

Donald J.

Rippon Fleming

U.N.B.

FAC OF LAW

LUDLOW HALL

Box 4400

Fredericton

E3B 5A3

Oc

October 30, 1979

Professor Ivan Bernier  
Faculte de Droit  
Universite Laval  
Ste. Foy, PQ  
G1K 7P4

Don

Dear Ivan,

I have been asked to complete my essay on the teaching of international law in Canada (which means doing something new on the law schools at Victoria, Calgary, Sherbrooke, U.N.B., and Moncton) and also to bring the existing account down to 1980. I am not overly enthusiastic at the prospect of returning to this subject, which can be dreary, as you know, but I appreciate the concerns of colleagues who think that the essay should be complete and that it should round off the 1970's; and so I am starting to gather up the material.

As I am a little out of touch with developments at Laval, I am wondering if you would be kind enough to provide me with some of the relevant information for the five year period 1975-1980. In particular, I would like to say something about (i) names of courses and seminars offered during this period; (ii) number of students enrolled (student interest); (iii) number and names of full-time and part-time professors; (iv) materials used (if not too extensive); (v) any noteworthy developments in the school's international law programme (research, books, graduate students, visiting professors, moots, your own activities, honours, etc.); (vi) interdisciplinary work (teaching and research); (vii) any comments you would like included about progress in the teaching of international law in Canada since you started teaching, e.g., are we now, in the 1970's, on a plateau due to the economic situation.

U.N.B.

list of activities

hand

16 June 1980

Professor Ivan Bernier  
Faculté de Droit  
Université Laval  
Ste-Foy, Québec  
G1K 7P4

Dear Ivan:

Many, many thanks for your letter of December 11, 1979, which arrived during my absence on leave. You have given me exactly what I needed and hoped for and I am grateful to you for the time and effort that you expended in writing as you did.

I look forward to seeing you one day soon.

With personal good wishes, I remain,

Yours sincerely,

R. St.J. Macdonald, Q.C.  
Professor

RSTJM:lf



10 February 1982

Professor Maurice Arbour  
Villa La Salamandre  
111 Pwé Jean Bullant  
Bertignant  
France

→ Perpignan

Dear Professor Arbour:

I apologize for breaking in on you during your sabbatical leave; however, your secretary at Laval told me that you are receiving mail in France and that it would be appropriate for me to write you there. I hope that that is so.

I am attempting to up-date my essay (published in 1974 in the Canadian Year Book of International Law) on the teaching of international law in Canada and in this connection I am writing to ask if you will be kind enough to glance over the attached notes (which are very rough indeed), making whatever corrections and additions as are appropriate on the manuscript, and returning it to me at your convenience. I realize that you may not have all the information at hand, but your comments based on memory and experience will be adequate for my purposes. May I emphasize that I am concerned only with the period 1975-1981. (I dealt with the earlier period in the published essay.).

I would be grateful indeed for any comments you might wish to make on the teaching of public international law at Laval during the period 1975-81. In particular, I would appreciate a little information about the following:

1. When did "Droit International Prive II" become a yearly course rather than the alternate year formula.
2. What is meant by "Sectoral studies" and what developments have taken place in that regard?
3. What is the total size of the law school and how many full-time professors?
4. Am I correct in thinking that the method of instruction is a combination of the lecture and seminar methods?

Professor Maurice Arbour  
10 February 1982  
page two

5. What was the exact date that you joined the Faculty and when did you begin to teach international law? Are your special interests in international economic law?

I have sent a similar letter to Andre Bernier, who has already helped me, as you can see from footnote 1 of the text, and I will send him a revised draft after I have heard from you.

Thank you, dear pprofessor, for your kindness in assisting me to correct and expand my brief description of the situation at Laval between 1975-81. I look forward with gratitude to your comments.

Yours sincerely,

R. St. J. Macdonald, Q.C.  
Professor

encl.



10 February 1982

Professor Ivan Bernier  
Faculty of Law  
Laval University  
Ste-Foy, Quebec  
G1K 4P4

Dear Ivan:

I promise that this will be my last letter on the question of the teaching of international law!!!

Would you be kind enough to glance over the attached draft, which is very rough indeed, and make whatever corrections are appropriate? I am only dealing with the period 1975-1981. In particular, I would appreciate a little information about the following:

1. Was "Droit Maritime et Aerien" offered before 1973-74? Why was it no longer taught?
2. When did "Droit International Prive II" become a yearly course rather than the alternate year formula?
3. "Droit international public economique" (a) Why was it not offered after 1973-74? (b) Was it taught before that year?
4. What is meant by "Sectoral studies" and what developments have taken place in that regard?
5. What is the total size of the law school and how many full-time professors?
6. Am I correct in thinking that the method of instruction is a combination of the lecture and seminar methods?

Again with my gratitude and with personal good wishes, I remain,

Yours sincerely,

R. St.J. Macdonald, Q.C.  
Professor

encl.

22 January 1984

Mr. Charles Stein Q.C.  
390-1150 Claire-Fontaine  
Quebec, Que.  
G1R 3B1

Dear Mr. Stein:

I am writing on the suggestion of Miss Denyse Langlais, in the hope that you might find it possible to favour me with a little information about the late Judge Antonio Langlais.

In an effort to preserve a part of our past, I am gathering material for an essay on the history of the teaching of international law in Canada; and, in this connection, I am attempting to acquire information about Judge Langlais who taught international law at Laval University from 1934 until 1954. As far as I can tell, Judge Langlais was one of the first specialist in this subject at the University.

Judge Langlais was one of the earlier French CANadian scholars to take a serious interest in this subject. He taught from personal notes mostly. He lectured to fairly large classes over a period of 20 years. I have his entry from "Who's Who", but it is formal and without colour or "feeling".

Miss Langlais, with whom I have been corresponding, and who has been extremely generous in assisting me in my researches, suggested recently that you have been a student of her father's, or indeed that you may have known him personally, and that you might be able to comment on his personality and work as professor and teacher. It is for this purpose that I am seeking your help at the present time.

Mr. Charles Stein Q.C.  
12 January 1984  
page two

If you were indeed a student of Judge Langlais', or if you happen to know anything about him, I would be very grateful if you would be kind enough to dictate a paragraph or two of reminiscences about his personality, his contribution, his impact on the students, and whatever in general might be of interest to present and future generations of lawyers, none of whom, alas, know or will know much about him. Was he bright and sparkling; or was he on the conservative side; was he perceived as an intellectual; what did he look like, what did he wear, and how is he remembered by the students who took his lectures? These are the kinds of things that I would dearly like to know in order to put Judge Langlais into proper perspective and to give him appropriate recognition.

I realize that this is a particularly busy time of year and that it may not be easy to find the few minutes required to dictate a note on events of more than thirty years ago. However, I also know that your extraordinary facility with language permits you to do a page or two with ease, and I am hoping that your interest in the subject, and your belief in the preservation of knowledge for future generations, will permit you to send me a line at your convenience.

