NEW BOOKS

CANADA AND THE AMERICAN REVOLUTION. By George M. Wrong. The Macmillan Company of Canada, Limited. Toronto. 1935.

Canadian history, as a general narrative, has been treated rather unevenly by most writers. None could fail to convey something of the romance of the old régime, and the stirring century of struggle in America between England and France. But with the disruption of the first British Empire, the story tends to lag in interest, submerging the realities of history in dry, legalistic controversies and the rancours evoked by the great schism. In *Canada and the American Revolution* the emeritus professor of history at Toronto University completely avoids such criticism. In a delightful, easy flowing narrative, without giving any sense of compression, he gathers into a single volume the background and atmosphere, tendencies and personalities, that, taken together, brought about the profound change in human affairs known as the American Revolution.

The range of the book is wider than its title suggests. To set forth his theme in adequate perspective, the author uses a large canvas, depicting in his sweep the social and political system of Britain and her colonies, the problems raised by an alien culture in French Canada, and the complications of the European diplomatic balance. Throughout his discussion of England's policy in the eighteenth century, he looks before and after, pointing out a certain continuity in English reaction to political change. For instance: "While George III said that the true interest and happiness of the colonies consisted in subordination to Great Britain, Mr. Asquith, the prime minister, said in 1911, a century and a half later, that Great Britain alone must decide the issues in foreign affairs that might involve Canada and other self-governing parts of the Empire in war." The philosophy underlying this attitude is well stated by Professor Wrong:

> We cannot doubt the sincerity of these convictions. They show the normal working of the political mind encased in the older tradition that meant blindness to forces involving change. Modern thought, impregnated with the conception of evolution, regards society as a living organism, containing within itself the seeds of both decay and growth. We have abundant reason to cease to think even of a supposed changeless East. We know now that incessantly man himself is altered in outlook by his environment and by ideas that reach his mind. This law, valid for every generation, was not grasped by the political mind of England in either the eighteenth or the early nineteenth century....There is this excuse for the governing class in 1763, that social England had itself changed but little during the previous hundred years....The forces of change were, of course, working, but so slowly as hardly to attract attention. Consequently the land-owner of the eighteenth century, who believed that his own society was based on eternal

foundations, was not likely to understand uneasy forces far away across three thousand miles of ocean.

Perhaps the most vivid passages in this study are the pictures of English society, enlivened as they are by intimate touches from the diarists of the age, of whom gossipy Walpole and the incomparable Boswell were but two among many. The chapter on the British political system under George III is a realistic sketch of the unreformed parliament, with its placemen and jobbery (one member of the House of Commons held the office of turnspit in the royal kitchen), its second-rate talent and the general lack of political information, especially about the colonies:

> Naturally, the British mind was, and it still remains, essentially European in outlook, though in these later years a slow realization of forces that involve the decline of Europe in world affairs is taking place.... We may doubt whether, until the crisis came, more than a few members of the House of Commons had ever seen a colony, or heard of colonial leaders, or read an American newspaper or pamphlet, of which, as Chatham and Burke well knew, many were of fine quality.

The Canadian scene, as it unfolds itself between the two peace treaties of Paris (1763-83), is skilfully kept in close relationship with the momentous events of that period. Both at first and afterwards, in the winding-up of the old Empire, the protagonist was Sir Guy Carleton, who became the chief moulding influence in Canada after the Revolution:

> At first as lieutenant-governor, and after 1768 as governor, Carleton shaped the system that made Canada a stronghold of both British and French tradition; he defended Canada and saved it as a British state when the English colonies themselves broke away. In the end he gathered at New York and guided to new homes the loyalists whom the young republic drove out; and he was governor-general when, after thirty years of well-meaning despotism, Canada received the measure of control by its own people that has expanded into the democracy of to-day.

