

External Affairs

they will stand together in resisting that aggression. They have put the following in their statement:

The consequences of such a breach of the armistice would be so grave that, in all probability, it would not be possible to confine hostilities within the frontiers of Korea.

Finally, we are of the opinion that the armistice must not result in jeopardizing the restoration or the safeguarding of peace in any other part of Asia.

It is a very strong pledge that the sixteen nations, including Canada, have taken in that regard.

The Secretary of State for External Affairs intimated today in this regard that Canada would probably be playing a rather minor part in the conference at Geneva. Be that as it may, sir, I hope—

Mr. Pearson: I do not want to interrupt the hon. gentleman, but I said a relatively minor part in the Indo-Chinese part of the conference.

Mr. Fleming: That is what I was coming to, but I am glad to have that clarification from the Secretary of State for External Affairs. Whatever part Canada does play I hope that there will be nothing done to weaken the application of the principle that in negotiations with these communists we must negotiate from strength; we must be canny; we must not be throwing away a single card now that we may have an opportunity to play later, and we must go into that conference determined to preserve the integrity of the principle that aggression must be shown before all the world not to pay. That is a lesson that has to be taught to those who are practising aggression and hot warfare in Indo-China today.

Now, sir, what of China—China that we used to think of years ago as a great peaceful nation, as peace-loving a nation as any in all the world? What a travesty of history that that nation of peace-loving people has now been turned into a red-handed aggressor, an aggressor which inspired and spurred on the aggression of the North Koreans in 1950, aided and abetted it and then finally itself marched into North Korea. It is a nation under a communist regime which has been branded by the United Nations before all the world as an aggressor, an indictment by mankind; a nation under a communist government that has today virtually annexed North Korea, that has virtually annexed Tibet, which, if it has its way will undoubtedly seek to work the same result in Indo-China; a nation which has been singled out by the United Nations for the passage of a resolution denying strategic materials to it, as a nation in whose hands any materials that can be used in warfare are not to be

[Mr. Fleming.]

trusted. And it is the communist government of this nation that some would now have us recognize as the government of China.

Well, sir, let us turn back to the rule, which they say runs something like this: that where a government, regardless of how it came into being, does exercise control over a specified territory and conditions are sufficiently settled that it cannot be said that its authority within that territory is seriously challenged, then it is entitled to recognition. Sir, that, as I read the rules of public international law, is not an altogether correct statement of the rule. I suppose the leading authority on public international law is Professor Oppenheim of Cambridge. I have in my hand volume I, sixth edition, of his work on international law, where the rule is put at pages 126 and 127 in this way:

When, however, the new head or government, be it a monarch succeeding another monarch, a president of a republic succeeding another president, a monarch succeeding a president of a republic, or a president of a republic a monarch, comes into power not in a constitutional manner but after a *coup d'état*, a revolution (which need not involve bloodshed), or any other event involving a break in legal continuity, the determination by other states of the attitude to be adopted toward the new head or government is often difficult. They are called upon to arrive at a decision on the question whether the new authority can be properly regarded as representing the state in question. In arriving at that decision, they exercise a discretion which, though necessarily wide, is not an arbitrary act.

I suggest that where discretion exists in this matter, under that statement of the rule of public international law, Canada ought to exercise her discretion not to give recognition to the so-called people's government of Peking.

There follows a review of the trends in relation to the recognition of new governments. There is not time at my disposal to review these. They follow in the succeeding pages, but it is a fair summary to say that there have been conflicting trends as to whether, in deciding to give or withhold recognition of any new government, a nation is entitled to ask itself if that government is capable of fulfilling the normal requirements of civilized international behaviour between states.

Does any opposition exist in China, any effective opposition to the present people's government? Well, if it does not, Mr. Speaker, we well know why. It is because that opposition has been exterminated in the most ruthless manner by the present government.

How did this regime come to be in control of the reins of power in China? It came not as a result of some innocent movement for agrarian reform as the communists sought to pretend—Canadian communists as well as others—in recent years. It came into power,