

MARGINAL NOTES

TWILIGHT OF CIVILIZATION.—Concerning the triad of terrorists who are now decivilizing Europe it can at least be said that they are serving the devil honestly. They make no pretence that what they are doing is under colour of right as men have come to understand the word through the Christian teaching of well-nigh two thousand years. If they have their way in complete and final measure, then Voltaire's gibe at the expense of his fellow-men to the effect that this little globe of ours is the proper mad-house for all the worlds in the stellar universe, must be accepted as nothing short of a prophetic utterance. It remains to be said that if such is the imminent destiny of the planet upon which man finds a temporary halting-place on his journey to a perpetual elsewhere, then the sooner its mass is converted into sheer radiation the better for man.

Since the beginning of the present century opinions have been rife that civilization had reached its zenith in the preceding age and was now showing symptoms of decline. These opinions are not mere echoes of the views expressed by Max Nordau in his book entitled *Degeneration*, which made a great stir on both sides of the Atlantic when published in the last decade of the nineteenth century. Nordau unhappily weakened the force of his arraignment of the deterioration in value of the art and literature and the philosophic thought of his time by refusing to admit that there were workers in these fields who could not in fairness be enumerated among the decadents. The critics of our own day are more disposed to deal with man's failure by and large to make the best of his mundane life. Aggrandizement of powerful nations at the expense of weaker nations, sectionalism and the economic disease of class-war in erstwhile orderly and progressive States, liberty suppressed by law in professedly democratic communities, and, lastly, the decay of religion as the *élan vital* and criterion of social justice—these we are admonished are the things which make for the break-down of the civilization bequeathed to us by our forbears.

Touching the matter in question the Rt. Hon. Herbert Fisher said fourteen years ago in his book on *The Common Weal*:—

Are the signs and tokens of a world civilization to be realized in some future age destined to fail as did the sanguine vision of Virgil? No one can say The true and only prophylactic against a fatal relapse and degeneracy will be found in the temper of the leaders of public opinion in the principal States of the world. If they are prudent; if they are prepared to recommend the sacrifices in national

pride and susceptibility that will from time to time be demanded to save the general peace; if they are strong enough and wise enough to keep steadily before their eyes the great cause of human solidarity as a thing valuable in itself and only under the gravest and most exceptional provocation to be weakened and impaired,—then the forces making for a common civilization may work their way without impediment or rupture. But let us be under no illusion. . . . The amount of prejudice to be vanquished is everywhere immense. The sacrifices demanded from time to time will be real: sacrifices of hate, sacrifices of revenge, sacrifices of impatience, sacrifices of jealousy, sacrifices of pride, in some cases even sacrifices of apprehension.

Much has happened in the interval elapsing since these wise words were uttered; with the result that not only has the recommended prophylactic against the relapse and degeneracy of civilization failed to be applied, but the principles of honour, justice and liberty on which civilization is founded have been so flagrantly violated by a group of nations that years will be required to restore it to its integrity in the regions where it has been so ruthlessly set aside.

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ALBERTA AND THE SUPREME COURT.—It is not our purpose here to refer to the judgment of the Supreme Court of Canada on the Alberta constitutional reference beyond expressing our pleasure in the widespread satisfaction and acclaim which it has received throughout the Dominion. On the day of its pronouncement it became a lively subject of discussion in the clubs and on the streets; indeed, never before to our knowledge has the value and importance of the Supreme Court as an instrument of government been brought home so forcibly to the mind of the patriotic citizen who likes to think of Canada as a compact federal State rather than as a loose aggregation of provinces persistently asserting what they claim to be their constitutional rights. The fact that the six judges who sat on the hearing of the reference were unanimous in deciding that the three Acts in question were *ultra vires* of the legislature of Alberta, had an impressive effect upon the public mind. And this effect was enhanced by the further fact that in the opinion of Chief Justice Sir Lyman Duff (concurred in by Mr. Justice Davis) the Alberta Social Credit Act was also unconstitutional. That Act was not included in the reference but, inasmuch as it stands forth as the corner-stone of the Social Credit scheme of legislation, the Chief Justice entertained the view that the question of the validity of any proposed ancillary legislation falling within

the scope of the reference must be treated as depending upon, or subsumed in, a conclusion for or against the validity of the parent Act. For this reason he was disposed to hold that the Alberta Social Credit Act and the proposed ancillary or dependent legislation are *ultra vires*.

Obviously the favourable reception by the public of the Supreme Court's judgment on the Alberta reference furnishes material support to the Hon. Mr. Cahan's Bill for the abolition of appeals to the Judicial Committee of the Privy Council now before the Canadian Parliament. With the disappearance of such appeals, the interpretation of the British North America Act might take on some measure of consistency even as it stands.

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PARLIAMENTARY AMENITIES.—That good feeling and kindness of speech between its members should always prevail in a parliamentary assembly is not to be expected. Where representative institutions obtain in a State the policy of its government is established by debate, wherein the majority rules. And the temperature of debate is generally high enough to provoke a storm of words between the inns and the outs. Hence, when occasion intervenes to reveal that the members of the assembly can lay aside the feelings that savour of partizanship and speak of each other in terms of amity instead of enmity, it is an occasion to be applauded and remembered by us all.

We are moved to speak in this wise by the action of Prime Minister King in bringing the attention of the House of Commons to the fact of the resignation of the Rt. Hon. R. B. Bennett as leader of the Conservative Opposition in the House of Commons on the day the fact became known to the public. On that day it became the first order of business. As soon as the proceedings opened the Prime Minister rose and expressed on behalf of the House sympathy with Mr. Bennett for the condition of health that forced him to resign, and regret at the prospect of his severing his connection with the leadership of the Opposition at the end of the present session.

Mr. King said, *inter alia* :

I have often marvelled that my Rt. Honourable Friend found it possible to take on the great amount of work he has undertaken, knowing something of the tremendous strain which, as leader of a party, part time leader of a Government and Leader of an Opposition, he has had to carry. Also knowing how completely my Rt. Honourable Friend's life has been devoted to public affairs, how conscientiously he has performed his duties as leader of a party and in the House, I can

imagine how distressing it must be to him to feel that, because of the condition of his health, he is obliged to relinquish his part of those duties.

In the course of his acknowledgment of the appreciation of his public services so tendered him by the Prime Minister on behalf of the House, Mr. Bennett said :

I would be less than human if I did not express to my Right Honourable Friend my very warm appreciation of his kind thoughts which, as a matter of fact, he expressed in a letter which he sent to me yesterday. I am deeply sensible of the kindness with which the House has received his words of sympathy, as well as his words of regret. I can only say that I would like to thank the House for this manifestation of its goodwill.

At a time such as this, when the baser rather than the finer qualities of men are exhibited in world events that are writing an unparalleled chapter in history, it is refreshing to think upon an episode in Canadian public life that savours of the good-will and good manners of a pleasanter age. It serves to remind us of what was said by Mr. Gladstone on a formal occasion when he was speaking in the House of Commons in praise of his great adversary, Lord Beaconsfield. After pointing out that there was "much error and misapprehension abroad as to the personal sentiments that prevail between men who are divided in politics", he went on to explain that while their words must necessarily be sharp from time to time and their judgments occasionally severe, they were not actuated in their attitude to each other by rancour or dislike. Continuing, he said :

I wish to record in this place, and at this hour, my firm conviction that in all the judgments ever delivered by the late Lord Beaconsfield on myself, he was never actuated by sentiments of personal antipathy.

CHARLES MORSE.

Ottawa.