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## THE POLITICAL IDEAS OF JOHN S. EWART

By FRANK H. UNDERHILL

John Skirving Ewart was born in 1849, the year of the Rebellion Losses Bill which marked the definite establishment of Responsible Government in the province of Canada. He lived to welcome the report of the Imperial Conference of 1926 and the Statute of Westminster of 1931, which together mark the culmination of the long process by which the little dependent colony of his boyhood has grown into the sovereign nation-state of today.

Brought up in liberal traditions, trained for his profession of law in the firm of his uncle, Oliver Mowat, he was a young man in his early twenties in Toronto when the Canada First movement was launched. "Canada First," while it talked of consolidation of the Empire as part of its programme, emphasized above all "the cultivation of a national sentiment." It must have made a strong impression upon the young Ewart who was to devote the main efforts of his later years to "the cultivation of a national sentiment." "Some seed was sown," he said of Foster's movement of the 1870's, "but it fell among the thorns of party politics and the thorns sprang up and choked it."<sup>1</sup> From 1904, when he delivered his first speech in Ottawa on the *Kingdom of Canada*, he gave more and more of his time to cultivating the seed anew in the more favourable soil of the 20th century Dominion. In the meantime he had spent twenty years in Winnipeg, practising his profession, growing up with the new western community, and imbibing the spirit of the new nationalism which has always made more appeal to the youthful pioneer society of the prairie than to the older societies of the eastern provinces with their deep-rooted local traditions. The campaign of pamphlets and speeches in favour of an independent Canadian nation which he carried on for the last two decades of his life was the natural outgrowth of this environment of his youth and early manhood.

Mr. Ewart had not the personal gifts for attracting a large popular following. His dry analytical style was that of the lawyer arguing a case rather than of the missionary seeking new converts to the faith. Yet the chief ideas which he began to propound in the early 1900's have been substantially realized in the Canada of the 1930's; and as he was certainly not preaching to the converted when he started, his propaganda work must have had some influence in contributing to this result. As he claimed himself, his ideas were in accordance with the main line of Canadian constitutional development, though this was not admitted by most Canadians who were discussing the subject twenty-five years ago. He himself must be given considerable credit for assisting the Canadian public to recognize what the implications of its political history were and what was the goal to which its constitutional evolution pointed.

He was read, said the *Ottawa Journal*,<sup>2</sup> only by pedants and professors. Perhaps one like myself, who is both a pedant and a professor, is apt, therefore, to overestimate his influence. But the fact is that Mr. Ewart's

<sup>1</sup> *The Kingdom of Canada*, p. 83.

<sup>2</sup> In an editorial article, 25 Feb., 1933.

ideas did not find acceptance with the professors and have hardly found acceptance with them yet. In the decade from 1908 to 1918, if one can trust the evidence of articles in the *University Magazine* and the *Review of Historical Publications Relating to Canada*, Canadian intellectuals were mostly caught up in the current of Imperialism; they either ignored Mr. Ewart's arguments or treated them with consistent hostility. Only the *Queen's Quarterly* printed articles of his or articles sympathetic to his views, showing itself in this as in many other matters much closer to the actual Canadian soil than its more pretentious contemporaries in Montreal and Toronto. As late as 1928 Messrs Corbett and Smith of McGill, in their book, *Canada and World Politics*, could speak of him as a *vox clamantis in deserto*. When one realizes how much closer were his ideas to the actual line that imperial development has followed than the ideas of his host of academic Canadian critics who were still dreaming of some central authority in the empire, one begins to suspect that the voice crying in the wilderness must have had a good many hearers within its range. At any rate, it is an interesting curiosity of our Canadian history—this almost complete loss of touch shown by our academic intellectuals with the deeper trends of national life. Though the masses may not have read what Mr. Ewart wrote and, if they had, could not have understood the legal subtleties of the dispute about the nature of a Personal Union, he has certainly proved a much more correct interpreter of the trend of our national evolution than his supercilious critics who were wont to find his history of the past biased and his proposals for the future impractical.

