

*North Atlantic Treaty*

otherwise must of necessity lead a democracy like the United States into the most foolish and dangerous paths.

As the United States projects its world-wide leadership into post-war reconstruction and the organization and maintenance of international peace and security, it becomes all the more desirable that our government, particularly our department of state, should greatly strengthen and make much more effective its liaison with the American press and other fashioners of American public opinion and thereby contribute actively toward making and keeping that opinion well and wisely informed. This, I hope, would apply to our relations with Spain as with other countries.

(Translation):

The third and last point to which I wish to call the attention of this house concerning that treaty is the nature of Canada's obligations under it.

Section XI of the treaty sets out that:

This treaty shall be ratified and its provisions carried out by the parties in accordance with their respective constitutional processes.

Canadians all wanted to know how they were to interpret this condition in so far as this country is concerned. A short time ago, on March 18, to be exact, the Right Hon. Prime Minister (Mr. St. Laurent) gave us an explanation which has most certainly disturbed a great many people.

In a press conference, as reported in the Quebec *L'Action Catholique*, the right hon. Prime Minister said, so it would seem, that the governor in council was empowered, in this country, to declare war. Here is a passage from that report:

Mr. St. Laurent pointed out that the Canadian constitution has not as yet reached the point where the eventuality of war may be specifically provided for. From the point of view of international law, therefore, a government could declare war validly without recourse to parliament. On the other hand, says Mr. St. Laurent, there may be cases where hostilities have begun without any declaration of war, for instance, in the case of an invasion of the territory of the country which is attacked.

In order to have that point clarified, we have—I am quoting the correspondent for *L'Action Catholique*:

—we have asked the Prime Minister the following question: "Do we consider in Canada that the precedents established by Borden and King, when they let parliament take a decision on war, form 'a constitutional process' within the meaning of article 11 of the pact"?

"We consider in Canada that the essential procedure is that it is up to parliament to declare war," Mr. St. Laurent replied. "But there is a distinction to be made. If a government chose to depart from our practice, its action would be valid under international law."

That is a statement fraught with far-reaching consequences and I feel bound to oppose it most energetically.

I sincerely hope, Mr. Speaker, that the government will take steps with a view to

assuring the people of this country that government by orders in council will not go so far as to place this country in a state of war without parliament having been consulted.

We need a guarantee from the government in that respect and I believe I am not mistaken in saying that the people demand it.

(Text):

**Hon. L. B. Pearson (Secretary of State for External Affairs):** Mr. Speaker—

**Mr. Speaker:** Do I understand the minister is closing the debate?

**Some hon. Members:** Yes.

**Mr. Pearson:** I do not think I have that privilege, but I should be glad to close the debate, if that is the wish of the house.

**Mr. Pouliot:** Just a moment, on a point of order. It is only the mover of the motion who can close the debate. I do not see how the Secretary of State for External Affairs can close the debate, when it was the Prime Minister who moved the motion.

**Mr. Speaker:** The hon. member for Temiscouata is right. The motion has been made by the Prime Minister, and the debate should be closed by him.

**Mr. Pearson:** Mr. Speaker, the discussion of this resolution has been encouraging; indeed it has been an inspiring example, if I may say so, of parliamentary unity, and a reflection of national unity in a fundamental question of international policy. It has shown that no matter how vigorously we may differ on domestic matters—as we should, in a healthy democracy—in the house and in the country we face as a united people the problems of peace and collective security.

Those who have the privilege of signing this treaty for Canada next week will, in fact as well as in theory, sign it as the representatives—and indeed servants—of the parliament of Canada and the whole people of Canada, except those of communist belief who clamour and scramble on the fringes of our national life.

Tonight I wish to say a few words about the background leading up to this draft treaty and, if I may, explain as briefly as possible the articles of the draft text, during which time I hope to deal with one or two of the matters raised by previous speakers.

At the end of the second world war, as has already been pointed out in the house, relief that the terrible struggle had been brought to a victorious end was combined with the determination that the disaster should not be repeated. The free people of the world, at shattering cost and desperate suffering, had defended or regained their liberties. They