

## Les Cahiers de droit



***Les Mémoires du Sénateur Raoul Dandurand*, by Marcel HAMELIN, éd., Les Presses de l'université Laval, 1967. XIV — 367 pages., \$6.75.**

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déralisme canadien qu'est le pouvoir déclaratoire, après avoir livré une schématisation brillante d'un dynamisme constitutionnel qui ne nous a pas été insensible et qui n'a rien à voir avec les options politiques fondamentales.

Henri BRUN

**Les Mémoires du Sénateur Raoul Dandurand**, by Marcel HAMELIN, éd., Les Presses de l'université Laval, 1967. XIV — 367 pages. \$6.75.

The publishing of Senator Dandurand's mémoires is the logical sequel of Marcel Hamelin's D.E.S. thesis — *L'honorable Raoul Dandurand et la participation du Canada à la Société des Nations* — of which these reminiscences were the most important primary source. As with all memoirs, obviously, the responsibility of the editor is in the overall choice of the document rather than the construction of the text itself and, as well, the presentation should facilitate the following of the autobiographer's thought. The editor should neither get in the way nor leave the reader hanging for lack of the necessary explanatory notes or omission of certain seemingly unimportant sections of the original manuscript which make the succession of events easier to follow. By and large, Marcel Hamelin fares well on both counts although there are some serious reservations to be had regarding the choice of the text itself.

Purportedly written to live on in the minds of his grandchildren, there seems little doubt, as Hamelin points out in the Introduction (p. 10), that the septuagenarian Senator as he set his memoirs down on paper from 1930 to 1939, became more and more amenable to the idea of publishing them. Aiming the record of his life, then, at posterity in a broad sense, this intimate of Gabriel Marchand, Lomer Gouin, Laurier, and King, brought up in the radical anti-clerical tradition of Papineau, had his radicalism attenuated by political experience. Dandurand was the driving force behind Laurier's 1896 victory in Quebec brilliantly pinnacling an active participation in politics and election engineering since the age of 19.

His consequent appointment two years later to the Upper Chambre at Ottawa initiated a forty-three year senatorial career the first twenty-two years of which dealt mainly with domestic politics, federal and provincial, while the latter part of Dandurand's long existence saw him become intimately involved in international politics especially from 1924 to 1930 when he represented Canada at the League of Nations under King. King consistently named Dandurand to the Cabinets he was called upon to form during the Senator's term as Liberal government leader in the Senate (1922-1942). Dandurand was often a mediator between the governments of Quebec and Ottawa, Canada and other nations, especially that group of countries which was once called the British Empire. Conciliating too, on occasion, the state with religious, financial, and journalistic interests, the Senator was a diplomat both at home and abroad.

The three hundred and sixty-five pages of the book itself are broken up into twenty-seven chapters. Dandurand's life divides itself easily enough into two parts: the first (1861-1920) dealing primarily with internal politics, the last portion (chapter XX-XXVII) dedicated exclusively to international affairs. The organization of the Dandurand memoirs is loosely chronological. Rather than a blow by blow account of happenings, each chapter tends to exhaust a theme or personage (references to which can easily be found by way of a very complete index of names). The only clean break is the distinction between external and internal affairs as indicated above.

A summary of all the events and personalities mentioned in the mémoires would look like a catalogue. It will suffice to examine incompletely some of the more striking themes developed in the work — Church and State, Canada and the British Empire, and other commentaries which more or less fall into the category of political theory.

Diametrically opposed to the interference of the Church in areas that were not of her competence, Dandurand castigated the clergy for its interference in elections (pp. 45-46).

Bishop Bourget and his successor Bruchési come in for severe criticism for their inane opposition to improvements in education whether regarding the creation and free use of library facilities (pp. 121-126), the establishment of a Ministry of Public Instruction (pp. 93-94, 113), or the introduction of legislation on obligatory education (pp. 247-261). A mediator between Laurier and Bishop Langevin on the Manitoba school question, Dandurand is much more sympathetic to this cleric who was once his professor at the Collège de Montréal (pp. 117-122). The Senator is never really extremely bitter in his remarks for he himself would seem to have been a believer although he rejected the puerile practices of some of his co-religionists (pp. 64-66). At times he sights papal documents as authorities in the field of education (pp. 250-254, 259-260). For the ultramontane such as Tardivel he feels pity rather than spiteful resentment.

Politically, however, Dandurand was closer to separatist ultramontane Tardivel than Thomas Chapais who, while thoroughly enamoured of Rome, was possessed of what one author called a "toryisme britannique". If Dandurand thought people should have less to do with Rome he favoured almost complete disappearance of contacts with London. The harsh judgement on Winston Churchill to be found in the mémoires was Senator Dandurand's consistent reaction to anyone who adhered to British imperialism (pp. 170-171). A less blunt but no less pointed verdict was handed out to Lionel Curtis (pp. 138-139). Worse perhaps were the passive Canadians — the shrewder activists like the journalists at least received honors in return for their submission to the imperial power (p. 77). Others, like W. S. Fielding, King's unsuccessful competitor for the leadership of the Liberal Party, were simply colonials (pp. 264-265).

