

persons to place themselves, their services and their property at the disposal of His Majesty, as may be deemed necessary or expedient for the defence of Canada, or the efficient prosecution of the war.

Power to require persons to place themselves, their services and their property at the disposal of His Majesty—is nothing more or less than what is meant by conscription. The power here given is that of conscripting all persons, which, in law, include corporations, all their services, and all their property, for the defence of Canada, or the efficient prosecution of the war.

It is well that this fact should not only be made perfectly clear, but that it should be emphasized. Because ever since the act was passed, and even up to to-day, there are many who say, others who think, and yet others who believe, or who would have it appear, that conscription does not exist in Canada. These people say that conscription is the right principle; that conscription is in force in other countries, and that we ought to have conscription in Canada. They say that it is wrong and unfair that, in any part of the country, men should not be conscripted for military or other service while the men in other parts give their services voluntarily. That, above all, "slackers" and "shirkers" should not be allowed to "go free," while others are left to do the fighting.

Extraordinary as it may seem, the persons who say or who would have others believe that we do not have conscription in Canada are not confined to citizens of other countries. If we are to judge by what we hear, and what we read in the press from time to time, they include a very large number of our own citizens. They certainly are among the number who are loudest in their utterances.

"Conscription" already in force in Canada

This demand for conscription in Canada has been made right along and continues to be made, notwithstanding the fact that, for all Canada, conscription has been the law of the land since June 21, 1940, and that, under the special powers conferred upon the governor in council by the National Resources Mobilization Act, compulsory military training, in other words "conscription", has been in operation since October, 1940, and compulsory service, for the duration of the war, since February, 1941.

Under the original plan, some 80,000 young men received thirty days military training. Under the revised plan, which provided for four months training to be followed by service for the duration, more than 30,000 young men are now in course of training or service. This

number does not include the very considerable proportion of those called up who, subsequently, volunteered for the navy and the air force, or for service in the army anywhere in the world.

There are two methods by which most ends are attained by government. The one is the voluntary method, the other the compulsory method. Power to require persons to place themselves, their services and their property at the disposal of His Majesty—is the power of government to employ the compulsory method. In other words it is the power to conscript. How then can there be any question as to there being conscription in Canada, or any doubt that the principle of conscription has been approved by the parliament of Canada? The principle is there. It is embodied in the National Resources Mobilization Act. It is part of the law of the land, and has been so by statute ever since June 21, 1940. The whole purpose of the National Resources Mobilization Act was to give to the governor in council power to conscript the property and services of individuals or corporations. That power, where it has been deemed necessary or expedient to do so, has been exercised ever since, and is being exercised by the government to-day.

Limitation not on power but on extent of application

There was, it is true, at the time the act was passed, a limitation placed upon the exercise of the special powers conferred upon the governor in council. That limitation still exists. It is set forth in section 3, which provides that the powers conferred may not be exercised for the purpose of requiring persons to serve in the military, naval or air forces outside of Canada and the territorial waters thereof. The meaning of the section is perfectly clear. Section 3 was not intended to deny the existence of the powers of compulsion or conscription conferred upon the governor in council, much less was it intended to take away any of those powers. Indeed, the section begins with the words "the powers conferred by the next preceding section", and thereby constitutes an affirmation of the existence of the powers. What the section does, and all it does, is to limit the exercise of those powers, and to limit them in one particular only. That limitation is in respect of their exercise "for the purpose of requiring persons to serve in the military, naval or air forces outside of Canada, and the territorial waters thereof".

This is the one and only limitation upon the exercise of the powers conferred on the governor in council, on June 21, 1940. The amendment proposes to remove this limitation.

The adoption of the amendment clearly does not mean the adoption of any new principle with respect to the method of raising men for military service. It extends the area in which the powers of the governor in council may be exercised but does not change the character of those powers. In other words, the amendment is not related to the principle of conscription, but to the extent that its application may be deemed necessary or expedient for the defence of Canada or for the efficient prosecution of the war.

Enabling legislation

I come now to a most important fact with respect to the powers conferred upon the governor in council under the National Resources Mobilization Act. The act itself is enabling legislation. It does not necessarily contemplate the immediate, and certainly does not contemplate the total exercise of the powers conferred. Were those powers to be immediately and totally exercised we should have established at once a communist state. What the act does contemplate, as is expressed in the statute itself, is the exercise "from time to time" of such of the powers conferred as may be deemed "necessary or expedient". While full and complete powers for the exercise of compulsion are given to the governor in council by the act, under its provisions, it is left to the governor in council to decide when, and to what extent, it may be necessary or expedient to exercise the powers thus conferred. This will be equally true of the powers of the governor in council under the act as amended. The discretion of the government will remain precisely what it is at the present time.

Perhaps I cannot do better, by way of illustration of the difference between the possession of unlimited powers of conscription by the government and the exercise of these powers in the manner deemed "necessary or expedient" at a particular stage of the war, than by quoting what I said in this house on February 25 last.

In *Hansard* at pages 913, 914, I am reported as follows:

In order to carry on war, men are necessary, money is necessary. Both have to be raised, one in large numbers and the other in large quantities. With respect to the men that are being raised at the present time, we have two methods. They are not ends in themselves but methods, and we are taking the methods which we believe will be most effective and serviceable to Canada's war effort when we resort to the one or to the other. We have two methods of raising men for the army. Some of them are raised by compulsion; they are serving within the territorial limits of Canada. Others are being raised by voluntary enlistment, some of them also are serving in Canada. But all that are going overseas are being raised by the vol-

untary enlistment system, which has proved effective up to the present.

Now with respect to the raising of money, we are using the same two methods. We are raising money by compulsion, under taxation in its different forms; and we are raising money voluntarily by the loan system which is in progress at the present time, and which the people of the country are supporting splendidly and, I believe, will continue to support. Supposing my hon. friend were to ask me: "What are you going to do if the voluntary system fails in the matter of the loan? Will you tell the people that now?" Could I tell them that? Would it be wise to tell them that? But a decision will have to be made if the voluntary system in the matter of loans should fail to produce the results which it is necessary should be produced in the securing of an amount of money requisite for the purpose. Under such circumstances, I think probably there would be resort to the conscription of wealth. I do not see any other alternative than for the government just to come along and take the wealth that exists, if the required sums cannot be raised voluntarily.

I wish to have that parallel kept in mind. What the government is going to do when the voluntary method fails in the matter of loans it will decide when the time comes; and it will do exactly the same thing as respects the matter of raising men. . . . And may I say this: I think the people of the country will see to it that both things are linked pretty closely together if one or the other becomes necessary.

I hope I have made it quite clear that the National Resources Mobilization Act, as it stands, is not mandatory but enabling legislation; and that, if amended as proposed, it will continue to be enabling legislation.

The extent of the use of the powers conferred upon the government by the provisions of the National Resources Mobilization Act is, and has been from the outset, a matter of government policy. Government policy has always to be decided in the light of all relevant circumstances. This will remain true of the unrestricted powers which the amendment, if enacted, will afford.

Relationship of plebiscite to amendment

I come now to the plebiscite and its bearing upon the amendment before the house. I shall endeavour to anticipate the various questions that may arise in the course of debate, and to answer them in turn.

First of all, why was the plebiscite held? The answer to that question will be found in three paragraphs which appear in the speech from the throne:

My advisers believe that the magnitude and balanced nature of Canada's war effort is being obscured and impaired by controversy concerning commitments with respect to the methods of raising men for military service which were made prior to the spread of the war to all parts of the world.

The government is of the opinion that, at this time of gravest crisis in the world's history, the administration, subject only to its responsibility to parliament, should in this connection