

(September 30, 1926)

## Address to a Joint Meeting of Empire and Canadian Clubs

BY THE RT. HON. LORD DARLING OF LANGHAM.\*

CHAIRMAN GEORGE H. SEDGEWICK: It is one of the glories of Great Britain, a tradition that has grown up, associated with the judiciary of that country, based on wide learning, sound judgment, honor and integrity, a tradition that has developed until it is known the world over under two words: British Justice. The Empire and Canadian clubs are fortunate in having with us today in the person of Lord Darling of Langham, a gentleman who for over twenty-five years, as a judge of the King's Bench in England, has maintained that tradition. In these last years, after a lifetime of service he has been elevated to the House of Lords and sits there not only as a law lord but in the judicial committee of the Privy Council, probably, I think without question, the most wonderful jurisdiction in the world where on one day, as happened recently, they considered new avenues of activity in Canada in relation to Dominion income tax and an Ontario bootlegger and the next day were looking into customs coming from a law suit in India where our guests in writing the judgment said, "We can take for our authority two immemorial sages."

But that judicial committee by operating in the way in which it does by extending British justice throughout the whole Empire is equally one of the greatest agents in bringing the people of the whole Empire closer to the throne because they know British justice is at the foot of it. I have much pleasure in introducing Lord Darling of Langham.

\*After winning distinction as a Justice of the King's Bench, Mr. Darling was raised to the House of Lords and became a member of the Judicial Committee of the Privy Council. He had come to Canada as the guest of the Canadian Bar Association in St. John, N.B.

LORD DARLING: Mr. President and gentlemen, it is a great honor to one who like me has passed his life in trying to do justice, as your president has told you, to find that there are so many people on the side of justice, after all, as I see assembled in this room. And I will say this on behalf of British justice. I always found during all the time I was on the bench, and it was a long time, that the defendants themselves, who came up in criminal cases, acknowledged that they were fairly treated. If they were in any difficulty as to what to do, over and over again I have known them to consult the judge, either myself or whoever happened to be the judge of the Assizes, as to what their course should be and never during all the time I was on the bench did I find any resentment on the part of the prisoner as to the sentence I had imposed on him. That he enjoyed it I don't pretend. I did not mean he should. And I am sure that if people, especially the judiciary, take to rewarding prisoners for the crimes they have committed instead of awarding them the punishment the prisoner himself knows he has deserved, the judiciary and the people who make the laws will incur the contempt of the criminal classes themselves.

Now I am asked here by these two societies the Canadian Club and the Empire Club, because I come from that little island which was the home of you all or of your ancestors. From that origin nearly all of you sprung and I know very well from the kindness with which I have been received in Canada during all the time I have been here and everywhere I have gone, I know very well that your hearts are still in the homeland although you live in this one and, of course, have your affections in the towns and country of Canada itself. I have travelled from one to the other of those seas which wash the shores of Canada and I have seen of course cities which have been a considerable time in existence, adorned with splendid buildings, designed to last for centuries and for centuries they will be wanted, for the making of laws and for the administering of laws and for the education of the citizens of this land. And I have travelled through what are at the present moment almost unoccupied wastes that will fill up with, as I hope, the right kind

of people of the race to which you all belong. And as one travelled through these places and reflected upon what it must have been to those who came here first, who cut down the first trees, who made the first huts and homes in this country, one could not help thinking how much we all owe to them, and recalling words which were not written by a Canadian, but an American of the New England states when he described these as men whose life glided on like a river that watered the woodland, darkened by shadows of earth, but reflecting the image of Heaven.

These men did not relapse into the habits and customs of the ferocious savages by whom they were surrounded. They led the highest life they could and taught it to the original inhabitants so far as they were capable of learning it and they themselves developed painfully and laboriously the country which you now enjoy and which is only beginning, I am perfectly certain, to place at your disposal the whole of its unbounded wealth. It only needs the determination—I wish there were more of it in the old country—not to quarrel to divide what there is, but to increase the store; not by trying to do as little work as possible, but trying to do as much work as you are capable of. That is the way to make a country flourish. I happen to be, as I told you, a lawyer, and I have drawn as much wisdom as I possess largely from the sayings of lawyers on other things than law. Among the greatest of the judges I recollect was Lord Bramwell. He said many wise things and he said one thing—I will read it—which applies to this question of what to do when it is difficult for you to get a living in your own country. Don't go to another country and try to get it there under another flag. Stay in your own and see if you cannot make more of the resources at your own door. And Baron Bramwell among other things said this: "If a man has the misfortune to lose his spring of water by another man digging a well he must dig his own well deeper." It is not my business to make particular application of that aphorism, but your statesmen might do worse than bear it in mind when they have to consider what will be the best thing to ensure the prosperity of Canada.