Mr. Ewart's writings derive some of their importance from the fact that he began his campaign for an independent Canadian nation, a Kingdom, just at the moment when all the signs seemed to point in the opposite direction. Canada as she grew out of the colonial stage was faced by two alternative choices. Either she might continue to emphasize her individual autonomy until that had grown into complete independence, insisting upon taking over the separate management of her external affairs just as she had done with internal affairs; or she might demand a share in the management of imperial foreign policy in London, thus realizing the responsibilities of manhood by taking up a junior partnership in the imperial firm. From the period of the Boer war the Canadian government and people were subjected to incessant pressure to induce them to accept this second alternative. Canadian universities were among the first groups in Canada to adopt the programme of imperialism. Laurier spent all his years of office in fighting this campaign and Mr. Ewart was a frank admirer of his general course of action.

It was to bring out and emphasize the full implications of Laurier's autonomist attitude that Mr. Ewart entered the fray. He criticised Laurier because, as a practical politician, he had not felt himself free to develop the full implications of his own actions and had often to make concessions to imperialist demands for co-operation. "He had to choose between ultimatum and compromise."<sup>3</sup> It was because compromise on the most vital point of all, the question of war relationship, seemed fatal to Canadian national integrity that Mr. Ewart preached his own doctrine of the "Kingdom of Canada." Laurier allowed himself insensibly to drift into British

<sup>3</sup> *Kingdom Papers*, Vol. I, p. 258.

military entanglements just as Sir Edward Grey was drifting in his relations with France. His opponent, Sir Robert Borden, seemed to welcome the entanglements because they gave him a basis for demanding a share in directing British policy. So Mr. Ewart took up his own course of warning the Canadian people of the dangers of their position and of holding before them another policy which would remove all doubts and difficulties.

The root idea of all his teaching was equality. Canada must abandon all the relics of colonial dependence and achieve a status equal to that of the United Kingdom. This did not involve—at least when he started his campaign—any thought of breaking the connection with Great Britain, but it did mean a fundamental change in the nature of the imperial tie. Canadian nationalism was necessary for the achievement of a united self-respecting community.

"I am most perfectly persuaded that their influence (Canadian imperialists) upon the political present of Canada is pernicious, and upon her political future, dangerous. It is so because its underlying principle is Canadian insufficiency. Tell Canadians that their affairs can be managed better in London than in Canada, and to the extent of your influence, you are doing them an injury. Tell Canadians that, particularly with respect to foreign relations, they are inferior to the diplomats of other nations, and ought to be glad if they are even consulted as to what is good for them, and, to the extent to which you can make them believe you, your language is baneful . . . I say that national depreciation is mischievous and injurious. . . . We have nothing to be ashamed of either in our country, our men, or our achievements. We can manage our own affairs better than anyone else . . . The chief fault of Canadians, politically, is their diffidence and their timidity. Imperialism has taught them their insufficiency, and big robust and strong as they are, they reflect their education. Our mean colonialism is part of our fibre. We ought to give our children a chance of being something better . . .

We have a difficult problem here in Canada. We have to unify and nationalize a people—several peoples—whose geographic and ethnologic conditions make for separation, . . . How are we to unify Canada? There is but one possible way: Make her a nation in name as well as in fact. Let her throw off her mean colonial wrappings and let her assume her rightful place among the nations of the world. Give us a common pride.<sup>4</sup>

This meant constitutionally that all the remaining legal forms by which Canadian subordination to an imperial sovereign power were expressed must be removed. The legislative, executive and judicial subordination of the Canadian government and parliament to the British must disappear. The Dominion of Canada should become a Kingdom, as J. A. Macdonald had wished in 1867, owing allegiance to the same sovereign as the United Kingdom but bound by no other ties. "The Kingdom of Canada" is the title of Mr. Ewart's first lecture in 1904 and remains the leading theme of his argument from that time on. In 1917, when schemes for closer Imperial union seemed to him to imperil everything of autonomy which Canada possessed, he reached the conclusion that only complete separation as an independent republic would preserve our Canadian birthright. After the 1926 Conference, however, he gradually returned to an acceptance of the King Union, and with the coming into force of the Statute of Westminster on December 11, 1931,—“the most important date in Canadian History”<sup>5</sup>—he was willing to sing his *Nunc dimittis*, believing that

<sup>4</sup> *Kingdom Papers*, Vol. I, pp. 54-55.

