

(The British Empire Delegation agreed that the words "Member of the League" should be used throughout the Covenant instead of the word "State".)

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#### Article 10

Sir Robert Borden referred to the observations which he had made in his memorandum (W.C.P. 245) concerning Article 10 of the original draft Covenant, which was still retained as Article 10 of the present draft.

Lord Robert Cecil said that an effort had been made to alter this Article, but no other formula could be found which was acceptable to all and the Commission had therefore been obliged to return to the original form. It should be remembered that Article 10 was in effect qualified to some extent by Article 19, which provided for the reconsideration by members of the League of Treaties which have become inapplicable. Most of the territorial boundaries of the world were already embodied in Treaty provisions and could therefore be reconsidered under Article 19.

Mr. Doherty was opposed to Article 10. Whatever the effect of Article 19, Article 10 pledged every member of the League to preserve the territorial integrity of all the members. Article 19 contemplated careful enquiry before anything was done, but what inquiry have we made at the present time before assuming this pledge? Article 10 amounted to saying that whatever is, is right. It might be appropriate to guarantee the territorial integrity of the new States created by the Peace Conference, since the frontiers of these have been examined.

There was another aspect to the matter; the proposal constituted in effect a system of mutual insurance, but was it fair to cast the same liability upon all? The risks to which different members of the League were subject were by no means equal. In Canada, for instance, the risk of invasion was remote, while in France or in some Balkan States it might be great. Accordingly the element of consideration in the contract was vitiated by unfairness. Nor was it just to throw the same obligation upon young, undeveloped countries as upon long-established and wealthy States. This consideration had its practical aspect in Canada. Before the war there had been murmurings at the doctrine that when Britain was at war, Canada was at war. Now Canada was to be asked under this Covenant to accept even greater liabilities.

Sir Joseph Cook said that his view was that the Dominions had not half paid for the protection and privileges which they had received from Great Britain.

Sir Robert Borden pointed out that this contention in view of the Articles in the Covenant, would mean in effect that Canada should not join the League. He thought still that Article 10 should be omitted, as its purpose was covered by other Articles less open to criticism.

Lord Robert Cecil said that the whole Covenant rested upon the propositions that all nations were interested in the preservation of peace and that it was impossible to foretell how far a conflagration once lighted would spread.