There are those in England, and they are most of them

our importations from Russia or some such happy country, who profess to have found a perfectly new way of developing a country and making it prosperous, making it flourish like the rose, as you see their own country doing—living on the sale of crown jewels—and that is the doctrine preached by the socialists. I mention this because Lord Bramwell said another, it seems to me, very wise thing about that matter. It will seem to you unnecessary to speak of it because I read the other day a speech delivered in Canada by a gentleman who was a member of the late Labor Government in England, Mr. F. O. Roberts. And Mr. Roberts was disappointed. He had come to Canada and had talked to the working men and he said in this speech that he found very few socialists among them. Well that was a mere statement of fact, but he went on to give the audience a reason and he said the reason was because they were so contented with things as they have them in Canada. If you are contented with things you have got it is very foolish to adopt a philosophy as though that could make you any better and it seems to me that disappointed as Mr. Roberts might be one cannot help being gratified that however unhappy it may make him the workmen of Canada at all events are perfectly happy and contented. And whether this socialism can ever prevail or not appears to me to have been determined by Lord Bramwell in a few words he spoke, which are these: "Socialism will never bloom until we are all as honest as bees."

Well, I believe that to be perfectly true. If we were all as honest as the bees what should we all do? We should do what the greater part of these people desire not to do. We should work for a living. We should not do what we have seen them do in Russia. We should do what, according to Mr. Roberts, the working men of Canada are doing, and we should have no need to become socialists. We shall always have among the bees a certain number of drones—and they will most of them be public orators. Well, we have our own remedy. Let them talk to the empty air—and live on it!

Now Canada stands in a peculiar position it may seem. Canada is a great country absolutely capable, if it chose to

do so, of governing itself. Absolutely capable. But it happens to be one among a number of countries who are proud, I believe, to live under the same flag, absolute equals, everyone knowing it can go its own way if it chose, but satisfied that the best thing to do is to cling together and to help one another and so long as they do this it is very improbable that anyone will attack them.

I remember when I was quite young I was given a book called Aesop's Fables. I have it still. And among the fables was that of the husbandman who came home and wanted to light the fire. He picked up a bundle of sticks and tried to break the bundle in half, and put half of it on the fire. He could not do it. There was a picture which showed him to be as strong as Hercules, but he could not do it. But he was an intelligent man, for a husbandman, and so he undid the string which bound them together, which one might call the constitution of the Allied Kingdom and Dominions under the British flag. He undid that ligature, and he took the sticks one by one and broke them quite easily. That is an old, old parable, but it is true to this day; and as long as those who have the Government of the kingdom and Dominions over which the Union Jack floats, as long as they remember that parable they can defy the strongest power in the world. They need acknowledge no superior, but the Heaven above them; and what a width of Heaven is here when you consider where the British Empire begins and where it ends—if it does end.

I have noticed that there are those who are saying that at present there are signs of enfeeblement in the British Empire, particularly in England. I think the people who imagine that of the English will find they are making a great mistake. The people who rejoice to think that England is poor—and England is much poorer than it was, for reasons that you know very well—are rejoicing over a matter which should give them no satisfaction, because I can imagine nothing worse for the rest of the world than for England to be reduced to poverty and find itself surrounded by rich neighbors. People had better take care to leave the English their fair share of the world and what is in it, and especially I would say that of the Scotch. But

if we are weak and in peril we have powerful neighbors; and I have been interested in reading today in a Toronto newspaper, I think it was the *Globe*, some reflections upon a generous offer made to you Canadians by the *Tribune*, a paper published in Chicago; and I gather that the *Tribune* is concerned for your parlous condition. It seems to think that England won't be able to defend you—against whom I don't know. Perhaps there may be some little reason for that; I do not think it is a sufficient one. Some time ago a congress was held at Washington with a view to diminish armaments of various countries, because it was thought the people in those countries were spending more than they could afford on armaments of various kinds, and particularly that England was spending too much on warships. So it was proposed at Washington and carried unanimously, that the warships of England in future should be smaller; and the ones that are now being built, certain of them, are made a good deal smaller, in deference to that opinion; they are shorter, narrower; they do not carry so many guns. Do you know what they are called in the British Navy? They are called the Cherry-Tree Class. I asked a sailor why; for the ship did not look to me like a cherry-tree, and he said, "Oh, because they were cut down by Washington."