<sup>5</sup> See his address to the University Club, Ottawa, 21 Sept., 1932.

the Statute meant the achievement of what he had started to advocate almost a generation earlier.

The evolution of his opinions is stated by himself in an article in *Foreign Affairs* in October, 1927.

"Prior to the recent war, the present writer regarded a Personal Union of Canada with the United Kingdom as all that Canada could desire. Having in mind the Great Britain and Hanover union, he imagined that, similar relationship might be established between the United Kingdom and Canada: the United Kingdom might continue its immersion in European complications, while Canadian policy would be guided by Canadian interest. The outbreak of the war dispelled that idea. The difference between the two cases became obvious. Behind the Great Britain and Hanover union there was no unified history, no sympathy, no common tradition and achievement, and the two peoples spoke different languages. One nation might be at war without materially disturbing the feelings of the other. Between the United Kingdom and Canada, on the other hand, there was the relation (metaphorically) of mother and daughter, and there were the ties of sentiment language and tradition. . . . In the case of the United Kingdom and Canada, Personal Union would only be a misunderstood modification of a previous life-blood association. Consummation of it would not efface traditional mental attitude. The United Kingdom could not be at war and Canada be indifferent. All this became startlingly clear in 1914 . . . These considerations convinced the present writer that nothing short of complete separation would enable Canada to take an independent attitude with reference to wars in which the United Kingdom might in future be engaged. While it is true that, were a Personal Union consummated, Canada would not become a belligerent merely because the United Kingdom was engaged in war, the general public would not appreciate that fact. They would be inclined to reject the assertion that the Sovereign could be at war in one capacity and at peace in another. They would remain in the belief that duty and loyalty demanded participation in wars in which their king was engaged. They would not consider that they were free from all obligation. Lawyers might so declare, but an unwillingness to accept the technical truth would leave the people practically in the state of legal subordination from which they had passed by termination of the imperial relationship. Canada is not yet ready for a declaration of independence. But her approach towards it has recently been very rapid . . . Now equality of status is almost unanimously accepted and acclaimed . . . But people do not understand that equality of status means, for Canada, sovereignty. That they will learn; and the process of development will continue."

Against mere colonialism as such in the pre-war decade Mr. Ewart could win fairly easy debating victories. He was over-fond of quoting flowers of rhetoric from English statesmen to prove that Canadian equality was already recognized by them. But he realized quite clearly that the crucial point was the question of war relationship. Was Canada bound to go to war whenever the United Kingdom became involved? It was because he wanted it made clear beyond all doubt that she was not so bound unless she had specifically committed herself beforehand by treaty or other arrangement that he was so insistent on removing all other constitutional ties except allegiance to a common king. Previous examples of the Personal Union type of relationship—especially that of Great Britain and Hanover—could be cited to prove that it was possible for one kingdom to remain neutral when the other was at war. Any closer relationship would automatically involve Canada in British wars.

Mr. Ewart was proud of the skill and obstinacy with which Laurier had blocked the repeated efforts of Chamberlain or of the War Office and Admiralty to get Canada committed to common war efforts with them. He was wont to hold up the Laurier policy of trade preference and of development of postal and cable communications as examples of the kind of economic co-operation that was possible and desirable between Canada and Britain in lieu of the policy of political consolidation of the Empire.

