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The Imperial Relations Report

BY J. W. DAFOE.*

MR. SEDGEWICK: Gentlemen, there is no question of the importance of the subject which is to be dealt with to-day. The publication of the Imperial Relations Report has focussed attention on the position of Canada and its future situation either within or without the Empire. There are all sorts of views as to where we are tending and as to the effect of the report on them, from Mr. Bourrassa who, last week, suggested it was a landmark on the way to complete independence to those who regard our position as one that ought to be one of colonial subordination. There is no question that our guest today is peculiarly well fitted to deal with the question. It is a matter that he has brought before the people of Canada in his journal for a long time. I think if he were a politician he would claim that all that is good in the report is the result of his efforts, and he might be justified in so doing. But whether you agree with his position or not, you must agree with me that his positions are those of a true Canadian of long experience and who is earnestly desirous of the welfare of Canada. I have very much pleasure in introducing Mr. Dafoe.

MR. DAFOE: Mr. Chairman and gentlemen, after spending two or three days at Ottawa last week I felt it was rather timorous for me to come up here and talk on this question to you in the brief space of time it is possible for you to be able to devote to listening to a talk on this subject, because down there it took them an hour to get started and an hour to read references and another hour to say what was in their minds. I think if it was a very difficult, complex question I would not make much of a

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fist of it in half an hour. But as I listened to them day after day I came to the conclusion that perhaps the question was not so complex as so many of them seemed to think, and that the real lesson of their handling it was that they put the rule of forty-minute speeches in quick enough.

I will make an attempt to give my views on this subject, which is now very much open to public discussion. If I were speaking from a text, I would use two or three colloquial phrases much in use not so long ago. First, "Where are we at?"; and secondly, "Where do we go from here?"

Now, I don't think it is very difficult to understand what the declaration of the Imperial Conference means, provided you approach the question with the belief that language means what it pretends to say, and that the people who prepared that report were really trying to deal with the situation and really trying to make an intelligent explanation of it. But, of course, when people are in the frame of mind when they can look at a sentence which is intelligible and say, "Now, that was drafted by so-and-so who is a master of casuistry and consequently it does not mean that at all, and means *this* and *this* being his own idea of what ought to be," you don't get very far along. Really, when I saw the interpretations which were put upon this report, which is written in very good English, I think some people can be compared only to some backwoodsman who went into a circus and saw a giraffe for the first time, and after studying it for a couple of minutes, said in tones of great serenity, "There's no such animal."

In considering the Balfour report you have got to bear in mind first that it is a political document, and not a legal one, which describes existing political conditions and creates new political conditions out of which laws and changes of less importance will arise when necessary. The law is like an agreement. When the body it clothes changes, the agreement changes. The law is not a vice preventing the natural development of the natural body. So it is a political, not a legal, declaration, and the heart of the agreement is the italicized statement with which you are all familiar but which I shall read again. It says that the British nations are autonomous communities within the British Empire,

nor any states subordinate one to the other in any aspect of their domestic or external affairs. Did you ever experience a more intelligible sentence than that? If you assume that the men that wrote it meant what they said? I think that a most momentous declaration, not in the least the less momentous because it is quite true in a sense that there is nothing new in it. It is very easy to cite declarations in harmony with that going back many years. Sir Frederick Bowood said a great many years ago that the document of the sovereignty of Great Britain over the nations was a thing of the past. Sir Henry Campbell-Bannerman said in 1907 that the British Empire was founded on equality and independence of its parts, using as long ago that word which a great many Canadians cannot bring themselves to speak. I myself heard Mr. Balfour say eighteen years ago that the era of subordination had passed and the time of formal equality had come, and you can come down here year after year and pile up a great list of statements to that effect. I looked through my old notes and I found that my addresses on this question were mostly made up with these quotations from which I have set out to deduce that this was the status and it ought to be recognized. But the trouble was in those years that these were isolated, individual statements, and there was very powerful authority on the other side. It was perfectly open for a person to say, "I don't think that is binding in any sense; this was made for the purpose of making people feel good, and we don't accept it." I remember, in a little controversy I had, pressing to a friend of mine a statement made by General Smuts in 1920. Now, Smuts said everything that this declaration says, and I read this out and said, "Here is General Smuts on the ground. That is his interpretation of it." Well, of course, he said: "You know he has got an election on and he must get the Dutchmen to vote for him." I will make my illustration extend to South Africa. There was a party in South Africa, the Nationalist party, that thought about Smuts' statement just what my friend did. Smuts said to the Nationalists in South Africa, "All these things you demand you have got. You don't need to secede from the British Empire.