Thanking you for whatever kind attention you can give this request, and with good wishes from Halifax, I remain,

Yours sincerely,

R. St. J. Macdonald, Q.C.  
Professor



Questions for Professor Maurice Arbour

November, 1983

1. The names of the professors of international law during the period 1970-1982, the courses they taught during this period, and the years (first year, second year, third year) in which the courses were taught.
2. What happened to Samson, Duplé, Pourcelet?
3. André Dufour started teaching in 1963. When did he become Dean? who succeeded him as Dean? When did Dufour cease teaching in the Law Faculty? can you send me his present address and telephone number?
4. When did Bernier join the Faculty? start to teach international law? become Dean? what does he now teach? what is his position (1982-1983)?

5. Re courses and seminars on international law:

1. In what years are they taught?
2. Are any of them compulsory?
3. Are there co-requisites and prerequisites?
4. What is the content of each course, as indicated by its main chapter headings?  
(as much detail as possible, May I see a xerox copy of the table of contents?)
5. What topics are covered in Droit International Public III? Is this course offered?
6. What changes did you make in D.I.P. II in 1974? Why?
7. What has happened to "droit de transporte"? Who teaches it? What materials are used?
8. When did Public International Law becomes an optional subject? Was it ever taught in first year?
9. What text books and materials are used?  
(as much detail as possible, e.g., the names of the authors: French, Belgian, American, British).
10. What is the method of instruction?  
(lecture method, essays?, problem method)
11. Are these courses usually taught for 30 hours or for 45 hours?

12. Generally speaking, what is the student interest in each course? For example, what percentage of the students take the basic course, the advances courses?



6. Are there any graduate programmes in international law and, if so, what topics are covered, how many students are involved, and how many years does it take to get a degree, e.g., 1 year for LL.M. 2 or 3 for Ph.D.?
7. What is the situation as regards research and writing on international law by the Faculty? Library?
8. What is your optional system of courses at the present time? At Dalhousie, everything beyond First Year, except Constitutional Law, is optional. Are there "clusters" or "groupings" from which the students must select?
9. Is there any general history of the Law School or is there even a short history, perhaps in one of the Calendars or the university? Is there someone to whom I can write for historical information about the law faculty?
10. Would it be correct to say that the books and articles of French scholars are widely used at Laval? Are any American or English texts used? What I am trying to determine here is the extent to which scholarly and academic links with France have been strengthened during the past twenty years. Presumably, Quebec's renewed interest in France, and the new interest that France now has in Quebec, has been reflected in the domain of international law.

11. I have the impression that political events of the last twenty years, namely, the movement to create a new state outside the Canadian Confederation, has increased student interest in international law very significantly. It seems to me that many students in Quebec now regard the subject as practical and important and that great progress was made in the teaching and research of the subject from 1970-1980. Is that an accurate statement? Incidentally, I notice that Mr. Levesque's paper on a new deal for Quebec is full of the language of international law.
12. I need to obtain some "impressions" of Adjutor Rivard (1868-1945) and Antonio Langlais (1886-), both of whom taught international law. Could you suggest the names of one or two senior lawyers in Quebec City (to whom I could write) who may have taken lectures from these gentlemen? Are there any older members of the Law Faculty still living who would remember Rivard and Langlais?

13. The actual position of International Law at Laval and your own opinion as to the place of the subject in the law school curriculum. Would it be true to say that international law is not quite as important in the curriculum at Laval as it is at Universite de Montreal?
14. The title of your new book, the publisher, and date of publication.
15. Would you kindly send me a copy of your own c.v., and a list of your publications, so that I can pay full tribute to your work.
16. The size of the Law School (number of students, number of fulltime staff) in 1970, 1975, 1980.



2nd November 1973

Professor Andre Dufour  
Faculte de Droit  
Laval Universitaire  
Cite Universitaire  
Quebec 10, Quebec

Dear Professor Dufour:

I would regard it as a personal favour if you would read over these few notes on the teaching of International Law at Laval, make whatever corrections and suggestions that you deem necessary, and return them to me at your convenience. I will, if I may, send you a revised draft later in the year.

With many thanks, in advance, and with personal good wishes, I remain

Yours sincerely,

R. St. J. Macdonald, Q.C.  
Dean

RStJM/MM

P.S. Is it true that the first Dean (Morin) was part-time?  
Is the reference to Guy Hudon accurate?

e p l l,

1st November 1973

Professor Ivan Bernier  
Faculte de Droit  
Laval Universitaire  
Cite Universitaire  
Quebec 10, Quebec

Dear Ivan:

I would regard it as a personal favour if you would read over these few notes on the teaching of International Law at Laval, make whatever corrections and suggestions that you deem necessary, and return them to me at your convenience. I will, if I may, send you a revised draft later in the year.

With many thanks, in advance, and with personal good wishes, I remain

Yours sincerely,

R. St. J. Macdonald, Q.C.  
Dean

RStJM/MM

P.S. Is it true that the first Dean (Morin) was part-time? Is the reference to Guy Hudon accurate?

*History: International  
Law*

*Dufour, André*

27th May 1974

Monsieur Andre Dufour  
Direction de la recherche  
Ministere de la Justice  
Hotel du gouvernement  
Quebec 4e, P.Q.

Dear Andre:

I am still working away at my paper on the history of the teaching of international law in Canada and I am pleased to say that I have almost finished the section on Laval. However, I find that in order to complete my comments about your own role in the Faculty, I need to know the dates that you served in the Law School, the subjects that you taught, the publications that you would like me to refer to, the date that you joined the government, and the exact title that you now enjoy. **In other words, I really need a curriculum vitae** from which I can prepare my references to you and to your work in the University; and I may say that it would help me enormously if you could ask your secretary to send me as full a c.v. as may be available.

I do apologize for making this request at what I am sure is a busy time of year and I can assure you that your assistance will not only enable me to complete my essay but that it will also ensure an accurate reference to your own splendid participation in the endeavours of the academic community to foster international legal studies.

With personal good wishes, I remain,

Yours sincerely,

R. St. J. Macdonald, Q.C.  
Dean

RSTJM:pg



Dear Ronnie:

I have no secretary now that I have retired but I shall do my best to be legible!

Here are my replies to your questions about the teaching of law at Laval during my days.

i) The professor of International Law was Antonio Langlais. One of my contemporaries confirmed yesterday that this professor was not at all inspiring. The topics which he taught are outlined at pages 27, 28, and 29 of the enclosed calendar. The student interest in the subject was that we were more interested in reading the newspaper than in listening to his course!!

ii) Yes, the course was compulsory for all students and comprised between 20 and 30 lectures during the one year when it was included in the curriculum (2nd or 3rd year, I cannot remember?)

(iii) There were between 90 and 100 students in the entire Law School during my time. It took three years to complete the course. We took the Bar exams about 6 weeks after graduating.

iv) Yes, each professor (all professionals practicing law in Quebec City) was paid \$5.00 per lecture. The Dean was Justice Ferdinand Roy (father of Cardinal Roy). Among the professors worthy of note were: Joseph Sirois (of the Rowell-Sirois Commission) a notary, he taught constitutional law and parish (?!); Robert Taschereau, criminal law, became Chief Justice of the Supreme Court of Canada; Louis Saint-Laurent, future P.M.,

taught us the Bills of Exchange Act; Jules Arthur Gogue practised lw with Saint Laurent and was an outstanding professor of civil law. Arthur Rivard taught civil procedure;

v) I was serving overseas during the war but to my knowledge there was no decrease in the activities of the School during the hostilities;

vi) I enclosed calendar for 37-38. It should provide you with some of the information you need. I shall write to the Secretary of the Law Faculty to try to obtain calendars in the 20s and 40s.

