important than the welfare of Amerindians in Rupert's Land.

From 1852 to 1860, hampered by many problems, the Colonial Office continued to refuse to take on the responsibility of governing Rupert's Land.<sup>39</sup> Merivale feared that the cessation of the Company's rule would permit the extension of agricultural settlement into Rupert's Land. The relative equality and reciprocal self-interest among the Company, the Indians and the Métis would therefore be replaced by material and technological changes and ultimately a very different economy and society. In 1854, a proposal came to Downing Street for "rapid communication" between the Pacific northwest coast and Canada which was designed to bolster the defences of British North America. Merivale rejected such projects because he believed that Rupert's Land was not ready for such development:

When population overflows the great western region of the States, & Canada, it will find its way into the far less attractive plains of Northwest America, and not before. In the meantime, it may be doubted whether these are not as advantageously placed under the control of an anti-colonizing body like the Hudson's Bay Co. which keeps up the fur-bearing animals in vast preserves, and keeps peace with the Indians, as under bands of wandering emigrants who would soon waste the former and quarrel with the latter, as is the case on the southern side of the States line....

Merivale realized that change would come and would be precipitated by the expiry of the Company's licence.<sup>40</sup> Some indication of this process had already been presaged since the formation of the Red River settlement by Lord Selkirk.

In March 1857 Merivale received a request from the Hudson's Bay Company for troops to be sent to the Red River colony to help put down

alleged (by the Company) unrest in that settlement by Amerindians and Métis. A group led by William Kennedy, the uncle of Alexander Isbister, was, according to the Company, stirring up trouble. These "trouble-makers" had learned of the appointment of a Select Parliamentary Committee to inquire into the Hudson's Bay Company monopoly and the validity of its charter. Such agitation would hurt the Company's chances of renewing their licence and of maintaining the monopoly because the Company had always argued that it had governed its territories cheaply and had maintained law and order among the Indians and Métis. Merivale discounted the Company's claims of American involvement in the agitation and the possibility of conflict between Britain and the United States if the British government intervened. The Secretary of State for the Colonies agreed to his recommendations to send the Royal Canadian Rifles from Montreal to Red River via Hudson Bay.<sup>41</sup> The troops were sent and the Hudson's Bay Company, aided by Merivale and the Colonial Office, who did not fully investigate the Company's charges, prevented organized protest by the native peoples against the Company's economic control.<sup>42</sup> Merivale's support of the Company's monopoly was so strong that he did not hesitate to send military reinforcements to maintain law and order.

Meanwhile, the question of the Hudson's Bay Company charter and renewal of its licence still remained of the utmost importance. The negotiations which the Colonial Office was conducting concerning the renewal of the licence of exclusive trade were long and complicated. Despite the fact that this question concerned the Indians and Métis, they had little voice in the outcome, although an Anglican missionary, Reverend Griffiths Owen Corbett and Isbister gave evidence to the Select Parliamentary Committee in 1857.<sup>43</sup> In 1858 Merivale expressed surprise upon

receipt of a letter from Corbett concerning aboriginal rights to land.

Merivale's minute is important because he was the Colonial Office's legal authority:

... I mean the claims of the Indian tribes over portions of Lord Selkirk's land & generally over the territories comprised in the Charter. The Americans have always taken care to extinguish such rights however vague. We have never adopted any very uniform system about them. I suppose the H.B.C. had never purchased from such claimants any of their land. And I fear (idle as such claims really are, when applied to vast regions of which only the smallest portion can ever be used for permanent settlement) that pending discussions are not unlikely to raise up a crop of them.<sup>44</sup>

On this occasion the permanent undersecretary was wrong because there were no land claims and aboriginal rights were not seriously considered by the British government.

In December 1859 William Kennedy again raised the issue of land with the Colonial Office. Merivale advised the Secretary of State for the Colonies, the Duke of Newcastle, to answer Kennedy very cautiously because the issue raised was one of "considerable importance". He went on to state that in the past the British government had never recognized the "territorial rights" of Indians but there had been no conflict because of the reciprocal economic self-interest of the Company and native peoples in the fur trade and the lack of agricultural settlement. Taking a legal interpretation of aboriginal rights, he told the Duke of Newcastle to do nothing until the question of the Hudson's Bay Company's "rights to the soil are terminated" because "...it might be pretty safely assumed, that no right of property would be admitted by the Crown as existing in mere nomadic hunting tribes over the wild land adjacent to the Red River Settlement. But the agricultural Indian settlements (if any such exist)

would be respected and that hunting ground actually so used by the Indians would either be reserved to them or else compensation made."<sup>45</sup> The land question continued to cause conflict and culminated in rebellions in 1869-70 and 1885.

The Pacific northwest coast, the colonies of Vancouver Island and (in 1858) British Columbia, were different from the rest of British North America because of the nature of the native peoples. They were not nomadic, in contradistinction to the Cree, Assiniboine or Blackfeet, but lived by and from the sea. Their economic and cultural life was very rich. In sum, they were self-sufficient and in a far better position to resist the encroachments of fur traders, gold miners and later, white settlers. Moreover these Indians far outnumbered their white counterparts. In the colonial period, the response of the British to the various Indian groups was predominantly one of fear.<sup>46</sup> In the period from 1847 to 1860 there was more evidence of armed conflict on the Pacific northwest coast than elsewhere in British North America. With one exception, Richard Blanshard, the Colonial Office supported the actions taken by their official representatives particularly the colonial governor, James Douglas, and the various commanders of Royal Navy ships stationed in the area.

In 1843 Merivale had written that the northwest coast of North America was "... the last corner of the earth left free for the occupation of a civilized race." This region was an exception because Merivale believed the "romantic days in which every adventurer saw, in the first green shores which greeted him, the nursery of some new empire to be called by his name, are gone by for ever." Merivale's knowledge of the native peoples was also deficient, if not misleading. Confidently he wrote that these Indians were



... few in number, chiefly subsisting by salmon fishing and on roots, and very inferior in physical power and in ferocious energy to their brethren of the Prairies. But, for this very reason, they offer the less obstructions to the operations of the colonist; and, it must be added, that their simple, inoffensive habits of life are found to be accompanied in many cases with a moral elevation, which ranks them in the scale of humanity far above most savages; and forms but too striking a contrast to the morals and habits of the wandering whites and half-breeds who visit them from the East.<sup>47</sup>

Within ten years Merivale discovered that the Pacific coastal Indians were neither "inferior", "inoffensive" nor "simple". In addition, he was to experience the impact of "wandering whites and half-breeds" upon the development of Vancouver Island and British Columbia, particularly during the gold rush on the Fraser River in 1858.

Unlike the eastern colonies of British North America, Vancouver Island and British Columbia did not have the same problems concerning land and its usage by Indians and white settlers. There are a number of reasons for this important difference. Plenty of good land was still available. Governor James Douglas avoided conflict over land by signing fourteen "treaties" with the Indians on Vancouver Island between 1850 and 1854, and set aside reserves for other groups of Indians.<sup>48</sup> Until the 1860's there were few white settlers on Vancouver Island or the mainland colony. The Hudson's Bay Company had been responsible for colonization but they had done little under very difficult circumstances, particularly the distance from Britain and the high price for land set by the Colonial Office. By 1860 Merivale realized the Hudson's Bay Company was, with the exception of lands occupied around their posts, "mere squatters" although ones under "peculiar circumstances". The Company had not derived title to the land from the Indians and the land question would be the centre of controversy for many years.<sup>49</sup>

Land was not, however, an important cause of armed conflict in the 1850's. There were other differences of far greater significance. The Colonial Office and Merivale had an important influence on the outcome of these conflicts. Imperial administrators and politicians did not, however, understand the cultural and economic differences which existed between Indians and whites on the northwest coast. As a consequence, they relied upon the colonial governors and the commanders of the ships of the Royal Navy to maintain law and order.<sup>50</sup> Primarily concerned with avoiding the cost of full-scale warfare, which was occurring in southern Africa at the same time, the Colonial Office relied upon the Hudson's Bay Company to maintain good relations with the Indians as it had done in the past. These objectives were sometimes unattainable as the Fort Rupert incident in 1850 revealed.

The first governor of Vancouver Island was the inexperienced Richard Blanshard. Despite ill-treatment by the Hudson's Bay Company since his arrival in the colony in March 1850, Blanshard had supported the Company's Indian policy and had opposed the "importation and manufacture of ardent spirits". He had dismissed accounts of "barbarous treatment" by the Company as "entirely without foundation". Blanshard was confronted with a crisis at Fort Rupert in the summer of 1850 when the news of the murder of three deserters from a Company ship by the Newitty, a Kwakiutl group living at the northern end of Vancouver Island, was received at Fort Victoria. By the time Blanshard's despatch had reached the Colonial Office in November 1850, Blanshard, using men and ships of the Royal Navy, had already punished the Newitty. Both sides sustained few casualties and

the Newitty gave Blanshard the bodies of the murderers. Blanshard thought he had acted quickly and efficiently.

The Colonial Office and Merivale, already disenchanted with Blanshard for his quarrels with the Hudson's Bay Company, were very displeased with his conduct at Fort Rupert but they were not at all concerned about the Newitty. Upon receiving Blanshard's despatch, Merivale minuted acidly that the "... Governor's account is so meagre that it leaves everything unaccounted for..." He suggested to Grey that they should ask the Company for further information. The Company obtained a comprehensive report from their Chief Factor on Vancouver Island, James Douglas.<sup>51</sup> It was not until February 1851 that the Colonial Office discovered what had happened at Fort Rupert.

The Hudson's Bay Company's report concluded that the murder of the three men made it imperative that Vancouver Island should receive better military protection. The Colonial Office, acting upon the advice of Merivale, dismissed the incident because it was "...only that of the murder of three seamen who were trying to escape from their ship, in a part of the island distant from that occupied by the Company." There had been no threat to the colony by the Newitty. Merivale based his judgment upon Douglas' report of the incident to the Company.<sup>52</sup> The consequences of this conflict for Blanshard and Indian-European relations were important. The affair led to the resignation of Blanshard as governor. For his hasty action, taken without the approval of the Secretary of State for the Colonies, Blanshard was severely rebuked by Grey. Blanshard was partly the victim of his own inexperience because he had acted without instructions, although he had made the attack on the Newitty with the approval of the Company's representatives including

James Douglas. Blanshard made little impact, militarily or culturally, upon the Newitts. They had suffered few casualties and the attack corresponded to their views on crime and punishment. Other confrontations in the 1850's would follow the same general pattern. The chief difference would be the growing use of gun-boats by the Royal Navy to dominate the Pacific northwest coast.<sup>53</sup>

The Colonial Office had learned that its power to control Indian-European relations in this distant colony, was, as Mervale put it, limited: "To give orders from hence as to the conduct to be observed towards Indians in Vancouver Island seems rather unlikely to be of much service. If the colony is to maintain itself, as was the condition of its foundation, the local government much needs to be left very much to its discretion as to dealings with the natives in the immediate neighbourhood of the settled parts, although distant excursions against them may be discouraged...."<sup>54</sup>

The Colonial Office responded to the Fort Rupert affair by relying more than ever upon the Hudson's Bay Company and James Douglas, the new governor, to prevent full-scale warfare. Merivale consoled himself with the argument that "... whatever their demerits, the Co. has one merit, viz. that of systematically dealing with the natives, instead of the caprice of ordinary settlers; and that to this is owing the general absence, in their territories, of anything like the fearful massacres & fighting of which we receive occasional accounts from the American side of the frontier."<sup>55</sup>

Once again in another region of British North America the Colonial Office had abrogated its responsibility for Indian affairs. The only check they retained was upon the actions of the colonial governor.

In the following years James Douglas was given the opportunity to conduct Indian-European relations largely without any interference from either the Hudson's Bay Company or the Colonial Office. The Office had very little knowledge concerning this region and most of its views were based upon reports received from Douglas after any particular event and its judgments were formed, therefore, almost entirely on Douglas' interpretation.<sup>56</sup> Although the Secretaries of State were not always aware of Douglas' power, Merivale certainly was. He wrote in 1856 "...there can be no doubt the safety of the little British settlement here depends wholly on the firmness and discretion of the governor's conduct toward the Indians: military defense there is none."<sup>57</sup> As a consequence, Douglas, very much aware of his situation and that of the Colonial Office, was in command of the circumstances. In 1857 he was able to mount a successful expedition against the Cowichan on Vancouver Island with the approval of the Colonial Office and the aid of the Royal Navy.<sup>58</sup> In the same year he helped Governor Isaac Stevens when conflict occurred in the Washington Territory.<sup>59</sup> Douglas was confronted with an important crisis of his own the next year.

Both Douglas and the Colonial Office feared the worst after the discovery of gold on the Fraser River and the arrival of gold miners, mostly American, in the spring of 1858. Douglas consulted the Colonial Office because he was governor of Vancouver Island and had no jurisdiction over the mainland. Since the major fear of both the governor and Merivale was an armed clash between the miners and Indians, Douglas asked for instructions. Lord Stanley responded by leaving the whole matter "to Mr. Merivale's

judgement". Merivale immediately gave Douglas power to govern until a lieutenant governor's commission could be sent. Merivale realized the inadequacy of issuing gold licences without having the power to enforce them, and concluded "... that on the whole the best directions will be, to let things take their course as regards the licences & the gold diggings, but to prevent, if he [Douglas] can, and if he cannot, immediately report upon, any proceedings inconsistent with the assertion of British dominion over the territory?"<sup>60</sup> Fortunately for both Douglas and Merivale, many miners left the area by the fall of 1858 and there were only a few serious incidents.<sup>61</sup>

Much of this success can be directly attributed to Douglas who acted quickly and effectively and, indirectly, to Merivale and the Colonial Office who gave him their complete support. By 1860 Merivale had become completely dependent upon the ability of James Douglas to act decisively in a crisis. Merivale's minute of August 12, 1858 on a petition from the Aborigines Protection Society is extremely important because it revealed his reason for supporting Douglas:

I would acknowledge civilly & do nothing more. These gentlemen are well meaning -- at least many of them -- & they represent a common & healthy British feeling: but the worst of it is that "protection of the aborigines" has become with them a "technical profession" They never see, or pretend to see, two sides of a case: consequently their practical suggestions, when they make any at all (which I must do them the justice to say, is very seldom) are of a character which would probable cause some astonishment to people on the spot.<sup>62</sup>

Sir Edward Bulwer Lytton agreed with Merivale's assessment and instructed him to send a copy of the petition to Douglas as a matter of form. By the spring of 1860 when Merivale left the Colonial Office he was relatively optimistic concerning the future of Vancouver Island now that the Hudson's

Bay Company had given up its attempts at colonization. The greatest problem however, had not been solved: "it seems to be a very attractive region: & likely to prosper greatly, if the settlers can be secure against the Indians: at present (thanks to Hudson's Bay Company management) these seem very tractable." In order to avoid the experience of wholesale "massacre" in other parts of North America, Merivale continued to advocate the "... occasional use of the Queen's naval & military force", although it had an effect "more by shew than even by execution".<sup>63</sup> To implement this policy, the Colonial Office had to rely, as it had done in the 1850's, upon the colonial governor and the commanders of the gun-boats of the Royal Navy.

The pattern of the relationship between the Colonial Office, native peoples, the Hudson's Bay Company and white settlers was evident in the British North American colonies by 1860. The de facto, if not formal, control over native peoples passed from the Colonial Office to local legislatures in the North Atlantic colonies, with the exception of Newfoundland where the Beothuk were extinct and the Micmac ignored, in Canada and in the two Pacific northwest colonies of Vancouver Island and British Columbia. The Hudson's Bay Company territories, which remained under Company management and control until 1869, were the only exceptions. Merivale completely supported the Hudson's Bay Company's Indian policy. In the case of Vancouver Island and British Columbia, he approved of James 'Douglas' actions and the use of the Royal Navy in preventing full-scale conflict between Indians and white settlers, fur traders and gold miners. Merivale did not attempt to apply a scheme of amalgamation as had been

outlined in his Lectures because he realized it was impracticable.

In southern Africa, Natal and Cape Colony, he discovered similar problems, primarily those of labour and land but very different conditions. Merivale and the Colonial Office had more difficulty in obtaining knowledge concerning southern Africa and therefore had to rely to an even greater extent upon their governors in their attempts to formulate and implement a sound "native" policy. Their attempts to administer "native" affairs will be discussed in the next chapter.



## Notes to Chapter 6

1. Clarke, "Attitude of the Colonial Office", 167-168, 173. For the problem in New Zealand see Cell, "British Colonial Policy", 142-155.
2. Upton, "Colonists and Micmacs", Journal of Canadian Studies, Vol. 10, No. 3, August 1975, 53-56.
3. H. Merivale, Lectures, 493.
4. Ibid., 526-530.
5. H. Merivale, "British Mission to Shoa", E.R., 56. For an analysis of the image of the Amerindian see Robin Fisher, Contact and Conflict, Indian-European Relations in British Columbia, 1774 - 1890, Vancouver, 1977, 73-94.
6. H. Merivale, Lectures, 505 and "Great Western Prairies", E.R., 174-175.
7. Upton, "Colonists and Micmacs", 44-54; "Indian Affairs in Colonial New Brunswick", Acadiensis, Vol. 3, No. 2, Spring 1974, 3.
8. Upton, "Indian Affairs in Colonial New Brunswick", 5-14, 17-19.
9. C.O. 188/104, Sir William M.G. Colebrooke to Earl Grey, April 8, 1848, ff. 375-387.
10. C.O. 188/107, H. Merivale Minute, June 16, 1848, on Colonial Land and Emigration Commissioners to Merivale, June 14, 1848, ff. 169.
11. C.O. 188/104, H. Merivale Minute, February 29, 1848 on W.M.G. Colebrooke to Earl Grey, February 8, 1848, ff. 135-137.
12. C.O. 188/106, Sir Edmund Head to Earl Grey, August 17, 1848, ff. 192-200.
13. Upton, "Indian Affairs in Colonial New Brunswick", 20-29; Kerr, Sir Edmund Head, Kerr ignored Head's Indian policy in New Brunswick and in Canada. He also ignored the Indians. The only reference to them is on 23-24.
14. C.O. 188/106, Sir Edmund Head to Earl Grey, August 17, 1848, ff. 197-200.
15. C.O. 188/107, H. Merivale Minute, September 6, 1848, on E. Rushton to Earl Grey, August 30, 1848, ff. 305.

16. C.O. 188/106 Earl Grey to Sir E.W. Head, November 10, 1848, ff. 202-205. Also see enclosure of Perley, "Description of the Indians of New Brunswick", Sir Edmund Head to Earl Grey, September 5, 1848, ff. 206-222. Compare with Upton, "Indian Affairs in Colonial New Brunswick", 21-22 and with the situation of the Micmac in Nova Scotia, Upton, "Indian Policy in Colonial Nova Scotia", Acadiensis, Vol. 5, No. 1, Autumn 1975, 4.
17. C.O. 188/109 Enclosure "Reports Exhibiting the Past and Present State of Her Majesty's Colonial Possession" in despatch of Sir Edmund W. Head to Earl Grey, June 27, 1849, ff. 278.
18. Upton, "Indian Affairs in Colonial New Brunswick", 22, 25-26.
19. Upton, "Indian Policy in Colonial Nova Scotia", 22-24, 31.
20. C.O. 217/224 Earl Mulgrave to the Duke of Newcastle, December 29, 1859, ff. 338. Upton has given an accurate description of the consequences in "Indian Policy in Colonial Nova Scotia", 29.
21. Upton, "Origins of Canadian Indian Policy", 51, 54, 59-60.
22. Grey, Colonial Policy, 265, 268.
23. H. Merivale, Lectures, 506.
24. Clarke, "Attitude of the Colonial Office", 164-166.
25. C.O. 42/603 H. Merivale Minute, June 6, 1856 on Sir E. Head to Henry Labouchere, February 8, 1856, ff. 201-202.
26. C.O. 42/603 H. Merivale to Sir E.W. Head, July 11, 1856, ff. 205-206.
27. Upton, "Origins of Canadian Indian Policy", 59-60.
28. H. Merivale, Lectures, 433.
29. Ibid., 114.
30. Ibid., 96.
31. Ibid., 256.
32. H. Merivale, "Great Western Prairies", E.R., 176; "Macgregor", E.R., 394.
33. Arthur J. Ray, Indians in the Fur Trade, Toronto, 1974, 195-216.
34. A.K. Isbister et.al., A Few Words on the Hudson's Bay Company, with a Statement of the Grievances of the Native and Half-Caste Indians, London, undated, 1-24. The chief grievance was the Company's use of liquor in the fur trade.