By contrast, his brother Thomas in New Brunswick "was a normal type of the rather stilted British officer of the time, with a chilly manner and little tact and capacity to unbend." Thus, through the interaction of all sorts—those amenable to the lessons of history, as well as those given to the "backward glance"—Canada moved along the path of political evolution, an example of how a colony may achieve complete autonomy and yet retain its old allegiance within the bounds of a Commonwealth of Nations.

As a brief, yet adequate, account of the American Revolution, especially as it affected Canada, this book should be widely read for its ripe scholarship and urbane style. It is as fascinating as a volume of Parkman—which is high praise.

H. F. M.

BROADUS AND BROADUS. A Book of Canadian Prose and Verse. Macmillans in Canada. Pp. 415, Price: $2.50.

WASHINGTON IRVING. Representative Selections, ed. Pochmann. American Writers Series. American Book Co. Pp. 389. Price: $1.50.

NATHANIEL HAWTHORNE. Representative Selections, ed. Austin Warren. American Writers Series. American Book Co. Pp. xci-368. Price: $1.50.

Although these three books seem designed primarily for college use, they can all be highly recommended to the lay reader. The first is a thoroughly revised edition of a standard anthology of Canadian literature. Prof. and Mrs. Broadus have omitted some former selections, substituting for them more significant and more nearly contemporary material. This policy has heightened the usefulness of the work. Moreover, the editors have not felt themselves obliged to represent every Canadian poetaster and prose writer; the result is that the anthology gives the reader more selections from the really good Canadian writers. As the material is arranged in both sections chronologically, the reader can watch our literary development. On the whole, there has been real progress; this is more noticeable in the prose section, where one is impressed by the naturalness, economy, and power of one's contemporaries.

The two American volumes are part of a new series. If the subsequent volumes are on the same level as these, the series will be a real contribution to the study of American literature. The selection of material is excellent, the notes are brief but very helpful, and the introductions give excellent estimates and interpretations of the authors. Prof. Warren's introduction is to be particularly commended. It is not merely an introduction to a college text, but a significant essay on Hawthorne. There is nothing pedantic in the approach, and nothing pedestrian in the style. Prof. Warren is not merely an editor; he is likewise a penetrating critic and a prose artist.

B. M.

CIVILIZATION AND THE GROWTH OF LAW. By William A. Robson, Ph.D., LL.M., B.Sc. (Econ.); Barrister-at-Law of Lincoln's Inn; Reader in Administrative Law in the University of London. Macmillan.

"This book is a study of the relations between people's ideas about the Universe and the Institutions of Law and Government." Dr. Robson, who is well known in Canada as the author of *Justice and Administrative Law*, has turned from administrative law, that controversial border-land of law and political science, to another but more

placid border-land, that between law and the other social sciences; he has been brave in emerging from the specialised corner of public law of which he is an acknowledged master, to the writing of a monograph upon the universal history of legal ideas. But somebody must always be first—and who better fitted than that intrepid pioneer?

The volume consists of three essays, and the material—for none of which the author makes any claim to originality—is drawn from studies on legal history both ancient and modern, from the contemporary investigations of anthropologists into the social customs of primitive peoples, and from works by leaders of scientific thought to-day. The greatest difficulty which faces a pioneer in any borderland subject, omnivorous reader as he must be, is to avoid losing the wood of his thesis among the trees of his examples. Especially must he harden his heart against examples which, though interesting pieces of information in themselves, are only partially relevant to the matter in hand. Dr. Robson has been too soft-hearted; but whether the reader has thereby lost or gained will depend upon what manner of man that reader is. For the general reader, the mass of anecdote will sugar the pill of thesis; but the present reviewer, who was patiently seeking an exposition of doctrine, caught himself wishing that the author had followed the practice of some legal text-writers in distinguishing doctrine from example by the use of black letters.