I hope the above will prove useful. Do not hesitate to write if you need clarification or further information.

I was most pleased to meet you. You did a masterful job of chairman. Very Dalhousie!!

Yours sincerely,

Jean Fournier

P.S. I note "no. 6" on the cover of the 37-38 calendar. This may mean there were no calendars before 32/33?? I'll soon know.



CABINET  
DU DOYEN

## UNIVERSITÉ LAVAL

FACULTÉ DE DROIT  
CITÉ UNIVERSITAIRE  
QUÉBEC, CANADA  
G1K 7P4

March 2, 1982

Professor R. St.J. Macdonald, Q.C.  
Dalhousie Law School  
Halifax (Nova Scotia)  
B3H 4H9

Dear Ron:

In answer to your letter dated February 10, 1982, I have the following information for you.

1. "Droit maritime et aérien" was a compulsory course until 1967 (all courses were compulsory before 1967). From then on, it was offered as an optional course until 1973, when the professor responsible for it left. The course was again offered in 1980-81 under a new name, "droit des transports", but dropped again in 1981-82 due to the sabbatical leave of the professor responsible for it.
2. "Droit international privé II": Was approved as a new course in 1970 but given only once.
3. "Droit international économique" has been offered under the name of "Droit international public II" since 1972, save in 1974-75 when Maurice Arbour assumed that course, with a different content.
4. "Sectoral studies" is a subject that has been discussed at various moments in the faculty but has not led yet to any new developments. The idea would be to offer to students a certain number of courses that would bring together, integrate, the point of view of different fields of law around a particular theme, the themes themselves corresponding to the main sectors of law.

2/...

6. It is correct to say that the method of instruction is a combination of the lecture and seminar methods.

I have had a look at the text that you have sent me and made a few corrections. It should probably be revised in the light of this letter.

Yours sincerely,



Ivan Bernier  
Doyen

IB/ctb

encl.



During the twelve year period 1970-1982, few changes occurred in course offerings in the international law field at Laval.<sup>1</sup> Three courses were offered throughout this period: Droit International Public I, II, and III, the first being a prerequisite for the other two.

Droit International Public I, the general course taught by Maurice Arbour, explores sources of international law, state jurisdiction, state responsibility, international organizations, peaceful settlement of disputes, and the relationship between international law and the internal law of Canada.<sup>2</sup> Droit International Public II, the course on international economic law taught by Ivan Bernier, includes the history, methodology and regulation of international commerce, the liberalisation of international exchange, GATT, the auto-pact agreement between Canada and the United States, and an examination of legislation affecting Canada's commercial relations, such as the Customs Act, the Import and Export License Act, the Commission of Textiles and Clothing Act, and the Anti-Dumping Act. In 1972-73, the students in this course also studied the world monetary system since World War II, the Canadian dollar, and the IMF and its performance since World War II.<sup>3</sup> In 1974 Maurice Arbour assumed responsibility for the course and changed its content.

Droit International Public III, a seminar in which specific topics are discussed, exists only on paper in the

sense that, since 1972, it was offered only once, by Mme. Nicole Duple, who no longer works in the field of public international law. Teaching materials for the general course is a file prepared by Professors Bernier and Arbour entitled Droit International public. In Droit International Public II, Professor Bernier uses his own mimeographed collection of materials entitled Droit International Public II (exchange et paiements internationaux).

From 1967 until 1973 Droit maritime et aérien, a three credit, optional course was offered in alternate years. This course examined maritime law and transport; it also addressed the organization of air transport (Canadian and international), private air law, contracts of transport, responsibilities of air carriers, and responsibility for damages suffered by third parties on the ground.<sup>4</sup> However, the professor responsible for the course (Professor Pourcelet) left the faculty in 1973 and the course lapsed. Seven years later, in 1980-81, it was offered under a new name, "droits des transports" but dropped in 1981-82 when the professor teaching it went on sabbatical leave.

Since 1970, two private international law courses have been "on the books", but only one has been offered on a regular basis. Droit International Privé I, which is offered in one term on a three credit, thirty hour basis, deals with general questions of conflict of laws and

recognition of foreign judgments. Droit International Privé II was approved in 1970 as a new thirty hour course, to be offered in alternate years, on particular problems in the area of conflict of laws and jurisdiction; actually, it was given only once.<sup>4A</sup>

At the graduate level, six LL.M. and one Ph.D. thesis were completed during the period 1974-81. The course in international economic law was taught occasionally at the graduate level and 8-10 students were usually enrolled. In 1982-83 this course was replaced by a course on international institutions offered by Maurice Arbour and a professor from the department of international relations.

It seems that from the mid 1970's to the present time there has been a relative decline of student interest in international law at Laval. About twenty to thirty students enroll for the general course while ten to fifteen register for the more specialized seminars. Professor Bernier, who shared teaching duties with Professor Arbour, wrote that, since international law became optional in 1967, the subject has for the most part attracted those interested in government service or certain specialized aspects of international law, such as international business law, environmental law, and the international protection of human rights.<sup>5</sup> However, Professor Arbour points out that, as in several other law faculties in Canada, the atmosphere in the law school at Laval is practice-oriented: "when students have to make a choice between an optional civil law course and a

course in international law, they do not hesitate, because they know very well that the civil law course will be a better course for The Bar Examinations. Everything else is "literature".<sup>6</sup>

Since law students at Laval take a "practical approach" to course selection, Professor Bernier and Arbour have begun to think of the development of a program of sectoral studies: the idea, observes Bernier, is "to offer to students a certain number of courses that would integrate the point of view of different fields of law around a particular theme, the themes themselves corresponding to the main sectors of law".<sup>7</sup> It means, according to Professor Arbour, "what Abraham Chayes did in his materials".<sup>8</sup> This idea has not yet led to any new curricular developments.

In summary, there are two international law courses (D.I.P. I and II), and sometimes a third related course (droits des transports) at Laval. The law school comprises about 700 full-time students and 53 full-time professors, of whom 44 are "on site" at any one time. The school enjoys the services of two experienced professors of international law (Bernier and Arbour), who follow in the tradition of Andre Dufour. There is a small graduate programme. The emphasis at Laval seems to be on economic and institutional aspects of the subject. Unlike the situation in France, but, as in most other Canadian law schools, there is unfortunately no attempt to link public with private international law. In 1980-81, the School participated for the first time in the Jessup Moot court competition



and the programme generated a degree of interest.

LAVAL FOOTNOTES

1. Letter from Ivan Bernier dated December 11, 1979.
2. Constitutional Law I is a prerequisite for Droit International Public I.
3. Faculte de Droit, Universite Laval, Annuaire 1973-74.
4. Note 1, above.
- 4A.
5. Note 1, above? Probably
6. Letter from Maurice Arbour dated February 18, 1982, p.4.
7. Letter from Ivan Bernier dated March 2, 1982, p. 1.
8. Letter from Maurice Arbour dated February 18, 1982, p. 1.



McGill  
University

Faculty of Law  
Chancellor Day Hall

May 28, 1984.