The imperialist movement, thought Dandurand, had not existed in 1867 and had started with the first Imperial Conference of 1897 and the Boer War. Although Laurier had acquiesced to the British on these occasions, he had revindicated himself by his stand at the Conferences of 1902, 1907 and 1911 (pp. 163-169).

While Canadian representative at the League, Dandurand fought first against Ramsay MacDonald and later against Austen Chamberlain to preserve an independent Canadian voice in the Assembly and the Council to which Canada was elected in 1927 (pp. 269-281, 291-294). Dandurand's hard-headed if moderate anglophobia is all the more important when one realizes that within the Cabinet only King, Lapointe, and he were really interested in foreign affairs (p. 297).

Dandurand believed that ultimately Canada was to be independent and he felt that this would affect not only her international status but French-English relations within Canada. This would be to complete an evolution which was already half accomplished: the French had already been separated from the mother country, once the English did so, some kind of equality would be attainable and dramas with such international repercussions as the World War I conscription crisis would not foment so much disunity within the state (pp. 228-230).

The Senator also makes comments on the political institutions with which he came into contact. He lauds the Senate making a plea for appointment of men of stature to the Upper House (pp. 79-80, 231-233). The Senator criticizes G-Etienne Cartier for first allowing immigration to be the sole prerogative of the federal government (actually a concurrent power over which Dominion prevails in case of conflicting interests) and then allowing new provinces into Confederation which had the effect of putting the French-Canadians even more in the minority (pp. 157-158). The rising cost of elections he thought could be controlled by the obligatory vote (pp. 239-240). An idealist who believed that Wilson was one of the three greatest Presidents of the United States along with Washington and Lincoln (p. 182), Dandurand dedicates almost a third of his mémoires to his own role in the League of Nations emphasizing especially the rights of minorities and the League's slow amelioration in its respect for them.

Indeed, it is the record of Dandurand's role in the League of Nations which should be the most interesting

part of the memoirs. However, the sections in the book dealing with this theme are thoroughly disappointing. All that he mentions has been said before — most of it can be found in textbook-surveys of Canadian History. Even the three themes of Church and State, imperialism, and political theory remain unoriginal in themselves and contribute little to the understanding of the times in which Dandurand lived although they do shed some light on the Senator as an individual. In short, the historian will find little or nothing here to interest him and, as mentioned earlier, it is Mr. Hamelin, as editor of a book supposedly intended for specialists, who bears the responsibility for this error in judgement.

It may be said that autobiography is a dangerous but pleasant way to introduce the novice to history. The general reader will not be disappointed by a perusal of Senator Dandurand's memoirs. There is enough detail to make the book readable and human so that it is not an arid treatise on domestic and international affairs. The smattering of history that most people have of this period is enhanced by an alphabetically arranged list of the major figures and their important dates and achievements. The Introduction by Marcel Hamelin is critical enough so that the non-specialist can see where Dandurand's *parti pri* lies and, so, read without forgetting that he is seeing sixty years of Canadian history through someone else's eyeglasses.

It is worth pointing out that the book is suitable only for the more affluent among the general public since not everybody feels up to paying \$6.75 for a paperbound volume.

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**L'évolution des structures de l'administration locale déconcentrée en France. L'exemple du département du Pas-de-Calais et de la Région du Nord,** par George DAWSON, préface de Roland Drago, Paris, Librairie générale de droit et de jurisprudence, 1969, 567pp. 67,50F.

Les juristes francophones accueilleront avec beaucoup de satisfaction l'ouvrage de George Dawson qui inaugure une nouvelle collection, la « *bibliothèque de science administrative* » dirigée par les professeurs Jean Boulones et Roland Drago de la faculté de droit de Paris. Cette collection tout comme la « *bibliothèque de Droit public* » dirigée par le professeur Waline publie les meilleurs thèses des facultés de Droit françaises (cette dernière en est à sa 85<sup>e</sup> publication).

Nos institutions administratives sont certes fort différentes des institutions françaises, quoique de nombreux problèmes soient communs à toutes les administrations nationales : l'ère d'interventionnisme étatique que nous connaissons pose en France comme ici le problème de la régionalisation des structures, soit une remise en question des institutions locales traditionnelles.

L'ouvrage de George Dawson étudie dans une première partie l'évolution des institutions administratives déconcentrées, dégageant d'une part des principes généraux qui ont présidé à leur création à l'époque napoléonienne et à leur évolution subséquente ; l'auteur procède parallèlement à la description concrète de ces institutions dans le cas d'une circonscription déterminée, le Département du Pas-de-Calais et la région du Nord. C'est sous l'autorité du Préfet que furent placés pendant toute la période qui va de 1800 à 1964 les services extérieurs des ministères. Jusqu'en 1914 l'unité institutionnelle est parfaitement réalisée grâce à une rationalisation qui se situe aux antipodes de ce qu'on a connu au Québec notamment. A partir de 1914, l'on s'achemine vers une crise, celle de la régionalisation, qui vient près d'être dénouée comme chacun le sait lors du référendum d'avril 1969. Les causes de cette crise furent l'étatisation de nombreux services, c'est-à-dire la prise en charge par les ministères de services autrefois placés sous la juridiction du Département ou des communes ; ceci s'est produit notamment dans le domaine de la sécurité sociale, de l'éducation, de la santé, de l'hygiène publique et dans le domaine agricole. A cela il faut ajouter