For Chamberlain's scheme of Imperial preference, he believed, was only a method of achieving this ultimate political end, and to Chamberlainism his reply was "Co-operation ever, incorporation never."<sup>6</sup> But on the other hand he was alarmed at the concessions which he thought Laurier made to military pressure from London. He quoted with relish Laurier's remark at the 1911 Conference that "We have taken the position in Canada that we do not think we are bound to take part in every war," but he was critical of Canadian representation on the Imperial General Staff and the Committee of Imperial Defence. Insensibly Laurier was slipping into a policy of military co-operation in preparation for war, a policy which would entangle his country in obligations of honour, just as Sir Edward Grey, at the same time, was drifting into similar entanglements with France.

All these questions of the war relationship came into public discussion with the naval scare of 1909 and Laurier's naval bill of 1910. The best part of Mr. Ewart's writing is his acute analysis in the *Kingdom Papers* of the implications of the rival Laurier and Borden plans on naval matters. Sir Wilfrid insisted, in accordance with his autonomist traditions, on a separate Canadian navy and left the question as to how the navy should be used on outbreak of war to be met when such an occasion might arise. Mr. Borden claimed that Canada should commit herself to no permanent policy of naval construction until she had settled with Great Britain what voice she was to have in determining the foreign policy of the Empire.

Mr. Doherty, the leading constitutional authority of the Conservatives, elaborating upon his chief's argument, called Laurier's policy, a policy of drift because it refused to face this ultimate question of the control of foreign affairs, and Mr. Ewart quite obviously sympathised with Mr. Doherty's criticism. "The finding of a way," said Mr. Doherty, "by which we may have a voice, and a real voice, in the control of the foreign policy of the Empire, is an essential condition precedent to our embarking upon any permanent policy of participation in the maintenance of naval forces"—or as Mr. Ewart put it himself—"No obligation without representation."<sup>7</sup> But Sir Robert Borden when he came into office did not find a way of having a voice—a real voice, not merely an advisory voice—in the control of the foreign policy of the Empire. No effective arrangements were made for the conduct of a joint foreign policy and Mr. Ewart did not believe that any arrangements could be made. We were therefore logically under no obligation to participate in British wars. "Declaration of our adoption of the principle of no obligation without representation is, in view of the impracticability of representation, not far from a declaration of independence."<sup>8</sup> This was Mr. Ewart's final conclusion in 1912 on the eve of war. His countrymen were not to agree with him, but his thesis that no real and permanent share in the control of British policy could be given to Canada was to be abundantly justified by experience in the next ten years.

The war put an end for the moment to the constitutional question; and Mr. Ewart, not wishing to do anything to disrupt the solidarity of the Canadian people, ceased publication of his *Kingdom Papers*. But in

<sup>6</sup> See his discussion of "Mr. Chamberlain's Proposals and Canada" in *The Kingdom of Canada*.

<sup>7</sup> See *Kingdom Paper No. 9*.

<sup>8</sup> *Kingdom Papers*, Vol. 1, p. 331.

1917 he felt impelled to take up his argument again. The publication of Mr. Lionel Curtis's *Problem of the Commonwealth*, Sir R. Borden's enthusiastic endorsement of the Imperial War Cabinet, the conscription election, and all the schemes being put forward officially or semi-officially in London for imperial consolidation, both political and economic, drove him into loud protest. No. 21 of the *Kingdom Papers* is the most vehement of all his writings and becomes in places almost hysterical.

