

very considerably in very essential particulars the procedure prescribed in 1923 and ratified by this parliament last year; and it leads to the reflection that one may sincerely doubt whether the political and social engagements of the representatives of the dominions at any hurried meeting of the Imperial conference will conduce to that careful consideration and comprehensive expression of inter-imperial relationships which is necessary in order that they may be clearly studied, understood and expressed. And one may also doubt, I think, whether the representation of the dominion by party leaders only at any such Imperial conference, as suggested by the leader of the opposition, may be deemed to be binding upon the judgment and conscience of the whole body of the electorate of this country. If we are to have Imperial conferences called for the purpose of formulating a more complete code, and defining in more explicit terms inter-imperial relations and the relations of each dominion to foreign states, while the Prime Minister of the country undoubtedly must have an effective voice, yet for the preservation of domestic unity in dealing with foreign states, and in furtherance of the desire shared by all to preserve the unity of the empire to which we belong, provision should be made for the representation at such conferences of the views of opposing groups and parties in this country.

To resume, it was, I think, distinctly affirmed by the resolution of 1923 that Canada, as well as the other five dominions, had acquired a constitutional right to accept or to be excluded from the operation of treaties negotiated by the government of Great Britain which would otherwise directly affect Canada's international obligations and interests; and it was affirmed by the Canadian parliament at its last session that the Canadian government should signify its acceptance of the terms of any such treaty only upon the authority of a resolution formally presented to and accepted by the Canadian parliament. I think that is, perhaps, a fair resumé or epitome of those resolutions of last year.

One thing occurred to me in reading this report of the Imperial conference. I have had considerable experience in various parts of the world in drafting complicated agreements and contracts where large interests were concerned, and where I met around the table lawyers of other countries and of other languages I always found it very convenient indeed to ask opposing counsel to make the first draft of the proposed agreement, because when they did it with carefulness they disclosed on the very face of the draft contract all those

[Mr. Cahan.]

matters for which their clients were really contending, and my duty then was, if my clients would not accede to their extreme demands, to use such intelligence as I had to bring about modifications by way of addenda, parentheses and amending conditions, so as to remove or ameliorate all the burdensome conditions imposed by opposing counsel. Now when I read this draft report, I think it is clear that there were what you might call some rather extreme demands made by the representatives of one or more of the dominions—of course, I accept fully the statement of the Prime Minister that he expressed no grievances and made no extreme demands—and those extreme demands are granted, or are seemingly granted, by the terms of this report through the expression of certain well-known platitudes with respect to the autonomy of the dominions. We have such statements, for instance, as that declaring that the dominions are:

—autonomous communities within the British Empire, equal in status, in no way subordinate one to another in any aspect of their domestic or external affairs, though united by a common allegiance to the crown, and freely associated as members of the British commonwealth of nations.

Again, the report says:

Though every dominion is now, and must always remain, the sole judge of the nature and extent of its co-operation, no common cause will, in our opinion, be thereby imperilled.

Now that conveys to my mind that some draftsman, perhaps an astute English draftsman, conceded the idea that the dominions are autonomous, with equality of status, but insisted nevertheless that, being partners in the empire, there are certain implied duties and obligations to which we are expected to respond. I can picture to my mind the smile of satisfaction which might have fluttered over the face of two such astute draftsmen as Lord Birkenhead or Lord Balfour, two of the most astute political strategists that the recent political life of England has produced, when they witnessed the drafting and acceptance of the latter clause. For do not such clauses as those implicitly, and yet emphatically, declare that we are partners in the empire, equal in status, if you will, participating as citizens of that empire in the advantages and privileges, —world-extended privileges—which accrue to the position and power of membership in the empire; yet, they express by implication that by moral obligation, by the precepts of common and equity law, we, as such partners, equal in status, are in fact morally bound, by the very implications of the contract, to