35. H. Merivale, Lectures, 494.
36. For an excellent description of Merivale's ideas concerning the "native" question in the Pacific see: "The Missions of Polynesia", 83,94; "Christianity in Melanisia and New Zealand", 177, 198, in Q.R..
37. C.O. 42/551, H. Merivale Minute, June 30, 1848 on Lord Elgin to Earl Grey, June 6, 1848, ff. 24-29.
38. Ibid., Minute of Earl Grey, July 1, 1848, ff. 29.
39. Ellice Papers, N.L.S., E91, Edward Ellice to the Duke of Newcastle, September 21, 1859, ff. 152.
40. C.O. 323/243 H. Merivale, Minute of November 22, 1854 on Captain H. Syngé to George Grey October 5, 1854, ff. 328.
41. C.O. 6/23 H. Merivale Minute of March 18, 1857 on John Shepherd to Henry Labouchere, March 11, 1857, ff. 11.
42. C.O. 6/23 H. Merivale Minute of November 21, 1857 on J. Shepherd to Henry Labouchere, November 20, 1857, ff. 55.
43. P.P., Report from the Select Committee on the Hudson's Bay Company; together with the Proceedings of the Committee, Minutes of Evidence, Appendix and Evidence, London, 1857, especially, 120-150 and the recommendations, iii-iv.
44. C.O. 6/27 H. Merivale Minute, March 31, 1858 on Rev. G.O. Corbett to Henry Labouchere, February 4, 1858, ff. 261-262.
45. C.O. 6/31 H. Merivale Minute of December 5, 1859 on William Kennedy to the Duke of Newcastle, December 2, 1859, ff. 201-202.
46. Fisher, Contact and Conflict, 49-72. Fisher, however, generally ignored the role of Merivale and the Colonial Office in the contacts and conflicts between 1849 and 1858. For a description of these psychological and literary aspects and a definition of "garrison mentality" see Northrup Frye, "Conclusion", Literary History of Canada, C. Klinck (editor), Toronto, 1965, 830-831.
47. H. Merivale, "Great Western Prairies", E.R., 185,188.
48. C.O. 305/9 H. Merivale draft despatch, February 1, 1858, Henry Labouchere to James Douglas, ff. 361-362. For more information on Douglas' land policy with regard to the Indians see Robert E. Cail, Land, Man and the Law, Vancouver, 1974, 171-172, 247 and Wilson Duff, "The Fort Victoria Treaties", B.C. Studies, No. 3, Fall 1969, 3-57.

49. Ellice Papers, E91, Edward Ellice to Henry Labouchere, September 30, 1856, ff. 94-95. See also Galbraith, "Fitzgerald versus the Hudson's Bay Company: The Founding of Vancouver Island", British Columbia Historical Quarterly, Vol. 16, July-October, 1952, 191-207; Cail, Land, Man and the Law, 3, 183. For Merivale's view see C.O. 60/5 H. Merivale Memorandum to the Duke of Newcastle, September 2, 1859, ff. 549-550.
50. Barry M. Gough, The Royal Navy and the Northwest Coast of North America, 1810-1914, Vancouver, 1971, 88-89.
51. C.O. 305/2 Richard Blanshard to Earl Grey, July 10, 1850, August 18, 1850, H. Merivale Minute, November 25, 1850, ff. 36-37, 41-42.
52. C.O. 305/3 H. Merivale Minute, February 15, 1851, on John H. Pelly to Earl Grey, February 11, 1851, ff. 360.
53. Wilcomb E. Washburn, The Indian in America, New York, 1975, 17-22. For more examples of conflict see Fisher, Contact and Conflict, 54-72.
54. C.O. 305/3 H. Merivale Minute, July 19, 1852, on J. Douglas to Earl Grey, April 15, 1852, ff. 108.
55. C.O. 305/4 H. Merivale Minute, October 1, 1853, on J. Douglas to the Duke of Newcastle, July 28, 1853, ff. 80.
56. C.O. 305/6 H. Merivale Minute, January 17, 1856 on J. Douglas to William Molesworth, November 8, 1855, ff. 156; C.O. 305/7 H. Merivale Minute, December 30, 1856, on J. Douglas to Henry Labouchere, October 20, 1856, ff. 106.
57. C.O. 305/7 H. Merivale Minute, February 27, 1856, Admiralty to H. Merivale, February 25, 1856, ff. 144.
58. B.C.P.A., B 40-1., J. Douglas to Admiral Bruce, July 24, 1857; C.O. 305/8 H. Merivale Minute, June 27, 1857, on J. Douglas to Henry Labouchere, April 20, 1857, ff. 47.
59. C.O. 305/8 H. Merivale Minute, February 17, 1858, on J. Douglas to Henry Labouchere, December 7, 1857, ff. 257.
60. C.O. 305/9 H. Merivale Minute, May 31, 1858, on J. Douglas to H. Labouchere, April 6, 1858 and Lord Stanley's Minute of June 3, 1858, ff. 66. See also Gough, "'Turbulent' Frontiers and British Expansion: Governor James Douglas, The Royal Navy and the British Columbia Gold Rushes", Pacific Historical Review, Vol. 41, No. 1, February 1972, 15-32.
61. Fisher, Contact and Conflict, 95-103; W.P. Morrell, The Gold Rushes (Second Edition), London, 1968, 123-125. See also C.O. 6/26, H. Merivale Minute, August 4, 1858, on H. Berens to Sir Edward Bulwer Lytton, August 3, 1858, ff. 455-456.

62. C.O. 6/26 H. Merivale Minute, August 19, 1858, on Petition of the Aborigines Protection Society, n.d., to Sir Edward Bulwer Lytton, received August 12, 1858, ff. 297; see also Lytton's Minute of August 21, 1858, ff. 297 and the draft despatch sent to J. Douglas on September 2, 1858, ff. 298.
63. C.O. 305/10 H. Merivale Minute of July 11, 1859, on J. Douglas to Sir Edward Bulwer Lytton, May 25, 1859, ff. 186-187 and also see Merivale's Minute of September 10, 1859 on J. Douglas to Sir Edward Bulwer Lytton, July 25, 1859, ff. 283-284.

## Chapter 7: Africans and Imperial Administration in Southern Africa 1847-1860

In southern Africa, Natal and Cape Colony, the Colonial Office encountered similar problems, primarily those of land and labour but very different economic conditions. There was much more conflict between Africans and white settlers than between Amerindians and British North Americans. The Colonial Office refused to grant responsible government to the white settlers, although the Cape colonists were given representative institutions. Nevertheless, control over "native" affairs passed gradually to the colonial politicians.

Merivale was, in 1841, aware of the consequences of a reserve policy for Africans. As an administrator he did his best to check the growing power of the white settlers in southern Africa but, by 1860, it was obvious that he and the Colonial Office had failed in this objective. The major reason was the discrepancy between imperial policy and its implementation. Administrators in London set up a land policy system but did not provide sufficient funds for its execution. The introduction of a hut tax in Natal was the best example of this process. In Cape Colony the Colonial Office relied upon Sir George Grey, who had been the colonial governor in South Australia and New Zealand, to protect and "improve" southern Africans by a scheme of amalgamation. All these attempts failed and created more conflict than the Colonial Office had ever expected.

The British Empire had originally been extended into southern Africa largely for strategic reasons. The region was an important link between Britain and the most important part of its Empire, India. Emigration schemes had been tried in the 1820's but had failed.<sup>1</sup> Most

of the white settlers were not British but of Dutch background, the Boers. In 1841 Merivale was aware of the problems of southern Africa. However, lacking precise knowledge concerning African economies, he had argued that the "South African natives" were

... a pastoral people, rich in flocks and herds; to whom the notion of property appears to be familiar; subject to chiefs maintaining a greater state, and ruling larger bodies of men than the natives of our other settlements; warlike and sanguinary, and rendered, unhappily, more so by the constant hostilities between them and our colonies, which appear to have been for many years encouraged by our authorities; but evidently susceptible of much improvement.<sup>2</sup>

Like Amerindians southern Africans were supposed to be susceptible to such ameliorative measures as insulation or amalgamation. The primary object of British policy was to reduce conflict between Africans, Boers and British settlers while maintaining a strong military and naval presence in the region. Merivale and his colleagues succeeded only partially in this objective.

Before 1860 Colonial Office policy was designed to insulate British settlers, Boers and Africans from one another. Southern Africa exhibited little economic potential and was certainly not valuable enough to justify the expense of colonization and military expenditure to protect the colonists from Africans. A policy of containment was attempted but was never successfully implemented. The only exception was the withdrawal from the Orange River Sovereignty in 1852-1854. The policy failed because it ignored the realities of contacts between dissimilar cultures and because of the actions of successive colonial governors, most notably Sir Harry Smith and Sir George Grey, who had different objectives and who acted without prior consultation with the Colonial Office. Conflicts between Boers and Africans involved colonial governors in frontier wars and territorial

expansion was the consequence. Southern Africa was a "reluctant" frontier only insofar as it existed in the minds of the mandarins in London and only until 1854.<sup>3</sup> Merivale's role in this process was anomalous but significant. From 1847 to 1860 he had to work very closely with Sir George Barrow, the senior clerk in charge of the African Department, because the latter was "barely competent" and spent most of his time merely summarizing despatches rather than analyzing them.<sup>4</sup> Merivale had to read the summary and often the despatches again. As a consequence and especially after the departure of Lord Grey in 1852 he had a great influence over British colonial policy in southern Africa.

In 1847, Sir Harry Smith, governor of the Cape Colony, in response to the continued migration of Boer farmers, annexed the territory between the Orange and the Vaal Rivers without consulting the Colonial Office. It took almost six years before the Colonial Office abandoned the Orange River Sovereignty and then only at very great expense to Britain. Merivale perceived that the problem precipitated by Boer migrations was economic rather than political. Annexation was "futile" because "... whatever limit is taken, assuredly the Boers will overstep it again..." and the consequences were clear: "... every additional annexation renders the next annexation more reasonable and more plausible, until a stand is taken at once the end seems at an indefinite distance."<sup>5</sup> In the next few years Merivale kept minuting to Lord Grey this same response. He concluded that the Office should, if possible, leave the Boers to themselves in the interior of southern Africa. Generally, however, Grey ignored Merivale. The only exception concerned the land question in the Orange River Sovereignty in 1848.<sup>6</sup>



At this time Lord Grey and Sir Harry Smith were mainly concerned with the Boers' movements and the possibility of a war with Africans.<sup>7</sup> In his proclamation announcing annexation Smith had omitted any reference to the legal status of Africans. Boers were to become British subjects and to enjoy all the rights and responsibilities of British rule. The "native tribes", however, were to be left "... to their own government subject only to the general protection of Her Majesty." Merivale realized at once this position was illegal and ambiguous. Boers were supposedly free and independent British subjects but Africans were still "distinct and independent tribes" despite owning the land which Smith had placed under British sovereignty. In Merivale's draft despatch to Smith he pointed out that this distinction was

... unknown to English law, and could not be established in a Possession of Her Majesty, unless, indeed, by Legislative measures expressly taken for the purpose. Wherever Her Majesty's Sovereignty is proclaimed, all inhabitants of the region over which it is proclaimed, become Her Subjects, and become, moreover, subject to English law, in the absence of regular laws of their own, unless special permission be made to exempt them from it. Nor is this rule without practical application and importance, since the difficulty arising from the collision between British Laws and Native Usage might immediately arise unless care were taken to prevent it.<sup>8</sup>

In order to overcome the legal difficulties and "to quiet land titles", the best alternatives would be to make the Orange River Sovereignty part of the Cape Colony, into a separate colony such as Natal or give power to the governor "to constitute 'aboriginal districts', like that given to the Governor of New Zealand."<sup>9</sup> The then governor of New Zealand was in fact Sir George Grey, who, in 1854, was appointed governor of Cape Colony.

The reason for the Colonial Office's decision to appoint Sir George Grey became apparent in the years from 1848 to 1854. Both Sir Harry Smith and Sir George Cathcart failed to deal satisfactorily with the enormously complex problems which they encountered, as did the Colonial Office. The consequence was the outbreak in 1850 of the Kaffir War which lasted for two years.<sup>10</sup> This war cost the British government almost one million pounds, led to the recall of Sir Harry Smith and to the desire of the Colonial Office to withdraw from Boer territories. The Sand River Convention in 1852 gave the Boers independence in return for their promise not to supply arms or ammunition or make treaties with Africans. The British government retained the rights of free trade and exploration in their former territory and limited themselves to the regions south of the Vaal River. Until 1854 the Colonial Office was satisfied with a policy of "indirect rule" as implemented by the new governor, Sir George Cathcart.<sup>11</sup>

During the Kaffir War Grey handled the process of decision-making.<sup>12</sup> Merivale was merely an observer of the War but it taught him respect for the power of the "savage people" and it also provided him with "... a fresh illustration of the tendency of the Protectorate system at a certain point, viz. to alienate the Chiefs ...."<sup>13</sup> The latter had been stirred to action, he believed, by the influence of missionaries who acted as "political advisers and agents", "half by circumstances and half by choice ...." This tendency for missionaries to interfere in southern African affairs made decisions more complex for both the Colonial Office and the governors. Merivale wavered between blaming African leaders and European missionaries for such conflicts. In the Kaffir War he went so far as to hold missionaries

responsible "for the conduct of those chiefs, and the consequences". Merivale's allegation was later substantiated by the investigation conducted by Sir George Russell Clerk who had been appointed special commissioner to settle claims for compensation in the Orange River Territory. The new Secretary of State for the Colonies, the inexperienced Sir John Pakington, entirely approved Merivale's despatch.<sup>14</sup>

Lack of initiative by Pakington, the hesitancy of Sir George Cathcart to act without definite orders from the Colonial Office and "confused communications" made it impossible for the British to implement the Sand River Convention until June 1852. Execution of the policy of withdrawal was finally given to Sir George Russell Clerk. Merivale completely supported Clerk in his task of settling claims for compensation from Boers in the Orange River Territory.<sup>15</sup> Despite having reached a settlement with the Boers, the Colonial Office was unable to reduce the causes of conflict between Africans and Boers. No treaty had been signed and even if it had been, Merivale lamented, "experience" had revealed clearly "that Treaties with the Kaffirs are of no avail."<sup>16</sup> The British had only gained a more compact northern border to defend and the important issue of land policy and its implementation still remained to be solved.

Meanwhile Sir George Cathcart proposed to set up a land commission to ensure the occupation of land on the northeast frontier of the Cape Colony, lands belonging to the "Tambookie tribe". Of even greater importance was his proposal which would "...sever all the territory of British Kaffraria lying north of the Amatole mountains from B. Kaffraria and annex it to the Cape Colony -- peopling it with European settlers. This is so contrary to the policy originally pursued, and if I am not mistaken to that which

Gov. Cathcart has himself hitherto recommended, that it requires notice ...."<sup>17</sup>

No sooner had the Colonial Office finished one war and decided on a policy of financial retrenchment and territorial containment it was confronted with another proposal for expansion into the interior. Despite its knowledge and experience of the complex problems confronting southern Africa, the Colonial Office soon found itself considering new panaceas formulated by Cathcart's successor, Sir George Grey, who arrived in the Cape Colony in December 1854.

Impressed by Sir George Grey's systematic, personal and highly paternalistic native policy in New Zealand after the Maori Wars in the 1840's, the Colonial Office hoped Grey would produce the same results in southern Africa. Despite being warned by the experienced and able Sir George Russell Clerk, of the "snare and delusion" of attempting to "extend British influence among the Border Tribes outside the Cape Colony",<sup>18</sup> the Colonial Office put its trust in Sir George Grey and his policy of amalgamation. It was persuaded by Grey's promise to amalgamate Africans and move them into the Cape Colony and thereby end costly wars in the interior. The buffer zone, which the Colonial Office had established on the northern frontier, was also to be removed. The only request Grey made was a monetary one and he stated he would need financial help only until 1857. The choice, he declared, was obvious, spend money now and trust in his policy or be confronted with long and costly wars in the future. The Colonial Office relented and reversed its policy of containment.<sup>19</sup>

Merivale and other members of the Colonial Office supported Grey, but immediately upon receiving the first despatch in which Grey reported his meeting with the "Gaika tribes" Merivale was sceptical. Sir George Barrow

asked Merivale if "the despatch was satisfactory". By 1855 there had been so many failures to implement these policies that Merivale responded pessimistically: "I hope so, but 'more land' was as usual the demand, & the Governor only postponed it."<sup>20</sup> He still believed that a consistent land policy which was rigorously implemented was needed in order to avoid conflict. He took the demands of the "Gaika tribes" seriously. Nevertheless he supported Grey's plan to employ Africans on public works, in agriculture and to remove them to new "locations" largely because of Grey's previous "success" with the Maori in New Zealand. It also accorded with his own view of amalgamation as argued in his Lectures in 1841, except that miscegenation was never considered.<sup>21</sup>

After 1854 the alienation of African land and labour increased under Sir George Grey and his policies were supported by Merivale and the Colonial Office. The most important event which made the scheme of amalgamation possible was the cattle-killing by Bantu-speaking peoples in British Kaffraria in 1856-1857. They had responded to a messianic prophecy, killed their cattle and then, when fulfilment failed, they were reduced to starvation. Despite Grey's attempts to help, these people were reduced from a population of approximately 105,000 to less than 40,000 within one year. Those who did not die were relocated in the Cape Colony. Grey did not have to use force in order to amalgamate them but he gained the end for which he had planned.<sup>22</sup>

At the same time, however, the Colonial Office, taking Grey at his word, reduced its expenditures in the Cape Colony. Grey found himself unable to implement his plans for the "civilization" and improvement of Africans who were not living in the Cape Colony. To make matters worse there was a threat of war between Basuto and Boers in the newly-created

Orange Free State. Merivale and the Colonial Office hoped that Grey would not "enter into offensive or defensive alliance" with the Boers and destroy the agreements promulgated in the Sand River and Bloemfontein Conventions.<sup>23</sup>

On January 19, 1857 Merivale advised Henry Labouchere on the rationale of British policy toward Africans and Boers in the Transvaal and the Orange Free State:

... the great object was to get rid as soon as might be [possible] of the enormous burden of British military protection. Henceforward Kaffre wars, if such there were, must be colonial, not British. The colonial frontier must therefore be strengthened by the union of the White, whether living under British authority or in dependent governments. And the Blacks must feel that in provoking one they were ensuring the discountenance, if not the active hostility, of all -- that they had nothing to expect from rivalry or difference of policy between their white neighbours or rulers.

Of course it was impossible not to foresee possible injustice to natives from such stipulations: but, I think, it was considered to shrink from them on this account would be to exercise over scrupulousness, & look farther into the contingent future than our real duty required.

Merivale believed the primary British interest was to maintain the Cape Colony for strategic purposes, not to amalgamate or "civilize" Africans, much less become entangled in wars between the latter and the Boers. Britain did not want, as Merivale argued in 1857, to become the "constant and unwilling ally of the Orange and Trans Vaal Republics". He warned Labouchere, that Sir George Grey's policy of amalgamation was very different from that of the Colonial Office. Grey was governing the "Kaffres" directly and "comparatively independent of the Cape Parliament", moreover he was involving the British government, with a force of approximately 8,000 men, in a military relationship with the "Kaffres".<sup>24</sup> The consequences of this policy became apparent within a few months. By then, conscious of Merivale's repeated warnings, the demands of the Treasury for economy and Grey's attempts at amalgamation, the Colonial Office had become

increasingly aware of the problems associated with British "native" policy in southern Africa.<sup>25</sup>

In 1857 his budget, cut from £40,000 to £20,000, Grey's policy of amalgamation was stalled. Further disputes concerning his faulty accounting methods and his defiance of the Colonial Office's order not to develop a federation for southern Africa led directly to his recall. Grey wanted to federate the Orange Free State and the Transvaal republic with the Cape Colony and Natal. This policy was in direct contradiction to British policy since 1852. Merivale was aware of what the consequences would likely be. Federation of southern Africa meant that, as was the case in British North America, Colonial Office control over "native" policy would be handed over to the white settlers. Grey was recalled because he had disobeyed direct orders not to discuss federation without instructions from London. Merivale had a large role to play in Grey's recall because he drew attention, in his minutes on Grey's despatches, to discrepancies between Grey's actions and Colonial Office policy.<sup>26</sup>

In the late 1850's the debate between Grey and the Colonial Office over federation was paralleled by a conflict concerning amalgamation, especially the missionaries' role in this process. In 1841 Merivale had written that their work was essential; in the 1850's he recognized missionaries were contributing to territorial expansion and conflict in southern Africa. He minuted to his colleagues that Grey "...cannot mean that, after having constituted them, we must keep them in perpetual tutelage, or until all those questions are 'adjusted' which all experience shews never can be adjusted so long as the adjustment is to be by the efforts and at the expense of a third party. It is however unfortunate that a determined line of policy should be entrusted to the conduct of

an officer who thoroughly disapproves of it."<sup>27</sup> In 1858 Grey reported conflict between Boers and Africans in the Orange Free State but he did not intervene.<sup>28</sup> Merivale and the Colonial Office were relieved at this news. It would, however, be very different if Grey formed a federation because the treaties signed in 1852 and 1854 would end and the British would once again become directly responsible for any wars in southern Africa.<sup>29</sup> In 1859 upon receiving a despatch from Grey, reporting that Adam Kok, a leader of the Griqua, was selling his peoples' land to Boers, Merivale incorrectly observed "... that Captain Adam Kok is a mere imposter and lay-figure, kept up by certain missionaries & others for the purpose of working on the British government through supposed faith in treaties." As in British North America, Merivale distrusted missionaries because he was very much aware of their pervasive influence over native peoples. As a consequence the Colonial Office did nothing to prevent the alienation of Griqua land.<sup>30</sup>

In 1859 Boers began to attack African villages and "mission stations" in the Transvaal Republic. The Colonial Office refused to do anything to help these British subjects because they were afraid they might become involved in yet another costly war. As Merivale declared a few months earlier, and he found support from others in the Colonial Office, the Church of England was nothing in "the heart of Africa" without the "flag of England".<sup>31</sup> In this particular case the "flag of England" would not come to the aid of the missionaries. It would be an open question "whether government would embark in a war in the heart of Africa on account of Mr. Moffat & Dr. Livingstone,..." and "...happily, on which there is no occasion to decide now."<sup>32</sup> When the attacks continued Merivale suggested that the Colonial Office advise Grey that the



treaty with the Trans Vaal Republic was "violated, and that it is consequently the intention of the British government to allow the supply of ammunition to the natives...."<sup>33</sup> It was not a very satisfactory solution for the missionaries or Africans because it would draw them into greater conflict with Boers without direct military support from the British government.