Invention of the phrase, "Imperial War Cabinet," as descriptive of the London consultations, is a dishonest exploitation of war enthusiasm for imperialistic purposes . . .<sup>9</sup> Although we are authoritatively assured that the present war will not end until security against its recurrence has been obtained, we are also told that, for the future, our principal purpose in life is to be ready for resumption of the fight. And not merely are Canada's military and naval forces to be maintained at fighting strength, but the economics of her peaceful life are to be rearranged with a view to the anticipated supervention of war . . .<sup>10</sup> The old colonial system is reappearing. Unless the policy adopted by Sir Robert is repudiated Canada will descend to the status of a British sphere of influence . . .<sup>11</sup>

But for the war, the violent access of imperialism which it has precipitated, and the synchronization of an imperialistic Canadian Government, I still think that Sir John A. Macdonald's desire for a "Kingdom of Canada" . . . could have been realized. Now it cannot. We have sunk back into colonialism . . . The situation owes its existence to our allegiance to the British King. As long as king-union continues, we shall be regarded as part of the British Empire, from which will be deduced that, as the Empire is a unit, so its resources must belong to the Empire and be applicable, under Imperial direction, to the needs of the Empire as a whole . . . What was Canada's has become the Empire's; and the functions of our parliament are, in very appreciable measure, to be discharged by British Boards and Bureaus . . . While the scope of her self-control was expanding Canada tolerated her colonialism . . . Her nationhood might be deferred, but it appeared to be secure . . . The prospect has passed. Not along that line may Canada rise to nationhood . . . There remains but one course open to us, and that is to proclaim THE REPUBLIC OF CANADA . . . And this I say to the imperialists who are pressing their crown of thorns upon the brow of the Canadian people. Crush it down. Restrict our political liberty. Restrain our legislative freedom. Take possession of our property and resources. Apply our assets to the payment of the British war debt. Add us to your fighting strength. Reduce us to a source of supply—men, materials and money. Throw us into your international bargain scales. Count us as Egyptian fellaheen and Indian ryots. Crush it down, I say, until it enters the bone. Repeat for us the tragedy of your Transvaal imperialism. Lord Milner is once more a dominating figure . . . He has dissipated all hope of THE KINGDOM OF CANADA. He will find, I tell him, that he has but turned us to a better, for a more secure and enduring destiny. He, principally, is the founder of THE REPUBLIC OF CANADA."<sup>12</sup>

Perhaps Imperialists and Nationalists were both a bit hysterical in that last year of the war. Mr. Ewart's outburst shows at least that behind his political nationalism lay a strong economic nationalism. After the war he talked little about co-operation in economic affairs as an alternative to the programme of political centralization advocated by imperialists. "The empire as a whole," he was wont to remark, "is only a euphemistic phrase for referring to the interests of the United Kingdom as distinct from those of the Dominions."<sup>13</sup>

It is impossible to discuss the question of political relations with Great Britain in the post-war years without raising at the same time the question of Canada's relations with the European continent. Mr. Ewart was an

<sup>9</sup> *Kingdom Papers*, Vol. II, p. 270.

<sup>10</sup> *Kingdom Papers*, Vol. II, p. 314.

<sup>11</sup> *Ibid.*, Vol. I, p p. 366-7.

<sup>12</sup> *Kingdom Papers*, Vol. II, pp. 387-393.

<sup>13</sup> See his discussion of "The Empire as a Whole," in *Kingdom Paper*, No. 21.

emphatic North American. Before the war much of his admiration for Laurier had been based upon that statesman's abhorrence of the "vortex of European militarism." The experience of the war intensified this feeling in his mind. "Between these continents—one superheated with antagonisms, hatreds and bitter jealousies and the other unified in interest and devoted to the pursuits of peace—Canada must make her choice."<sup>14</sup>

"I am not apprehensive that Canada will enter into formal engagements to repeat 'the effort of the past' but that she will be induced so to entangle herself in co-operative preparations for a repetition of 'the great effort' that she will place herself under honourable obligation to make the effort when the time arrives . . . The great and pressing question is simply whether Canada is to be content to take care of herself and her own interests, or whether she desires to enter, in a subordinate capacity, upon participation in the management and control of the affairs of the world."<sup>15</sup>

He told the University College undergraduate Forum in Toronto in 1923 that Chanak was a Turkish delight which Canada had refused to eat. "If ever there were a time when Canada should turn a deaf ear to the siren song of European diplomats, it was now. Canada ought to sail by, lashed like Ulysses to the nationalist mast, with her ears stuffed with taxes."<sup>16</sup>

The most notable of all his utterances on this topic is in the *Independence Papers*, Volume II, p. 250, where he displays an unaccustomed passion.