The first, the longest and by far the most suggestive of the essays, entitled "The Origins of Law", deals with the influence of religious and magical ideas upon the administration of justice. There is no lack of dreary treatises—museum catalogues, they should be called—upon the court history of English legal concepts; now comes Dr. Robson and shows us not the works merely, but what made the works go. Place the *lex talionis* and the wager of law before the proper background of magic, and for the first time they are seen in true perspective, not as mystic nonsense which cannot ever have been true, but as alive and inevitable institutions. Bear in mind the necessity felt by all primitive communities of freeing themselves from the pollution of the spirits of the dead, and at once you have at least a plausible answer to the difficult question of how the community in general came to interest itself in the punishment of wrong-doers.

The author maintains that the nature of a society's law and its methods of enforcement will depend upon the views which that society holds about the part which God plays in the Universe. So long as it believes all earthly happenings to be the work of supernatural powers, and it can discern no order in their activities, its law will continue to be full of superstition and empty of reason and order. So long as the life of man and the manifestations of Nature are regarded as without order and at the mercy of a spirit or spirits, primitive law will bear no resemblance to the ordered rules of a mature system; there will be no rules to guide future action; it will not make any show of being based on reason; it will probably lack sanctions. Instead, it will consist of a mass of unconnected general statements, civil, moral and religious, which have been enunciated by sacro-sanct persons in the course of their inspired settlement of particular disputes; its enforcement will rest, not with the organised power of aggrieved society—society indeed hardly feels itself aggrieved—but with

the divine vengeance; the rules themselves, having been laid down by God, cannot be changed without committing an act of impiety. Pass now from substantive law to procedure; since God is just and will not suffer the innocent to perish, the guilt or innocence of an accused person may very sensibly and logically be determined by the ordeal of fire or water or the ploughshares; since the vengeance of God can be magically turned by a man against another or against himself, criminal law needs no further sanction than the curse, and perjury under oath is nothing less than deliberate suicide. That, in substance, is the author's theme.

Two questions then suggest themselves: how did we, for instance, get our system of reasoned judicial decision? How did we get our sovereign legislature, with its admitted power of deliberately laying new law? The first question is apparently left unanswered, but in Chapter XII the author traces out the devious historical path which produced the power to make new law and placed that power in the hands of the representatives of the people. Interesting as that story is, one cannot help feeling that in this and the second essay—as indeed in all writings upon the history of ideas—the influence of theories on events is liable to be exaggerated. To ascribe the French or American Revolutions to the theory of natural rights, or to refer the emergence of a sovereign legislature ultimately to a few scholars in Bologna, is to mistake the fuse of theory for the gunpowder of economic, social or other pressure, wholly unsuspected it may be. To take just one example—the constitutional revolution of an election is always fought upon some issue, but even contemporary writers are hard put to it to assess the part, if any, played by that issue in the result; how much more difficult it is for an historian, with nothing but written material to guide him in his search for what men were really thinking, to assess the effect of vague, and to him unfamiliar, ideas upon events long past. With the end of the first essay one feels that the author has lost the thread of his thesis; he becomes too busy creating the background to show, at any rate with any clarity, how the notion of an ordered universe or the modern approach to the study of natural phenomena has influenced political and legal institutions. Above all, despite the title of the whole volume, and the titles to the two remaining essays, both of which contain the word "law", he has something to say about the influence of extrinsic ideas upon economics, something about their influence upon government, but nothing at all about their influence upon law.

The second essay is, in effect, a discursus on the history and consequences of the notion of the Law of Nature. Dr. Robson contrasts the notion of a universal law, which assumes order and is dependent on reason, with the superstitious basis of primitive law which he discussed in the first essay. He has, however, to admit that that notion has played an utterly negligible part in the development of English law, and may to-day be said to be absent even from English academic legal thought. He deplores that fact, accuses us of lacking nobility; he wonders how English law can get along without an "end". Once again the reviewer parts company with the author. A judge is appointed to administer—"administer" is exactly the right word—

justice, and the rules which the law contains for his guidance are, for the most part, classified common-sense. If Dr. Robson asks how a judge can do his work unless he has an "end", the answer is that in deciding the dispute before him he follows the end of his very sensible nose, and does not find it necessary to postulate an ideal law, or indeed to enunciate any wide general rule; it is sufficient for him to know that the next judge who has to deal with the same problem will follow an equally sensible nose far enough along the trail to dispose of the dispute which has come before *him*. In a word, the English law consists of a set of rules to guide the judges in a process of administration, the administration of justice.

