

13 June, 1911.]

NATURALISATION.

[8th Day.

Mr. CHURCHILL: I am afraid it would not. We could not guarantee we should not naturalise any persons here who had been refused naturalisation elsewhere.

Mr. BATCHELOR: No; but you would not give him an Imperial certificate.

Mr. CHURCHILL: We do now—a world-wide certificate.

Dr. FINDLAY: We have a separate resolution down, although, I take it, it is embraced within the present discussion. I have not said anything about this matter, but I hope, if the matter is not being treated independently, to say one word now.

Mr. CHURCHILL: I have practically finished what I have to say, and I will just summarise my points in five propositions: (1) Imperial nationality should be world-wide and uniform, each Dominion being left free to grant local nationality on such terms as its Legislature thinks fit. (2) The Mother-country finds it necessary to maintain the five years. This is a safeguard to the Dominions as well as to us; but five years anywhere in the Empire should be as good as five years in the United Kingdom. (3) The grant of nationality is in every case discretionary, and this discretion should be exercised by those responsible in the area in which the applicant has spent the last twelve months. (4) The Imperial Act would not apply to the self-governing Dominions until adopted by them. (5) Nothing now proposed would affect the validity and effectiveness of local laws regulating immigration and the like, or differentiating between classes of British subjects. Those are the general principles and the main principles which, I think, would have to underlie any legislation we may endeavour to put forward on this subject, and I would express a hope that the Conference, if it felt itself in general agreement with those general principles, which are not at all unhappily expressed by the resolution which Mr. Batchelor has moved, would allow us to redraft the Bill in conformity with those principles which are laid down, and submit it to a subsidiary conference in the shortest possible time. I do not think it would take very long. That is what I should hope might follow from our discussion.

The CHAIRMAN: I would like to make this point to Mr. Malan. He supposed the extraordinary case of a man failing to get naturalisation in South Africa, but coming to Canada, or coming here, in order to get naturalisation. That man is in no better position after he has acquired that naturalisation than thousands of British-born subjects to-day, either Indians born in India or Chinamen born in Hong Kong. The fact that he has acquired elsewhere naturalisation, which has been refused to him at the Cape, does not entitle him on his return to South Africa to any rights from which he is excluded by your other laws laying down exclusive regulations as to colour or any other bar you may choose to impose, so that he really gains nothing by that process, except British nationality, which he may have been born with, and yet be an excluded person in South Africa.

Mr. MALAN: Yes; but I would just like to point out that I was criticising clause 7 of the draft Bill. Our contention was, that no applicant should be allowed to defeat the local naturalisation law by applying for the Imperial naturalisation.

Mr. CHURCHILL: That was the intention; but the drafting is ambiguous, and I quite agree it is not at all satisfactory; so let us consider clause 7 as gone altogether.