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## Canada and the Empire

IN one of the Ottawa newspapers there is evidence of a strange misconception of Canada's relation to the Mother Country in regard to war and to the making of treaties. The Ottawa Journal has the following quotation and comment:

"The agreement between Great Britain and France (to act together if France is attacked by Germany without provocation) corresponds with that between France and the United States, with an added provision that the treaty imposes no obligations upon any of the dominions of the British Empire, unless and until it be approved by the Parliament of each dominion interested."—Associated Press Despatch.

The above illustrates the absolute and final recognition by the United Kingdom of the complete autonomy of the self-governing overseas British countries. No longer is it true to say, what until this week was true, in words famous in our Parliament, "When England is in war, Canada is at war." An agreement framed by British statesmen lays down the principle that though England should go to war in a just cause, neither Canada nor Australia nor South Africa has any obligation in the matter except as the respective parliaments of the overseas dominions shall decide, each for itself.—Ottawa Journal.

There is no new situation respecting Canada's relation to Imperial treaties. There is no new constitutional position respecting Canada's participation in war. When England is at war, Canada is at war. That was the situation ever since Canada existed as a part of the British Empire. That is the situation today. But while it was evident enough that when England was at war Canada was at war, for a great many years the position has been that only Canada, through her Parliament, could determine the extent to which Canada would participate in war. Ever since the North American colonies were granted responsible government, only their own Parliaments could determine what part they should take in war. So long as the British North America Act remained unrepealed by the Imperial Parliament, there was no power other than the Parliament of Canada that could direct the sending of a single Canadian soldier to the battlefield. That was the situation before the recent war. That is the situation today. There has been

no change. There is not likely to be any change.

Nor has there been any change in the present generation respecting Canada's relation to Imperial treaties. There was a time when the British Government made treaties which applied to all parts of the Empire, without stopping to inquire what the overseas possessions thought of them. It was then that commercial treaties with Germany and Belgium were made, which in later years proved so embarrassing. But the situation under which those treaties were made was changed long ago. For many years no treaty affecting the overseas Dominions has been made in that way. With the growth of the Dominions there came to the Imperial authorities many years ago an appreciation of the fact that the Dominions must be consulted about such things. In matters of particular concern to Canada it was recognized that Canadians must be associated with the representatives of the Imperial Government in any negotiations that had to take place. Thus Sir John A. Macdonald was associated with the British Ambassador in the negotiation of the treaty of Washington; Sir Charles Tupper was associated with Lord Dufferin at Paris in the negotiation of the first Franco-Canadian commercial treaty; Sir Charles Tupper was associated with Mr. Joseph Chamberlain in the negotiations at Washington respecting the Atlantic fisheries; and Messrs. Fielding and Brodeur were associated with Lord Bertie at Paris in the making of the Franco-Canadian commercial treaty of 1908. In all these instances direct representatives of the Imperial Government were engaged along with Canadians, but practically the business was managed by the Canadian representatives. There has been no change of Canada's relations with the Imperial Government in this respect.

In the case of treaties in which Canada was not specially concerned, but which nevertheless might apply to the whole Empire, it has long been the established rule of the British Government to insert a clause providing that the treaty shall not apply to Canada or to any other Dominion unless the Parliament of the Dominion has passed the legislation necessary to approve of the proposal. That is exactly what is being done in the case of the treaty mentioned by our Ottawa contemporary. There is nothing new in the procedure.