The Colonial Office failed to develop a consistent and firm "native" policy in the Cape Colony in the 1850's. The dominating motive was economic, not humanitarian, specifically the desire to reduce imperial expenditure in the colony, as was the case in most of the British North American colonies. Merivale did not try to implement the scheme of amalgamation as outlined in his Lectures in 1841 but, up to a certain point, he did support Sir George Grey's plan. Grey and the Colonial Office, often at odds with one another, failed to develop a satisfactory "native" policy for the Cape Colony and they also did much in the long term to bring about the alienation of African land and labour. The complexity of these problems in southern Africa, however, made it very difficult for the Colonial Office to understand the problems much less solve them.<sup>34</sup>

In Natal British imperial administrators had a much better chance to develop a "native" policy. Natal had more economic potential with its staple crop of cotton than did the Cape Colony and the Colonial Office could justify more expenditure for all aspects of its development. There was more co-operation between Merivale, who was in almost complete charge of the colony in the Colonial Office after 1852, the colonial governors and the Commissioner for Native Affairs, Theophilus Shepstone.<sup>35</sup> Unfortunately for Africans the consequences were not

much better. By 1860 effective control over African land and labour was in the hands of the white settlers. All that remained from alienation of African land and labour was a fund derived from the hut tax which could be used by white settlers to "improve" the material development of the colony.

Natal, in the late 1840's and throughout the 1850's, was the colony in which Merivale seriously attempted to develop a policy of amalgamation. Since 1843, when Natal first became part of the British Empire, Shepstone's policy of insulation had been adopted. Shepstone wanted to move Africans to separate "locations", a system similar to that developed in Canada in the 1830's, then "civilize" them gradually. This policy would be implemented by means of indirect rule, specifically by Shepstone working with African leaders. The colonial governor from 1850 to 1855, Benjamin Pine, wanted to replace Shepstone's method by immediately introducing amalgamation in order to maintain a consistent "native" policy for southern Africa. The reserves would be phased out and Africans would be relocated in villages close to white settlements. They would then amalgamate and, most important of all, become labourers for white settlers. The Colonial Office agreed with Pine because it wanted to introduce a plantation economy based on cotton and sugar and thereby develop Natal's material existence. Merivale was critical of both insulation and amalgamation as policies for Natal primarily because he believed that they did not relate to the life of Africans nor would these policies protect or ameliorate their condition. In 1847, he opposed relocation of Africans because, in Barrow's words, it was a "bold if not barbarous measure" especially if, as Merivale pointed out, it was done forcibly.<sup>36</sup>

In the same year Lord Grey proposed to tax the Zulu, a subgroup of the Nguni people, and the proceeds would be set aside

for their development.<sup>37</sup> Merivale based his objections to this hut tax upon incorrect ethnological premises:

4) The plan of direct taxation of the natives is ... not founded on any suggestion of the authorities at Natal, but suggested from hence to them. In framing all such plans, it has often occurred to me that besides the dislike to taxation common to savages & civilized people, an additional difficulty arises from their inability to comprehend individual liability to taxation as we understand it. Where the "tribal system" as Mr. Shepstone calls it is very strong there is often scarcely any notion of "property" at all, among the inferior members of the tribe, except in such articles as they have appropriated by labour; dress, weapons, etc. The land is the tribe's & the cattle are the tribe's, and each member has only the usufruct according to the usages of his tribe.

Now in Natal there seem at present to be a number of tribes -- strongly organized in all probability as is generally the case in South Africa -- and also a great number of natives in respect to whom the old tribe organization has been broken up by emigrations and, who hang only loosely on the Chiefs. It might perhaps be worth considering, whether, in the case of the tribes inhabiting definite locations, the tax might not be imposed, not on individuals but on the tribe: the Chief being the person answerable, & the property of the tribe the fund answerable. I suspect this sort of "tribute" would be more suitable to the notions of many savage races than a direct tax on individuals. Of course such an idea could only be thrown out for men like Mr. Shepstone to consider. It may be, he would think it too great a recognition of the power of the Chief,<sup>38</sup> but it may also be the least in a choice of difficulties.

Grey took Merivale's advice and partially changed the draft despatch to Natal.<sup>39</sup> Shepstone adopted Merivale's suggestion probably because he thought it would not disturb his relationship with the chiefs and the tribes. The result was the development of a hybrid and contradictory "native" policy in Natal.

With this advice from the Colonial Office Africans were "relocated" without too much expense and little conflict.<sup>40</sup> The hut tax was collected, "by tribe", and they were allowed to pay in cattle rather than in European currency.<sup>41</sup> In the first year Shepstone reported that he had collected over

£8,831 by means of the hut tax at an expenditure of only £514. Merivale and Grey believed that they had been successful and recommended a "permanent addition" be made to Shepstone's income collected from the hut tax fund.<sup>42</sup> Early in 1851 they promoted him but did not transfer him to another colony because he was so valuable in Natal. Shepstone was now the second most important official in the colony, the first was the new Lieutenant-Governor, Benjamin Pine.<sup>43</sup> Pine, jealous of Shepstone's influence and success, quarrelled with him largely over the use to which they would put the hut tax revenue.

Shepstone, supporting the white settlers, believed the revenue should be used to improve "roads and other public works" in the colony as well as to develop, as had been originally hoped, the condition of the "natives". Pine thought it should be used for "native purposes only". Involved in the Kaffir War at the same time, Merivale emphasized to Lord Grey the "critical" nature of the problem. The Colonial Office had to make sure the Zulu did not join the conflict.<sup>44</sup> In 1851 the conflict between Pine and Shepstone became an open one. Pine demanded that he become solely responsible for "native" affairs in Natal and control the Zulu indirectly by a system of magistrates rather than directly through Shepstone himself. Merivale recognized the question was one which was "fundamental [to] ... the future government of the natives".

After a most perceptive analysis of the two schemes Merivale supported Shepstone and direct rule because his policy of insulation had worked. Pine wanted to begin the experiment of "gradual amalgamation" now that the Zulu were safely in their new "locations". He wanted to start immediately to reduce substantially the amount of land at each "location". The "natives" would then "...be taught to cultivate land individually &

reclaimed from pastoral life: they will also (I cannot comprehend why, unless because their means of subsistence will be diminished) become more ready to serve the whites as agricultural labourers." Merivale regarded this development with "considerable apprehension" especially because of its "popularity with the Whites" and its tendency to foster the alienation of Zulu land and labour. "Dispossession" of the land of the "natives" for a second time "... which the natives dread beyond everything else" would, both Shepstone and Merivale agreed, cause a great amount of social and economic disruption in Natal. Therefore, Merivale concluded, that he favoured insulation because amalgamation "...requires one of two things: either the constant employment of a military force sufficiently large to overawe: or, to leave the Whites to govern & defend themselves." Merivale and Shepstone were overruled when Lord Grey sent out a draft despatch approving of amalgamation because he believed the power of the "native chiefs" must be "broken".<sup>45</sup>

Alienation of Zulu land and labour continued until 1860. Pine dispossessed the Zulu of their land and broke up the tribal structure while attempting to turn them into "good" labourers. The hut tax was used more and more to finance projects for white settlers. Merivale justified this change because there was a large surplus by 1852 and because of the rise in administrative costs incurred by the "necessity of ruling 100,000 natives." Clearly the plan to tax the "natives" in order to "improve" their social and economic conditions was now being used to develop a plantation economy at the expense of the "natives".<sup>46</sup> In May 1852 Merivale minuted to Lord Desart, the parliamentary undersecretary, that Shepstone's system of insulation was at an end, the locations had been broken up and amalgamation would be

inevitable.<sup>47</sup> As a safeguard he suggested, and it was approved by the new Secretary of State for the Colonies, that two special commissioners be sent to Natal to report on the success of Pine's endeavours.<sup>48</sup>

The next demand of the white settlers was that the revenue from the hut tax should be used only for their own purposes. In April 1852 Merivale received a request from the Bishop of Cape Town to provide missionary education for the Zulu in Natal since Pine had apparently neglected this necessary step in amalgamation. Merivale supported the application for £3,000 from the hut tax revenue and it was approved by Sir John Pakington.<sup>49</sup> The consequences revealed the helplessness of the Colonial Office to develop a consistent and firm "native" policy. By June 1853 the acting governor, Major Preston, reported the collapse of this scheme because of "a dissatisfied community". By 1853 Merivale believed the usefulness of the hut tax was over:

I own that it is with regret I see the little effort made to secure this fund to its proper purposes & that it seems likely to be chiefly absorbed in the current expenses of the Natal government, including the maintenance of a civil establishment which seems to me beyond its real wants. Of course this is not wholly so: the maintenance of the resident magistrate, for instance, is an item fairly chargeable on what is raised from the natives: but much appears merely to go into the general revenue. The claim of certain of the colonists to have this treated as their own income raised by taxes among themselves, must I think be unavoidably over ruled even in the event of representative institutions being granted: & then 100,000 taxpayers will assuredly not be represented.<sup>50</sup>

One year later his fears were confirmed when it was reported that out of a total of £36,000 collected from the Zulu only £9,000 had been spent for their welfare.<sup>51</sup>

In 1854 the special commissioner made his report to the Colonial Office. Pine was summoned to London to argue his case and Shepstone submitted another report. Merivale considered all the views and then submitted his recommendations to the Duke of Newcastle.

The three reports, Merivale minuted accurately, agreed that the Zulu should be removed from Natal "...into the unclaimed territory which is bounded by the Orange River Territory to the North-west: Natal to the North-east: British Kaffraria to the South-west: and the Ocean to the South-east." The manner in which the Zulu should be governed remained the greatest problem. Shepstone wanted to govern the Zulu "under his own personal superintendence" and set up a "kind of consular or agency post among them." Pine on the other hand, wished to break up the "locations" altogether and amalgamate the Zulu which would "bring them into the relation of servants to Europeans." Merivale regarded Major Charles Owen's proposals as not "very practical" and "a complete settler's report". Reduction of the "upset price of land", with the purpose of tempting more Boers to settle in Natal, would only increase land speculation and moreover the Boers would not submit to compulsory military service. Raising the hut tax would only cause more discontent among the Zulu. Owen's proposal of self-government for the white settlers would end British control over the hut tax and "native" affairs in the colony. Merivale had no solution because he was aware that the whole problem was simply too complex:

It is disheartening to be able to offer little but criticism on the plans of these able men -- but in the anomalous condition of things presented by a community of 5 or 6,000 whites with little prospect of increase, confronted with 120,000 all but independent savages, I see little to be done but to maintain, as well as we may, the existing state of things and trust to the development of a better one.

He could only suggest a compromise and the eventual abandonment of the problem to the white settlers and the Zulu.<sup>52</sup>

From 1855 to 1860 in Natal the white settlers gradually increased their control over the Zulu. In 1855 "compulsory service" by "native" labourers was introduced.<sup>53</sup> In 1856 Sir George Grey proposed the introduction of "representative institutions" for the white settlers and it was approved despite Merivale's objection. The "presence of 100,000 natives", he argued again, was a "formidable" one.<sup>54</sup> Grey also urged the introduction of "Coolies" into Natal to work on the sugar estates<sup>55</sup> and the immediate amalgamation of the Zulu.<sup>56</sup> In 1857, affected by this social and economic disruption, a civil war broke out among the Zulu. Approximately 4,000 refugees entered Natal and the acting lieutenant governor received the approval of the Colonial Office to use these people as "registered labourers" for three years on the sugar estates. Part of the large revenue from the hut tax was now given to the white settlers.<sup>57</sup> By this time, with their social organization disintegrated, their land and labour alienated, the Zulu were in a perilous condition.

Shepstone's policy of insulation had been changed beyond recognition. Opposed to amalgamation and its consequences, Shepstone wrote a long vindictive letter to the Secretary of State in 1858. Merivale, however, dismissed it because he believed Shepstone's complaints were caused by a difference of "personality" between Sir George Grey and Shepstone. The Colonial Office now supported Grey, amalgamation, and the white settlers but the Office's problems in Natal were far from over.<sup>58</sup>

In 1858, after turning down the requests of the Natal legislature to control the hut tax revenue,<sup>59</sup> the Colonial Office found itself in direct conflict with the white settlers. The legislature "stopped supplies" which were vital to the administration of the



colony. Merivale knew the colonists relied upon British military power to protect them in case of war with the Zulu. Therefore he told the Secretary of State, Sir Edward Bulwer Lytton, to tell the new governor, John Scott, to warn the legislature that if it continued its actions the British government would withdraw all military support.<sup>60</sup> In this case the Office was successful in preventing the white settlers from obtaining complete control over the hut tax.<sup>61</sup> Merivale realized the conflict was not over but he was no longer burdened with this question because he was transferred to the India Office in the spring of 1860. In Natal the Colonial Office had been only partially successful in retaining control over "native" affairs.<sup>62</sup> The vacillation between the policies of insulation and amalgamation had, however, caused a great amount of social and economic disruption among the Zulu.

In 1861 Merivale published the second edition of his Lectures with numerous additional notes and appendices which revised his original ideas and judged his and the Colonial Office's policy with regard to the "native" question. The idealism and facile solutions of 1841 were no longer apparent. In 1841 he had hoped amalgamation would both improve, protect and help to integrate the native peoples into the British Empire. In 1861 he believed it had been a "success" mainly in southern Africa and only with regard to labour. The consequences of the "strange collapse of the Caffre power, under the influence of scarcity and superstition", had been important in creating a situation in which "... great numbers of natives appear to have taken voluntary service under the settlers, and to have performed it with reasonable steadiness." Africans were to be "civilized" and "improved" until they became landless and eventually a working class in southern Africa.<sup>63</sup> Merivale had done much, both as a commentator and as an

administrator, to establish the "broad principle that the natives must, for their own protection, be placed in a situation of acknowledged inferiority, and consequently of tutelage."

The Colonial Office's policy of amalgamation had largely been one of failure. In British North America there had been vacillation from amalgamation to insulation. It had failed to prevent alienation of land and labour because, as Merivale argued cogently, of the

...perpetual compromises between principle and immediate exigency. Such compromises are incidental to constitutional government. We are accustomed to them: there is something in them congenial to our national character, as well as accommodated to our institutions; and, on the whole, we may reasonably doubt whether the world is not better managed by means of them rather than through the severe application of principles. But, unfortunately, in the special subject before us, the uncertainty created by such compromises is a greater evil than even errors of principle.

Such "greater evil" had resulted in the "Caffre" and Maori wars in the 1850's and the 1860's. Merivale was aware of the problems caused by the clash between white settlers and the native peoples but he had no solutions other than the early and mid-Victorian liberal panaceas of insulation and amalgamation.

Metropolitan and colonial control had both proved to be unsatisfactory. As Merivale put it when "...all allowances are made, it cannot be doubted that a consistent and regulated system of management of the natives by the home executive would be better, as regards justice towards the natives, than the arbitrary will of the settlers. Unfortunately, no such system has ever been established by us, or seriously attempted." Rather pessimistically Merivale believed that little progress had been made and "...these feeble survivors of an obsolete world seem to be passing on, with

at least a fair protection from injustice and oppression, towards that extinction which we have become accustomed to regard as the melancholy termination of the prospect."

Merivale's experience with "native" affairs at the Colonial Office made him aware of the essential contradictions inherent in British imperial policy. The liberal panaceas of insulation and amalgamation propounded by Merivale and the Colonial Office conflicted with the demands of white settlers for material development. The "native" question in both British North America and southern Africa was exacerbated by the alienation of the land and labour of the native peoples and the inadequacy of the Colonial Office's land policy and labour theory. The consequence was the expansion of the British Empire and, at the same time, "subjugating" what Merivale and other Europeans regarded as "inferior races". It also led to "frontier wars" and the indiscriminate destruction of non-European civilizations.<sup>64</sup> It was extremely ironic that the failure of the Colonial Office's "native policy" was paralleled by its inability to develop the material existence of new colonies in British North America and southern Africa. Merivale was even less successful in his dealings with the Hudson's Bay Company in the Pacific Northwest and Rupert's Land.

## Notes to Chapter 7

1. Robinson and Gallagher, Africa and the Victorians, 15; Galbraith, Reluctant Empire, 210-211; Johnston, British Emigration Policy, 32-48.
2. H. Merivale, Lectures, 492-493. Compare with Bolt, Victorian Attitudes to Race, 157-205; Monica Wilson, "The Hunters and Herders", The Oxford History of South Africa, edited by Monica Wilson and Leonard Thompson, Vol. 1, Oxford, 1969, 40-74.
3. Galbraith, Reluctant Empire, 1-9.
4. Cell, British Colonial Administration, 22-23.
5. Cell, "British Colonial Policy", 175-182. This dissertation was in part published in Cell's British Colonial Administration as cited above but important chapters of the dissertation on "native" policy were not included in his book.
6. See for example C.O. 48/277 H. Merivale Minute, February 7, 1848, on Henry Pottinger to Earl Grey, November 26, 1847, ff. 88.
7. Galbraith, Reluctant Empire, 210-241.
8. C.O. 48/284 H. Merivale draft despatch, Earl Grey to H.G. Smith, June 21, 1848, ff. 127-130.
9. C.O. 48/284 H. Merivale Minute, June 6, 1848, on H.G. Smith to Earl Grey, March 11, 1848, ff. 124.
10. Galbraith, Reluctant Empire, 242-276.
11. Cell, "British Colonial Policy", 183-193.
12. C.O. 48/309 contains despatches on the outbreak of the Kaffir War in 1850 but the few minutes by Merivale in it are inconsequential because Grey took on the full responsibility himself. See also Earl Grey Minute, October 2, 1850, on H.G. Smith to Earl Grey, July 12, 1850, in C.O. 48/306, ff. 270-275. Galbraith in his only reference to Merivale in Reluctant Frontier also points this out, 262-263.
13. C.O. 48/308 H. Merivale Minute, December 5, 1850, on H.G. Smith to Earl Grey, October 14, 1850, ff. 121-122.

14. Cell, "British Colonial Policy", 200-203, 205-206. Throughout the 1850's Merivale became increasingly hostile, particularly in southern Africa to the humanitarians, their societies and the missionaries on the spot. See for example C.O. 48/320 H. Merivale Minute, March 13, 1852, on H.G. Smith to Earl Grey, December 23, 1852 on Memorial of the Aborigines Protection Society April 29, 1852, ff. 381; C.O. 48/349 H. Merivale Minute, July 12, 1853, on British and Foreign Anti-Slavery Society to the Duke of Newcastle, July 11, 1853, ff. 286, C.O. 48/377 H. Merivale Marginal Note, probable date November 1, 1856, on extract of a letter dated August 21, 1856, unsigned, ff. 382; C.O. 48/378 H. Merivale Minute on Petition of the Aborigines Protection Society to Henry Labouchere, December 13, 1855, ff. 377. The most revealing minute was in C.O. 48/349 ff. 286 above: "This is a terrible account. If published, it might do something towards shaking confidence in the fashionable doctrine of laissez-faire, as regards colonists and aborigines. But I cannot conceive any likelihood of good arising from remonstrance. If it is thought advisable to take any step, the papers might be transmitted to Sir G. Clerk, but with injunction to be very cautious in adopting any measures on the subject of them."
15. Cell, "British Colonial Policy ", 194-199.
16. C.O. 48/328, H. Merivale Minute, December 22, 1852, on Sir G. Cathcart to the Secretary of State, October 12, 1852, ff. 12-13.
17. C.O. 48/328, H. Merivale Minute, January 26, on Sir G. Cathcart to Sir John Pakington, November 29, 1852, ff. 352.
18. C.O. 48/364, H. Merivale Minute, February 12, 1855, on George Clerk to Sir George Grey, November 30, 1854, ff. 486.
19. For a description of Sir George Grey and his policy of amalgamation see: Cell, "British Colonial Policy", 209-211; Rutherford, George Grey, 292; Morrell, British Colonial Policy in the Mid-Victorian Age, 92.
20. C.O. 48/365, H. Merivale Minute, April 17, 1855, on Sir George Grey to the Secretary of State, George Grey, ff. 241.
21. C.O. 48/366, H. Merivale Minute, July 19, 1855, on Sir George Grey to Lord John Russell, June 11, 1855, ff. 380. See also C.O. 48/368, H. Merivale Minute, March 12, 1856 on Sir George Grey to William Molesworth, December 18, 1855, ff. 159. For Sir George Grey's "success" with the Maori in New Zealand see Cell, "British Colonial Policy", 142-255.

