

only one judge could be chosen from the whole British Empire. This again would discriminate against the Dominions as compared with other members of the League, and on the motion of Canada the scheme was amended so as to provide that not more than one national of any member of the League should be elected. A Canadian, therefore, will be eligible for election even though a member should be chosen from Great Britain or one of the other Dominions.

The question of jurisdiction presented the most important and difficult problem which the Assembly was called upon to face. The jurists at the Hague had recommended that the Court should have compulsory jurisdiction, that is, that any State having a dispute of a judiciable character with any other State should be entitled to bring its cause before the Permanent Court of International Justice for decision, and should there be a difference of opinion as to whether the dispute was of a judiciable nature that question was to be decided by the Court.

You will note that this goes beyond the requirement of the Covenant. Article 14, to which I have already referred, does not provide for the creation of a Court with compulsory jurisdiction, but for a Court to hear and determine all disputes of an international character that the parties may submit to it. The Council, therefore, amended the scheme as submitted by the jurists to conform with what they understood to be the terms of the Covenant. When the matter came before the Assembly there was a clear and marked division of opinion on this question, the smaller powers on the one side and the great powers on the other; the smaller powers were almost unanimous in contending for a Court with compulsory jurisdiction, whereas the great powers were unwilling to go beyond the strict terms of the Covenant. Under the Covenant it was necessary that the Assembly should reach a unanimous decision. The Commission, therefore, decided in favour of voluntary jurisdiction, subject, however, to this important qualification, that any State entitled to sign or ratify the protocol might when signing or ratifying or at a later moment declare that they recognized as compulsory *ipso facto* and without special agreement, in relation to any other member or State