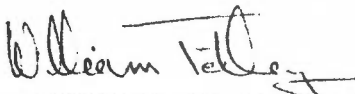
Professor R. St. J. MacDonald  
Faculty of Law  
Dalhousie University  
Halifax, N. S.  
B2H 4H9

Dear Ron,

I have returned at last to the rains of Montreal from the sunshine of our days in Halifax at the maritime law conference. The conference was informative and fun but the high spot of the trip was your invitation to lunch and the lunch itself. Your career (adventures) were interesting and your work habits intriguing.

I am back putting the book into final form.

Regards, best wishes and keep in touch,

  
William Tetley Q.C.  
Professor



Laval



McGill  
University

Faculty of Law  
Chancellor Day Hall

May 28, 1984.

Professor R. St. J. MacDonald  
Faculty of Law  
Dalhousie University  
Halifax, N. S.  
B2H 4H9

Dear Ron,

I have returned at last to the rains of Montreal from the sunshine of our days in Halifax at the maritime law conference. The conference was informative and fun but the high spot of the trip was your invitation to lunch and the lunch itself. Your career (adventures) were interesting and your work habits intriguing.

I am back putting the book into final form.

Regards, best wishes and keep in touch,

William Tetley Q.C.  
Professor

Februzxy

Professor William Tetley Q.C.  
Faculty of Law  
McGill University  
3644 Peel Street  
Montreal, Que.  
H3A 1W9

Dear Bill:

May I ask a small favour?

I am trying (with difficulty) to update the essay that I began writing in the 1970s, part of which is attached for your perusal. Would you be kind enough to glance over these few pages and then dictate replies to the questions on the single sheet of paper? Needless to say I would be very grateful indeed for any general comments that you could let me have about the Law Faculty at Laval University. I do apologize for burdening you with this request.

With personal good wishes, I remain,

Yours sincerely,

R. St. J. Macdonald, Q.C.  
Professor

encl.



McGill  
University

Faculty of Law  
Chancellor Day Hall

February 14, 1985

R. St. J. Macdonald Q.C.  
Professor  
Dalhousie Law School  
Halifax, N.S.  
B3H 4H9

Dear Ron,

Thank you for your letter of February 5, 1985.

I attended Laval from September 1949 to May 1951 where I was in second and third year law. I received the LL.L. degree in 1951. I had taken first year law at McGill as well as my B.A. and wanted a change. It proved to be delightful.

1) The Faculty was on Couillard Street behind the Basilique in the old town "La Haute Ville".

2) There are fifty-one persons in our graduating class picture (class of '51) of whom half were notarial students and half law. There were three such classes in the law school. There was only one full-time professor, Guy Hudon, who had a full-time secretary (Mlle Bussière). There was a doorkeeper who took attendance as well. All the other professors were well-known lawyers or judges.

3) The professors, except for Guy Hudon were all part-time.

4) All courses were compulsory.

5) Trivial courses were given in maritime law, air law and international law which were the closest we came to international law. } *confidential*

6) There were no graduate students.


7) I have nothing.

8) Write, I suggest, Yves Pratte '48 now of Clarkson, Tétrault (former Supreme Court Judge), Louis Pratte '50 (Federal Court of Appeal), Julian Chouinard '51 (Supreme Court), Thérèse L'Heureux Dubé '51 (Québec Court of Appeal), Philippe Casgrain '51 (Byers, Casgrain), Jean Bienvenue '51 (Judge of the Québec Superior Court).

9) I remember Laval as an extremely closely knit, very disciplined law school. Every morning (five days a week for three years) at 8:00 a.m. we had civil law. The professor was Chief Justice Gagné of the Québec Court of Appeal or his son or Mr. Justice Pratte who became Chief Justice. In the evening at 5 o'clock we had civil procedure every day in second and third years. If there was a third lecture it was at 9:00 a.m. to 10:00 a.m. and a fourth from 4:00 p.m. to 5:00. Each lecture commenced with a prayer. Louis-Philippe Pigeon gave constitutional law and brooked no questions. Once Jean Bienvenue (later Minister of Education) put up his hand and Pigeon finally permitted his question "Puis-je ouvrir la fenêtre?" as the room was stifling hot. Mr. Pigeon inclined his head pondered and in his high voice pronounced the single word "Non". The next day Bienvenue again put up his hand, was recognized and asked "Puis-je réitérer ma question d'hier?" Pigeon again pondered and again replied in the same voice "Non". Despite the authoritarian nature of the teaching -- there was no library and no cases to read -- we learned what the law really was.

I was the only anglophone in the class and was treated with great deference and kindness by the professors and students. I was elected a councillor by acclamation of the graduation class -- every other post was hotly contested out of the sheer spirit of the students although the executive had no duties.

Sincerely,

  
William Tetley Q.C.  
Professor

WT/fv





DALHOUSIE LAW SCHOOL HALIFAX CANADA B3H 4H9

4 February 1985

Dr. Andre Patry  
400 ouest Blv. de Maisonneuve  
Apt. 3104  
Montreal, Que.  
H3Z 1J9

Dear Dr. Patry:

It was a pleasure to have met you in Montreal on February 1st. last and I wish to thank you not only for the time and stimulating conversation with which you favoured me, but also for the fine book and its inscription which you kindly presented to me. I am eagerly looking forward to reading this new work and I can assure you that it will have a honoured place in my personal library. As there are several items on which I would value your advice and suggestions I will, if I may, proceed now in point form, inelegant as that may be, to a literary man like yourself.

1. Since on June 11, 1984 I sent you a first draft of the early part of my essay (already published), I do not think it is necessary to send you the same document at this time; however, if you feel that you would like another copy, I will of course send one along as soon as I hear from you.
2. I am enclosing with this letter a draft of two paragraphs which I wrote after our conversation at the Ritz, a copy of a letter from Mr. Jean-Louis Delisle, a long list of questions, and a flyer announcing a new book on international law.
3. Is it permissible for me to ask you to do the following:
  - i) check my draft of the two paragraphs, making whatever additions and changes you think best, and return the draft to me at your convenience;
  - ii) answer the questions as fully as possible.
4. Is there any good recent history of the City of Quebec, a history that gives "the flavour" of the life in that distinguished capital?

.../2

Dr. Andre Patry  
4 February 1985  
page two

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5. Since you are one of the important early teachers of international law, I would value your comments and ideas as to where your subject should fit into the curriculum and what your reflections are on your experience at Laval University.

I do apologize for asking all these questions and putting such demands on you but I am anxious, as you know, to pay tribute to your work, accurately and fully, and for this purpose I need your consideration and assistance..

With personal good wishes, I remain,

Yours sincerely,

*Ronald Macdonald*

R. St. J. Macdonald, Q.C.  
Professor

encl.

*I enjoyed our conversation very much  
and hope that there will be  
opportunities to meet in the future.*

*Best wishes,*

*RSM.*

---

20 December 1984

Dr. André Patri  
400 ouest Blv. de Maissonneuve  
Apt. 3104  
Montreal, Quebec  
H3Z 1J9

Dear Dr. Patri:

It was a pleasure to have had a few words with you on the telephone recently and to learn that you will allow me to offer you luncheon or dinner, at your convenience in 1985. I will, if I may, write or telephone well in advance in order to set a date that will be manageable from your point of view. In fact, I may be in Montreal in January or February, which means that I would not have to wait until June to meet you.