You have got all the things you want." They thought he was an agent of Downing Street. There was a discussion in the Cape Parliament between Smuts and Hertzog, and Hertzog said, "I am going to demand this and this and this and this;" and Smuts said, "You will find everyone ready to agree with you." Hertzog came and made statements just the same as Smuts made years ago. But the difference in the situation is that while seven or eight years ago Smuts' voice did not carry conviction, Hertzog's does now, not by virtue of his superiority to Smuts because he is not superior, but because he has spoken the opinion, the judgment of the body including the Prime Minister of every British nation in which the Government of every British nation took part; and these people meeting together conscious of conditions in their own country, looking to the future for a solution of difficult problems, have said this: "This, in our judgment, is the basis, the system, upon which the Empire exists today, and must develop"; and it comes with an authority can only be challenged, and is only being challenged, by a minority and by a dwindling minority. But it has become a settled fact; that is to say, the controversial political theory about which people fought has now become an accepted political fact. You can never get everybody to agree to a new political doctrine. Why, there are people in England today who meet regularly to avow their devotion to the Stuarts and to tender their allegiance to the "real King of England," who is a German princeling. Notwithstanding, there is a settled fact, and this is a settled fact.

There is the knowledge of a case of law. There might be some question that was disturbing this country to its roots. It might get into the courts. And the courts might hand down a judgment settling the question, and the people might say, why, they didn't do anything new. The effect of the decision is psychological. Now, this settled political fact, (and I am assuming that it is settled politically because I don't think it can ever be overturned by political action) has brought to a close a conflict of ideas which has been going on unceasingly from the time Englishmen went overseas and founded colonies. The conflict of

ideas has always been there, often submerged, and in the course of that conflict of ideas we have seen the British Empire beheaded. We have seen the English-speaking races divided in feeling for a hundred years, and we have seen today the termination of that duel.

Now, the point at issue all through these centuries was a very simple one, and it was this, whether the overseas parliament based upon the suffrages of the people resident in these dominions were subject to the control of the British Parliament in which they could not have representation. The early American colonies always disputed their subordination to the British Parliament. They never denied the prerogative of the King, and it was only as the King's prerogative waned and the power of the British Parliament rose that this demand from the colonies began to take form in England. When the Commonwealth Government took command, they declared explicitly that they ruled the overseas parliaments. When the King resumed the throne, it became a debatable point whether the American parliaments were subordinate or co-operative parliaments. And it was the determination, as a matter of policy, of the British Parliament to assert its authority over the colonies, and in the Stamp Act—these actions which in themselves did not seem to justify the Revolution—but it was a fact that if they accepted that, the British Parliament controlled the American Assemblies and so it was the cause of the Revolution. It was declared that the American colonies submitted themselves absolutely to the King's prerogative. They had no quarrel with the King or his jurisdiction, but they were not going to allow a Parliament sitting at Westminster to control their lives and because there was lack of vision these men in England were regarded as cranks. Burke and Chatham and others ran into that tragedy, the consequences of which we see today. When the second Empire was formed, in place of profiting by their experience—that is a common belief which history does not justify—they said, we may get a clear bill on all questions in the second Empire, there is control. And they worked out that beautiful, logical, symmetrical system of Government. The colony was governed by a governor. He was

sent out by the Colonial Secretary. He was responsible to the British Government and they were responsible to the British people. And there was an assembly which could debate things and pass resolutions.

