

Privy Council, a court of British judges. Great Britain and Canada pay allegiance to a common flag, at once the emblem and the legal warrant of a British protectorate over Canada and of British rights on Canadian soil and in Canadian waters. Canada relies almost solely upon Great Britain for protection on land and sea. Canada is represented at the courts of foreign nations by British embassies. She exercises no separate voice in the framing of international laws either of peace or war. She is not recognised as an independent kingdom by a single foreign power; if she has reached her majority it certainly has not yet been acknowledged by a single foreign state. In all international relations, indeed, Canada is wholly devoid of the attribute of political independence. Internationally, Canada is still in the state of legal infancy. We should always keep in mind, too, that international relations are the only relations which make an independent nation. No amount of self-government in home or internal affairs can make an independent nation. If powers of internal self-government made a nation, then any chartered company which owned and occupied a plot of land might claim to be an independent nation. It is the acknowledged right to treat directly with other nations which makes a nation independent.

There is, as we have already suggested, only one important exception to the rule that Canada is not internationally independent, and that is her admitted right to make customs or fiscal treaties or pacts with other foreign nations. But these treaties are no longer supposed to affect the political status of nations. They are now, for the most part, regarded as economic or business pacts and not as political treaties. National rights are based more upon personal rights and rights of property than upon trade rights. Trading transactions are naturally of a private character,

and, therefore, largely beyond the control of Governments. The British free trade system at least frankly acknowledges the futility of governmental interference with the natural course of trade and commerce. Primarily governments are not business or trading institutions. The primary objects of governments always have been to frame constitutions, to make laws, to provide for national defence, and to make wars upon and treaties of peace with other nations. Industry and commerce are merely secondary subjects of legislation, and the wisdom of direct governmental interference in these subjects is at best highly questionable. Mr. Ewart confesses that he does not apprehend that any danger of political annexation will emerge from the pending reciprocity pact with the United States; why then does he regard Canadian customs autonomy as any evidence of our political separation from Great Britain?

If Canada is not an independent state internationally, neither is she wholly independent even in purely home or domestic government. We owe Great Britain for our entire system of law. We inherit the Common or Case Law of England complete. Not a few statutes, too, of the British Parliament, as, for example, the Colonial Laws Validity Act, the Foreign Enlistment Act, and some phases of the Bankruptcy Acts, extend to the Colonies by express words or necessary intendment, affecting as they do the personal rights of Canadian citizens and even affecting property rights in Canadian soil. About a half a hundred other Imperial statutes of great importance, as, for example, the Statute of Frauds, the Statutes of Elizabeth, and the Habeas Corpus Acts, have been inherited by the Colonies, and of those statutes which remain there is scarcely one, even of those of most recent date, which has not been either