22. C.O. 48/376, H. Merivale Minute, November 4, 1856, on Sir George Grey to Henry Labouchere, August 18, 1856, ff. 213; C.O. 48/378, H. Merivale Minute, December 3, 1856, on Land and Emigration Office to H. Merivale, November 27, 1856, ff. 199. See also Morrell, British Colonial Policy in the Mid-Victorian Age, 71-76, and Cell, "British Colonial Policy", 216-218.
23. C.O. 48/367, H. Merivale Minute, October 1, 1855, on Sir George Grey to Lord John Russell, July 25, 1855, ff. 266; C.O. 48/377 H. Merivale Minute, December 19, 1856, on Sir George Grey to Henry Labouchere, September 27, 1856, ff. 50.
24. C.O. 48/377, H. Merivale Minute, January 19, 1857, on Sir George Grey to Henry Labouchere, November 1, 1856, ff. 346-347.
25. C.O. 48/377, H. Merivale Minute, March 20, 1857, on Sir George Grey to Henry Labouchere, December 20, 1856, ff. 440-442. See also H. Merivale draft despatch, Henry Labouchere to Sir George Grey, June 5, 1857, ff. 455-456; and Cell, "British Colonial Policy", 223-224.
26. C.O. 48/387, H. Merivale Minute, April 21, 1857, on Sir George Russell Clerk to H. Merivale, April 17, 1857, ff. 22.
27. C.O. 48/385, H. Merivale Minute, February 11, 1858, on Sir George Grey to Henry Labouchere, December 1, 1857, ff. 14.
28. C.O. 48/388, H. Merivale Minute, May 27, 1858, on Sir George Grey to Henry Labouchere, April 14, 1858, ff. 478.
29. C.O. 48/388, H. Merivale Minute, August 24, 1858, on Sir George Grey to Lord Stanley, May 27, 1858, ff. 624-625.
30. C.O. 48/393, H. Merivale Minute, March 5, 1859, on Sir George Grey to Sir Edward Bulwer Lytton, January 12, 1858, ff. 99 and compare with Morrell, British Colonial Policy in the Mid-Victorian Age, 57-58.
31. C.O. 48/390, H. Merivale Minute, December 31, 1858, on Sir George Grey to Sir Edward Bulwer Lytton, November 11, 1858, ff. 412-413.
32. C.O. 48/399, H. Merivale Minute, March 27, 1859, on London Missionary Society to H. Merivale, March 4, 1859, ff. 290.
33. C.O. 48/395, H. Merivale Minute, June 3, 1859, on Sir George Grey to Sir Edward Bulwer Lytton, April 2, 1859, ff. 28.
34. For judgments of Grey's policy in southern Africa see: Cell, "British Colonial Policy", 225-226 and Galbraith, Reluctant Empire, 275-276.

35. Morrell, British Colonial Policy in the Age of Peel and Russell, 305-309. Also see Leonard Thompson, "Co-operation and Conflict: The Zulu Kingdom and Natal", in Oxford History of South Africa, 373-390.
36. C.O. 179/3, H. Merivale Minute, n.d. but probably November 30 or December 1, 1847, on Henry Pottinger to Earl Grey, August 6, 1847, ff. 115. For the Canadian experiment on Manitoulin Island see D. Leighton, "The Manitoulin Incident of 1863; An Indian - White Confrontation in the Province of Canada", Ontario History, Vol. 69, No. 2, June 1977, 113-124.
37. C.O. 179/5, H. Merivale draft despatch Earl Grey to Sir H.G.W. Smith, November 30, 1849 and compare with Merivale's Minute of November 23, 1849, ff. 408. Also see Wilson, "The Nguni People", in Oxford History of South Africa, 75-130.
38. C.O. 179/5, H. Merivale Minute, November 23, 1849 on Sir H.G.W. Smith to Earl Grey, July 17, 1849, ff. 439.
39. C.O. 179/5, Earl Grey Minute, November 24, 1849, on Sir H.G.W. Smith to Earl Grey, August 31, 1849, 440-441.
40. C.O. 179/7, H. Merivale Minute, December 11, 1849, on Sir H.G.W. Smith to Earl Grey, August 31, 1849, ff. 56.
41. C.O. 179/10, H. Merivale Minute, April 27, 1850 on Sir H.G.W. Smith to Earl Grey, February 26, 1850, ff. 204.
42. C.O. 179/11, H. Merivale Minute, January 8, 1851 on Sir H.G.W. Smith to Earl Grey, October 30, 1850, ff. 108.
43. C.O. 179/11, Minutes of T.F. Elliot, February 20, 1851, H. Merivale, n.d. but probably February 20, 1851, and Earl Grey, February 22, 1851, on Sir H.G.W. Smith to Earl Grey, December 5, 1850, ff. 328.
44. C.O. 179/14, H. Merivale Minute, June 16, 1851, on Sir H.G.W. Smith to Earl Grey, April 16, 1851, ff. 110-111.
45. C.O. 179/16, H. Merivale Minute, February 11, 1852, on Sir H.G.W. Smith to Earl Grey, December 16, 1851, ff. 176-181; draft despatch Earl Grey to B. Pine, February 14, 1852, ff. 186-197.
46. C.O. 179/20, H. Merivale Minute, May 12, 1852, on B. Pine and Sir G. Cathcart, February 26, 1852, ff. 223; C.O. 179/25, H. Merivale Minute, March 20, 1852, on D. Moodie to B. Pine, October 31, 1851, ff. 9.
47. C.O. 179/20, H. Merivale Minute, May 17, 1852, on B. Pine to Sir G. Cathcart, February 27, 1852, ff. 271-273; H. Merivale Minute, June 4, 1852, on B. Pine to Earl Grey, March 29, 1852, ff. 326-327.

48. C.O. 179/27, H. Merivale Minute, July 12, 1852, on Land and Emigration Commissioners to H. Merivale, July 5, 1852, ff. 137.
49. C.O. 179/27, H. Merivale Minute, April 21, 1852, on the Bishop of Cape Town to Sir John Pakington, April 5, 1852; Sir J. Pakington Minute, April 23, 1852, ff. 303.
50. C.O. 179/28, H. Merivale Minute, June 6, 1853, on Major W.R. Preston to Sir John Pakington, February 18, 1853, ff. 95-96.
51. C.O. 179/30, H. Merivale Minute, December 17, 1853, on B. Pine to the Duke of Newcastle, October 16, 1853, ff. 48; C.O. 179/31, H. Merivale Minute, July 8, 1853, on the Bishop of Cape Town to the Duke of Newcastle, July 6, 1853, ff. 209-210; C.O. 179/40, "Colonial Estimates for Natal", 1854, ff. 88-90.
52. C.O. 179/35, H. Merivale Minute, May 15, 1854, on B. Pine to the Duke of Newcastle, March 12, 1854, ff. 57-71; Ibid., H. Merivale Minute, July 10, 1854, on B. Pine to the Duke of Newcastle, May 3, 1854, ff. 92-93; Ibid., H. Merivale Minute, December 19, 1854, on B. Pine to Sir George Grey, September 5, 1854, ff. 331. Also see Galbraith, Reluctant Empire, 275-276.
53. C.O. 179/35, H. Merivale Minute, January 15, 1855, on B. Pine to Sir George Grey, October 24, 1854, ff. 401; C.O. 179/37, H. Merivale Minute, July 19, 1855, on Sir George Grey to Lord John Russell, June 9, 1855, ff. 10.
54. C.O. 179/37, H. Merivale Minute, January 31, 1856, on Sir George Grey to Lord John Russell, November 24, 1855, ff. 143.
55. C.O. 179/37, H. Merivale Minute, June 26, 1856 on Sir George Grey to Lord John Russell, December 1, 1855, ff. 331.
56. C.O. 179/37, H. Merivale Minute, June 28, 1856, on Sir George Grey to Lord John Russell, December 3, 1855, ff. 384-385.
57. C.O. 179/45, Minutes of G. Barrow, H. Merivale, Henry Labouchere, March 18, 1857, March 20, 1857, March 25, 1857, on John Scott to Henry Labouchere, January 5, 1857, ff. 82-83; C.O. 179/45, H. Merivale Minute, November 25, 1857, on John Scott to Henry Labouchere, June 3, 1857, ff. 354-355.
58. C.O. 179/49, H. Merivale Minute, April 17, 1858, on John Scott to Henry Labouchere, February 10, 1858, ff. 94-95.
59. C.O. 179/49, H. Merivale Minute, May 3, 1858 and July 14, 1858, on John Scott to Henry Labouchere, March 3, 1858 and April 28, 1858, ff. 140, 473-474.



60. C.O. 179/50, H. Merivale Minute, March 5, 1868, on John Scott to Sir Edward Bulwer Lytton, December 28, 1858, ff. 252-253.
61. C.O. 179/51, H. Merivale Minute, July 29, 1859, on John Scott to Sir Edward Bulwer Lytton, June 2, 1859, ff. 313.
62. After 1860 Sir Frederic Rogers became Merivale's successor as permanent undersecretary at the Colonial Office and took a great personal interest in the "native" question. See Tyler, "Sir Frederic Rogers", Farr, Colonial Office and Canada, 43, Morris Zaslow, The Opening of the Canadian North, 1870-1914, Toronto, 1971, 7-9.
63. H. Merivale, Lectures, 511. See also John M. Mackenzie, "African Labour in the Chartered Company Period", Rhodesian History, Vol. 1, No. 1, 1970, 56-58.
64. H. Merivale, Lectures, 513-514, 517-518, 521-528.

## Chapter 8: The Hudson's Bay Company in the Pacific

### Northwest and Rupert's Land, 1847-1860

By 1860 Merivale regarded the Colonial Office's policies on free trade and the "native question" as failures and responsible government as only a qualified success. Adequate knowledge of imperial problems was not sufficient to solve them. Merivale was not able to achieve the goals which he had written about in his Lectures in 1841 because he did not have the power nor the financial and administrative resources at the Colonial Office. When dealing with the Hudson's Bay Company in the Pacific Northwest and Rupert's Land, Merivale was confronted with grave difficulties. There was no analysis of the Hudson's Bay Company or its activities in his Lectures largely because the regions under its control were not by his definition colonies. The same was true for India and the East India Company. By his own admission he also lacked geographical knowledge of the territories under the control of the Company. Moreover, his advocacy of the doctrines of free trade made him averse to the monopolies possessed by chartered companies but there is no indication in his writings before 1847 that he had thought of an alternative to the rule of the Hudson's Bay Company.<sup>1</sup> His ambivalence was compounded because he argued in the 1840's that the Company's territories in the Pacific Northwest and Rupert's Land were the last areas in the world which were suitable for the development of white settlement colonies. By 1860, however, after dealing with the Company, Merivale conceded that he still had no satisfactory solution to the problem. Although he had contributed to the creation of two new colonies they were neither

prosperous nor thriving. Clearly he and his colleagues in Downing Street had failed to combine the imperial interests of trade and settlement in the Pacific Northwest and Rupert's Land.

From 1847 to 1860 Merivale had a significant role as the Colonial Office's liaison with the Hudson's Bay Company's officials in London. He became aware of the great potential of both regions for the British Empire but was almost completely ineffectual in his attempts to reduce the power of the Company. Nevertheless the British government became increasingly responsible for the Hudson's Bay Company's territories in the 1850's because, ironically, the Company's officials, particularly George Simpson and Edward (Bear) Ellice, decided it was time to pull out of these regions which were becoming economic liabilities.<sup>2</sup> Merivale was no match for these veterans of the fur trade. By 1860 Merivale had adopted many of their arguments and with only one exception, the non-renewal of the Company's licence of exclusive trade west of the Rockies in 1859, had in effect become a creature of the Company. It proved to be an incongruous situation. Merivale, an advocate of free trade, spent a great deal of his time in Downing Street propping up the declining monopoly of a chartered company. Except for his tenure at the India Office it was one of the most significant failures of his administrative career.

In the early 1840's Merivale had written that the Pacific Northwest was one of the last regions in the world which had potential for colonization by white settlers. In addition to a temperate climate the area was relatively undeveloped and populated only by Indians and a few employees of the Hudson's Bay Company. He foresaw

no conflict between trade and settlement. Relying primarily on the observations of Sir Charles Lyell, the British geologist, Merivale was enthusiastic about its economic potential. The only drawback he could foresee which might deter British expansion was the increasing influence of the United States. Presaging one of his arguments at the Colonial Office he wrote that the only counterweight to the American presence was that of the "remarkable Society". Admittedly the Hudson's Bay Company was "not very responsible to either State" but it was powerful and moreover had "all the instincts and habits" which were "thoroughly British and anti-American". He concluded that the Pacific Northwest was ready for settlement by white settlers.<sup>3</sup>

In 1847 in another article in the Edinburgh Review Merivale wrote that the British presence on Vancouver Island should be augmented to counter the influx of American traders. His primary concern, at least ostensibly, was to bring law and order to the Island. He had always argued that the "chief weakness" of American expansion into the western interior of the North American continent was its uncontrolled response to the environment: "The tendency of her agricultural classes to spread and scatter themselves over an enormous extent of territory, prevents the rise of cities, the growth of habits of order and respect for law--the progress, in short, of civilization."<sup>4</sup> The impact of changes in technology and transportation had promoted this expansion. American "pedlars", "merchants" and "great capitalists" were taking full advantage of the opening of roads, canals, post offices, stage coach routes, railway lines and the telegraph to expand the republic westwards. By comparison, Merivale

argued, the British government and the Hudson's Bay Company were "poorer competitors".<sup>5</sup> Unlike other imperial commentators Merivale was able to do more than simply warn the British public of this situation for, in the same year, he was appointed to a position of responsibility at the Colonial Office.

In the late 1840's the economic situation of the Hudson's Bay Company in the Pacific Northwest was precarious. Competition from American traders, the decline in the quantity and quality of the fur-bearing animals and the strength and independence of the various Amerindian groups made the Company willing to give up its establishments.<sup>6</sup> Vancouver Island was, however, valuable to the British government because of its strategic location. In the 1850's the Royal Navy would begin to guard the multitudinous approaches to New Caledonia. The British government hoped that the presence of the Royal Navy would help to contain American expansion.<sup>7</sup> As far as the Company was concerned one of the most powerful arguments in its decision to remain in the region was provided by George Simpson before the Colonial Office decided to give the Company a charter of grant to Vancouver Island. Simpson noted that the coal which had been discovered on the Island would be able to provide large quantities of fuel for the Company's ships trading in the Pacific. In any event he argued that the Company should keep the Island because "... the Indian trade & fishery would go far to defray the expenses of the post [Fort Victoria] ".<sup>8</sup> Accepting Simpson's rationale the Company's officials in London decided that it had very little to lose if it retained Vancouver Island.

The problem for the Colonial Office was very different. James Stephen was opposed to placing the British government in the hands of the Hudson's Bay Company.<sup>9</sup> Another Liberal and free trader, William Gladstone, Lord Grey's predecessor, spoke against the charter of grant in the House of Commons but in vain. With Stephen's retirement in October 1847, Grey went ahead with his plan to combine the imperial interests of trade and settlement on Vancouver Island. Inexperienced and obedient to his new political master, Merivale drafted the terms of the agreement. He approved of the charter of grant in spite of his arguments for free trade six years previously. By the terms agreed upon the Company was made "unfettered" from imperial controls except for the Island's "Civil Government" which would be the responsibility of the Colonial Office's representative, Richard Blanshard, who became the first governor of Vancouver Island.<sup>10</sup>

A few months later problems arose which began to cast doubt on the wisdom of this alliance between the Colonial Office and the Hudson's Bay Company. Simpson reported to his superiors that an Indian massacre had occurred near Walla Walla on the Columbia River. Despite the fact that the Company had been on friendly terms with these Indians, the Company lent the American government eighteen hundred dollars to help American authorities prosecute the war which ensued. Simpson's major fear was that the Company's trade might be disrupted and also that two trading posts would have to be abandoned if the hostilities were, as he put it, "protracted". He suggested that the Company ask the Colonial Office for permission to request the Admiralty to send a warship to Vancouver Island in case the war

spread to British territory. Such a vessel would, he hoped, be able to return "occasionally" to protect the interests of the "honourable Company" against its "disorderly neighbours". The Admiralty sent a warship but it was not stationed permanently at Fort Victoria until the Company moved its headquarters from Fort Vancouver to Vancouver Island. Quite naturally the British government objected to paying for the protection of the interests of a commercial company in American territory.<sup>11</sup> In the Pacific Northwest the Colonial Office and the Hudson's Bay Company were strange bedfellows under the blanket of the British Empire.

Another problem ensued because of personal conflicts between Richard Blanshard and James Douglas, the Company's chief factor on Vancouver Island. Originally the Company had wanted to appoint Douglas governor on a temporary basis and at least until the colony attained economic self-sufficiency. The Colonial Office, because it had been under attack in the House of Commons, appointed Blanshard to counter the great influence of the Company.<sup>12</sup> Blanshard was, however, completely inexperienced. It was, in fact, his first and last governorship. He disagreed with Douglas over important aspects of Indian policy and he got very little support from the "colonists" who were either employees or former servants of the Company.<sup>13</sup> Faced with many complaints about Blanshard's conduct the Colonial Office rather unfairly accepted the Company's point of view. Merivale concluded and Grey agreed that Blanshard would have to go: "Gov. Blanshard should not make these charges against individuals without specifying names & facts, but the rupture between him and the Company's people ... is evidently such that no co-operation is to be expected

between them...."<sup>14</sup> In the fall of 1850, after the "miserable affair" at Fort Rupert, Blanshard, in ill-health, was censured by the Colonial Office and resigned his post. Grey accepted his resignation and appointed Douglas in his stead.<sup>15</sup>

Douglas' relationship with the colonists and the Indians was relatively peaceful. He set up the first Indian reserves on the Island and they helped to reduce tension between the two groups until the gold rush in 1858. Also of great importance was the high personal regard of the Indians for Douglas and the threat of the Royal Navy's gun-boats. The fact that there was a modicum of land hunger was, however, crucial and it proved to be both an advantage and a disadvantage.<sup>16</sup>

Before 1860 the Hudson's Bay Company was unable to attract a significant number of British settlers and thereby fulfil the terms of its charter of grant. Blanshard had reported that the Company was entirely responsible for this state of affairs because it was charging the colonists too high a price for provisions, agricultural implements (which had to be imported from the Oregon Territory) and land. The Company was confronted by two problems over which it had little control. In 1849 Grey, under the influence of Wakefield's scheme of "systematic colonization", had set the price of land at 2 shillings to £1 an acre. In the Oregon Territory, only a few miles to the south, there was plenty of fertile and cheap land available.<sup>17</sup> The other major difficulty was the location of Vancouver Island, which was a great distance from Britain and the other British North American colonies. The Company could not afford to



promote emigration on a large scale and the potential unassisted emigrant could always find a colony which was closer and cheaper. Given these economic circumstances the Company hoped to develop the Island's non-renewable resources. This idea also proved to be illusory when the coal mine at Fort Rupert failed because of labour problems. At the same time, learning of the discovery of gold in the Queen Charlotte Islands, the Company decided to establish a trading post to barter its goods to the Haida for gold. Revenue would also be obtained by licensing prospectors. These hopes came to nothing because insufficient quantities of gold were found. The few hundred adventurers who came soon left and the Queen Charlotte Islands were once again the domain of the Haida, although they were now formally part of the British Empire.<sup>18</sup>

In the Pacific Northwest there was clearly a conflict between the imperial objectives of trade and settlement and between the agencies responsible for developing the region, the Hudson's Bay Company and the Colonial Office. By 1852 both the Company and the Office were completely dissatisfied with the material development of the area, especially Vancouver Island. Moreover the Company was experiencing a decline in its trade in all of its territories. In London, Eden Colville, one of the Company's directors, concluded that this deteriorating situation was largely attributable to "... the farming operations carried on by the fur trade in Vancouver's [sic] Island, and the expenses incurred at Fort Rupert and elsewhere along the coast. It is clear that the business must be carried on for the future on some different principle or the loss in the Columbia will

soon devour all the profits made in the rest of the country."

