

the Minister of Justice (Mr. St. Laurent) and members of the Canadian bar association. In San Francisco I met not only with the minister but with Chief Justice Farris, of British Columbia, who made a study of the subject and has given devoted service to the ideals of international justice and law. This court makes possible the establishment of the rule of law on earth, assuring to the world security for nations great or small, and substituting the principles of justice for the sanction of war. I know there are difficulties in connection with it. There is no mandatory submission on the part of the nations excepting the twenty who have agreed to its mandatory terms, and not one of the Big Five are included in this category, and they were the members of the old international court, one of them being Canada. Before the world can achieve peace, the nations of the world must accept the rule of law. History in the past has recorded many great international pacts, but never before, as I said a while ago, has international bad faith been considered a crime and its perpetrators made subject to punishment. To-day we have made an advance which will mean much in the future, and I think the charter of the international military tribunal might well have been incorporated into the international court of justice. It would have afforded warning to aggressors everywhere in the world that the paths of leaders of nations who start international murder, masquerading under the name of war, will not lead to glory but will bring its leaders inexorably to the scaffold. The military commission set up in Europe will try many enemy leaders who, while accepting the Kellogg pact and agreeing to the outlawry of war, proceeded to prepare for aggression which was contrary to their pledged word.

I conclude. The charter sets up machinery for peace. It sets up a new basis of international law. It sets up a court. It sets up a security council. Under it is to be set up that most beneficent organization, as I hope it will prove to be, the economic and social council. These things without the support of all mankind, these things without the support of all Canadians, will not succeed. The world to-day is in this position. It takes one of two courses. One will be upward, if the common people of the world demand it to a strong and permanent peace under the machinery provided by the charter whereby justice will be assured all nations of the world, together with improved social and economic conditions everywhere. The other leads downward to suffering and horror and another war which will inevitably follow if

[Mr. Diefenbaker.]

suspicion, intolerance, excessive nationalism and the accentuation of racial superiority are embraced by the nations as their philosophies.

I believe that this charter can and will succeed but only by the practice of tolerance, of mutual respect and strict regard, by all nations, for international obligations and, above all, by the mutual desire to cooperate of all the nations. This charter will be a milestone in mankind's march to better things. It has its weaknesses, but with a full realization of their existence I believe that mankind can secure and maintain peace if it will but seek the attainment of that goal on the part of each of the nations within the united nations, and if each is willing to make sacrifices and show the same courage for peace that brought victory in war.

I know the cynics say that in one hundred years we have had seventy-two wars, that in three centuries we have had a world war every twenty-three years. That is history. The will to war is practised by only two species, men and ants. As stated recently in a great editorial in the *Saturday Review of Literature*, all entomologists agree that war is instinctive with ants, but not all anthropologists agree that war is instinctive with man. San Francisco was designed to prove that, whether instinctive or not, it must be controlled in the interests of the survival of mankind.

My mind goes back in retrospect to the opening day of the conference. I stood at the entrance of the meeting place and I saw there the great of many nations as they walked up—the Edens, the Molotovs, the Stettiniuses, the Soongs and the Bedaux, all the representatives of the other nations, and our own representatives. I saw them walk through that doorway up the steps and into history, and outside I saw a scene that I shall never forget, a silent moving-picture which will never be erased from memory. Outside that opera house a large crowd of people were held back on the street by a cordon of police and among them was a woman wearing the gold stars of sacrifice. She who had sacrificed tried to enter; but the opportunity of being in the conference, which was called to ensure the culmination of the things for which her loved ones had died, was not to be hers. She could not enter; but she made her contribution when she, in the presence of thousands of people, knelt in silent prayer. That woman will have no place in history along with the great of all the nations who fashioned this charter, she the unknown mother who, in the humility of unuttered prayer, gave inarticulate expression to the prayers of the world's billions who had representation at that conference. Hers was