The remaining essay, "The Nature of Law", scornfully rejects as false the importance given by Austin to the idea of "command" and "obedience" in connection with law, in favour of the author's theory that law is a formulation of the pattern of social behaviour, or, to put it more simply if a little inaccurately, a formal statement of what men habitually do in their community relations; law-makers are like scientists in that they do not make laws, but discover them. Surely Austin, that much battered Jack-in-the-box, is no more or less right than Robson; it is all a question of the particular aspect of law you choose to look at. To Robson one may say, "Are the rules of the Agricultural Marketing Act or of the Unemployment Insurance Acts a statement of what men habitually do?" Of Austin one may ask, "Has a commercial practice any more binding effect after its incorporation in the Law Reports than before?" English law at any given moment consists partly of ideas which are being bludgeoned into society by its leaders, and for the rest, of ideas which have long been accepted by that society without question. Both authors can point to indubitable instances of the truth of their apparently inconsistent theories.

Chapter IV, "The Interactions of Law and Science," the only chapter in the essay which is directly relevant to the author's main thesis—that man's ideas about the universe influence his system of law—is disappointing, in that while it points out the effect of the Newtonian and Darwinian theories upon the fundamental notions of economics and government, at no place does it touch the English legal system.

Frankly, the reviewer was disappointed in this volume. But perhaps he approached it from the wrong point of view. With the first essay he felt that the kettle was on the fire and coming to the boil; in a minute, when the author came to reason and law, and modern thought and law, there would be a nice cup of tea. But with the end of the first essay the fire died down, the kettle went off the boil, and there was little but random reflections left; the author had deserted his main purpose just at the moment when it seemed likely to be the most interesting and instructive.

JOHN WILLIS.

ADMIRALTY LAW IN CANADA. By Charles J. Burchell, K.C., 1935.

This is a series of lectures delivered by Mr. Burchell at the Law School, McGill University, Montreal, in February, 1935, as part of the exchange course of lectures between Osgoode Hall, McGill University and Dalhousie University.

Mr. Burchell, who practises law at Halifax, Nova Scotia, has been for many years lecturer on Admiralty Law at Dalhousie University. He was Chairman of the Imperial Committee on Merchant Shipping Legislation at the Conference on the operation of Dominion Legislation and Merchant Shipping Legislation held in London, September to December, 1929.

Maritime Liens is the chief topic of the lectures. The lecturer deals with the problem as to whether or not the provisions of the International Convention for the unification of certain laws relating to Maritime Liens, approved at the Brussels International Conference, 1926, should be adopted in Canada and throughout the British Empire. He points out that the adoption of such provisions would mean important changes in our law, which would be generally favourable to cargo owners and ships' passengers, and that their adoption would probably meet with strong opposition from shipowners, while getting the warm support of merchants and shippers. Mr. Burchell also deals with the question as to whether the Canadian Admiralty Act, 1934, should not be amended so as to codify our law relating to Maritime Liens. He reaches the conclusion that an amendment is necessary, and that the existing law should be clarified and codified. Strong and convincing reasons are given for the conclusion reached. He makes out a strong case, too, for the enlargement of the jurisdiction of our Canadian Admiralty Courts, and for the establishment of a special Court of Appeal composed of Judges trained in Admiralty law.