As you know, I am anxious to speak to you about your experience as a professor of international law at Laval University. In this respect, I propose to send you a few remarks that I have prepared on this topic with a view to discussing them with you when we meet.

If you happen to be in Strasbourg at the end of any month, I hope that you will visit me at the European Court of Human Rights, where I would like to introduce you to the President and members of the Tribunal.

Looking forward to seeing you before long, and with my best wishes for Christmas and the New Year, I remain,

Yours sincerely,

R. St. J. Macdonald, Q.C.  
Professor

For Mr. Patry

1. Where was the Faculty of Law located? In the old buildings downtown or on the new campus?
2. What was the total size of the Law School? Number of students? Number of professors?
3. Were the law professor all part-time?
4. Was PIL compulsory or optional?
5. Roughly, how many students took the subject that year?
6. What books did you use in the course? What authors did you refer to? Foignet? ~~As most~~ detail here as possible, Scalle?
7. What precise topics did you deal with? As much detail here as possible.
8. Did the students have much interest in the subject?
9. Were there any graduate students in PIL in you time?
10. Do you have any law school bulletins or calendars that I could borrow for a few days?
11. What were your dates in Paris? Was the subject taught while you were away?
12. How long were you with the Government after 1966?
13. I would like to mention your literary interests: can you send me some information about your work in this domain?
14. Could I borrow a C.V. for a week or so? Also, a list of your publications in the field of PIL.
15. Is Dean Charles Bonenfont still alive?
16. To whom could I write for general information about the Law School between 1945 and 1963, i.e. from the end of the Second World War to the arrival of Andre Dufour?



Some answers to your questions

1. In the fifties, in the old buildings; in the sixties, on the campus.
3. To the best of my recollection, there were only two full-time professors in the fifties.
4. It was compulsory.
5. Around 35 students when I began; over 100 when I left.
6. Reuter and Rousseau for International Law, Colliard for International Institutions.
7. I used to put the emphasis on the Law of the Treaties, the Law of the Sea, the Diplomatic and Consular Law and, later, Federalism from the viewpoint of IL.
8. They usually showed much interest, which was quite stimulating.
9. None
11. In Paris (for NATO) from July 1957 to September 1958. Since I was on leave, I could resume my teaching in September 1958.
12. I joined the Government on September 1st, 1966 and I stayed until March 31st, 1976. Besides, I was Agent General for Quebec in Brussels throughout 1978.
13. I wrote a booklet on André Malraux in 1956. I also published a number of articles on subjects of literary interest. At the summer session of Laval University, I delivered a series of lectures on French writers of the XIX and XX centuries, namely Guy de Maupassant, Mallarmé, Rimbaud, Verlaine, Baudelaire, Malraux, Bernanos, Giraudoux and Valéry. I lectured extensively on the latter.
15. Jean-Charles Bonenfant, a very good friend of mine, died many years ago.
16. For question 2 and question 16, please write to the Secretary of the Law School. I hope that he will be in a position to provide you the information you need.

To conclude, I'll confess that, to my mind, teaching is the most gratifying of all human activities. Traveling comes next!

February the 10<sup>th</sup>, 1985

André Piquet

Rec'd Feb 11, 1985.

From 1953 to 1966 the teaching of the subject was carried by Mr. Andre Patry on a part-time basis. Mr. Patry's course was two hours per week in the ~~second~~<sup>first</sup> term of the second year. Although at first he offered a basic course, he soon began to concentrate on the law of international institutions and on problems of federalism, these matters of immediate and special interest of Quebec. When

Feb. 8. 1985

Dear Professor Macdonald:

Many thanks for your letter. I am enclosing the revised version of your draft along with my C.V. which you may keep. I'll answer some of your questions when I am less busy. At this moment, I have a very tight schedule.

Most unfortunately, in spite of being fond of history, I am not in the least interested in my own professional path. I always look ahead. Furthermore, I have never thought of myself as an important man. For a social life matters much more than my professional life. I have no recollections of my memoirs, and my memoirs are a human being. Nevertheless, thank you for your interest in my achievements and activities.

Andre Patry

at the University of Montreal

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June 15 - 1923 -

André PATRY (N° d'assurance sociale: 219 712 221)

expert-conseil en affaires internationales et constitutionnelles, agissant sous la raison sociale INFORMINTER ENRG. (6 avril 1979, 011920, Cour supérieure, Montréal)

Grades universitaires: licence en droit (agrégation en 1957); maîtrise en sciences sociales.

Expérience universitaire: chargé de cours de langue portugaise (Université Laval, 1947)  
chargé de cours de littérature française (loc. cit., 1947-56)  
professeur de droit international public (loc. cit., 1953-67)  
professeur de relations internationales (loc. cit., 1959-66)  
chargé de cours sur le monde arabe (Université du Québec, 1980)

*also, assistant professor of  
International Relations at  
Université de Montréal  
(1959-61)*

Expérience politique, juridique et administrative:

secrétaire à la division politique de l'OTAN (1957-58)  
conseiller du gouvernement du Québec pour les affaires constitutionnelles et internationales (1964-66)  
chef du protocole et conseiller spécial du premier ministre du Québec (1966-68)  
sous-ministre de l'immigration du Québec (1968-70)  
conseiller spécial auprès du ministre des Affaires culturelles (1970-74) et directeur intérimaire de la Bibliothèque nationale  
chargé des affaires arabes au ministère des Affaires intergouvernementales (1974-76)  
délégué général du Québec en Belgique et au Luxembourg (1978)

Expérience en journalisme écrit et parlé:

superviseur de la section de l'Amérique latine au service international de Radio-Canada (1952-53)  
superviseur général de la section des affaires publiques du réseau français de Radio-Canada (1962-65)  
rédacteur du quotidien Le Soleil (1947-48); chroniqueur aux quotidiens Le Nouveau Journal (1962) et Le Devoir (1978-81)  
chroniqueur hebdomadaire à l'émission Second Regard du réseau français de Radio-Canada (1981-82)  
créateur de quelques séries d'émissions de télévision, dont l'une consacrée à la Cité du Vatican (1984)

Expérience des relations culturelles:

directeur des relations culturelles à l'Université Laval (1953-57)  
secrétaire de l'Institut canadien de Québec (1955-57)  
secrétaire du Conseil des Arts du Québec (1965-66)  
président du Groupe de la Place royale (ballet moderne) (1973)  
membre du conseil d'administration du Musée des Beaux-arts de Montréal (1980-82)



Expérience des affaires: membre du conseil d'administration de la société de  
fiducie canado-hellénique (1971)  
directeur de l'Agence du Golfe arabe (1976-78)  
membre du conseil d'administration du World Trade Center  
de Montréal (1984- )

Publications: près de 200 articles dans des journaux canadiens et étrangers; repré-  
sentant-correspondant de journaux d'Amérique latine (1944-47) et de  
la Tribune des Nations (Paris, 1951)  
conférences au Brésil, à Cuba et en France (publiées dans des revues)  
ouvrages suivants:

- Les éléments de la politique étrangère du Canada (1947)
- Visages d'André Malraux (1956)
- Le pétrole et le moyen-orient arabe (1956)
- Le régime des cours d'eau internationaux (1960)
- Cours sur les relations internationales (1964)
- Les pouvoirs extérieurs du Québec (1967)
- Réflexions sur la matière et la vie (1970)
- Matière, vie et psychisme (1973)
- Discours sur le réel (1975)
- Le Québec dans le monde (1980)
- Le vieux Montréal: un passé toujours présent (1982)
- La capacité internationale des Etats (1983)

Séjours officiels à l'étranger (à titre d'invité): Brésil, France, Allemagne, Liban.

le 27 août 1984.