Under Simpson's guidance the Company gave up the idea of colonizing the Island and began to limit its activities to the fur trade.<sup>19</sup>

In all these matters Merivale remained in the background, It was not until Grey left in 1852 that he began to conduct negotiations and act as the Colonial Office's liaison to the Company's officials in London. He attempted to change the situation but to no avail. Aware of the great impact of American land policies Merivale advised the Secretary of State, Sir John Pakington, to lower the price per acre of land.<sup>20</sup> Recognizing the limitations of "systematic colonization" on Vancouver Island, Merivale argued that "... if it is really hoped that this island & this neighbourhood should be settled the 'Wakefield' plan will hardly stand competition with the neighbouring American occupants--the H.B.C. are only bound by their grant to sell at a 'reasonable price' --the actual price of £1 an acre is only fixed by themselves, though in full accordance with the understood views, at the time, of government."<sup>21</sup> By 1857 the Colonial Office, witnessing the repeated failures of the Company, began to reconsider its decision to let the Company develop the colony.<sup>22</sup> Ironically by this time the Company had also had enough of its "only bad adventure" in North America.<sup>23</sup> Both the Colonial Office and the Company wanted to change their relationship to the Island but prior commitments to each other made it difficult to do so.

In 1857, with reports of the discoveries of gold, the future of the region became bright once again. Merivale's reaction was an example of the supremacy of the economic motive for early and

mid-Victorians who were involved in imperial affairs. The first tangible evidence of gold immediately kindled his interest:

The region referred to is within the North West Territory, on which the H.B. Co. possess the exclusive right of trade, under licence, until 1859. If the governor's request for the appointment of a British officer in that country were acceded to, there would be nothing unreasonable in saying that the H.B. Co. who at present derive the sole & exclusive advantage from that country, should pay him so long as their licence is maintained. But it is impossible to consider these questions in a mere insulated way. If any interference is to take place, I believe it will be necessary to except this district out of the renewed licence: to form it into a colony: to incur the cost of the necessary first establishments. If the extension of dominion is not worth our while, then the proposal must be rejected or at least adjourned until more definite information of the real importance of the gold field reaches us.<sup>24</sup>

By the spring of 1858, with thousands of foreigners, chiefly Americans, entering British territory, the Colonial Office and James Douglas acted quickly to contain what they regarded as an invasion.

Merivale realized that he and his colleagues had no other alternative but to rely on James Douglas to maintain law and order.<sup>25</sup> The problem was complicated because, as Merivale explained, "... the H.B. Co. have under Act of Parlt. a licence for exclusive trade with the Indians in that territory until May 1859, but they have no other authority whatever. Douglas ... has no authority from the Crown beyond Vancouver's [sic] Island 'and its dependencies' whatever that may mean."<sup>26</sup> The Office was forced to create a new crown colony on the mainland with Douglas governor of both colonies. This course of action was followed in August 1858. Once again the Office had decided on a policy of withdrawal, been confronted with an opportunity for economic advantage, had reversed its decision and was now once more bent on territorial expansion.

The Hudson's Bay Company also reacted to the gold discoveries in a similar vein, with of course their own economic self-interest uppermost in mind. George Simpson wrote to his superiors in London that the "... gold discoveries... which seem to be extending rapidly will open up a profitable market for the Company in that quarter, in supplying the miners who it is expected will proceed thither in large numbers this season." He asked the directors to send out more goods to meet this demand.<sup>27</sup> As the Company soon discovered, the gold rush which ensued meant that its licence would cease and the charter of grant to Vancouver Island might not be renewed.

While the Company was discussing these new developments the Colonial Office was preparing for the colonization of British Columbia. Working closely with the Secretary of State, Sir Edward Bulwer Lytton, Merivale acted too hastily in suggesting the immediate development of the new colony. Once the gold rush ended in 1859 many of the thousands of prospectors did not become farmers and settle in the area but moved on to more promising gold-bearing regions.<sup>28</sup> Negotiations with the Company, however, dragged on for the next two years because, in Merivale's view, the Company "...cannot be forced by government to surrender their grant of the island, unless government is willing to purchase their trading plant as well as their land. But, on the other hand, if the terms prepared by the Company are thought exorbitant the Company cannot force government to take the island at all, and must continue their occupation." A deadlock was created with the Hudson's Bay Company demanding too much for its establishments and the economy-minded Colonial Office

refusing to grant the Company's requests.<sup>29</sup>

Throughout the gold rush Merivale and Lytton relied upon Douglas for accurate information.<sup>30</sup> In exchange the Office demanded complete loyalty and forced Douglas to cut off his financial connections with the Hudson's Bay Company.<sup>31</sup> The initial effect of the gold rush had been to create boom conditions at Fort Victoria. Prices for food and other necessities rose rapidly and land speculation was rife.<sup>32</sup> For example the Colonial Office received a petition from a group of speculators in San Francisco inquiring whether they would be allowed to develop a town in the vicinity of Fort Victoria. Merivale replied that the land which had been purchased from the Amerindians belonged now to the Hudson's Bay Company, not the British government. On the question of setting up regulations to control the sale of land, he minuted:

No one will believe--till they have seen it proved--that "regulations" to check land jobbing are not worth the paper they are written on. Only one speculative writer ever had a clear perception of this--E.G. Wakefield, who was eminently also a practical man. He therefore, preached the doctrine that all land should be sold at so high a price (fixed or asset) as will render it rarely worth the "land jobbers" while to buy: and the proceeds spent in helping the bona fide purchaser to labour. All favourers of cheap and easy schemes, meant to look well rather than work, have abused him ever since. But the proof of his sound views is in the steady thriving of the only colony in which they were ever thoroughly adopted--South Australia. However, fortunately or unfortunately, we cannot try his scheme in North America, with the States, the land of cheap sales & land jobbing close by.<sup>33</sup>

The Colonial Office was unable to control the development of British Columbia or Vancouver Island. If the Office drew up a set of land regulations and ordered Douglas to implement them it knew that they would be disregarded and land speculation would occur in any event.<sup>34</sup>

Within a month of the above minute Merivale's worst fears concerning land speculation were confirmed. Employees of the Hudson's Bay Company were selling their lands to the newcomers at great profits while the British government or the colonial governments received virtually nothing for economic improvements in the colony.<sup>35</sup> Before the gold rush the Office had wanted to push the Company aside, now when the colonies were beginning to prosper it could not, at least until the charter of grant expired in May 1859.<sup>36</sup> Vacillating once again the Colonial Office became embroiled in another futile controversy with the Hudson's Bay Company.

As far as the Hudson's Bay Company was concerned the gold rush could not have come at a better time. Simpson suggested to the Company's directors that they should sell out while they were still able to get a good price for their establishments. Pessimistically he asserted that the "fair promises" brought by the discovery of gold "... will inevitably end in disappointment, owing to the very unsatisfactory state of the Company's business, arising from neglect, mismanagement and injustice -- and by making them subservient to colonial interests."<sup>37</sup> Clearly the objectives of the Company and the Colonial Office were contradictory.

Under Lytton's supervision the Colonial Office wanted to make British Columbia become wholly self-sufficient. In order to compete with the United States for settlers, however, the price per acre of land had to be lowered. Revenue was needed to build roads and other public works and to accomplish this objective Lytton decided to maintain the high prices for land and not allow pre-emption. By 1860 with the gold rush all but over the Colonial Office had to pay

the cost of administering two relatively poor colonies. The new chief factor, Alexander G. Dallas, (Douglas' son-in-law) wrote to Edward Ellice giving a striking portrait of the colonies in July 1859:

Both colonies are now very much brought to a standstill from want of a resident English population. There are heavy natural obstacles to be overcome & a liberal government is absolutely necessary. The roving classes from all parts of the Pacific will not be satisfied with ordinary wages, viz. \$3 to \$5 per day. A great drawback is our distance from the mother country. The route by Panama is now out of the question for the working man & family. By Cape Horn there is a stormy voyage of six months to be paid for & endured. Australia can easily be reached in three months. A comprehensive system of emigration, assisted by government in the shape of money or land, is the only means I think in which the Colony can be peopled, & attached to the Mother Country. The strong plea for asking assistance from government in one shape or another, is, the vast political importance to England, with English sympathies, in this connecting link between the Eastern & the Western world. It is the most important position for a naval station, in the whole Pacific --looking to California on one side & the Russian possessions in America & Asia on the other-- to Japan, China & the eastern Archipelago.<sup>38</sup>

However, Merivale and Lytton's successor, the Duke of Newcastle, refused to change their policy because they agreed with Douglas that opening these colonies to "American squatters" should best be avoided.<sup>39</sup> They also could not countenance spending large amounts of money to assist emigrants. The presence of the United States was far more influential in affecting the future of these colonies than any policy formulated in Downing Street by Merivale or his colleagues.

By 1860 negotiations between the Company and the Colonial Office concerning the former's posts on Vancouver Island had still not been settled. An agreement was not concluded until 1867 when the Company was paid £57,500 which was much less than it had originally demanded. In addition the Company was allowed to retain the land on and around its trading posts. Merivale spent many futile hours trying to work

out the details of the compromise with the Company's officials in London.<sup>40</sup> Nevertheless the Colonial Office's policies towards its colonies in the Pacific Northwest had certainly been ineffective. Based on this experience Merivale concluded that the British government should never again put its faith in the ability of the Hudson's Bay Company to act as a colonizing agency. Instead he suggested that the British government should buy out the Company's establishments especially the "... whole city of Victoria -- a place destined, in reasonable probability, to be a very great & very speedy advance to opulence."<sup>41</sup> He was much too optimistic because both colonies remained largely undeveloped and economically stagnant in the 1860's. In 1866 they were amalgamated and then, in 1871, British Columbia joined the Canadian Confederation when it received promises from the Canadian government of the building of a trans-continental railroad. In the Pacific Northwest from 1849 to 1860 Merivale and his colleagues placed themselves at the mercy of the Hudson's Bay Company by agreeing to the charter of grant. When the Company failed to colonize the Island the Colonial Office was in no position to change the situation. Nevertheless even this failure revealed clearly the significance of the economic motive for British imperialists in the mid-nineteenth century.

In Rupert's Land the Colonial Office's record in dealing with the Hudson's Bay Company was even more dismal than in the Pacific Northwest because the Company had a royal charter to the entire area. The only function of the Colonial Office was to act as guardian of the native peoples, to see that they were not exploited by the Company or private traders. Until the select parliamentary inquiry met and



investigated the problems of Rupert's Land in 1857, the Office believed that Rupert's Land was only suitable for trade rather than agricultural settlement. The only exception was the Red River colony, originally founded by Lord Selkirk in 1811. The Company did nothing to dissuade the British government from this attitude. After 1857, when it was discovered that the southern parts of Rupert's Land were prime agricultural areas and colonization was possible, the mandarins in Downing Street still refused to take on the weighty responsibility of creating a new colony as it had done in the Pacific Northwest. In the Hudson's Bay Company territories Colonial Office policy was as inconsistent as it was ineffective.

In the 1840's and 1850's the Hudson's Bay Company was adjusting its operations to the changing social and economic conditions in Rupert's Land.<sup>42</sup> At the same time the Company was being barraged by complaints about the manner in which it was conducting its affairs with the Amerindian and Métis population in Rupert's Land in general and in the Red River colony in particular.<sup>43</sup> Fearing adverse publicity the directors in London relied on Edward Ellice to use "... his wide and intimate associations with influential British politicians... to extract concessions favourable to the Company or to defend its interests against its enemies." The relationship between Ellice and Merivale was therefore very important but there is no doubt that Ellice had a great advantage because of his knowledge and experience with conditions in Rupert's Land.<sup>44</sup>

In the late 1840's the Hudson's Bay Company's monopoly was threatened by private traders in the Red River colony, the Métis,

the "Country-Born" and Americans. In 1848 George Simpson warned J.H. Pelly, one of the Company's directors, of this danger:

If licences be granted to settlers, the Company's exclusive rights of trade might be considered at an end, and a legalized system of competition would be established by the Company, ruinous to their own interest; and, from what I know of the character of the trade, I feel satisfied that, if the system of licensing be introduced, the whole concern would be broken up within a period of ten years, as the business would not clear its expenses. Should the government urge any such licensing system, I should think the only safe course for the Company would be to surrender the charter to Government, if anything like a moderate compensation could be obtained, as the territory without the trade would, to the Company, be altogether useless.<sup>45</sup>

The Company's strategy was direct. If the licensing system was adopted by the British government and free trade was permitted then the Company would cease to govern Rupert's Land. In the early 1850's private traders were allowed into the Red River colony but no licensing system was introduced and the Company did not surrender its charter.

Until 1857 the Hudson's Bay Company was less inclined to continue to administer Rupert's Land because it was being drawn into the middle and far north of the continent in search for higher quality furs. The fur trade, however, always dependent on European markets, declined. The relationship between the Company and the Amerindians also changed with cash replacing the traditional system of barter. The native peoples were becoming employees of the Company and almost completely dependent on the latter for their survival.<sup>46</sup> These changes produced unrest in the Red River colony.

The maintenance of law and order became more difficult for the Company in 1854 when the military pensioner corps, another one of Grey's schemes, was disbanded and most of the former soldiers

departed for Canada. As well, when Canadians began to arrive each year in greater numbers the Company found itself outnumbered.

Simpson warned that the Canadians were a danger because they "... from similarity of language and habits, prove to unite with the Half-breed population, usually marrying natives and settling at Red River, where they swell the numbers of the French Halfcaste community, who, if not very soon checked by military force, will become masters of and give law to the country."<sup>47</sup> In this situation the Company turned to the Colonial Office for support.

The presence of missionaries appeared to the Company to present another threat to their position. Exaggerating this problem to his superiors, Simpson wrote that "every mission was becoming a 'trading station'" and that the Company's monopoly was being eroded:

... the Halfbreeds and Indians are very apt in picking up information bearing on their temporal interests and the missionaries find it, no doubt, more easy to enlighten them on the relative value of goods and the difference in tariffs, than to induce them to adopt the habits of civilized life or to imbibe them with the principles of Christianity. These mission villages, whose present inhabitants are just emerging from the savage state, are destined to be the germs of future colonies, so that the evil, now in its infancy, must increase from year to year, to the serious injury of the fur trade; but I lament to say it is an evil for which there does not appear to be any remedy.<sup>48</sup>

Simpson concluded that since the charter was almost a "nullity" the Company should negotiate with the Colonial Office for the "voluntary surrender of the charter on receiving compensation on some such basis as was allowed to the East India Company." The Company would not, however, have to withdraw from the fur trade altogether because with its "experience, organization & capital" it would be able to retain without any difficulty a virtual monopoly on the fur trade.<sup>49</sup>

Before the select parliamentary committee met in 1857 to inquire into the charter and the general management of the Company Merivale and Henry Labouchere, then Secretary of State for the Colonies, were made aware of the Company's position by Ellice. On September 30, 1856 Ellice wrote privately to Labouchere advising the latter of the consequences if the Hudson's Bay Company was forced to withdraw from Rupert's Land. Ellice's view, although biased, was most convincing:

The H.B. territory has been governed with consummate skill & success--the use of spirits, the great cause of the demoralization of the Indians, completely put a stop to-- education & religious instruction, so far as it was possible, encouraged & the Colonial Office has few complaints--& these upon examination proved to be either unfounded or unavoidable --& less trouble with what might have been--& may still be, the most difficult dependence of the Crown to administer & keep in peace & order--than with any other colony.

Comparing Rupert's Land to southern Africa and New Zealand, Labouchere and Merivale believed that Ellice's assessment was most reasonable. They accepted his warning that they would have to either find a substitute for the Company or administer the region themselves. The only other alternative was that Rupert's Land might be unloaded on the Canadian government. However Canadian politicians were having great difficulty managing their own affairs and were in no position, politically or economically, to undertake this task.

Ellice went on in his letter to state exactly what actions the Hudson's Bay Company would take if the Colonial Office continued to question the Company's activities. Ellice's words must have given the mandarins in 13 and 14 Downing Street a rude jolt:

The H.B. Co. are quite willing to dispose of their territory and their establishments. It is a question of a million of money. If either this Gov't or the Gov't of Canada wish to take the affair into their own hands, I can tell them the cost of the undertaking. But in my mind as

far as the maintenance of order & peace throughout the vast territory is concerned, that is the smallest part of the question.

Ellice then noted that Merivale was the only person in the Office who completely understood the problem and its implications. A few months later Labouchere replied and took the line of least resistance and expense to the British government. Ellice was informed that the Colonial Office would wait until a decision was made by the Company or the Canadian government. Wavering once more, the Office waited for the report of the select parliamentary inquiry.<sup>50</sup>

In 1857 the select parliamentary committee investigated the Company's affairs in Rupert's Land. George Simpson, one of the most important witnesses, assured the members of the committee that the primary duty of the Company, other than trading in furs, had been to "instruct and civilize" the native population gradually in order to "preserve" them from the "contaminating influence" of other white settlers and traders. He argued that the Amerindians should be allowed to "... retain their primitive habits, following the occupations for which alone they appeared to be suited by nature--that of hunters." For this reason he asserted that the Company had attempted to discourage other traders in Rupert's Land. Obviously this rationale would not conflict with the Company's major objective which was to derive profits from the sale of furs.<sup>51</sup> If the Company lost its "authority" for whatever reason Simpson believed that the Company would not suffer but the native population would, at least in the long term.<sup>52</sup> The latter would be "... left without regular supplies of clothing, ammunition and other absolute necessities, to

perish miserably of want, as during the time they have been under the Company's control, they have lost many of the arts by which, in their aboriginal savage state, they were able to maintain life."<sup>53</sup> Simpson's dire predictions were never confirmed at this time because the Canadian government declined to challenge the legal validity of the Company's charter although the report of the select committee enabled them to do so.<sup>54</sup>

Merivale played a significant role in the outcome of these proceedings insofar as they were decided in London. He did not take part in the inquiry as a witness but he was responsible for recommending that the question concerning the validity of the Company's charter be sent to the Law Officers in 1858.<sup>55</sup> This agency reported that the Canadian government or any other body could challenge the charter but would have to do so in the courts which would involve a long and very expensive process. Merivale drafted a letter to Edmund Head, then governor of Canada, warning him to advise the Canadian government of the difficulties if they decided to undertake the task. Echoing Ellice, Merivale concluded that the chief reasons for not opposing the Company at this time were:

1. The extreme practical difficulty in devising any substitute for the system of the Company in those distant regions, and
- 2ndly, by the belief I have been led to entertain that that system at once maintains peace & order among the Indians to a considerable extent, and also develops in the most advantageous way the only present wealth of the country, namely the produce of the fur bearing animals, of however little importance this may ultimately be to civilized man.<sup>56</sup>

Far from developing a consistent and effective policy for Rupert's Land Merivale and his colleagues had become in fact, by the late 1850's, creatures of the Company. With this advice from the Colonial

Office the Canadian government, confronted with a commercial crisis in 1857-1858 and political instability, did not challenge the Hudson's Bay Company's charter. The Company retained control over Rupert's Land until 1869.

The only other problem was the length of the Company's licence of exclusive trade which would come up for renewal on May 30, 1859.<sup>57</sup> In this aspect of the relations between the Hudson's Bay Company and the Colonial Office Merivale had some success. From the beginning of the negotiations he took a hard line and rejected the Company's assertions that there would be serious trouble in Rupert's Land if the licence expired without any agreement. He believed it was imperative to reassure both "parliament" and the British "public" that the Colonial Office did not have any "intention to favour the Company".<sup>58</sup> Perhaps Merivale had learned from the Vancouver Island débâcle. In any event proposals and counter-proposals were sent back and forth from Downing Street to the Company's headquarters in London. The Company wanted another twenty-one year extension which the Colonial Office adamantly refused to grant. The two adversaries also could not agree on the amount of compensation to be paid.<sup>59</sup> By the spring of 1859 with the licence due to expire, Merivale gave up hope of reaching a settlement.<sup>60</sup> The licence was terminated on May 30, 1859 without any serious repercussions in Rupert's Land. With this sole exception the Colonial Office was not able to limit the power of the Hudson's Bay Company.