Mr. Burchell has a thorough, practical knowledge of the subject dealt with by him, and knows how to impart it to others. The arrangement is clear, the exposition not less so, and what lawyers and students of the law will appreciate is the timeliness and practicality of the matters considered. There has been reprinted as an appendix to the lectures an admirable and forceful article of the lecturer on Canadian Admiralty Jurisdiction and Shipping Laws which appeared in the *Law Quarterly Review*, July, 1929.

W. C. MACDONALD.

THE COMPLETE POEMS OF FRANCIS SHERMAN. Edited with a Memoir bv Lorne Pierce, and Foreword by Sir Charles G. D. Roberts. Ryerson Press, Toronto. Pp. ix-178. Price $3.00.

This volume should be warmly welcomed by students and lovers of Canadian poetry. Most of us have read one or two of Sherman's poems in an anthology, and have heard vague references to the man himself, but further acquaintance has heretofore been almost impossible through lack of material. Now the Ryerson Press has removed this

obstacle by publishing this beautiful limited edition. The binding is attractive, as are the paper and the typography; the woodcuts by Thoreau Macdonald are most pleasing; the essays of Dr. Pierce and Sir Charles G. D. Roberts tell us all that we are likely to know of Sherman, and on the whole evaluate his work justly. Even a bibliography has been provided us, with letters of Sherman pertinent to the publication of his booklets, and some early criticisms.

Francis Sherman was born in Fredericton in 1871. In 1887, after a year in college, he entered upon a banking career, during which he laid the foundations of the Canadian banking system in Cuba and rose to be assistant general manager of the Royal Bank of Canada. In 1915 he enlisted as a private—an act characteristic of this unassuming, modest person—and he served throughout the war. He intended resuming his profession, but ill health caused him to retire in 1919. He died in 1926. There was one great sorrow in his life: about 1898, his fiancée was stricken with infantile paralysis; she lingered for a few years and finally succumbed.

One wishes that the date of the young lady's death had been given by Sir Charles or Dr. Pierce. Is it 1900 or 1901? The point is relevant. Sherman began writing presumably about 1893, and publishing in 1896. His last volume is dated 1900, and his last poem 1901. Was the death of Miss Whelpley the cause of this drying up of inspiration? If so, had his creative faculty first been aroused by his meeting the young lady?

In reading this volume we must remember, then, that the poems were written in the 1890's. Sherman was strongly influenced by the poetry and ideals of William Morris and Rossetti. Hence we have a number of ballads on mediaeval themes with the inevitable refrains and parenthesis, and the worship of red, gold, red gold, and corn yellow. But Sherman was saved from mere imitation by his own simplicity and honesty and—shall we say, a Canadian directness. His admiration of Morris induced him to lament the master's death in *In Memorabilia Mortis* (1896), a sequence of beautiful sonnets that ranks high in his work and in modern sonneteering. This discipleship also explains the tendency to use poetic or archaic diction in the earlier poems. But when Sherman wrote of his native scene, he broke, even in his first volume, from this weakness. In his most successful sequence of poems, *A Canadian Calendar*, the diction is limpid and natural, even conversational in tone; it would be no exaggeration to say that in large part the success of the sequence is due to the advance in diction.

Especially in the earlier poems, Sherman shows a religious bent. He is saved, however, from triteness or religiosity by his manifest freshness and sincerity. His dominant note is elegiac. At first the tinge of melancholy may seem like a pose—a touch of the contemporary "fin de siècle" attitude; but this feeling passes away when we delve below the surface, to find fortitude and idealism. A few stanzas from "The Mother" will illustrate this elegiac quality:

> The long dark night crawled slowly on;
> I waited patiently,
> Knowing at last the sudden dawn,
> Sometime, would surely be.

It came,—to tell me everything
Was Winter's quiet slave:
I waited still, aware that Spring
Was strong to come and save.

