

held them at the margins, this racialized identity was only developed by the Caribbean-born women as a result of their migration to a racist White society in which they needed to develop alliances for them to survive. The most important of these alliances was the forging of a Black or West Indian identity during their years in Britain.

In this well-researched and well-written monograph, Karen Flynn does an excellent job of delineating the ways in which the identities of Caribbean- and Canadian-born Black women have been shaped throughout their lifetime by their childhood experiences, movements through migration and resettlement, education, and experiences relative to race, gender and class within these contexts. Taking the entirety of these women's lived experiences; Flynn is able to show that scholarship into subjectivity and identity formation needs to include childhood experience as well as migration. The majority of Flynn's research participants appear to have been exceptional, raising the question as to whether or not this monograph ought to be seen as a look at a particular type of woman. What made these young women special? Not only were they adventurous enough to set out into the unknown early in their adult years, but they appeared to thrive, and continued to be successful well into the latter part of their lives. Did Flynn purposely select a particular kind of woman? It is quite possible that only those who were able to successfully tackle the challenges they faced would have still been around and willing to be interviewed. Nevertheless, *Moving Beyond Borders: A History of Black Canadian and Caribbean Women in the Diaspora* greatly heightens our understanding and tells a detailed and rich story of the struggles and triumphs of a particular group of women to gain control of their lives and careers. Flynn's work should serve as a springboard for further scholarship into the professional and private lives of women of African descent in the Diaspora.

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GIRARD, Philip – *Lawyers and Legal Culture in British North America: Beamish Murdoch of Halifax*. Toronto: The Osgoode Society and University of Toronto Press, 2011. Pp. 279.

This book is an important and impressive addition to the burgeoning field of Canadian legal history, written by one of its most distinguished practitioners. The book examines the lengthy and multi-faceted career of the nineteenth century Halifax lawyer, politician, and writer Beamish Murdoch (1800-1876). But as Girard tells us up front, this is not a traditional biography (p. 5). Rather, Girard's focus on the broader legal culture within which Murdoch worked, and especially his use of comparisons and linkages with other British North American colonies, with Britain, and with the United States on a huge range of issues, highlights the place of lawyers in colonial society, and will appeal to legal and non-legal historians alike.

Three main and inter-related aspects of the book will be especially interesting to readers of this journal. The first is the notion of legal culture, which has been the subject of much attention from legal historians around the world in recent years. Rather than focusing on the development of the justice system, on legal doctrines enunciated by judges, or

on how law affected communities and individuals in practice – which have been the mainstays of Canadian legal historiography – a legal culture approach highlights how lawyers did their work, conceived of their professional identity, and shaped and were shaped by the broader societies in which they lived. As a result, in addition to the internal legal dynamics that shaped what lawyers did, this book illustrates the constant interplay of the profession with notions of class, race, religion, and gender, among other social forces.

This cultural approach is especially prominent in the examination of Murdoch's apprenticeship. Girard highlights the eighteenth and nineteenth century transatlantic links between Nova Scotia, London, and Dublin that shaped how Murdoch's mentor thought about law, liberty, and governance – how he conceived of racial equality and Catholic emancipation, for example – and how those ideas were passed onto the young Murdoch during his training in Halifax. But Girard combines this intellectual history approach with an investigation of how lawyers like Murdoch established their practices, earned their money, and argued their clients' cases on issues of everyday law. As Girard contends, law was ubiquitous in nineteenth century British North America, and as Murdoch began his professional life very few of his clients came from the colonial elite. Rather, in the early part of his career most of those who brought their cases to him were small merchants and craftsmen; at least 10% of those early clients were also women. Here Girard does a very good job drawing out of Murdoch's case load examples which illustrate how everyday law often involved appeals to social norms rather than legal ones. A good example is how Murdoch won an 1824 child support case on behalf of an unmarried mother – by presenting his client as a wronged and tragic woman who nonetheless displayed an admirable maternal instinct. The law might not have been on her side, but after what Girard calls Murdoch's "panegyric to wounded maternity," the jury was (p. 92).

