

**Canada in Spite of Itself:
Raoul Dandurand and Minority Rights at the League of Nations**

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**(2007) Proceedings of the 36th Annual Conference of the Canadian Council on
International Law**

Abstract:

Canada prides itself on its contribution to international human rights law and international humanitarian work. There is a common perception that this is the role that Canada has always occupied on the international scene. This perception is supported by the work of early international law pioneers such as Raoul Dandurand, a French-Canadian lawyer who represented Canada at the League of Nations from 1924-1930 and again in 1936-1937. I argue that closer examination of Dandurand's involvement in the reform of the League's treaty system for the protection of minorities demonstrates that this is not so. Instead, Canada's early forays into international law and relations were marked by isolationism. When Dandurand proposed reform to the minority rights regime, he was acting on his own initiative and personal interest, rather than official Canadian foreign policy. I pursue the irony that Dandurand's contributions to minority rights reform represent an early contribution by "Canada" to the development of international human law, yet Dandurand was lacking domestic recognition and approbation of his actions. A further irony is that although his contribution was his and not Canada's, in the sense that it was somewhat single-handed, Dandurand's commitment to minority rights was arguably informed by his experience of being French-Canadian.

Raoul Dandurand played a significant role both in Canada's internal and external affairs. As cabinet member and leader of the Senate, he was an integral part of Mackenzie King's Liberal government. Internationally, he was an active participant in the League of Nations during the 1920s as a member of the Canadian delegation to the Assembly and Council. Elected President of the League Assembly in 1925, Dandurand became more of a specialist in League Affairs than any other Canadian political figure.

Nevertheless, despite this incredible wealth of experience, he played an extremely limited role in the formulation of Canadian foreign policy. Although he was personally inclined towards strengthening ties between Canada and the League, as exemplified by his private support of the Permanent Court of International Justice, he publicly supported the isolationist perspective of Prime Minister Mackenzie King. This support found a very public expression in Dandurand's speech to the League Assembly in 1924 in which he famously referred to Canada as "a fire-proof house, far from inflammable materials". In effect, Dandurand acted as the mouthpiece of King (and his isolationist foreign policies) in both the Senate and at an international level, the League of Nations.

There is, however, one area of Dandurand's involvement with the League of Nations which breaks with this isolationist trend – that of his actions regarding protection of minority rights at the League in 1929. Although tacitly supported by King and the Department of External Affairs, this paper describes how Dandurand's involvement in reform of the Minority Petition Process was at his own initiative, a project unsubstantiated by the approval of the Canadian parliament or public. Dandurand's personal passion for the issue of minority rights in Eastern Europe was probably informed by his experiences as a French Canadian, also explored in this paper. Indeed it was Dandurand's personal interest in the minorities question, as opposed to any interest of the Canadian government, which led to the Canadian Proposals of 1929 (of which Dandurand was the sole author). In submitting these proposals, Dandurand (and correspondingly, Canada) found themselves at the centre of an extremely controversial European political issue and far from the isolationist position that Canada had always maintained at the League.

Unsatisfied with the complete lack of transparency or accountability to the petitioning minorities, the Proposals recommended many widespread changes to the process of minority petition review. Although the question of minority rights had plagued the League of Nations since its conception and reform annually debated, Dandurand's proposals were innovative and the first to suggest a more direct role for the minorities within the petition process. Working from his negative experiences as a member on a petition review board, Dandurand sought to provide a more balanced approach through acceptance of evidence from both the minorities and the accused governments, as well as providing greater publicity to the petition outcomes.

Dandurand's reform proposals sparked an extremely contentious debate at the League's Council meeting, with the German representative Gustav Stresemann taking the opportunity to question the very system of the Minority Treaties themselves. Although ultimately most of Dandurand's reforms were not accepted by the League, a few, albeit significant, changes were made to the petitioning system as a result of his activities. Interestingly enough, despite the furor that his proposals created internationally, Dandurand's work went unnoticed by the Canadian parliament and public.

Although the work was personal in nature, and indeed broke with Canada's firm isolationist policy, Dandurand's work can be characterized as an early Canadian contribution to international human rights law. For all intents and purposes, Dandurand acted as Canada on the international stage, with his actions and interests shaping the international perception of Canada. In addition, it is important to place Dandurand's work in the larger picture – to see Dandurand's short-term failure as a long-term success. Despite a lack of immediate change in Canadian foreign policy, over the years Canada abandoned its isolationist perspective, with minority rights becoming a focus of Canada's later interests at the League of Nations. Although at the time, the guarantee of national minority rights was an extremely contentious issue, the work of Dandurand and others at the League of Nations laid the path for the future establishment of the Human Rights regime at the United Nations. Dandurand's short-term failure turned into a long-term success, both domestically and internationally.

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