

1914, and this is presently the case with the British Empire, the dominions of which have the right to enter into treaties. All of the British dominions signed the Treaty of Versailles and form part of the League of Nations. This mere fact of international association, which involves a series of rights and obligations, implies a certain element of responsibility which could not very well be altogether disregarded.

In the domain of foreign affairs, the self-governing Dominions, with the exception of Newfoundland, are recognized as possessing an international status by the Covenant of the League of Nations. In the Assembly of that body, Great Britain, Canada, Australia, New Zealand, South Africa, the Irish Free State and India are members upon an equality with other nations of the world. They take part in the election of the judges of the Permanent Court of International Justice, and their right to sit in the Council is admitted, although that right has not yet been exercised. The provisions of the report (the report of the Committee on Inter-Imperial relations of the Imperial Conference) in this matter are of great importance, recognizing that the British Commonwealth of Nations may make a treaty as such, with a single delegation for the whole; or that each member of the Commonwealth may appoint delegates of its own; that the members, therefore, may negotiate treaties as separate contracting parties, through their delegates; or that individual members may make treaties by their plenipotentiaries, with the understanding, however, that the intention to do so should be communicated in advance, and that before any treaties are concluded "which might involve the other Governments in any active obligations" it must "obtain their definite assent." In view of these circumstances, it was natural that the report should state in express terms the right of each autonomous State to appoint Ministers plenipotentiary to the outside world. Ireland had already done so, with the consent of Great Britain, and immediately after the adjournment, Canada appointed its first Minister Plenipotentiary to Washington. The Government of Australia, if the press is to be believed, expressed, immediately upon the adjournment of the conference, its intention likewise of sending a Minister Plenipotentiary to the United States.

In view of the foregoing situation, it may be stated that the mere conduct of the foreign relations is not, in itself, sufficient to establish responsibility on the part of the central government in all cases of federated states. In the usual or ancient type of confederacy, however, it is undoubtedly applicable. And it is exclusively to this type of confederacy that the formula of the Institute of International Law refers, when dealing with the direct and indirect responsibility of the federal State in respect of the acts of the associated States. This formula, however, does not include other kinds of unions. Sir Thomas Barclay, a member of the Institute, pointed this out when he stated: "It is gratifying to note that the question of the peculiar