And then Spring came, and I was glad
A few expectant hours;
Until I learned the things I had
Were only withered flowers

Because there came not with the Spring
As in the ancient days—
The sound of his feet pattering
Along Spring's open ways;

With a "late discovery" there is always danger of unbalanced appreciation, and both Sir Charles and Dr. Pierce tend to use too many superlatives. Sherman had his limitations: his verse is lacking in humour, and he seems not to have had a strong singing quality. Freshness and simplicity he has, but his poems rarely rise spontaneously on wings. Sir Charles praises the perfection of the sonnets. They are noble in subject, and often very fine in workmanship, but most of them just fail of perfection. Nor is the reason far to seek. The Petrarchan sonnet, which Sherman favoured, is not only divided into octave and sestet, but the quatrains of the octave by the nature of the rhyme—*abba*—should be clearly marked entities. Sherman seems rarely to have felt this quality of the quatrains, and so the reader's ear is jarred by enjambement. Again, although the sonnet was a product of mediaeval writers, notably Dante, to English readers it is a characteristic creation of the Renaissance. Must not then an expression like "in some far countrie" disturb the reader's sensibility? Occasionally, too, Sherman's ear seemingly misled him into such cacophonous phrases as "At rest at last" (p. 53), "came often even" (p. 108). Sherman impresses the reader with his command of many metres, but to the present reviewer his handling of blank verse in "An Acadian Easter" is unfortunate. Too many lines are pedestrian, and a couplet like

"And yet", she said, "beyond the outer seas,
Far off, in France, among the white, white lilies,

especially with an unavoidable wrenched accent, has no place in a blank verse paragraph. But these are minor points, and Zoilus can find legitimate game in the collected poems of the greatest writers. The final impression the reader carries away from Sherman's work is of a sensitive, attractive personality, finely endowed with insight, feeling, and powers of expression.

Should there be another edition of these poems, certain minor typographical errors should be corrected. On p. 13, last line, 1909 should read 1919. For *upon* (p. 133, 4 lines up) read *open*. On p. 158, the period after *Mother* should be deleted. In the footnote on p. 166, should not *MSS* be *MS?* And, finally, on p. 169, line 5, for *punctuatuion* we should read *punctuation.*

B. M.

OUR CANADIAN LITERATURE: REPRESENTATIVE VERSE, ENGLISH AND FRENCH. Chosen by Bliss Carman and Lorne Pierce. Ryerson Press, Toronto. Pp. xxii-361. Price $3.00.

Certain distinctive features should make this anthology, the first new one in about ten years, popular. The English section is the work of the late Bliss Carman. It is interesting to have the critical judgment of our greatest poet on our verse. Carman did not hesitate to sift our output very thoroughly; consequently, what is in this volume represents the best of our heritage.

In the second place, about one half of the book is devoted to French poetry. This is as it should be; and if this volume helps to break down the "splendid isolation", the intellectual and cultural snobbery of Anglo-Canadians, it will achieve an important national task. One more advantage might be mentioned. The strongest objection to courses in Canadian literature in our colleges is that such courses are likely to be "snap" courses. Now if we realize that Canadian literature is in both French and English, instructors can frame courses that demand real effort on the part of the students.

Too frequently anthologies end just where they should be most useful and interesting: with our younger contemporaries. Most of us from our school days and our older anthologies know the standard Canadian poets—but where are we to meet the new writers? We cannot buy all the new volumes of verse. Bliss Carman and Lorne Pierce have faced this difficulty admirably: in the English section we find such names as Audrey Alexandra Brown and Leo Kennedy; in the French, such as Alfred DesRochers and Robert Choquette.

Indeed the reviewer has been puzzled by only one question. Why does this, like other anthologies, fail to give in these days of sex equality the dates of birth of the women contributors? What is sauce for the gander....

B. M.

ROUND THE COUNCIL FIRES. By Mary Weekes. Ryerson Press. Pp. 113. $1.25.