Meanwhile the Company had already made arrangements with George Simpson to adapt to this new situation. In the summer of 1859 Simpson reported optimistically to his superiors on the use of a steamboat

to transport the Company's goods to and from the Red River colony. This mode of transportation was cheaper, safer and quicker than the traditional methods and steamboats became widely used in the middle and far north in the late nineteenth and twentieth centuries. The Company was not concerned about competition from private traders because its goods were cheaper and of a higher quality than those of its competitors and, above all, it had firm trading contacts with the native population.<sup>61</sup> In 1859 Merivale correctly observed that the immediate effect of the loss of the licence in Rupert's Land would be little or none". The Company would have to change its methods but otherwise it would be "business as usual".<sup>62</sup>

Merivale's minute accurately characterized the failure of the Colonial Office to modify significantly its relationship to the Hudson's Bay Company in the 1850's in the Pacific Northwest and Rupert's Land. The changes which were made, specifically the creation of two new colonies, were costly additions to the British Empire. In Rupert's Land it was "business as usual" for the Hudson's Bay Company. The impotence of the Colonial Office and its anomalous support of the Company's monopoly proved to be a strange aberration in the mid-nineteenth century, the so-called era of free trade imperialism. Nevertheless once again Merivale and the other members of the Colonial Office discovered that their policies had made little impact upon the formal or the informal parts of the British Empire.



## Notes to Chapter 8

1. In his description of the British North American colonies there is no mention of the Hudson's Bay Company or its territories, see Lectures, 73-106. Also compare with his ideas on free trade in Chapter 3 above.
2. The best analysis of Simpson is Galbraith, The Little Emperor, Governor Simpson of the Hudson's Bay Company, Toronto, 1976. There is no comparable study of Edward Ellice but see J.M. Colthart, "Edward Ellice", in Dictionary of Canadian Biography, Vol. 9, Toronto, 1976, 233-239.
3. H. Merivale, "Great Western Prairies", E.R., 183, 188-189; Lectures, 115-116. See also Gough, "The Character of the British Columbia Frontier", B.C. Studies, No. 32, Winter 1976-1977, 28-40.
4. H. Merivale, "Macgregor--American commerce, and statistics", E.R., 376, 385-393, 395.
5. H. Merivale, "Thornton on Over-population", E.R., Vol. 85, January 1847, 177.
6. Galbraith, The Hudson's Bay Company as an Imperial Factor, 1821-1869, Toronto, 1957, 78, 108-109, 284-285.
7. Gough, Royal Navy, 84-107.
8. H.B.C.A., A 12/4 George Simpson to Governors, April 24, 1848, ff. 95, September 7, 1848, ff. 231.
9. Knaplund, "James Stephen on Granting Vancouver Island to the Hudson's Bay Company, 1846-1848", British Columbia Historical Quarterly, Vol. 9, October 1945, 259-271; Galbraith, Hudson's Bay Company, 286.
10. C.O. 305/1 H. Merivale Minute May 20, 1848 on J.H. Pelly to Lord Grey, n.d., ff. 88. For Simpson's views on the parliamentary opposition see H.B.C.A., A 12/4 "Observations by Sir George Simpson on Speeches in the House of Commons and the House of Lords", March 28, 1849, ff. 445-467. For later reactions see Simpson to Governors, September 18, 1849, ff. 240. Also see Gough, Royal Navy, for a concise description of these proceedings, 86-87.
11. H.B.C.A., A 12/4 G. Simpson to Governors, June 24, 1848 ff. 133-139, November 21, 1848, ff. 350.
12. Ibid., A 8/4 J.H. Pelly to Lord Grey, September 13, 1848, ff. 131, June 15, 1849, ff. 191-192.

13. C.O. 305/2 H. Merivale Minute November 12, 1850 on R. Blanshard to Lord Grey July 10, 1850, ff. 36-37; Smith, Reminiscences of Helmcken, 135-136; H.B.C.A., G. Simpson to Governors, June 30, 1849, ff. 527.
14. C.O. 305/2 H. Merivale Minute, March 26, 1851 on R. Blanshard to Lord Grey October 19, 1850, ff. 45; C.O. 305/3 H. Merivale Minute August 13, 1851 on R. Blanshard to Lord Grey, May 12, 1851, ff. 19.
15. Smith, Reminiscences of Helmcken, 279-330 and see chapter 6 above for a complete analysis of the Fort Rupert affair. The reasons for Blanshard's resignation and the Colonial Office view of him are found in C.O. 305/2 R. Blanshard to Earl Grey November 18, 1850 ff. 48-50; H. Merivale Minute March 29, 1851 ff. 50-51. The report from Blanshard's doctor was enclosed in ff. 52-54. Also see the following for the transfer of power from Blanshard to James Douglas: C.O. 305/3 H. Merivale Minute August 13, 1851 on R. Blanshard to Earl Grey April 28, 1851 ff. 15; Earl Grey Minute February 4, 1852 ff. 46; H. Merivale Minute January 22, 1852 on J. Douglas to Earl Grey, October 31, 1851 ff. 68.
16. Gough, "British Columbia Frontier", 36; Fisher, Contact and Conflict, 49-72. See also: H.B.C.A., A 12/5 G. Simpson to Governors June 26, 1850 ff. 140; G. Simpson to A. Barclay April 5, 1851 ff. 369-370; G. Simpson to A. Barclay March 8, 1851 ff. 346.
17. H.B.C.A., A 12/5 G. Simpson to Governors June 26, 1850 ff. 141-142; A 8/6 J.H. Pelly to Earl Grey April 16, 1851 ff. 160; C.O. 305/3 H. Merivale Minute May 26, 1851 on Richard Blanshard to Earl Grey February 25, 1851 ff. 10; H. Merivale Minute November 10, 1851 on J.H. Pelly to Earl Grey November 7, 1851; Earl Grey Minute November 11, 1851 ff. 408.
18. H.B.C.A., A 12/6 G. Simpson to A. Barclay January 3, 1852 ff. 5; C.O. 305/3 H. Merivale Minute June 17, 1852 on Foreign Office to Admiralty May 8, 1852 ff. 342; A 12/6 G. Simpson to A. Barclay September 18, 1852 ff. 212; A 12/6 G. Simpson to A. Barclay December 18, 1852 ff. 275; C.O. 305/4 H. Merivale Minute July 14, 1853 on Colonial Land and Emigration Office to H. Merivale, July 4, 1853 ff. 222-223; H. Merivale Minute October 1, 1853 on J. Douglas to the Duke of Newcastle July 28, 1853 ff. 80. Also see Gough, Royal Navy, 132-134.
19. H.B.C.A., A 12/6 Colville to Governors July 21, 1852 ff. 131; G. Simpson to the Board of Management, Columbia District, August 30, 1852 ff. 202-203, 242.
20. C.O. 305/3 H. Merivale Minute December 6, 1852 on E. Colville to Sir J. Pakington December 1, 1852 ff. 478.

21. C.O. 305/5 H. Merivale Minute July 27, 1854 on J. Douglas to the Duke of Newcastle May 17, 1854 ff. 82.
22. C.O. 305/6 H. Merivale Minute February 15, 1856 on J. Douglas to W. Molesworth August 13, 1855 ff. 182-184; C.O. 305/7 H. Merivale Minute March 3, 1856 on J. Shepherd to H. Labouchere February 29, 1856 ff. 276-277; C.O. 305/7 H. Merivale Minute May 16, 1856 on J. Shepherd to H. Labouchere May 8, 1856 ff. 337-338.
23. Ellice Papers, E 91, E. Ellice to H. Labouchere, September 30, 1856 ff. 92-104.
24. C.O. 305/8 H. Merivale Minute September 21, 1857 on J. Douglas to H. Labouchere August 15, 1857; H. Labouchere Minute September 30, 1857 ff. 111.
25. Gough, "'Turbulent Frontiers' and British Expansion", 15-32.
26. C.O. 305/8 H. Merivale Minute March 7, 1858 on J. Douglas to H. Labouchere December 29, 1857 ff. 281-282.
27. H.B.C.A., A 12/9 G. Simpson to G. Smith February 8, 1858 ff. 43; G. Simpson to H. H. Berens, July 30, 1858 ff. 213.
28. C.O. 305/8 H. Merivale Minute March 22, 1858 on J. Douglas to Labouchere December 29, 1857, Lord Stanley Minute March 24, 1858, ff. 283-284. Also see Morrell, Gold Rushes, 119-134 and for a first hand account of the effects of the gold rushes on Victoria see Smith, Reminiscences of Helmcken, 157-163.
29. C.O. 305/9 H. Merivale Minute April 20, 1858 on Land and Emigration Commissioners to H. Merivale, April 20, 1858 ff. 326; C.O. 6/25 H. Merivale Minute June 18, 1858 on E. Hammond to H. Merivale June 17, 1858 ff. 309-310; C.O. 305/9 H. Merivale Minute July 15, 1858 on Sir Edward Bulwer Lytton to J. Douglas July 16, 1858 ff. 94.
30. C.O. 305/9 H. Merivale draft despatch, Sir Edward Bulwer Lytton to J. Douglas July 16, 1858 ff. 97-98, 101-104. For Simpson's attitude see H.B.C.A., A 12/9 George Simpson to W. Smith July 26, 1858 ff. 210.
31. C.O. 305/9 H. Merivale draft despatch Sir Edward Bulwer Lytton to James Douglas, July 16, 1858 ff. 106-107; H.B.C.A., A 12/9 G. Simpson to T. Fraser September 4, 1858 ff. 250; G. Simpson to T. Fraser December 27, 1858 ff. 359.
32. Smith, Reminiscences of Helmcken, 154-162.
33. C.O. 6/29 H. Merivale Minute August 12, 1858 on G. Nias to Lord Stanley July 3, 1858 ff. 8-9.

34. Lytton Papers, D/EK/01 H. Merivale to Sir Edward Bulwer Lytton August 13, 1858 unfoliated.
35. C.O. 6/26 H. Merivale Minute August 19, 1858 on H.H. Berens to Sir Edward Bulwer Lytton August 18, 1858 ff. 493.
36. C.O. 60/2 H. Merivale to A. Brown October 12, 1858 ff. 472.
37. H.B.C.A., A 12/10 G. Simpson to T. Fraser January 17, 1858, ff.26.
38. Ellice Papers, E. 91, A.G. Dallas to E. Ellice, July 25, 1859 ff. 117-130.
39. C.O. 60/4 H. Merivale Minute August 29, 1859 J. Douglas to Sir Edward Bulwer Lytton July 4, 1859 ff. 583; C.O. 60/5 H. Merivale Minute October 21, 1859 on J. Douglas to Duke of Newcastle, October 18, 1859, ff. 189.
40. C.O. 60/5 H. Merivale Memorandum to Duke of Newcastle on "H.B. Co. Lands in B.C." September 2, 1859, ff. 549-550. This memorandum became the basis for Merivale's letter to the Company, see H.B.C.A., A8/9 H. Merivale to H.H. Berens September 14, 1859 ff. 113-115. Also see C.O. 305/13 H. Merivale Minute October 26, 1859 on H.H. Berens to Duke of Newcastle, October 15, 1859 ff. 140-144.
41. Galbraith, Hudson's Bay Company, 305-307; C.O. 305/11 H. Merivale Memorandum December 6, 1859 "Land in Vanc. I. and Brit. Columbia" to Duke of Newcastle, ff. 402-407; C.O. 305/15 H. Merivale Minute January 23, 1860, Duke of Newcastle Minute January 28, 1860 on H. Merivale to H.H. Berens March 18, 1860 ff. 397-407.
42. Galbraith, Hudson's Bay Company, vii.
43. G.W. Martin, "British Attitudes to Prairie Settlement", Alberta Historical Review, Vol. 22, No. 1, Winter 1974, 1-11.
44. Unfortunately little evidence of their correspondence has survived but what is extant in the Ellice Papers is extremely illuminating. See also Galbraith, Hudson's Bay Company, 3-7, 15-23.
45. H.B.C.A., A12/4 George Simpson to J.H. Pelly, March 1, 1848, ff. 58-60.
46. H.B.C.A., A 12/6 George Simpson to A. Barclay September 19, 1853ff. 442-443, George Simpson to A. Barclay September 5, 1853, ff. 435; A 12/7 G. Simpson to A. Barclay, January 21, 1854 ff. 14; A 12/8 G. Simpson to G. Smith February 28, 1856 ff. 40.

47. H.B.C.A., A 12/7 G. Simpson to Governors June 30, 1854 ff. 40; A 12/7 George Simpson to Governors June 29, 1855 ff. 464; C.O. 42/608 H. Merivale Minute April 3, 1856 on Colonel Caldwell to H. Merivale March 31, 1856 ff. 139.
48. H.B.C.A., A 12/8 G. Simpson to Governors June 26, 1856 ff. 124-134, 137.
49. H.B.C.A., A 12/8 G. Simpson to J. Shepherd August 2, 1856 ff. 161; A 12/8 G. Simpson to J. Shepherd September 27, 1856 ff. 215-219.
50. Ellice Papers, E-91, E. Ellice to H. Labouchere September 30, 1856 ff. 92-104; H. Labouchere to E. Ellice October 14, 1856 ff. 102-104.
51. Compare Simpson's testimony to the select committee with his reports to the Company's directors; P.P., Report ... on the Hudson's Bay Company, 44-108, H.B.C.A., A 12/8 G. Simpson to J. Shepherd, January 26, 1857 ff. 389-390; G. Simpson to J. Swanston, May 14, 1857 ff. 457; A 12/9 G. Simpson to G. Smith, February 15, 1858 ff. 79.
52. H.B.C.A., A 12/8 G. Simpson to Governors June 30, 1857 ff. 481; G. Simpson to E. Colville August 8, 1857 ff. 520; A 12/9 G. Simpson to G. Smith April 12, 1858 ff. 125.
53. H.B.C.A., A 12/8 G. Simpson to J. Shepherd November 25, 1857 ff. 633.
54. H.B.C.A., A 12/8 G. Simpson to G. Smith December 14, 1857 ff. 650; A 12/9 G. Simpson to H.H. Berens, July 30, 1858 ff. 215; G. Simpson to H.H. Berens September 25, 1858 ff. 263-264.
55. C.O. 6/22 H. Merivale Minute July 30, 1858 on Law Officers to H. Labouchere July (n.d.) 1858 (but received July 9, 1858) ff. 204.
56. C.O. 42/615 H. Merivale draft copy of letter Sir Edward Bulwer Lytton to E. Head, August 12, 1858 ff. 56.
57. H.B.C.A., A 8/9 H. Merivale to H.H. Berens, January 15, 1859 ff. 28; C.O. 42/617 H. Merivale Minute February 16, 1859 on E. Head to Sir Edward Bulwer Lytton January 29, 1859, Lord Carnarvon Minute February 17, 1859 ff. 195-196; H.B.C.A., A 12/10 G. Simpson to T. Fraser February 21, 1859 ff. 58; G. Simpson to T. Fraser, April 18, 1859 ff. 102.

58. Lytton Papers, D/EK/01 H. Merivale Minute to Sir Edward Bulwer Lytton January 4, 1859 unfoliated.
  
59. C.O. 6/30 H. Merivale Minute January 18, 1859, Confidential Memorandum on "Hudson's Bay Company: State of the Case, with a view to possible Legislation this Session" to Sir Edward Bulwer Lytton January 12, 1859 ff. 352-363, 377-378; Ellice Papers, E 91, T. Fraser to E. Ellice January 24, 1859 ff. 115-116; C.O. 6/30 H. Merivale Minute February 9, 1859 on H.H. Berens to Sir Edward Bulwer Lytton February 2, 1859 H. Merivale draft despatch to H.H. Berens March 9, 1859 ff. 495-590; C.O. 6/30 H. Merivale Minute February 11, 1859 ff. 383-386; H. Merivale Minute February 22, 1859 ff. 387-388; H. Merivale Minute February 25, 1859 on "Précis for Cabinet" February 24, 1859, 539-540; H.B.C.A., A 8/9 H. Merivale to H.H. Berens March 9, 1859 ff. 71-76.
  
60. C.O. 6/30 H. Merivale Minute March 16, 1859 on H.H. Berens to Sir Edward Bulwer Lytton March 15, 1859 ff. 573.
  
61. H.B.C.A., A 12/10 G. Simpson to Governors June 21, 1859 ff. 156; G. Simpson to T. Fraser June 21, 1859 ff. 160-161.
  
62. C.O. 6/30 H. Merivale Minute July 1, 1859 to Sir Edward Bulwer Lytton ff. 391-393.

## Chapter 9: The India Office, 1860-1874

Merivale's transfer from the Colonial to the India Office might be interpreted as a promotion.<sup>1</sup> In fact his workload greatly lessened, his new position became virtually a sinecure and his knowledge of the British Empire was entirely wasted from 1860 to 1874. Before 1860 Merivale had very little interest in India and what he wrote was commonplace without any of the insights which characterized his writings about other regions of the Empire.

At the India Office he was more a spectator than a participant in the administration of India. If Merivale had been more knowledgeable about India it is still highly unlikely that he would have been influential because the office of the permanent undersecretary was severely circumscribed by the structure of the India Office, the great influence of the Council of India and also the virtual independence of the Supreme government in India. The India Office, as Merivale discovered, was much less able than the Colonial Office to control imperial affairs because India in the mid-nineteenth century had for all practical purposes internal self-government.

The reasons for Merivale's change to the India Office are not entirely clear. Herman Charles Merivale incorrectly surmised in his autobiography that his father left the Colonial Office at the "special request of the Duke of Argyll". The latter was not, however, Secretary of State for India in 1860 but only later from 1868 to 1874.<sup>2</sup> It has also been suggested that Merivale "... as a life-long Whig,... preferred to work under Sir Charles Wood rather than

under the ex-Peelite, Newcastle."<sup>3</sup> It may have been true that Merivale wanted to work with Sir Charles Wood but he certainly had no aversion to toiling in Downing Street with Newcastle. Newcastle and he had been colleagues for three years and moreover had a most amicable professional relationship.<sup>4</sup> Merivale undoubtedly accepted Wood's offer because of the administrative changes which were being made in Leadenhall Street.

After the Indian Mutiny the British government re-organized the manner in which it governed India. The Secretary of State for India and his Council, the permanent officials in the India Office and the Governor-General of India were now given the responsibility of governing India, replacing the East India Company and the Court of Directors. Sir George Russell Clerk, one of Merivale's colleagues at the Colonial Office, was appointed the first permanent under-secretary under this new regime in 1858. Two years later he was sent to Bombay as governor and it is likely that he had recommended Merivale to Wood.<sup>5</sup> Merivale probably became Clerk's successor because of his reputation as a capable administrator at the Colonial Office rather than for his knowledge of India and its problems.

Before 1860 Merivale had shown scant interest in India. During the first Afghan War he published an article in the Edinburgh Review concerning the "Court and Camp of Runjeet Singh". Runjeet Singh (Ranjit Singh) was an important leader in the northwest of India in the first half of the nineteenth century. His death and the lack of a capable successor led directly to the breakdown of the Punjab and its annexation to the British Empire. In April 1840 Merivale



described Ranjit Singh as a "barbarous chieftain" who was involved in "detestable profligacy". Compared with other "Eastern despots", he was one of the few "who will have left a better personal character in history, when little or nothing else is left of his name, and the fabric of his policy shall have fallen to pieces." The British government had failed to maintain the stability of Ranjit Singh's regime because of disunity within his kingdom and the enormous task of defending the great extremities of its borders. Military alliance or British occupation appeared to be the only alternatives but Merivale was sceptical of the efficacy of both. He argued that it was a "delusion" to "maintain Indian armies disciplined after the European fashion" because the latter would still require "... a great number of European officers, strong control by those officers over their men, regular pay and good treatment; and, above all, a systematic perseverance which no Indian government had ever shown."<sup>6</sup> In 1840 he believed the key to British rule of India was the ability of the Supreme government to control the native population. That view would be changed only by the Mutiny.

In 1841 in his Lectures Merivale had mentioned India only twice. It was, he wrote, not a colony like the others, that is, "... a territory of which the soil is entirely or principally owned by settlers from the mother country." India was, like the Hudson's Bay Company territories in British North America, and other "conquered districts, possessed by native inhabitants with a very slight admixture of the conquerors."<sup>7</sup> The native population had "... an established religion, a literature, and an ancient though imperfect

civilization...." As a result these people could not be easily assimilated by Christian missionaries. Merivale agreed fully with Thomas Macaulay's minute on education in 1835 that "Hindoos" could only be prepared for their adaptation to European civilization by means of education.<sup>8</sup> Despite being entirely unremarkable Merivale's attitudes to India and Indians were in 1841 representative of his contemporaries. He displayed no unusual interest in or concern for India as he had done for the rest of the British Empire at the same time.