*+ at least  
20 articles in  
periodic press on  
Brazil, Cuba, U.S.,  
Mexico, etc.  
Public Law.  
See. 10 minutes,  
The Connection Year book  
(1963 (vol. I) and  
1971 (vol. II))*



12 February 1985

Dr. Andre Patry  
400 ouest Blv. de Maisonneuve  
Apt. 3104  
Montreal, Que.  
H3Z 1J9

Dear Dr. Patry:

Thank you very much indeed for your reply of February 10, 1985. I appreciate the time that you took to respond to my questions and I can assure you that your comments are of great help to me and will certainly be incorporated in the revision of my essay.

I notice that you did not return your comment on my two draft paragraphs. Does this mean that you feel that your replies to the questions are sufficient for our purpose? Or should I anticipate receiving your corrections to the two paragraphs at a later stage?

Let me say that I much enjoyed our discussion and that I hope there will be opportunities for us to meet in the future.

With personal good wishes, I remain,

Yours sincerely,

R. St. R. Macdonald, O.C.Q.C.  
Professor

Annuaire de La Faculté de Droit de l'Université Laval  
pour l'année académique 1937-38, No. 6, Québec, Des  
Ateliers de L'Action Catholique, 1937, pp. 7-8

History (Historical background)

The Royal Charter of 1852 gave to Laval University the power [authority] to confer Bachelor of Law, Master of Law and Doctor of Law degrees. The Faculty of Law, however, [was only] could only be established [organized] in 1854.

The first to hold the chair were Judge Auguste Morin, one of the codifiers of our civil law, appointed Dean on June 13, 1854, and Mr. Jacques Crémazie who accepted the position of professor on the 4th of September 1854. These gentlemen were the first holders of Doctor of Law degrees conferred by Laval University.

On the 12th of June 1855, the University Council appointed the following professors: Messrs. William Bardgley, G.D. Stuart, Jean-Thomas Tashereau and Joseph-Ulric Tessier.

"Unfortunately, the majority of these professors were prevented from preparing and teaching their courses owing to the duties which they had to perform outside the University, which led to the limiting of teaching at the Faculty to courses in civil law and Roman Law for a few years. The Faculty was even compelled to have a professor come from France in 1857 to give lectures in Roman Law. And it was Mr. A-E. Aubry, lawyer at the Paris Imperial Court and doctor of law of the Faculty of Paris who came here to [hold] fill this office."<sup>1</sup>

<sup>H</sup>  
There is the curriculum presented in the Yearbook for 1857-58:

Messrs. A-W. Morin; Natural law and People's  
 [~~Human?~~ Human?] Rights

J. Crémazie- civil law

W. Badgley; criminal law

J-T. Taschereau; Commercial law

J-U Tessier- Procedure

The following year, Messrs. Napoleon Casault and Jean Langlois became professors in ~~commercial~~ <sup>Commercial</sup> and maritime law and criminal law. Moreover, faculty students had to take public classes [lectures] at the Faculty of Arts having "as subject matter philosophy or Arts."

In 1856, the course in administrative law was created. The first lecturer in this subject matter, Mr. Francois Langelier, had been entrusted in 1864 with the introductory course in civil law, and several months later, had replaced Mr. Aubry in holding the chair of Roman Law.

The next additions were: in 1897, a course in procedure for the professor of Notary Public [notarial procedure?]; in 1904, a course in political economic and an introductory course in the study of law and the history of law. The latter course taught by Mr. Langeliér, in 1865 had been withdrawn. Thus it was only re-established [revived] in 1904. In 1911, a course in practical procedure, and finally in 1915, a course in Public Law of the Church [Public Ecclesiastical law?] were introduced to round off the teaching at the Faculty,

Originally, the course in international law was given in 72 lectures, but very irregularly. In 1887 it was established permanently, the number of lectures, however, was reduced to 30.



Bachelor and Master of Law degrees. The Bachelor degree, at the Faculty of Law, was, in the beginning, conferred upon students who had taken Faculty courses for six terms and who had obtained "good" or "very good" (grades) marks on all their exams. One could only obtain the Master's degree by passing tougher examinations. In 1895, a new by-law was adopted which gave an even more serious character to the examinations necessary for the obtaining of these degrees. In 1916 and in 1921, new measures [steps] were taken to give more value and more [qualifications] guarantees to these Bachelor and Master of law degrees. Ecclesiastics and religious people [monks?] who enrol at the Faculty have a special status. Doctor of Law degree. To obtain this degree, it has always been demanded of the candidate that he/she prepare and defend a thesis. The university council can however grant it "ad honorem".

1. Father Camille Roy, "L'Université Laval et les Fêtes du cinquantenaire", p. 38



Annuaire de la Faculté de Droit de l'Université Laval pour  
l'année académique 1937-38, No. 6, Québec, Des Ateliers de  
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Here is the curriculum presented in the Yearbook for 1857-1858:

Messrs. A.-N. Morin: Natural law and Peoples' [Human?] Rights,  
J. Crémazie: civil law,  
W. Badgley: criminal law,  
J.-I. Taschereau: Commercial law,  
J.-U. Tessier - Procedure.

The following year, Messrs. Napoléon Casault and Jean Langlois became professors in commercial and maritime law and criminal law.

Moreover, Faculty students had to take public classes [lectures?] at

(1) Father Camille Roy, "L'Université Laval et les Fêtes du cinquantième", p. 38.



the Faculty of Arts having "as subject-matter philosophy or Arts"

In 1866, the course in administrative law was created. The first lecturer in this subject-matter, Mr. François Langelier, had been entrusted in 1864 with the introductory course in civil law, and, several months later, had replaced Mr. Aubry in holding the chair of Roman law.

The next additions were: in 1897, a course in procedure for the profession of Notary Public [notarial procedure?]; in 1904, a course in political economic and an introductory course in the study of law and the history of law. The latter course, taught by Mr. Langelier, in 1855, had been withdrawn. Thus it was only re-established [revived] in 1904. In 1911, a course in practical procedure, and finally in 1915, a course in Public Law of the Church [Public Ecclesiastical law?] were introduced to round off the teaching at the Faculty.

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Doctor of Law degree: To obtain this degree, it has always been demanded of the candidate that he/she prepare and defend a thesis. The university council can however grant it "ad honorem"

21 January 1985

Mr. J.Y. Grenon

Dear Jean-Yves:

Would you, when you have a moment or two, kindly look over the attached on the teaching of international law at Laval University, and if possible, send me a couple of paragraphs on your own tour of study at the University, the courses you taught, the books of reference that you used, and any general impressions you may have formed about the teaching of the subject at Laval during your time there? As much detail as you can manage will be of great assistance to me.