This book should find a warm welcome from parents and teachers of history. There are nine sketches of the conflict of Indian and white man, ranging from Port Royal to the Pacific Coast. The majority of them deal with the taking over of the Indian lands in the present provinces of Alberta and Saskatchewan; as Mrs. Weekes is a resident of Regina, she has made the most of her opportunities to interview the few survivors of the events. Certainly in these sketches of the prairies she has very interesting and valuable new material. The author is to be congratulated on her avoidance of too high colours of romance on the one hand, and too much sentimentality on the other. If any criticism is to be offered, it might be of the style, which is occasionally a trifle vivid; still, a colourful use of words will appeal more to youths, for whom the book is primarily intended, than would a drier, more academic tone.

B. M.

THE CAUSES OF THE WORLD WAR: AN HISTORICAL SUMMARY. By Camille Bloch. George Allen and Unwin Ltd., London. 1935.

This compact little book is written by a professor at the Sorbonne, who is the Director of the Library and Museum of the Great War near Paris. To older students of affairs, the author's name will recall Jean de Bloch, the Polish banker, who wrote so forcibly on the future of war a generation or two ago. The earlier writer forecast the results of a world war, should it ever occur, but concluded that such a war would be impossible. The present writer sets forth the causes of the actual world war which, as now seen in retrospect, lay in the logic of history, in spite of the eminent logicians who rendered many reasons against it.

The scope of the book is really confined to the proximate causes of the War—the crisis of Sarajevo and the diplomatic catastrophe of the Twelve Days. The purpose of the author is explained in his preface:

> The object of this book, which is deliberately set down in plain conversational language, without any pretension to literary polish, is to give a brief account of the events of the period reduced to their essentials; to exhibit in broad outlines their sequence, inter-relationship, and general colour, and to present the quality of the atmosphere in which they took place....I believe that such a summary may prove of value. It is naturally addressed not so much to specialists as to the general reader, who would be overwhelmed or discouraged by the mass of official documents, special propaganda, legal commentaries, and technical historical works which have been published on the subject; for the number of texts and other works to which reference is needed runs into several tens of thousands.

But while writing for the layman, the author keeps in mind the need to verify his narrative and to be impersonal in his opinions. Along with quotations from essential documents he carefully supports his statements with necessary references by way of appendix. The chief state papers bearing on the crisis are also enumerated, together with the more important works dealing with the outbreak of the War. Of the latter, in the author's opinion, two German authors deserve particular consideration on account of their scientific probity and official standing: one of them is Fischer (Eugen), expert on the German Reichstag's Commission of investigation into the question of responsibility for the war, secretary-general of the Commission and secretary of the first sub-commission: the other is Lutz (Hermann), also an expert on the same Commission.

Three elements in the crisis leading to the Great War will ever be subjects for controversy—Germany's diplomatic support of Austria, Russian mobilization and British intervention. On the responsibility of Germany for Austria's action, Bloch finds the despatch of the Austrian Ambassador at Berlin (Szogyény) to Berchtold, reporting a conversation with the Kaiser on July 5 (eighteen days before the ultimatum) to be convincing: "If we really consider a war against Serbia to be essential, he (the Emperor) would regret it if we failed to take advantage of the present favourable moment." Next day

Szogyény "gathered that the Chancellor of the Empire, like his Emperor, regards *immediate action on our part*" (these words are underlined in the original) "against Serbia as the best and most radical solution of our difficulties in the Balkans. From the international point of view, he considers the present moment the most favourable."

As to the measures taken by Russia to checkmate the Austrian ultimatum, the Russian High Command "made serious technical objections against the suggestion to mobilize only that part of the Russian forces required to act against Austria. The Russian military authorities were aware of the obligations which resulted from the Triple Alliance and had drawn up a plan of operations directed against Germany as well as against Austria; they had therefore made preparations for a general mobilization only....Any partial mobilization would have the effect of ruining a general mobilization." And Bloch quotes Moltke, the German Chief of Staff, that it was not Russian but German mobilization which must lead to war: "Unlike Russian mobilizations and demobilizations which have become quite common, German mobilization would inevitably lead to war. Do not declare war on Russia, but await Russian aggression." Which, in Moltke's eyes, would give Germany, diplomatically, the tactical position.