The second aspect of the book likely to appeal to readers of this journal is Girard's examination of the intellectual dimensions of pre-Confederation constitutional and political debate. In addition to his role as a lawyer, Murdoch was also at different points in his life an M.L.A., a civic official in Halifax, and a prominent legal author. In these roles, he had an opportunity to articulate and affect the developing Nova Scotian polity. Here Girard's work will add to familiar narratives of Canadian political history. Despite his liberal and reformist tendencies in many areas, Murdoch was a noted opponent of responsible government, and Girard pays close attention to the way his constitutional vision differed from that of Joseph Howe. Murdoch adhered to the British 'Country' school of political thought, believed in the British mixed and balanced constitutional model, and saw real peril to good government in the democratic reforms being debated in the 1830s and 1840s. More generally in his political and legal careers, Murdoch espoused the ideal of intellectual independence – he distrusted political parties, for example, because he thought they diminished political dialogue. On these points, Girard engages with well-known works by Jeffrey McNairn and Michel Ducharme, and corrects some of the misapprehensions contained in the work of Gordon T. Stewart, which will make this book especially valuable to scholars looking to incorporate pre-Confederation perspectives on politics in their teaching or research.

Many readers will find the examination of Murdoch as a cultural producer even more helpful and compelling. As Girard shows, Murdoch sought to play a key role not simply in colonial law and politics, but in generating a distinct and respectable Nova Scotian identity. Girard traces those efforts at social improvement and cultural construction beginning

with Murdoch's involvement with a literary magazine and a debating society – common avenues for intellectual engagement in the colonies – but more importantly through his impressive output, which included multi-volume works on Nova Scotian law and history, dictionaries of Gaelic and Mi'kmaq, works on municipal law and legal reform, as well as a narrative of the 1825 Miramichi Valley fires, which included a poem outlining a vision of the disaster as a foreshadowing of the Christian notion of the 'End of Days.' This part of the book clearly highlights the way colonists like Murdoch understood law as a key cultural and social force, and one which was necessarily at the core of any colonial or imperial identity. Consider how often Britishness was understood in the colonies by reference to British justice and the British constitution, and to particular rights such as habeas corpus and trial by jury. Given this, it is not surprising that, as Girard shows, many lawyers felt that law reform and literature were twinned aspects of the civilizing mission that bound professional men to cultural development (pp. 161-162).

Girard also explores how Murdoch approached the issue of race. Early in his career Murdoch had a purportedly-raceless vision of civil equality in which law made no distinctions between blacks and whites and between Protestants and Catholics, a widely-held view which often deliberately ignored practical and lived inequality. But even this did not extend to the Mi'kmaq, who Murdoch did not consider to be full members of provincial society. Yet by the 1860s in his historical work Murdoch's views of the Mi'kmaq had changed – he noted their advanced material culture and went so far as to call them civilized, an adjective with an incredible amount of import in the imperial world (p. 177). Girard traces this shift both to Murdoch's involvement with a philanthropic group which might have brought him into contact with actual Mi'kmaq, as well as to the growing body of knowledge being produced in white colonial society about indigenous people. Not surprisingly, a key plank in Murdoch's revised assessment of the Mi'kmaq was his argument that they keenly understood legal concepts such as contract and property.

Girard's expansive approach to legal history and his use of a legal culture framework make this book one that many non-legal historians will find enjoyable and useful as a teaching and research tool. It shows very well that law generally and lawyers in particular had powerful social and cultural roles both inside and outside the courtroom.

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GOUNOT, André, Denis JALLAT et Michel KOEBEL (dir.), *Les usages politiques du football*, Paris, L'Harmattan, coll. « Logiques sociales », 2011, 197 p.

Le sport est-il politisé ou bien la politique est-elle sportive? Le débat demeure et les angles de réponses sont multiples. En somme, le titre de cet ouvrage reflète précisément l'objet initial de ce projet, à savoir les usages politiques du sport, et dans ce cas précis, *Les usages politiques du football*.

Cet ouvrage s'inscrivant dans une historiographie socio-historique possède l'ambition de poursuivre l'analyse des relations entre sport et politique (p. 13), et pour ce faire, huit