"Geographically, Canada is a part of the North American continent. Is she, for war purposes, to regard herself as part of Europe? Is she to renounce all hope of future peace? Separated by the Atlantic, and for same purposes by the Mediterranean also, from spheres of nationalistic rivalries, is she to engage in ever-recurring wars among the hate-exchanging peoples of far-distant countries? Why should she? She cannot placate them. She cannot make French love Germans; nor Germans love Slavs; nor Slavs love Magyars; nor Magyars love Serbs; nor Serbs love Italians; nor Italians love Greeks; nor Greeks love Turks; nor Turks love British. She cannot fulfil for any of these peoples what they are pleased to call their 'legitimate aspirations.'

With their strifes and their hatreds, Canada must keep herself unassociated. They must learn by heavier and still heavier experiences that wars breed wars, and not as they were told 'a thousand years of peace.' They must learn to understand one another. From that attitude of mind, unfortunately, they are further removed than in 1914. They will fight and fight and fight again. Canada is not among them. She is not European. She is North American. Let her pursue a policy based upon that fact."

This attitude of North Americanism made him a very qualified admirer of the League of Nations. Especially did he object to Article X, "the worst feature of the Covenant." "Only while under the influence of war hysteria, could we have been induced to put our name to so wild an engagement . . . It has no relation to peace efforts or to aggressor penalties. Fourteen out of the thirty-two original members of the League took territory from the defeated nations and wanted everybody to agree that they should never lose it" . . . "Canada pledged her support, partly because of misrepresentation as to the effect of Article X and partly under the belief that modification of it could be secured . . . Canada should not have entered a League of which Articles X and XVI formed parts. If to it the Protocol is added, Canada ought to withdraw."<sup>17</sup>

In the ultimate analysis it is because Mr. Ewart, like the great bulk of his fellow-countrymen, was so sturdy a North American in his outlook upon life, whereas most of his academic critics have felt themselves as

<sup>14</sup> *Ottawa Citizen*, 22 May, 1922.

<sup>15</sup> Address to The Daughters of Canada, reported in the *Toronto Star*, 16 April, 1921.

<sup>16</sup> Reported in the *Toronto Star*, 22 March, 1923.

<sup>17</sup> *Ottawa Citizen*, 2 February, 1925. *Dalhousie Review*, January, 1925.



mere sojourners in an outpost of European civilization, that he and the professors have never been able to appreciate one another.

So stalwart a North American was naturally well pleased with the stand of the King government on the Chanak incident and the Lausanne treaty. He referred contemptuously to Mr. Meighen's "Ready aye Ready" speech as the bull-terrier argument—Canadians, like bull-terriers, must come when whistled to.<sup>18</sup> He remarked that—unlike Mr. Meighen—Sir J. A. Macdonald, Sandfield Macdonald and Sir W. Laurier had been good Canadian beaver. He welcomed the declaration of equality of status in 1926 and brushed aside the Balfourian metaphysical distinction between equality of status and inequality of function—"equality when you are standing still and inequality when you are doing something."<sup>19</sup> He seized eagerly upon the extension and consolidation of Canadian treaty-making powers as represented in the Halibut treaty and the Reports of the 1923 and 1926 Conferences, and undoubtedly exaggerated their legal and constitutional significance as Professor A. B. Keith showed fairly clearly in the *Canadian Historical Review*<sup>20</sup> and elsewhere. But, as Professor Keith has shown with equal clearness in his later books and especially in his most recent one, *Constitutional Law of the British Dominions*, the tendency of events has been to bring the relationship of Great Britain and the Dominions steadily closer to that Personal Union, the achievement of which Mr. Ewart was apt to announce somewhat too prematurely with each of the recent Imperial Conferences.