The action of Great Britain is not discussed as fully as one would expect. However, the author admits that Germany's confidence that Britain would stay out of war was partly due to the "apparent uncertainty of Sir Edward Grey's policy", although (quoting Herman Lutz) "to deduce from this that Germany is exempt from all responsibility on the ground that the World War might have been avoided if only Berlin had known at once that she would have Great Britain against her is a conclusion which, though frequently drawn, is quite false."

In sum, M. Bloch's study of the final breakdown of European diplomacy is logical, impersonal and restrained, coming as near to national detachment as would seem to be possible.

H. F. M.

ESSAYS IN CONSTITUTIONAL LAW. By W. P. M. Kennedy, Professor of Law in the University of Toronto. Oxford University Press, 1934, 183 pp. Price $2.50.

The most striking thing about this book is the list it contains of the other works which the author has written on the general subject of Canadian Constitutional Law and History—a list which serves to remind the student of that subject of the debt which he owes to Professor Kennedy. However, his title to gratitude rests on the breadth of his knowledge, the keenness of his insight into contemporary problems, and the brilliancy and suggestiveness of his writing rather than on its volume.

The constitutional law of the Empire and of Canada presents numerous problems requiring the aid of the lawyer, the political scientist and the historian for their proper solution. It is the great merit of the book under review that it recognizes that the needs of

the present and of the future can be met only by a statesmanship, judicial and political, which takes into account the historical origins and evolution of our Constitution, and subordinates legal formalism to the degree necessary to the infusion into the law of a liberality of approach better calculated to give the Constitution the flexibility so much required if stagnation is not to result.

Of the seven papers in the volume the reviewer suggests that three are of special significance and value, namely, the first on Theories of Law and the Constitutional Law of the British Empire (a magnificent effort), and the sixth and seventh on the Imperial Conferences and the Statute of Westminster.

The reviewer recommends unreservedly this volume to the attention of all persons interested in government and constitutional law.

V. MacD.

THE ECONOMIST'S CONFESSION OF FAITH. By Gilbert Jackson. The Macmillan Company, Toronto, 1935.

This is a somewhat miscellaneous collection, consisting of reprints from the Monthly Review of the Bank of Nova Scotia and addresses delivered before various bodies such as the Empire Club of Toronto, the Toronto branch of the Engineering Institute of Canada, and the Convocation of Trinity College in the University of Toronto. In them Professor Jackson reveals himself in two rôles, those of the economist and the evangelist. It is not the first time in the history of Economics that these two have been combined. The combination has often had unfortunate consequences.

One or two examples of each will suffice. Speaking of the prospects of a Central Bank for Canada, the economist arrives at the conclusion that

> its main task may be... to help to guide this Dominion in the vast re-adjustment of its physical equipment and the vast re-shuffling of workers among occupations, which would attend an attempt on our part to live on a basis, no doubt not entirely self-sufficient, but much more self-sufficient than any basis on which we have lived, since first the French came to Canada.

On the other hand, the evangelist is revealed in such passages as this:

> If their views are indeed wrong, then, when the lists are cleared and all of us take sides, you and I would do better to be wrong with Jesus Christ than right with the margin speculators and the nationalist statesmen.

Or again—this time with a different gospel:

> I hope, more strongly than I can say, that in another struggle, if it involves the Mother Country, we shall stand again by Britain. I hope this, because I do believe that the British Empire is the greatest of all institutions made by man.

What about "nationalist statesmen"?

Happily, in all this Professor Jackson shows himself a thoughtful and informed observer of contemporary events, and this book will interest those who like to read the sort of thing they hear at a very superior luncheon club.

W. R. Maxwell.