The reason for my request is that I have been asked to update my original essay of 1974, bringing the account down to 1985 and for this purpose I am attempting to benefit from the reminiscences of those professors and instructors who were actually involved in the program at Laval in recent times. Any remarks that you can pass along will be much appreciated.

Looking forward to seeing you in person, and with every good wishes, meanwhile, I remain,

Yours sincerely,

R. St. J. Macdonald, Q.C.  
Professor

encl.



UNIVERSITÉ LAVAL  
FACULTÉ DE DROIT  
QUÉBEC, CANADA.  
G1K 7P4

April, 30<sup>th</sup> 1981

Professor R. St. J. Macdonald  
Dalhousie Law School  
Dalhousie University  
Halifax, Canada  
B3H 4H9

Dear Ron,

I am awfully sorry to let you know that we are still looking for the detailed information that you have asked us to dig up for you. I have transferred the questionnaire to Claude Samson, who is Director of our graduate studies program, and he has just informed me that figures prior to 1960 are not easy to find, but he still hopes to come out with the right information. He has assured me that everything should be completed by the end of next week.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Ivan Bernier', with a long horizontal flourish extending to the right.

Ivan Bernier  
Faculty of Law  
Laval University.

IB/lj





December, 17 1984

Dear Mrs Macdonald

I am sending you the last part  
of my research on your subject.  
You "must" tell me if you need  
other informations!

I got some news about my  
project in Strasbourg. Our "Ministère  
des Relations Internationales (!)" gave me  
its approbation about the exchange  
with the European Council: the dates  
are changed: it is now from May  
85 to May 86. I will write to Vincent  
Berger about this. Oh!

萬 Season's Greetings

賀 Meilleurs Voeux

新 Felices Fiestas

禧 Tozgpabrero

Thanks for your good wishes!

Permettez-moi de vous souhaiter, dans la  
tradition de mon coin de pays, une Bonne  
+ Heureuse Année - Santé - Bonheur - Prospérité  
+ le Paradis à la fin de vos jours!  
Changé

Quebec, 8 October 1984

de 11/10/84

Dear Mr. McDonald

Sorry, I'm very sorry that you could not visit Québec. Maybe it will be possible next time, I hope!

I plan to return to Strasbourg next year. You are right, I miss Strasbourg a great deal. I'm awaiting a good answer from the Ministry of Education: they will pay one year work paid at the European Directorate of Human Rights. Is it not fantastic enough?

I am sending you these documents. More or less around your subject. Can they help you. I did some research at the library of the University of Laval, but it's difficult to find



Quebec, 8 October 1984

10/11/84

Dear Mr. McDonald

Sorry. I'm very sorry that you  
could not visit Québec. Maybe it will be  
possible next time. I hope!

I plan to return to Strasbourg next  
year. You are right, I miss Strasbourg  
a great deal. I'm awaiting a good answer  
from the Ministry of Education: they  
will pay one year work paid at the  
European Directorate of Human Rights.  
Is it not fantastic enough?

I am sending you these documents.  
More or less around your subject. Can  
they help you. I did some research  
at the library of the University of  
Laval, but it's difficult to find



interesting documents. So, as I told  
you (and with your authorisation)  
I will meet few persons involved in  
your area. I think it's the best solu-  
tion to get informations.

This month, I decide staying in  
Québec and travelling to Montréal  
where I need it. It's easier for  
me if I will have to leave for Stras-  
bourg in January.

✓ Thanks for your nice phone call!  
Mon anglais écrit ne vaut guère mieux  
que mon anglais oral! Je manque de  
pratique! J'espère que tout se passe  
bien pour vous.

A bientôt

Bien à vous

Chaudel

my address is the same  
1549  
1549 Av. Paradis  
Ste-Foy, Québec  
G1W 3S8

29 October 1984

Ms. Chantal Houdet  
1549 Ave. Ranyoyze  
Ste. Foy, Quebec  
G1 W 3J8

Dear Chantal:

This is merely a note on my return from Strasbourg to let you know that the human rights people are expecting you in January. Everyone asked for you and said they were awaiting your return.

I rather doubt that I can arrange to visit Quebec City this year, but I continue to hope for such a trip in 1985.

With good wishes to your family, I remain,

Yours sincerely,

R. St. J. Macdonald, Q.C.  
Professor

16 October 1984

Mme Chantal Hudet  
1549 Ave. Ranvoys  
Ste. Foy, Quebec  
G1W 3J8

Dear Chantal:

I was absolutely delighted with the material which you kindly sent me and I look forward to thanking you personally when next we meet. Do I understand correctly that you may be in Strasbourg in January, 1985? Please let me know when you expect to arrive there and where I can get in touch with you.

I doubt that you will have much time to find more material for me, but one thought that does occur to me is that you might find something in the calendars or "annuaires" of the Faculty of Law. Also could you telephone Marguerite MacDonald at 527-4542? Although she has a Scottish name, Miss MacDonald is a Quebecois, now retired, an old friend of my family, with whom I have spoken on the telephone about my project. She would be able to give you the names of other people to contact.

With my good wishes to your parents and members of your family, I remain,

Yours sincerely,

R. St. J. Macdonald, Q.C.  
Professor

6 March 1985

Ambassador Pierre Charpentier  
2450 Massachusetts Ave. N.W.  
Washington, D.C.  
20008 U. S .A.

My dear Pierre:

Would you be kind enough to glance through the attached and do the following:

- i. Make whatever corrections may be necessary to the text as it now stands.
- ii. Dictate a paragraph or two on your own period of service at, and your reflections on, Laval University and the teaching of international law.
- iii. Suggest any points about the teaching and research of our subject that you think it would be useful to mention in an essay of this kind.

I might just say that all this is in aid of a revision and updating of my original essay which was published ten years ago. I have been asked to bring the account down to 1985.

Any comments you can let me have will, I know, be of great assistance in making the revision required of me.

With personal good wishes, I remain,

Yours sincerely,

R. St. J. Macdonald, Q.C. Q.C.  
Professor



12 January 1984

Mr. Pierre Charpentier  
Department of Exgernal Affairs  
L.B. Peasson Building  
Ottawa, Ontario

Dear Pierre:

I am hoping for the pleasure of coming to see you personally in the near future and I will, if I may, give you plenty of advance notice. Hopefully you will come to have lunch or dinner with me when I am in Ottawa.

There are two particular items on which I wish to consult you, if I may. The first is about your time as a visiting professor at Laval University in 1970 -- I am writing something about that -- and the second is whether you could assist me to acquire some information about the trials that are now going on in Argentina, in which I have an interest.

It has been much too long since we have met and I am looking forward with great pleasure to renewing our friendship over lunch or dinner.

With personal good wishes, I remain,

Yours sincerely,

R. St. J. Macdonald, Q.C.  
Professor

December 10, 1979

Professor André Dufour  
Cabinet du Recteur  
Université Laval  
Ste. Foy, Québec City  
G1K 7P4

Dear André,

May I ask a favour?