Now, the constitution of the parliaments for the last 125 years has been a struggle for the assertion of the old principles. There is no difference between the man who sits at home and the man who goes overseas and takes his fortunes into new lands. Sixty years after the inauguration of that document we came to responsible governments, a situation which would have lost this country to the British crown, in the judgment of Lord Elgin, if it had been postponed ten years more. After that we had successive modifications achieved by the courage and intelligence of Canadian public men and the fact that in Great Britain there have always been people who would see the Canadian point of view. So we have gone on step by step until we have come to this declaration.

The resolution says "the immutable principles upon which the Empire is founded." Now, I presume the men who put that word in knew what it meant intelligibly. There is the basis for this institution which we call the British Commonwealth of Nations.

Now, it is quite apparent that inasmuch as we have been living under a system of Government which was built to carry out this doctrine of subordination and control, and since that system is still in operation it stands to reason that it is full of anomalies. It stands to reason that there are plenty of functions there that do not correspond with the theory. Some functions are obsolete. Some are operative because there is nothing to take their place, and we have two classes of people who are disputing the plain interpretation of this document. One is the people who object to this declaration on the ground which they set forth explicitly and which you have all heard that we are not fit to rule ourselves, and that if we are fit today we may not be fit twenty years hence. Now, to the men who belong to a club that calls itself Canadian I will spend no time in commenting upon that doctrine. And there are the other people, the loyalists, who while not entirely disagreeing, are

very much afraid that we have got the cart before the horse, and it is really absurd to talk about these "immutable principles" when this and this is still maintained. Dr. Keith has been fighting a noble rearguard action. In his book on the Conference of 1923 he took the ground that the only Ministers who could inform the King were the British Ministers. Well, he has got along to the point now that the Dominion Ministers can advise the King except that if the British Ministers did not agree they can so advise the King. The beautiful illustration between Lord Parmoor, eminent lawyer, and Lord Balfour, eminent statesman, is worth mentioning. Lord Parmoor said, "I am heartily in agreement with this idea of equality between the British nations, but you have gone about it the wrong way. Here is this inequality and that inequality, and how can you go along with these." I am going to read to you what Lord Balfour said. He undertook to paraphrase what Lord Parmoor had said, and this is what he said: He says the subject had been approached in entirely the wrong spirit. Lord Parmoor said, "You have made declarations with regard to the status of the Dominions." He did not deny that he sympathized with those declarations, he did not deny that was the sort of idea he himself cherished; but he said, "What folly to lay down the general principles on which this Empire is now constructed! I think you should first settle all preliminary details and smooth away all the technical difficulties which have their origin in the long history of our oversea Dominions." Lord Balfour said, "I cannot imagine any policy from which I more profoundly differ. You are to set yourself every kind of problem, every sort of difficulty which may conceivably arise in applying the broad principles of the equality of status before you dare to announce that equality of status exists. Can anything be more legal and less statesmanlike? . . . That was from beginning to end the wrong way of going to work. They had gone on exactly the opposite way. . . . Nothing was gained and much might be lost by the kind of argumentation in which Lord Parmoor had indulged . . . In many of the Dominions there is a minority—in most cases, I dare say, a small minority—who are always following the train of

thought which recommends itself so much to the noble Lord. They are always looking at these survivals of an earlier past and saying, "How can you consider that we in this or that Dominion are on an equality with the Mother Country when we find unrepealed this or that statute?" If you allow that kind of statement to go uncontradicted . . . of course you can get, in an audience mixed up on local controversy, a certain amount of opinion in favor of the assertion that whatever talk may go on in England, in this or that Dominion, things are far otherwise and the boasted equality between the self-governing parts of our Empire does not, in fact, exist. It does, in fact, exist."