At the Colonial Office, except for comparing the East India Company to the Hudson's Bay Company, Merivale remained unconcerned about India. In 1856, in reply to his brother's letter concerning the latter's comparison of the Roman with the British Empire, Merivale wrote: "I think you writers about Rome rather darken counsel by a multitude of comparisons. The Black Town of Calcutta, for all I ever heard of it, is a collection of huts...."<sup>9</sup> One year later, writing to Charles from the Colonial Office, Merivale's immediate concern was the impact of the Mutiny of 1857-1858. The "terrible massacres" were, he trusted, "only the first eruption of the disease--and if so, the hateful and brutal spirit of murderous revenge which has been excited here will subside." The next few years would probably be spent "punishing" Indians rather than on reconstruction. He doubted that there was anyone in Britain with a "definite plan" or whether "a standing committee of both houses on Indian affairs" would be able to find a satisfactory solution. He suggested that the answer could be found if parliamentary committees could be created.<sup>10</sup>

Tinkering with the political and administrative framework of the government of India was simply another ineffective liberal panacea. As he was to discover a few years later at the India Office neither he nor his colleagues were in a position to change fundamentally the ability of the British government to govern India.

A few months later Merivale revealed that he had begun to reflect on the causes of the Mutiny. The primary cause was the lack of "foresight" and "action" by the British government and the Directors of the East India Company, specifically "... the double, or much more properly triple, government--no unity of will, and a fatal division of responsibility." He concluded that "Anglo-Indian government of the last fifteen years had been a very indifferent one indeed." With the Mutiny almost over, however, the question of blame was a secondary consideration. India's future was more important and he was "... inclined to think (though with very little confidence) that the main point is to strengthen the local Indian government...." In order to implement this proposal a "makeshift Council" should be set up temporarily.<sup>11</sup> After the Mutiny a Council of India was created and it became an extremely important part of the India Office, thereby circumscribing Merivale's role as permanent undersecretary within the India Office.

From 1860 to 1874 Merivale continued to write on imperial affairs but his work on India remained insignificant. In 1867 he edited the second volume of the Memoirs of Sir Philip Francis. Francis had been a controversial member of the Council of Bengal

in the late eighteenth century. Merivale became interested in this subject because of speculations concerning Francis' authorship of the Junius letters. Merivale's primary interest was literary rather than imperial and consequently the Memoirs contain very little concerning Merivale's attitudes toward India.<sup>12</sup> His Life of Sir Henry Lawrence (1872) was insignificant and often hagiographical. Sir Henry Lawrence (1806-1874) was an Anglo-Indian administrator and a hero during the Mutiny. In his Preface Merivale confessed his own ignorance of this subject: "...was personally unacquainted both with Sir Henry Lawrence and with India, and am fully conscious how little my own literary habits could do towards redeeming such disadvantages."<sup>13</sup> This work revealed that Merivale had learned very little about India since his appointment to the India Office twelve years previously.<sup>14</sup>

At the Colonial Office Merivale had become more critical of certain aspects of the British Empire and the manner in which it was being governed. His comments on Lawrence and the Mutiny reveal that the opposite was true with regard to India. In 1872, comparing the Mutiny to the French Revolution in 1789, Merivale wrote that although the "... air was full of vague presentiments of danger, the wisest and the weakest alike were unable to forecast the actual shape which that danger was to assume." Nevertheless, and somewhat contradictorily, he argued that the "catastrophe" could have been averted if Lawrence had been prescient and had used his "influence and prestige". He concluded that Lawrence's "lasting and crowning services" included:

... the statesmanship and wisdom through which the Punjab became available in other hands than his as a main reservoir of the counteracting force, by which that mutiny was at last subdued, -- these, as regards the crisis in which he perished, constituted the lofty claim of Lawrence to rank among the highest in the rank of heroic fellow-labourers, military and civil, who saved for us the empire of India.<sup>15</sup>

Merivale, far from becoming more critical of Anglo-Indians or British rule of India, had enshrined Sir Henry Lawrence in the pantheon of British imperialists.

Until his transfer to the India Office Merivale's views on India were not unusual. Clearly he believed that India should be ruled by British administrators, like Sir Henry Lawrence, because the native population was incapable of doing so. When the Mutiny occurred he could merely advocate constitutional changes to obviate another one. Merivale's "biographies" of Francis and Lawrence reveal that he changed his ideas about India only slightly from 1860 to 1874 because he had only a very minor role in the administration of India.

In 1860, at the age of fifty-three, Merivale was confronted with the enormous task of learning how to help govern a part of the Empire of which he had scant knowledge. He was not given much opportunity by his colleagues to rectify this deficiency. His son's comment that Merivale enjoyed his new position "less" was certainly an understatement. The cause of this dissatisfaction, he explained to his son, was the "old story of 'too many cooks'". The formation of policy was divided unequally among the permanent staff, the Secretary of State, the parliamentary undersecretary and the Council.<sup>16</sup> Moreover the Office was virtually powerless because of the influence of Anglo-Indians on the Council of India.

The Secretary of State and the civil servants were largely concerned with administrative routine, essentially the same functions which were performed by assistant undersecretaries, clerks and the Secretary of State at the Colonial Office. Instead of being able to make important decisions Merivale soon discovered that he was being bypassed at the India Office. As one historian has argued recently, Merivale was "... ignorant of the greater part of Indian administration for some years after his appointment and preferred to let sleeping dogs lie." Primarily limited to "legal and constitutional questions" in the Judicial and Legislative Department Merivale's minutes were inconsequential compared with those of his colleagues. Most despatches were drafted by the secretaries or assistant secretaries of the various departments and then sent to committees for reappraisal. Lastly the despatches went to the permanent or the parliamentary undersecretary and the Secretary of State and the Council for final changes and approval. Unlike the Colonial Office procedure in which all despatches went through and were co-ordinated by the permanent undersecretary, at the India Office the despatches could be, and in the case of Merivale often were, subject to the careful scrutiny of the Council rather than the permanent undersecretary and the Secretary of State. Merivale spent his fourteen years at the India Office merely commenting on a limited number of despatches. Seldom was his advice ever considered.<sup>17</sup>

In 1862 in a letter to Sir George Russell Clerk, then in India, Merivale assessed his new situation: "I am very comfortable in your

old employment ... and find the change of work, and its comparative lightness, very satisfactory after several years at the Colonial Office."<sup>18</sup> Perhaps Merivale was satisfied with the lack of work because it gave him more time for his literary endeavours but it was a sad conclusion to his career as an administrator. Compared with his work at the Colonial Office Merivale's minutes and memoranda reveal that he did virtually nothing useful from 1860 to 1874. It would, however, be an exaggeration to argue that Merivale's impotence caused "... a lack of unanimity which was to have a deleterious effect on despatches and therefore on Home control."<sup>19</sup> The "rulers" of the British Empire, whether in Downing or in Leadenhall Streets, had, for very different reasons, virtually no control over imperial affairs in the early and mid-Victorian periods.

From 1860 to 1874 the India Office was relatively stable in its permanent and political components. There were six Secretaries of State but Wood and Argyll accounted for 12 of those 14 years. This continuity was reinforced because policies of the India Office were based on the "tyranny of the past". The Council contained an overwhelming number of Anglo-Indians. The latter had an extremely important role in the formation of policies in the 1860's and usually supported the objectives of the Supreme government in India. In addition the Council had a greater influence on policies within the Office because it was "interposed" as a filter between the permanent and political members of the Office. The Council had a similar function to the permanent undersecretary at the Colonial Office.

Confronted with a very different administrative process, lacking direct experience with or detailed knowledge of India, Merivale was redundant.<sup>20</sup>

At the Colonial Office Merivale had, at various times, a great deal of influence over the Secretary of State. In Leadenhall Street, even if Merivale would have had the same impact, it would not have mattered. The Secretary of State was, in many ways, in an almost impossible position. The first Secretary of State with whom Merivale worked was Sir Charles Wood (later Viscount Halifax). Wood and Merivale complemented one another but they were buffeted by a surfeit of information and conflicting policies. They were preoccupied with attempting to reconcile differences of opinion among members of Council and other members of the Home and Supreme governments. Wood's quietist policies were not distinguished by any "originality of thought" or action. The objective of these policies was to maintain stable relations between Britain and India and thereby prevent another Mutiny. The gradual and incomplete reforms introduced by Wood's administration were "cautious" and "unconstructive". Naively Wood believed that the self-help and industry of the native population would enable the British government to implement his policies. The latter were, however, divorced from the realities of life in nineteenth century India. He soon discovered, as Merivale had at the Colonial Office, that the British Empire could not be governed from London. Merivale did not influence Wood in any significant way and watched him make the same mistakes he himself had made at the Colonial Office.<sup>21</sup>



Merivale did not have as much sympathy for Wood's successors and he remained a spectator on Indian affairs.<sup>22</sup>

Merivale's work within the India Office was largely confined to the Judicial and Legislative Department and even here he had little influence. The India Office was not, like the Colonial Office, organized by geographical area but rather according to the subject matter. In Downing Street Merivale tended to specialize in regions of the Empire in which he had a particular interest, most notably British North America and southern Africa. At the India Office this mode of operation did not exist and Merivale never became thoroughly familiar with any subject or any particular part of India. In the Judicial and Legislative Department he continually attempted, with great futility, to apply legal precedents developed in Britain or in the colonies to India.

At the Colonial Office Merivale had relied on the colonial governors to obtain information concerning the problems of individual colonies. From 1866 to 1869 he had the advantage of corresponding with someone in India but only twice did he and Sir Henry Maine write about Indian matters. The bulk of their correspondence was concerned with domestic British politics. The Indian matters were confined to Maine's request for a second term in India, which Merivale succeeded in obtaining from Lord Cranbourne, with the consent of the Council of India.<sup>23</sup> In return Maine promised to find posts in India for a few of Merivale's friends.<sup>24</sup> In addition Merivale and Maine wrote in 1867 about the influence of Indian and British newspapers on the Home and Supreme governments. Merivale acknowledged

that he had not read Indian papers and was "indifferent" to their views. He also told Maine that the English press was seldom influenced by the Indian papers. The only exception was "... when capital is to be made by attacking the Indian or home government on matters for instance of commercial interest, or (more rarely) when some complaining Rajah is concerned, then Indian papers are eagerly read and have their effect." For the most part, however, when there were "... Indian quarrels between authorities and subordinates ... the general inclination is, in a languid way, to take part with the authority and smile at the press." The India Office, although not "newspaper-proof", was not frightened by what was printed in these papers because of "public indifference" to India.<sup>25</sup> By 1867 Merivale was still in a state of ignorance of India and appeared to be taking a more rigid approach to its governance, which was in stark contrast to his views on colonial self-government in the 1850's. India continued to be governed by the Supreme government rather than the India Office and Merivale's ideas simply did not matter.<sup>26</sup> The opening of the Suez Canal and the regular use of the telegraph in the 1870's would do more to change the relationship between Britain and India.<sup>27</sup>

As permanent undersecretary Merivale was involved in many miscellaneous questions most of which he undoubtedly did not fully comprehend.<sup>28</sup> He was circumscribed by his limited knowledge of India and his general knowledge of imperial affairs, so useful at the Colonial Office, was wasted. Sometimes he was responsible for

India's relations with the other parts of the British Empire, but, still in his "colonial world", Merivale was not an effective administrator at the India Office.

Merivale's primary concern was the migration of Indian labourers to other British colonies. Before 1860 he had taken a strictly legal interpretation of the rights of migrant labourers, had viewed them as a surplus commodity and was relatively insensitive to their plight. They were subordinated to his economic plans for the development of each region within the Empire. At Leadenhall Street he believed that Indian labourers should be exploited as much as possible without, paradoxically, adding to their hardships. In 1861, for example, he argued, in a letter to his successor at the Colonial Office, Sir Frederic Rogers, that convicts in the Straits Settlements had the right to stay where they were or to migrate to another part of the Empire after they had completed their obligations.<sup>29</sup> At the same time, although pointing out the abuses which occurred during the transportation of Indian labourers to Trinidad and Mauritius, he did not question the practice of migrant labour itself.<sup>30</sup> Merivale also supported this form of quasi-slavery in dealing with the re-emigration of "Indian coolies" from Réunion to New Caledonia and Queensland; to Penang in the Straits Settlements in 1871; to the West Indies and British Guiana in 1872; in the Coolie Convention of 1861. Three days before his death Merivale was still contemplating the question of Indian emigration to the West Indies.<sup>31</sup> He did not, however, act as a liaison between the India Office and the Colonial Office<sup>32</sup> or other government departments as he had done at the

Colonial Office in the 1850's.<sup>33</sup> In this respect Merivale's abilities were wasted at the India Office.

Merivale's lack of specific knowledge about Indian problems in the 1860's and 1870's helped to make him an impotent permanent undersecretary. He was given no opportunity to influence, much less to decide, important questions. Instead he merely commented on such miscellany as the slave trade on the east coast of Africa,<sup>34</sup> an invasion of the Sultan of Muscat's kingdom in 1866,<sup>35</sup> disarming operations on the northwest frontier,<sup>36</sup> laws concerning divorce and wills for Indians,<sup>37</sup> a proposed telegraph line between Rangoon and Singapore,<sup>38</sup> irrigation schemes designed to relieve famines,<sup>39</sup> and the problems encountered by the Archeological Survey of India.<sup>40</sup> Merivale must have been disquieted to see these questions being decided by his colleagues and the Supreme government in India. The tragedy of Merivale's administrative career was complete now that he was confined to trivia.

From 1860 to 1874 Merivale, as an administrator at the India Office, had no knowledge of India or any direct experience in dealing with the particular problems of that part of the British Empire. His role at the India Office was limited to trivial and miscellaneous questions and his impact on the formation of policy was almost non-existent especially if it is compared with his work at the Colonial Office. Sir Lewis Mallet, Merivale's cousin and successor, greatly exaggerated Merivale's importance when he wrote: "I worked all day in his place, and sometimes more. Yet an assistant undersecretary and a legal advisor had to be both appointed to

help me through. He seemed to do the whole of it without turning a hair."<sup>41</sup> The last sentence was probably the most accurate.

Merivale's obituary in The Times was also misleading: "Mr. Herman Merivale, whose name has been long and well known to Anglo-Indians as that of an able and painstaking Under-Secretary at the India Office, but whose merit as a writer has given him much wider and enduring fame."<sup>42</sup> A critical commentator on imperial affairs for twenty-five years, an imaginative, if not always a successful administrator at the Colonial Office, Herman Merivale was completely out of his element at the India Office. His impotence during his years in Leadenhall Street did, however, reveal that India, like the rest of the British Empire, was not ruled by policies developed by civil servants and politicians in London.

## Notes to Chapter 9

1. For the nineteenth century British view of India see:  
Fieldhouse, Economics and Empire, 156-157, 173-174;  
Bolt, Victorian Attitudes, 201-205.
2. H.C. Merivale, Bar, Stage and Platform, 4-5.
3. Clarke, "Attitude of the Colonial Office", 49.
4. Papers of the third Earl Grey, Journal, Vol. 15, Part 1,  
December 1, 1847, March 2, 1850; Newcastle Papers,  
NeC 10, 789, Duke of Newcastle to H. Merivale, June 12,  
1854, NeC 10, 900 "Memorandum by the Duke of Newcastle on  
Herman Merivale's Resignation", March 26, 1860 ff. 1-3, 33.
5. India Office Library (hereafter cited as I.O.L.), Wood Collection,  
MSS EUR. F. 78/112/2, Sir Charles Wood to Sir George Russell  
Clerk, August 1861 ff. 53; I.O.L., L/P & J/3 Vol. 1037,  
Public Despatches to India, Original Drafts (hereafter  
cited as O.D.), Sir Charles Wood to Governor-General of  
India, May 10, 1860, ff. 89. The first evidence of Merivale's  
presence at the India Office was on May 2, 1860, see L/P  
& J/3 Judicial and Legislative Despatches to India, O.D..  
Clerk was appointed Governor of Bombay before Merivale's  
appointment, see L/P & J/3 Vol. 1037, Public Despatches  
to India, O.D., ff. 134.
6. H. Merivale, "Court and Camp of Runjeet Sing", E.R., Vol. 71,  
April 1840, 265, 267, 274-275. See also for British views  
of India in the 1830's and 1840's, Stokes, English Utili-  
tarians and India, xi, xiii; John Roselli, Lord William  
Bentinck, The Making of a Liberal Imperialist, Berkeley,  
1974, 231-236.
7. H. Merivale, Lectures, xii.
8. Ibid., 532-533; Stokes, English Utilitarians and India, xiv;  
Clive, Macaulay, 342-399.
9. C. Merivale, Autobiography, H. Merivale to Charles Merivale  
June 12, 1856, 294; George Bearce, British Attitudes  
Towards India, 1784-1858, Oxford, 1961, 233-241.
10. C. Merivale, Autobiography, H. Merivale to Charles Merivale,  
September 1857, 302.
11. Ibid., H. Merivale to Charles Merivale, February 1, 1858,  
306-307.
12. H. Merivale and Joseph Parkes, Memoirs of Sir Philip Francis,  
London, 1867, viii.

13. H. Merivale and Sir Herbert Edwardes, Life of Sir Henry Lawrence, Vol. 2, London, 1872, vii. For a review see R.D. Mangles, "Life of Sir Henry Lawrence", E.R., 120-143. The latter is also entirely sympathetic to Lawrence.
14. Bearce, Attitudes to India, 296-306; Bolt, Victorian Attitudes, 157-205.
15. H. Merivale and Edwardes, Henry Lawrence, 238, 266, 367-369, 382.
16. H.C. Merivale, Bar, Stage and Platform, 66-67.
17. Donovan Williams, "The Formation of Policy in the India Office 1858-1866 with special reference to the Political, Judicial, Revenue, Public and Public Works Departments", Unpublished D.Phil. thesis, Oxford University, 1962, x, 30-31, 372; "The Council of India and the Relationship between the Home and Supreme Governments, 1858-1870", English Historical Review, Vol. 81, No. 118, January 1966, 61. Also see M. Seton, The India Office, London, 1926, in which Merivale is only mentioned twice, 182, 281-282.
18. Claude Clerk Collection, MSS EUR. D. 538/2, H. Merivale to Sir George Russell Clerk, January 3, 1862 ff. 199-202.
19. Williams, "Council of India", 61.
20. Williams, "The Formation of Policy in the India Office, (1859-1869): A Study in the Tyranny of the Past", T.K. Ravindran (editor) Journal of Indian History, Golden Jubilee Volume, Published by the Department of History, University of Kerlan, 1973, 875-889.
21. Robin J. Moore, Sir Charles Wood's Indian Policy, 1853-1866, Manchester, 1966, 5, 250-255. For contemporary and greatly exaggerated views of Merivale's influence see: C. Merivale, Autobiography, C. Merivale to Louisa Anne Merivale, July 18, 1860, 316; "The Weak Side of the House of Commons", Saturday Review, July 14, 1860, 34; "The Government of India", June 27, 1868, 833-834.
22. Papers of Sir Henry S. Maine, H. Merivale to Sir H.S. Maine, December 29, 1865; February 9, 1866; undated but probably 1866; December 17, 1866; undated but probably February 4, 1867; April 22, 1867. This entire collection is unfoliated.
23. Salisbury Papers, I.O.L., H. Merivale to Lord Cranbourne July 21, 1866, unfoliated; Papers of Sir H.S. Maine, H. Merivale to Sir H.S. Maine November 8, 1866.

