

that final court of decision, something must take its place, and the only logical substitute is an international court of justice. I can sound a note of optimism in that connection. We have had an international court of justice since 1920. There is a member on that court from the United States, although the United States itself never became a member of the League. Professor Manley Hudson of Harvard University is a member of the court and he has published at least two books giving much information on the development of that court and what it has accomplished. But its accomplishments just touch the fringe of what can and ought to be achieved.

I sometimes think, honourable senators, that in these days of grim realities there is a danger that we in this country may lose sight of what the justice of our courts means to our people in their relations one to another. Nothing rankles like a sense of injustice. Nothing creates discord and hatred quicker than a sense of injustice. My friend is getting three pieces of butter, and I am getting only one: the resultant sense of unfairness will cause more trouble than some really serious matter. And so it is that in this country, in the development of our democracy which we boast of, the courts and the whole organization of British justice as we understand it may well be regarded as the bulwark of freedom. I say that with the greatest deference to my friends who live under the civil law, for after all that is the same justice with modifications. I believe that out of the jurisprudence of these two systems, working side by side, we shall develop a greater and a higher conception of justice than perhaps was ever known before.

What has happened in connection with our courts at home should offer great possibilities for the future in international relationships. There is this to be said. The lawyers of Canada and the lawyers of the United States under their respective organizations, the Canadian Bar Association and the American Bar Association, have in every city in Canada and the United States a highly developed group of special committees intensively working on this question, and the studies these lawyers are making are being gradually co-ordinated and will be available to the conference at San Francisco. I regard as of the highest importance the new interest that the legal profession in Canada and the United States is taking in this question of a world court of justice. For the first time in our lives we as lawyers are becoming conscious of international justice. The problems are many and intricate. I will merely mention a few, but

Hon. Mr. FARRIS.

I shall not discuss them. Undoubtedly we have a good precedent in the way the present court has been selected.

The great essential is that these men who are selected shall not be representatives of any particular nation or interest. As lawyers we know and many laymen know too, that the great curse of arbitration is that each side appoints an arbitrator, and both together select an umpire. The net result is that there is only one arbitrator, the other two appointees being advocates behind the scenes. I do not want to see that system followed in our world court. Professor Manley Hudson is a member of the present court of international justice. He is an American; his country is not even a member of the League. He represents no country but a world court of international justice. There is much work to be done, not idealistic work but practical world politics aimed at idealism, in order to develop this court and give it greater powers. But care must be taken at all times not to force its development, for if you go faster than world opinion is ready to follow, you only defeat the purpose of the court.

Honourable senators, there is something further that I want to say about Canada's part and then I will conclude. It is this; that in the relationship between the British Commonwealth of Nations and the great country to the south, Canada has a special part to play. We understand the British people better than the Americans do, and we understand the American people better than the Englishman understands them.

Some Hon. SENATORS: Hear, hear.

Hon. Mr. FARRIS: And we have the cordial good will of both; we are the link between the two. Our part is a great one.

One of the things that ought to be taught to public men of the United States—and I think it is our duty to be missionaries but to be diplomatic about it—is that her new responsibilities as a world power will be made much easier if there is a British Commonwealth of Nations to work with her.

Some Hon. SENATORS: Hear, hear.

Hon. Mr. FARRIS: There is nothing that the United States of America should face with greater apprehension than the downfall of the British Empire.

Hon. Mr. DUFF: Quite right.

Hon. Mr. FARRIS: And not only is this so, but if these two nations are to work together for peace and for the good of humanity, the British Empire must continue to be strong and powerful in order to do its share in the future as it has borne the burden in the days gone by.