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KING'S GOVERNMENT ASSAILED BY CAHAN

War No Licence for Arbitrary
Decree Rule by Liberals,
He Asserts

WANTS NATIONAL REGIME

Former Secretary of State
Says Unity Endangered by
Administration on 'Strict-
ly Partisan' Basis

So long as the Ottawa ministry continues to administer the public services of Canada "on a strictly partisan basis," the Dominion Government will fail to conserve democratic institutions or maintain national unity in Canada, Hon. C. H. Cahan, K.C., M.P. (Cons.) former Secretary of State, declared in an address yesterday before the Electrical Club of Montreal.

He maintained that the present federal administration had enacted decrees and regulations since the outbreak of the war, without consultation with Parliament or representatives of opposition groups. "Some of them (orders and regulations)," Mr. Cahan declared, "appear to be unduly vexatious, and not really necessary for the successful prosecution of the war."

One of these regulations, he added, imperilled the liberty of any citizen who even criticized their terms, or the necessity for their enactment.

He posed this question: "Should the Dominion Government for the duration of the war be merely representative of one political party, and of one political organization? Should it not rather be a union or national government, representative, as nearly as may be, of the important political groups of the whole Dominion?"

"Members of the Dominion Government," Mr. Cahan stated, "now assume that they are empowered for the duration of the war, by their own arbitrary decrees and without consulting Parliament, to repeal, suspend or modify the existing statute laws of the country, including not only all statutes which have been enacted by the Dominion Government, but of those which have been enacted by the provincial legislatures."

FREE DISCUSSION NEEDED.

"It may be frankly admitted that extraordinary powers for the successful conduct of the war may be deemed expedient or even necessary, but the arbitrary exercise of those powers by the government decrees and orders, which have never been approved or confirmed by the elected representatives of the people in Parliament, should remain fair matters for discussion, criticism and protest by all whose rights and interests are thereby prejudiced or suspended."

Mr. Cahan said it had been frequently assumed, and even asserted, that these orders, decrees or regulations had been made by Parliament as a whole, "but, in truth, the members of the opposition groups in Parliament have never been consulted with respect to the advisability or necessity of arbitrary enactments, nor have they ever been informed of their provisions before they were made the laws of the land. They have been drafted by bureaucratic employees of various departments of government, and adopted by orders-in-council, but their terms are sometimes so confusing that it may be doubted whether any competent member of government has ever scrutinized them carefully or even casually perused them. They have never been subjected to nor classified by discussion in Parliament."

If these arbitrary decrees, orders and regulations were necessary or expedient in time of war, "and doubtless many of them are necessary for the prosecution of the war," Mr. Cahan believed that they should be enacted by a joint committee of Parliament, which would include the main divisions of public opinion, representing the whole of the people.

SEES TOTALITARIANISM.

He declared that the totalitarian governments had no more despotic powers at their disposal than those vested in, and at times exercised by, the Government of Canada for the duration of the war.

Some of the decrees, he stated, were so confusing that business men found it impossible in many cases to ascertain their real meaning and intent. Some of them appeared to be unduly vexatious, and not really necessary for the successful prosecution of the war.

"Penalties by fines, not exceeding in any case \$5,000 and imprisonment for terms not exceeding in any case five years," Mr. Cahan added, "are imposed for violations of any of these decrees, although they may not all have been published in books or pamphlets and widely distributed for the information of the public who are vitally concerned with their import. . . ."

"In a war to preserve democracy, should not the Government always have regard for the fundamental bases on which democracy has been built up in this country during the past century?"

"The manner in which, and the extent to which, these powers are exercised by the Government, are undoubtedly of vital interest and importance to all citizens."

SAYS LIBERTY MENACED.

"In fact, one of these regulations which have been so enacted, without consultation with, or confirmation by Parliament, imperils the liberty of any citizen who even criticizes their terms or the necessity of their enactment, by imposing penalties of fine and imprisonment upon any person who makes statements, whether true or false, which are deemed likely to cause disaffection to His Majesty; that is, in plain terms, which are likely to cause disaffection to the existing Government of Canada, that, for the time being, exercises the prerogatives of His Majesty in this Dominion."

Mr. Cahan declared that the Conservative party had pledged itself to co-operate with the Liberals in the prosecution of the war, but so far that co-operation had not been reciprocal.

"Despite the criticism which I have made," the former Secretary of State concluded, "speaking frankly for myself, I can say that with all my heart and mind and strength I desire that this war shall be carried on to a victorious conclusion, in the hope that a stable peace may then be established and maintained for succeeding generations."