24. Papers of Sir H.S. Maine, Fragment of letter H. Merivale to Sir H.S. Maine, undated but probably November or December 1866, H. Merivale to Sir H.S. Maine, February 9, 1866.
25. Ibid., H. Merivale to Sir H.S. Maine, February 4, 1867, July 29, 1867, Moore, Sir Charles Wood, 175-176.
26. Williams, "Council of India", 57, 65-69, 72-73; Moore, Sir Charles Wood, 248-249; Papers of Sir H.S. Maine, H. Merivale to Sir H.S. Maine, April 1, 1868.
27. Williams, "Formation of Policy in the India Office", 889-892; Papers of Sir H.S. Maine, H. Merivale to Sir H.S. Maine, July 23, 1868. For the impact of the Suez Canal see H. Merivale to Sir H.S. Maine, September 30, 1866, December 19, 1868, March 21, 1869. For the telegraph see: L/P & S/3 Vol. 160 Political Home Correspondence, Viceroy of India to the Secretary of State for India, August 28, 1868. This message was telegraphed in code from India to London.
28. Papers of Sir H.S. Maine, H. Merivale to Sir H.S. Maine, July 23, 1868, July 9, 1869; L/P & J/3 Vol. 1043, Public Despatches to India, O.D., H. Merivale August 27, 1866 on Lord Cranbourne to Governor-General of India, September 17, 1866, 314; L/P & S/6 Vol. 283, Political Despatches to India, H. Merivale Minute May 6, 1870, on Duke of Argyll to Governor-General of India, May 26, 1870; Cambridge University Library Add. MSS. 7349/15 Stephen Family Letters, H. Merivale to James Fitzjames Stephen, January 6, 1871, ff. 130.
29. H. Tinker, A New System of Slavery, London, 1974, 116-176; Merivale is specifically mentioned on pp. 162-163. L/P & S/3 Vol. 142 Political Home Correspondence, H. Merivale Marginal Note, undated but probably February 26, 1861 on draft letter Secretary of State to Sir Frederic Rogers, February 26, 1861.
30. L/P & J/3 Vol. 1038, Public Despatches to India, O.D., H. Merivale Minute, October 31, 1861 on Sir Charles Wood to Governor-General of India, November 23, 1861, 464; Vol. 1041, H. Merivale Minute April 4, 1864, on Colonial Office to the India Office, March 3, 1864, 106.
31. Ibid., Vol. 1048, H. Merivale Minutes of February 2 and 7, 1871 on Duke of Argyll to Governor-General of India March 2, 1871, 20; H. Merivale Minute May 30, 1871 on Duke of Argyll to Governor-General of India, June 23, 1871, 171; Vol. 1049 H. Merivale Marginal Note on draft despatch,



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32. There were only three examples: Carnarvon Papers, P.R.O. 30/6/150, H. Merivale to Lord Carnarvon, February 27, 1867, ff. 48-49; Morrell, British Colonial Policy in the Mid-Victorian Age, 422-432. For the second see L/P & S/3 Vol. 162 Political Home Correspondence, H. Merivale Marginal Note, January 2, 1869 on draft despatch, H. Merivale to Sir Frederic Rogers, January 4, 1869. The last example is in Vol. 178, H. Merivale Minute February 11, 1873 on Duke of Argyll to Treasury, undated and for the consequences see Winter, Robert Lowe, 288-295.
33. The following are the only exceptions: L/P & S/3 Vol. 148, H. Merivale Minutes October 8, 1863 and April 7, 1864, on E. Hammond to H. Merivale, October 3, 1863; Vol. 154 H. Merivale Minute June 4, 1867 on A.H. Layard to H. Merivale, June 1, 1866; Vol. 156, H. Merivale Minute January 10, 1867 on H. Merivale to Undersecretary, Foreign Office, January 31, 1867; Vol. 172, H. Merivale Minute August 22, 1871 on draft despatch H. Merivale to Undersecretary, Foreign Office, September 8, 1871; L/P & S/6 Political Despatches to India, Vol. 286, H. Merivale Minute March 28, 1872 on Duke of Argyll to Governor-General of India, April 30, 1872, 355.
34. L/P & S/3 Political Home Correspondence, Vol. 156, H. Merivale Minute January 17, 1867 on H. Merivale to Undersecretary, Foreign Office January 25, 1867; L/P & S/3 Political Home Correspondence, Vol. 162, H. Merivale Minute March 17, 1869 on H. Merivale to Admiralty, March 28, 1869. Also see Lloyd, Navy and the Slave Trade, 229-247, 255-274; G.S.

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38. L/P & S/3, Political Home Correspondence, Vol. 155, H. Merivale Minute November 19, 1866 on Seymour Clarke to Lord Cranbourne, November 14, 1866.
39. Papers of Sir H.S. Maine, H. Merivale to Sir H.S. Maine, April 22, 1867; L/P & S/3, Political Home Correspondence, Vol. 172, H. Merivale Minute, marked "Urgent" September 13, 1871 on H. Merivale to Undersecretary, Foreign Office, September 14, 1871.

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41. H.C. Merivale, Bar, Stage and Platform, 75-76.
42. The Times, February 9, 1874, "The Late Mr. Herman Merivale," 5. Also see the obituary in the Illustrated London News, February 21, 1874, 168.

## Conclusion

A study of Herman Merivale's career as an administrator and his association with the British Empire from 1837 to 1874 reveals a discrepancy between his imperial ideas and his actions at the Colonial Office. His official connection with the Empire was largely characterized by his repeated failure to implement the liberal panaceas which he had espoused in the 1830's and had later developed comprehensively in his Lectures on Colonization and Colonies in 1841. From 1860 Merivale was at the India Office and lacked any opportunity to make an impact upon the administration of the Empire. As an intellectual in imperial administration Merivale was never able to accomplish the extraordinarily unrealistic objectives to which he had adhered. In this sense his official life could be seen as a tragedy.

Like many of his British contemporaries Merivale had high expectations for British society at home and overseas. The sources of these ideals, at least in Merivale's case, came from liberalism, particularly the idea of progress, and his training at and connections with Oxford. Merivale's ideas were not unique, nevertheless his position was unusual because he was given the opportunity at the Colonial Office to carry out the suggestions which he had made as a commentator in the 1840's. In 1847, because of his Lectures, Merivale came to the attention of James Stephen and Lord Grey and was subsequently appointed assistant and then permanent undersecretary

at the Colonial Office. During the next four years Merivale underwent an administrative apprenticeship with Stephen and Grey and, with a few exceptions, was relatively uninfluential.

From 1852 to 1860 Merivale had a significant impact on British imperial policy. When dealing with such important questions as free trade, colonial self-government, the "native" question and the Hudson's Bay Company he found that he was being continually frustrated by the pragmatism of his colleagues and the inability of the Office to carry out its mandate, much less "rule" the colonies. Paradoxically, as his influence at the Colonial Office grew, Merivale discovered that his overall ability to effect the changes which he had advocated in his Lectures in 1841 decreased. His knowledge was disregarded by other members of the Office or was made irrelevant by the social and economic circumstances of individual colonies. As he observed in 1861 in the second edition of his Lectures, when reassessing British "native" policy, his ideas had been continually caught between "principle and immediate exigency". The greatest administrative fiasco occurred in 1858-1859 between Merivale and Sir George Grey in the Cape Colony over the important questions of "native" policy and colonial federation. These events may have greatly contributed to Merivale's resignation in March 1860.

When he left the Colonial Office Merivale became permanent undersecretary at the India Office. In Leadenhall Street Merivale realized that his position was severely circumscribed, especially

by the Anglo-Indians who dominated the Council of India. Moreover he lacked sufficient knowledge and experience and was lost in the complexity of the administration of India. As a consequence he remained in his "colonial world" for the last fourteen years of his life, rarely becoming involved in the process of decision-making and never doing more than commenting on miscellaneous problems, usually in the Judicial and Legislative department. Unlike his experience at the Colonial Office, Merivale discovered that he had an inordinate amount of time to pursue his literary interests. At the same time his interest in the Empire waned considerably. His relationship to the British Empire was symbolized by his honorary status with the Royal Colonial Institute. Only once, during the colonial "crisis" of 1869-1870,<sup>1</sup> did he venture to take up his pen and review the "colonial question" for the third and the last time.

In February 1870, in the Fortnightly Review, Merivale published a fitting epitaph to his imperial career. This article was only slightly different from his previous work in 1841 and 1861. Still largely thinking of the Empire in constitutional terms, he continued to assume that the existing relationship between Britain and the colonies would ultimately be strengthened by some method of imperial centralization. Merivale was not alone in maintaining this idealistic belief and this imperial idea was debated well into the twentieth century in Britain and in the white settlement colonies. This imperial idea, however, contradicted his experience as an administrator because he had contributed to the devolution of the

Empire at the Colonial Office in his advocacy of colonial self-government. Conversely he had also indicated in 1861 that he had been disappointed by the consequences of responsible government in the British North American colonies. In 1870 he expressed scepticism concerning the future of the new Dominion of Canada.

In 1870 Merivale wrote that British attitudes toward the Empire were characterized by a prevailing doom, that is, "... in a certain sense, the doom of Athens is already ours." Although the power which the Empire possessed was almost the same as it had been earlier in the nineteenth century, the constitutional ties which held together Britain and the colonies were becoming much weaker. Merivale was fairly optimistic despite the fears of his contemporaries that the British Empire was close to disintegration. In 1870 he tended to take a quietist position because he believed other commentators were exaggerating the extent of the problem. In this regard he failed to distinguish the differences between the constitutional and the sentimental ideas of the British Empire. He dispelled what he regarded as alarmist statements, by pointing out the degree to which the sentimental idea of Empire still existed in the white settlement colonies. Consequently Merivale misinterpreted the "colonial question" as it existed in 1870.

In his earlier analyses in 1841 and 1861 Merivale had proposed two general reasons for the maintenance of the British Empire. The Empire was supposed to benefit British trade and emigration as well as British policy. He had quite correctly regarded these

reasons as being essentially practical rather than sentimental. Of course his definition of "policy" was very general and often included many other ancillary motives. Changing circumstances rendered many of Merivale's imperial ideas obsolete by the 1870's.

In 1841 at Oxford he had written in an expansive tone that "the world seemed all open to us". In 1870 it appeared that all the best regions of the world had been colonized:

Emigration exists and multiplies; colonization is dead and buried. There is not an available space on the earth's surface, under a temperate climate, in which we or any one else could found a new colony on a large scale, if we would; and we have given away all the unoccupied land of our old provinces. But with colonial trade thrown open, and colonisation at an end, it is obvious that the leading motives which induced our ancestors to found and to maintain a colonial empire no longer exist. And the mere passion for additional conquest--for annexing to our dominion insulated spots all over the earth--has apparently ceased among us.

The best example of the British avoidance of this "mere passion for additional conquest" was, he argued, Fiji, which Britain had not annexed despite the rivalry of other imperial powers in the Pacific. Clearly Merivale had forgotten that at the Colonial Office he had been a participant in the "additional conquest" of the northern frontier of southern Africa, the colonies of Vancouver Island, British Columbia, the Queen Charlotte Islands and the expansion of the Hudson's Bay Company territories into the middle and far north of British North America.

It is significant that, in this article, Merivale did not anticipate the scramble for Africa because he did not believe that this continent was suitable for European colonization. He cited



environmental problems and the presence of hostile "native" populations as reasons for this attitude. His inability to implement the panaceas of insulation and amalgamation satisfactorily, the failure of the policy of withdrawal after the Kaffir War as well as the conflicts with Sir George Grey all contributed to his belief that Africa should best be left alone. His successors were forced to relearn the fact that the "native" question was extremely complicated and could not readily be solved, if at all. In 1870, of course, Merivale did not believe that Britain was threatened by other European empires in Africa. Paradoxically, therefore, Merivale stood on the brink of, but was unable to see the beginning of the development of a new "dependent" Empire. The "old" Empire, to which Merivale had devoted his official life, was nearly dead and he was out of sympathy with and could not understand the new energies and patterns which were taking shape and which would produce the scramble for Africa in the late nineteenth century. To assume that Merivale should have had the foresight to view events in this light would be to endow him with a greater prescience than he possessed.

Another important change which had led ostensibly to the "disintegration" of the British Empire in 1870 was the British policy of granting colonial self-government. The most prominent example was responsible government. The Colonial Office had bestowed responsible government on the eastern British North American colonies in order to avoid conflict between imperial

and colonial interests. In Merivale's view, responsible government, designed as a panacea to reform the imperial relationship and to enable the colonial governments to gain the experience of managing their own affairs, had proven to be a failure. The colonies had taken this political freedom only too readily and had then proceeded to quarrel over the forms of patronage which it gave to them. Their political institutions or their civil service were not developing as the Colonial Office had hoped. In southern Africa, Natal and the Cape Colony did not receive responsible government because of the great danger of frontier wars between the white settlers and Africans. This problem was similar to that which existed in Rupert's Land and in the Pacific Northwest. In these areas the presence of the Hudson's Bay Company mitigated against any form of self-government being granted. In 1870 Merivale concluded that, despite the "unparalleled progress of wealth and social improvement" in those colonies which had received responsible government, it was a "mere delusion" to believe "... we could combine both systems -- that of local independence and that of imperial centralization". Although he was not a separatist, Merivale was critical of the consequences of colonial self-government. The same was true for his views on free trade.

Merivale, a disciple of Adam Smith and the free trade movement of the 1830's and 1840's, was at the Colonial Office when the last of the Navigation Acts were removed. Although he was not responsible

for the advent of free trade in the British Empire, Merivale had to deal with the problems raised by its adoption. He became very disillusioned by the reaction of the British North American colonies to free trade. The colonies, which had been given the freedom to develop their own economies, immediately put up tariff barriers, either for the purpose of raising revenue or to protect their infant industries. In addition, losing their imperial preference, the British North American colonies, with the aid of Lord Elgin, agreed to sign a reciprocity treaty with the United States in 1854. The particular circumstances of each colony helped to determine its response to the British policy of free trade rather than any sentimental idea of Empire. Many of the white settlement colonies, in Merivale's words, "violate our cardinal principles of free trade". It could not have been otherwise because, once responsible government had been granted, there was very little that the British government could do to reverse this trend. It was only after his years at the Colonial Office that Merivale began to understand the contradictions inherent in British imperial policy, particularly the alarming and ever increasing discrepancy between imperial policy formulated in London and its practical implementation in each colony.

In 1870 Merivale wrote that the motives for British imperial policy in the early and mid-Victorian era, with respect to colonial self-government, were largely a product of self-interest: "to encourage the colonies to prepare for independence for their own

sake" and also "to relieve the people of this country from the share which they formerly bore in contributing towards their administration and defence." Since 1840 the British government had first of all reduced contributions to the governments of the white settlement colonies and then began to cut selectively their military establishments. This last development was still in progress when Merivale was writing in 1870 and it was a great problem for Lord Granville's administration.

Merivale, as we have seen above, completely supported all the major changes which had occurred in the British Empire since the 1830's when his interest was first kindled in the subject. Colonies should become financially self-sufficient as soon as possible and self-government would help these "flourishing young communities" to learn to rely on themselves. He warned, however, that this prescription for British imperial policy must be introduced gradually and not in a doctrinaire manner by British officials in London. If it were done otherwise separation might be considered by the white settlement colonies. These colonies would assume that "... Britain does not really care for a connection for which she steadily refuses to disburse anything more than she can possibly afford." At this juncture of his argument, ostensibly supporting Lord Granville's administration, Merivale concluded "... if there be such, who really imagine that the pride and 'prestige' of a vast empire are to be maintained without either paying for it ourselves or forcing our subjects to pay for

it, are dreaming of making ropes of sand and bricks without straw." By 1870 Merivale realized, at least as far as the white settlement colonies were concerned, that the tie which bound these colonies and Britain was only a "voluntary" one and therefore would last only as long as it was in the self-interest of both parties to maintain it. The best example was British North America.

By 1870 a number of the British North American colonies had become part of the new Dominion of Canada and in their domestic affairs had become completely independent of Britain. Canada was therefore related to Britain and the rest of the Empire by "allegiance" and by one further substantial connection -- the presence of British garrisons. The latter had remained and, in some cases, notably in the Pacific Northwest and Rupert's Land, had been augmented by Merivale's support in the 1850's. In British North America imperial defence was necessary to maintain law and order with respect to the native population and because of the presence of the United States. In southern Africa the garrisons remained to quell wars between the white settlers and Africans and to safeguard the sea routes to India. In 1870 Merivale concluded that there was little Britain could do except "at once sever the existing ties or to watch the course of events". Given his advocacy of the sentimental idea of Empire, Merivale chose the latter alternative.

It is significant that Merivale did not mention the British colonies in the Pacific Northwest and Rupert's Land in 1870

considering the degree to which he had been involved with them at the Colonial Office. One year earlier, however, the Hudson's Bay Company had given up its charter and Rupert's Land had become a part of the Canadian west. Manitoba entered Confederation as a new and self-governing province. In the Pacific Northwest, which then consisted of British Columbia which had representative institutions, there was growing strength among the British element of the population for entry into the Canadian Confederation. Nevertheless the problems which had plagued individual colonies in the 1850's still remained and continued to be sources of regional discontent in the late nineteenth and twentieth centuries. The Hudson's Bay Company was not as politically influential as it had been when Merivale was at the Colonial Office. The Office's inability to control chartered companies was another lesson which was to be forgotten by the next generation of imperial administrators. The most notorious example was the British South Africa Company.

Merivale also realized, from his experience in the 1850's, that the federation of the British North American colonies would not, like the panacea of responsible government, solve the political problems of Canada but would merely institutionalize them. The one dominant factor in Canadian life was the presence of the United States. Canadian economic development would be slow because large amounts of capital and skilled labour would be drawn to the United States. Whereas in 1841 Merivale had regarded the British North American colonies as important to the British Empire, in

1870 he observed them in much the same way he had viewed the United States in the 1840's. The revolution, which had begun in the British Empire in 1776, was, by 1870, almost complete. As far as the "colonial question" existed it now chiefly concerned the Australian colonies.

In 1870 Merivale argued that the Australian colonies were not very important to the British Empire, except for their proximity to Britain's developing informal empire in the Far East. As he expressed it aptly, because of "... the enormous extent of our trade, our influence, our empire in almost all but in name, over the east coasts of Asia, and the vast archipelago which lies between them and Australia." These colonies were less trouble, despite the fact that they were not federated, because they had no "native" problem. There was, therefore, no need for large numbers of British troops to be stationed there. The colonists paid for the cost of the British military presence and, in addition, there was no need for large-scale naval defence. It must be noted, however, that the situation in New Zealand was very different because of the presence of the Maori. Besides these practical advantages which existed in Australia, the Australians themselves appeared to be extremely loyal: "Add to loyalty the pride of a common empire, and the kindly emotions of a common race, and we have ranged on our side a mass of sound and disinterested sentiment, which it would not be easy to overrate." Obviously Merivale was struck by the possibility of developing a Commonwealth of Nations based upon an extension of the sentimental idea of Empire. The Australian

colonies would provide a suitable model for the development of an imperial federation in the future. Neither Merivale nor his British contemporaries were able to reconcile imperial federation and its implied centralization with colonial self-government.

Early in his career Merivale believed that schemes designed to strengthen the imperial connection would not succeed. In 1870 he argued, because colonial self-government had become an essential ingredient of British imperial policy, that any future plan for imperial federation must not attempt to take away the independence which had already been granted. Yet, paradoxically, he never gave up the idea that it might be possible to unify the Empire. If imperial unification was to work, however, it had to be practical. It would therefore not be possible to send colonial representatives to an imperial parliament. In the 1850's his experiences with colonial governors, and the problems created by the distances involved, led him to dismiss this suggestion as well as other similar ones. The vagaries of colonial politics also led him to conclude that imperial federation was against the "political tendencies" of his age. Federation, if it was to be secured, should be in accordance with imperial realities. The only realistic proposal was to develop a "council of colonial delegates" which would advise the Secretary of State for the Colonies. The council would only have a consultative function because the interests of Britain and the colonies were so different. All other schemes would, he reiterated, be either "useless or inconvenient". Merivale's critique of



imperial federation was based on his experience at the Colonial Office, was limited to the sentimental idea of Empire and did not go beyond the constitutional framework of the British Empire, as it existed in 1870.

In the late nineteenth century Merivale could foresee only one possible change in the nature of the British Empire. As he had predicted in the 1840's, the imperial connection might undergo significant modification if technological changes occurred. The increased use of railroads and steamships had been important changes in the 1840's and 1850's. In 1870 he believed that the opening of the Suez Canal and the increased use of the telegraph would, if properly used, lead eventually to the development of "one central management" for the Empire. Although he only mentioned this idea, Merivale was again thinking of increasing the power and the efficiency of the Colonial Office. The Colonial and the India Offices would be amalgamated with other branches of government which had jurisdiction over the Empire, such as the Crown Agents Office, in order to rule both the formal and informal parts of the Empire. Only with improved imperial communications and increasing centralization would it be possible to rejuvenate the British Empire.<sup>2</sup> Despite Merivale's suggestions in 1870, the British Empire expanded and, particularly in its informal aspects, became more dependent on Britain. In this process increased trade with and the strategic value of new colonies became important in the creation of a dependent Empire in Africa and the Far East.

Clearly Merivale's career symbolized the changes in imperial thought from the 1840's to the 1870's. In the 1840's Merivale, as an intellectual, represented the radicalism of this period with its advocacy of sweeping reforms on such important problems as the "native question", free trade and colonial self-government. Ironically Merivale had nothing to contribute to the most important example of this radicalism, the changes in the East India Company's rule under the influence of utilitarian doctrines. In the 1850's, as a practical administrator, Merivale was confronted with all the constraints which intellectuals in power discover, usually to their dismay or chagrin. He also experienced the increasing gloom of imperial thought because of the cumulative failures in southern Africa, British North America, the West Indies, and, above all else, the Mutiny in India. The radicalism of the 1840's had been tamed and moreover had produced a conservative reaction by the 1860's which was to continue until a new dependent Empire was created in the late nineteenth century. By the 1870's Merivale epitomized all these imperial moods. The tragedy of his official life was also that of the nineteenth century Empire. The monstrosity, called the British Empire, which had been acquired sometimes by design and other times almost in a "fit of absence of mind" was too large and complex for the Colonial or the India Office, much less Merivale, to control from London.

## Notes to Conclusion

1. Eldridge, England's Mission, contains the best analysis of this "crisis". See especially 53-91.
2. H. Merivale, "The Colonial Question in 1870", Fortnightly Review, 152-175.

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