It would take too long to deal with Mr. Ewart's detailed comments on each of the outstanding events from 1921 to 1930. His final conclusions are given very well in an address to the Historical Society of Trinity College, Dublin, 5 Nov., 1930.

"When the remaining steps have been completed, the relations of the Six Kingdoms to one another will be that of a Personal Union. There will be no longer one dominant state and five subordinate states. All will be equal. And our people must learn what that means. They must become familiar with the idea of a divisible King, a King with several crowns, a King with several sets of advisers to whom he pays equal deference and by whom he is separately guided—possibly in conflicting directions . . . The change involves the substitution of the word *Kingdoms* for *Dominions*. Equality demands that the subordinate title shall disappear . . . These considerations apply to the subject of war. It is often said that when the King is at war all his subjects are at war. But that is to overlook the fact that now the King has several separate sets of subjects . . . The Government of one Kingdom can advise him to declare war in respect of that Kingdom. But they cannot advise him to embroil any other Kingdom. And he would have no power to do it if they did. The proper phraseology is that when the King of one Kingdom is at war, all his subjects in respect of that Kingdom are at war."<sup>21</sup>

The problem of our political and constitutional relationship with Great Britain has not, however, received as yet quite so simple a solution as Mr. Ewart maintained. Most constitutional lawyers do not agree with him that, even if the relics of central control were removed, (as expressed, for example, in the maintenance of appeals to the Privy Council and the necessity of going to the British Parliament for amendments to the British North America Act) this would reduce the relationship to the purely nega-

<sup>18</sup> *Canada and British Wars, 1923*, pp. 5-8.

<sup>19</sup> *Canadian Bar Review*, February, 1932—"The Statute of Westminster, 1931, as a Climax in Its Relation to Canada."

<sup>20</sup> See the controversy between Messrs. Ewart and Keith in the *Canadian Historical Review*, June and September, 1923, reprinted in the *Independence Papers*, Vol. II, No. 4.

<sup>21</sup> *Independence Papers*, Vol. II, pp. 337-8.

tive one of a Personal Union. The Britannic nations still retain certain other elements of unity which give a distinctive character to their connection. It is true that the doctrine of the Seals which was considered so formidable a few years ago—the supposed control exercised by British authorities over Dominion foreign relations through the fact that the Great Seal of Great Britain and lesser seals had to be attached to certain documents without which any action of Dominion plenipotentiaries or ministers abroad would be invalid—has now been abandoned since the Irish Free State began in 1931 to use her own seals for these purposes and to approach his Majesty directly without the intervention of any British minister. But all the British nations have agreed that any change in the succession to the throne must be made by common consent, which appears to mean that the union is one which cannot be dissolved by unilateral action and is, therefore, of a more solid nature than a Personal Union. Still more important, they have agreed that for certain purposes in foreign relations the British Empire counts as a unit; in questions of disarmament, in the major international political settlements, in questions involving the application of sanctions, the members must act together as one unit. On other questions they act separately, but as long as this unity in the vaguely defined realm of High Policy remains, they are not completely separate sovereignties. Moreover, they have also agreed that the relations of members of the Commonwealth *inter se* are constitutional in character and not governed by international law. In a mere Personal Union such relations would be assimilated to those of an international character. But in adhering to the Optional Clause of the Statute of the Permanent Court, e.g., the members of the Commonwealth excluded disputes among one another from international adjudication; at the 1930 Conference they set up a special Commonwealth tribunal for such cases. They still also insist on the right to grant trade preferences to one another which do not fall within the scope of most-favoured-nation clauses in international treaties.