Well, the *Tribune*, finding us defended by nothing but cherry-trees, wrote this: "Canada knows that she can rely upon the United States to protect her territorial integrity under the terms of the Monroe Doctrine." I did not know that the Monroe Doctrine covered Canada—but I am glad to hear it does, and I will tell you why; because Canada is a part of the British Empire, and therefore the Monroe Doctrine, I take it, covers the whole British Empire—and therefore I am beginning to hope that we Britons need not raise any soldiers at all, need not have even the cherry-tree class of battle-ships; that we can quarrel with whomsoever we please, and that when those people come to chastize us, let us say the blow be directed to London, we have only to use the wireless to Washington and say, "Here is a terrible thing, here are people infringing the Monroe Doctrine," and they will flock across the Atlantic to our help.

Now, there is only one thing which makes me doubtful

whether we should entirely rely upon the protection of the United States. It is this: I am wondering when they would start, and whether we might not find ourselves chewed up before they arrived. So, as long as I have that doubt, if I were talking politics I should advise you Canadians to trust to yourself and not to say, "Whenever we are in trouble we invoke the Monroe Doctrine." Oh no; whenever we are in trouble we will just ask the assistance of those men who were among the very first to land upon the shores of France when France was set upon unjustly, when monstrous demands were made upon her; when they were invaded. Who was it who came first to their assistance? Of course the English were first there, because the width from Dover to Boulogne or to Havre was nothing as compared with that from Canada to the nearest port on the Continent; but as fast as ever they could arrive, in numbers which no one had contemplated, the Canadian troops came; and why? Because it was the Empire that was invaded. Every one knew, you knew, that the Germans did not wish to get to Paris. They would have enjoyed themselves very well if they did get there, no doubt, but that was not it; what they wanted quite as much to get to, and what they would have got to but for the assistance of the Canadians, was the channel ports that faced England, from which they could have struck at the very heart of the Empire, which is yours as much as it is mine. It was because of that, partly, that the War was made; and it was because of that that the Canadians, seeing at once, with the intelligence characteristic of them, what it all meant, did not wait for conscription, but dashed across as fast as they could come; and the only lament that one can feel in visiting this country is that it is now short of population because so many gallant men among you lie in France and elsewhere in places where the war of the British Empire was waged.

I have mentioned the kind offer of America to save us from our enemies, and it only needs to understand exactly what America is in the minds of those who were lately our enemies. I have discovered that there was once a philosopher whose name was Galletti, who was a professor at the gymnasium of Gotha, and he said this, among other things—

showing how easy it is to misunderstand America. He said to his students in a lecture, "If Persia were a three-sided square like America it would be easy to measure it." Well, I suppose one would need to be a German professor to thoroughly understand that, and I myself confess I am not able exactly to measure America. I never could understand why I did not quite understand America from north to south and from east to west. But now I see; Professor Galletti has enlightened me; it is all because I had come to the conclusion that America is not, as he supposed, a three-sided square, because if it were so it would be as easy to measure as it is to understand and measure Persia. I have come to the conclusion that there was some fault in the reasoning of this professor, and that the whole difficulty in not exactly understanding America is that it is not a three-sided square, and I do not see how we can ever expect that it will be one. Meanwhile we must do our best; thank them for their kindness in offering to protect us from anyone who may assail Toronto, Quebec, or the Isle of Wight and say that, after all, we must try to get along as well as we can with the cherry-tree class.

It is interesting to note that not only I had some difficulty in understanding Professor Galletti, but some of his students had, because in this same lecture he said to them, "Three years ago there was a giant who came here. He was three feet and a half high leaving out his head." The students said, "That was not very high, professor," and Prof. Galletti said "No, but he was also a dwarf." This is where some people may make a little mistake about Canada. They may think Canada is not quite so big as some other place. Canada, they may think, is a dwarf. Yes, perhaps so; but then as Prof. Galletti said, "Canada is also a giant"; and those who merely take Canada for a dwarf, for a not overpopulated country, make a mistake in not recognizing that although the population of Canada is not as large as that of some other countries, they are people of a very exceptional class; they are people who not long ago have come here and converted this country from a waste and a wilderness into what we see it; it will not do only to count the Canadians when you deal with them; you must reckon up what manner

of men they were, what is the race to which they belong, what is the training they have had, what is their character as those with whom they have had to deal know it; and they will come to the conclusion that although it may appear to others to be only a dwarf, as Prof. Galletti said, it is a giant as well.

Dr. Alexander Fraser of the Empire Club expressed the thanks of the United Clubs to the speaker for his address.