

13 June, 1911.]

NATURALISATION.

[8th Day.]

Mr. CHURCHILL—*cont.*

colonial question is quite unsettled, and, as Sir Joseph Ward and Mr. Batchelor have pointed out, the close proximity of Australia to New Zealand, where there are exactly similar conditions, has not prevented a complete absence of arrangement for mutual naturalisation between the two countries. It would be a great thing if we could remedy these inconveniences, but we shall not remedy the inconveniences of the present system if we depart from sound principles of Colonial and Imperial Government. We must base ourselves, in any legislation which we seek upon this subject, upon the two main principles, as I understand them, of the government of the British Empire. First of all, we must base ourselves upon the assents of local Parliaments; and secondly, upon the responsibility of Ministers. As long as we stand on those two foundations I do not think that any real difficulties will arise in practice.

Now the draft Bill which has been circulated and has been examined and studied in all the Dominions must not be regarded as by any means a final or a perfect scheme. I think the very valuable criticisms which have been made upon it, not only this morning but in the despatches which have been written, particularly the South African Despatch, have shown that that Bill can only be regarded as a convenient peg upon which to hang the discussions of this subject, and we are not committed to it in form or in detail at all this morning, as far as the Imperial Government is concerned. It is a method, and I think it has proved to be not an inconvenient method, of raising the question. I am bound to say I have found the criticisms which have been advanced by the different self-governing Dominions upon that Bill very valid and important, and I agree very much with them.

I certainly feel, and I am sure my Right Honourable friend, the President of the Conference, agrees with me, that no Imperial Act ought on this subject to deal with the self-governing Colonies, unless and except in so far as it is adopted by their Parliaments. We feel very strongly that, in regard to a question like naturalisation, the Government of that Dominion where the certificate of naturalisation is applied for must be the judge and the complete judge. We have no desire at all that the Secretary of State for the Home Department should have the power to reach out, as it were, into the self-governing area of the South African Union or the Dominion of Canada and confer naturalisation—I think that perhaps was in Mr. Malan's mind—on persons who have been refused naturalisation there. We have no idea of that kind of reaching out into a self-governing area; nor have we any idea of overriding local law. That is a matter of the very greatest importance. A certificate of naturalisation does not entitle the naturalised person to any treatment in this country or in any Dominion of the British Empire, except as may be prescribed by the laws of this country or of the Dominions in question. We draw distinctions in this country between different classes of white British subjects. We do not, for instance, put peers on the register for voting; and there are many distinctions which you draw in the colonies. Nothing in the proposal we put forward to-day is intended to touch or affect the local law as regards immigration, that is to say, the exclusion of aliens or even natural-born British subjects, which the colonies strongly hold to in some cases, and I think very reasonably in some cases; and nothing would affect any differentiation which may be in force by local laws within the area of any self-governing colony. I feel that we have to recognise all those facts if we are to make any advance in this field.

Then I come to the second step. There is a great diversity in the conditions of naturalisation in the self-governing Dominions, and I do not see how we, sitting round this table, could come to an agreement to establish uniform Imperial conditions of naturalisation. I do not think we could. The circumstances of the different Dominions are so varied, and the time and labour of the work, even if it were a possibility, would be so great that we should not reach any practical conclusion, and if we did reach a practical conclusion the whole matter would then have to be delayed until the different uniform Bills enforcing the uniform principle had been carried through by the Parliaments all over the British Empire. I do not think that there can be any progress along that road. So I am forced to the conclusion, after considering very carefully the objections which have been taken to the draft Bill and having the advantage of discussing this matter with the learned Solicitor-General, who is here this morning, that if we are to give effect to the resolution