So long as all the members of the Commonwealth agree to such interpretations as these of their *inter se* relations, and so long as foreign nations do not effectively challenge these interpretations, it is hardly correct to describe the present relationship as that of a Personal Union. All we can say is that in certain aspects the Crown is indivisible and in certain other aspects divisible, and that the metaphysical difficulties of the relations of the One and the Many will no doubt be worked out satisfactorily in practice—*solvitur ambulando*.<sup>22</sup>

Mr. Ewart was impatient with such logical inconsistencies as these. The difficulties of the One and the Many he brushed aside and he refused to see anything but pluralism in the post-war Empire. "Six independent states are not an empire or a commonwealth. They are six kingdoms. And as they have the same King, their association is that of a Personal Union. Why not use language correctly and intelligibly?"<sup>23</sup> And it may be in the end that he was right. For perhaps the most significant recent development in these subtle controversies about the nature of the unity of the Crown is the persistence of the Irish Free State in trying to elevate its relations with Great Britain to an international status. In the economic sphere also it is fairly certain that foreign nations will not forever tolerate

<sup>22</sup> See the discussion of all these points by Prof. W. Y. Elliott, in his book, *The New British Empire* (New York, McGraw-Hill Book Co., 1932).

<sup>23</sup> *Ottawa Citizen*, 3 January, 1930.

our inter-imperial preferences without forcing the issue of most-favoured-nation treatment. In another field, in 1929, in the Convention as to Air Navigation, the British nations were given separate votes only on condition that they agreed that its provisions should apply as between themselves as if they were separate independent nations. We may yet see a complete realization of Mr. Ewart's ideal of a Personal Union.

But for the present we are still faced by the question of the war relationship and what our policy is to be about taking part in British wars. And on this point one is bound to wonder whether Canadians are much clearer in their minds in 1933 than they were when Mr. Ewart began his pamphleteering in 1904. In spite of his long insistence on status, what Mr. Ewart was really interested in was the policy of Canada, internal and external. He wanted a status of equality and independence because he believed that only on such a basis could a united Canadian nation be built up, and a united Canadian nation was impossible if the country let itself be entangled in Britain's European interests. He tried to undermine the naïve colonial confidence in British policy by a destructive analysis of the failures of British diplomats, from Oswald to Alverstone, in upholding Canadian interests against the United States.<sup>24</sup> If opponents replied that a weak and immature Canada standing by herself would have to submit to rebuffs and humiliations from her powerful neighbour, he replied that we had been well inured to such treatment during the century that Britain had handled our affairs.<sup>25</sup> He tried to show that nearly all Britain's wars since the French Revolution had been due to a selfish aggressive imperialism, and to point the moral that Canada should keep clear of such imperialism.<sup>26</sup>

But what was our independent Canadian nationality to signify after it had been achieved? It is here that Mr. Ewart's guidance fails us. Nationalism he accepted as something good in itself, but nationalism has not saved Europe from disaster. In his study of the *Roots and Causes of the Wars* he keeps coming back to the theme of rival imperialisms, and expresses his own belief that these forces were only the natural expression of nationalisms reaching out for markets or raw materials. The Peace Conference had done nothing to eradicate these deep-rooted forces making for future wars. "In the sweet by-and-by," he concluded pessimistically, "imperialistic ambitions and international fears may possibly give place to the reign of the golden rule; but until that time arrives clashing interests will yield their natural fruits—dislike, fear, hostility, hatred, preparation for war, and war." If he wanted to keep Canada free from such future wars, was he not bound to carry this analysis of the economic roots of war much further? Could he reasonably expect that nationalism by itself would keep us free from developments that arose in every other nation—the developments that followed upon capitalistic industrialism? Mr. Ewart had his own roots far enough back in the nineteenth century to be romantic about nationalism. At the end of the first third of the twentieth century we are bound to doubt whether nationalism by itself can be guaranteed to produce for our country or for any other country the peaceful civilization that he wished.

<sup>24</sup> See the article in *The Kingdom of Canada on the Alaska Boundary case, and Kingdom Papers*, Vol. II, Nos. 12, 13, 14.

<sup>25</sup> *The Kingdom of Canada*, p. 182.

<sup>26</sup> *Independence Papers*, Vol. I, Nos. 8-12.