Now there you see the two types of mind, and I think the judgment of sensible people is that Lord Balfour is right. The anomalies are removable when any Dominion asked to have them removed. How? At the civil request of the Dominion, and it is not necessary for all the Dominions to move at the same time. We have at least got flexibility in the Empire. Every Dominion has the road to complete sovereignty open to it. But if it does not walk along it, it takes the responsibility of not walking along it. That is to say, any Canadian can make a grievance to the effect that a certain anomaly has not been done away with. Some Canadian might resent the appeal to the Privy Council. Canada does not ask for that. The responsibility for the continuance of the appeal does not rest anywhere except at Ottawa. Hertzog, in his speech at Pretoria, emphasized that phase of the settlement. I have not noticed any similar reference by public men in other Dominions.

South Africa projected into the discussion, initiated this discussion, and submitted a resolution to the Conference the text of which has never been published; but in that resolution Hertzog asked them to lay down the principle and make it clear that if thereafter any Dominion submitted to subordination in any respect it did it of its own choice, putting the whole question on the basis where an imperial controversy in place of involving Great Britain or the other Dominions, would become a domestic discussion of what was passed today; and so I say to you that in my judgment, notwithstanding these anomalies, Canada today is as fully

the master of her own destiny as any country in the world, and we have no grievances of any kind with any external authority.

If, going along the road, we find an obstacle, if it is our judgment arrived at among ourselves that there is an obstacle in the road, we can have it removed. We can say if we want to go further, "take this down," and there is no authority to say that it should not be taken down. The "immutable principle," the unchangeable principle, comes into application, and so we Canadians, as the result of this long controversy carried on for the last sixty or seventy years and initiated in Canada, have reached a solution for which our Canadian public men are mostly responsible. It is a simple fact of history which is already recognized by constitutional writers that the public men of Canada saved the second British Empire from destruction and opened up the door to this honorable co-operation that lies before us.

Now, so much for where we are at. Where are we going? That is a wide field for speculation, but there are one or two things which I wish to say. We have been constantly warned that we ought not to assume responsibilities in the face of this possible contingency or that possible contingency, or the fact that we may not be equal to this or that emergency. The argument of caution and prudence, an argument that has been implied all down the ages, to prevent youth from rising to its opportunities. Now, a nation grows up because if it is fit to be a nation it cannot do anything else. A man grows up to years of manhood, but does not say, "I am not sure I am going to be a man because I cannot stand the rigors of manhood." Nature shoves him along and that is the position of Canada, and we are big enough and strong enough and sitting on enough of the world's territory to be a nation, and we are going into the job. No doubt we will have our troubles, plenty of them, but I cannot see any emergency arising where Canadians will not make as good a fist of it as any other nation in the world under similar circumstances. A great many people are disturbed by nationalism, but it is a step in the volition of the world. What the world has been doing is breaking away from materialism.

Now, it is true we are talking nationalism and it is running to excess, but no one can say there is a process of disintegration in the world. There is the League of Nations, which cynics may smile at, but it is functioning just the same. And there is the British League of Nations, and we are in this nationalism movement without any domination of our Reds, and we will submit to what the Italians call sacred egoism; but I think the egoism comes in another sphere.

I think this is a momentous declaration we have arrived at which definitely closes one period and opens another. We have got to clothe ourselves with a sense of nationality and go forward. Now, if you want to know something about the sort of nationality we ought to have, let me commend you to look backward and see some of the views of the Fathers of Confederation. I am not much of a man to look backward, but it is a fact that these Fathers of Confederation had a vision. You will find it in the reading of Magee, in the speeches of Macdonald, in Galt. You will find a very fine expression of it in the speech of Sir Richard Cartwright. Later on that vision faded with the light of common day, but it is coming back and this is a good year for it to dawn.

In the light of that vision let us have it open the road to our destiny, assuming our responsibilities with courage and facing the dangers of our new life with fortitude.