I am still working away at my essay on the history of the teaching of international law in Canada, a task that I am hoping to bring to a conclusion within the next fifteen months. I am covering the full period 1851 to 1980. As you can imagine, it is a very time consuming business to gather up the relevant information, through such an extensive period of time, for fourteen schools in different parts of the country. However, friends and colleagues across Canada have been extraordinarily generous in replying to my request for assistance and in view of their wonderful support I expect to be able to complete the account of the teaching of our subject in early 1981.

You were kind enough to assist me with this project several years ago and I am now taking the liberty of returning to you for additional information. I feel that it is especially important to deal fully and accurately with the contribution of Laval University, which is one of the most distinguished universities in Canada, and with your own contribution, since you were the first full-time teacher of international law in the law school at Laval University. I am also anxious to have your guidance and advice on a number of matters. In order to ensure that I have a proper appreciation of the situation, I am going to list a few points for your consideration. Would you do me the honour of reading them through and making whatever response you think appropriate?



(1) Although you were appointed to the Faculty in 1963, is it correct that you did not start teaching international law until 1967?

(2) Am I correct in thinking that you taught the subject for five years (1967-72) and that in 1972 you resigned from the university to join the public service in Quebec City? Could you tell me what your title was in the government and what kind of work you were doing?

(3) In view of the fact that you were the first full-time professor of international law at Laval, what kind of a course did you teach (number of hours, compulsory or optional) and what were your objectives? What materials did you prescribe?

(4) In what year did you return to Laval University? Title and position?

(5) On your return to the university, did you once again give lectures in international law in the law school? If yes, what was the name of the course, in what term or terms was it taught, and what materials did you prescribe?

(6) Would it be correct to say that the books and articles of French scholars are widely used at Laval? Are any American or English texts used? What I am trying to determine here is the extent to which scholarly and academic links with France have been strengthened during the past twenty years. Presumably, Quebec's renewed interest in France, and the new interest that France now has in Quebec, has been reflected in the domain of international law.

(7) I have the impression that political events of the last twenty years, namely, the movement to create a new state outside the Canadian Confederation, has increased student interest in international law very significantly. It seems to me that many students in Quebec now regard the subject as practical and important and that great progress was made in the teaching and research of the subject from 1970-1980. Is that an accurate statement? Incidentally, I notice that Mr. Levesque's paper on a new deal for Quebec is full of the language of international law.

(8) I need to obtain some "impressions" of Adjutor Rivard (1868-1945) and Antonio Langlais (1886-), both of whom taught international law. Could you suggest the names of one or two senior lawyers in Quebec City (to whom I could write) who may have taken lectures from these gentlemen? Are there any older members of the Law Faculty still living who would remember Rivard and Langlais?

(9) Could you send me an up-to-date copy of your own C.V. so that I can pay full tribute to your own outstanding work and contribution.

I may say that I have written already to Ivan Bernier for information about the situation in the law school since he took over from you, and that I intend to write directly to Dean Baileau and to Dr. Annemarie Jacomy-Millette. However, I thought it only appropriate to direct the inquiries listed above to the distinguished personality who really put the school "on the map" in the field of international law.

Andre, I apologize for burdening you with this request, but I am counting on your familiarity with the subject, your interest in preserving the record of the past, and your great ability to dictate memoranda in short order. Eventually I would like to come to Quebec to talk to you about these matters; meanwhile, anything you can send me (in due course) will be much appreciated.

Thanking you for your consideration, and with personal good wishes for the Christmas season, I remain,

Yours sincerely,

R. St. J. Macdonald, Q.C.  
Professor

RM:CB

[PTO]



24 November 1983

Professor J. Mauric Arbour  
Faculte de Droit  
Universite Laval  
Quebec, Canada  
G1K 7P4

Dear Professor Arbour:

Further to my letter of November 21, 1983, I am taking the liberty of attaching a few pages of preliminary text for your critical examination. I am also attaching a list of questions which, when answered, will, I hope, enable me to correct and expand the draft during the next few months. I will, of course, submit a final draft for your approval, perhaps during the summer months, and I will also send copies of the draft to Dufour and Bernier for their approval also.

I hope that you will not be shocked when you see the list of questions!!!

By way of background information, I should say that my first account of the teaching of international law at Laval appeared in the 1974 Canadian Yearbook at pp. 81-86. Two further installments (though not specifically on Laval) appeared in 1975 and 1976. Part IV, which deals with Victoria, Calgary, Sherbrooke, U.N. B., and Moncton, will appear in the Yearbook of 1984. Eventually, I hope to consolidate and up-date the four essays so as to provide a complete picture of the scene from 1851-1981, i.e., from the time that Bibaud gave the first international law lectures in Canada in 1851.

I terminated the discussion of the situation at Laval with the year 1970. I now wish to cover a twelve year period, 1970-1982, inclusive. In order to make the discussion useful and interesting, I need detail, as much detail as possible, and I apologize in advance

.../2

Professor J. Maurice Arbour  
24 November 1983  
page two

for bothering you with such tedious requests. I appreciate your assistance.

I apologize for burdening you with this request, but I am counting on your familiarity with the subject, your interest in preserving the record of the past, and your great ability to dictate memoranda in short order. Eventually I would like to come to Quebec to talk to you about these matters; meanwhile, any replies that you can send me will be much appreciated.

Thanking you for your consideration, and with personal good wishes for the Christmas season, I remain,

Yours sincerely,

R. S t. J. Macdonald, Q.C.  
Professor

encls.

Questions for Professor Maurice Arbour

November 1983

1. The names of the professors of international law during the period 1970-1982, the courses they taught during this period, and the years (first year, second year, third year) in which the courses were taught.
2. What happened to Samson, Duplé, Pourcelet?
3. André Dufour started teaching in 1963. When did he become Dean? who succeeded him as Dean? When did Dufour cease teaching in the Law Faculty? can you send me his present address and telephone number?
4. When did Bernier join the Faculty? start to teach international law? become Dean? what does he now teach? what is his position (1982-1983)?



5. As far as courses and seminars on international law are concerned:

1. in what years are they taught?
2. are any of them compulsory?
3. are there co-requisites and prerequisites?
4. what is the content of each course, as indicated by its main chapter headings? (as much detail as possible), May I see a xerox copy of the table of contents?
5. what topics are covered in Droit International Public III? is this course offered?
6. What changes did you make in D.I.P. II in 1974? Why?
7. What has happened to "droit de transporte"? who teaches it? What materials are used?
8. When did Public International Law become an optional subject? Was it ever taught in first year?
9. What text books and materials are used? (as much detail as possible, e.g., the names of the authors: French, Belgian, American, British).
10. What is the method of instruction? (lecture method, essays? , problem method)
11. are these courses usually taught for 30 hrs. or for 45 hrs?
12. generally speaking, what is the student interest in each course? For example, what percentage of the students take the basic course, the advances courses?

6. Are there any graduate programmes in international law and, if so, what topics are covered, how many students are involved, and how many years does it take to get a degree, e.g., 1 year for LL.M. 2 or 3 for Ph.D.?
7. What is the situation as regards research and writing on international law by the Faculty? Library?
8. What is your optional system of courses at the present time? At Dalhousie, everything beyond First Year, except Constitutional Law, is optional. Are there "clusters" or "groupings" from which the students must select?
9. Is there any general history of the Law School or is there even a short history, perhaps in one of the Calendars or the university? Is there someone to whom I can write for historical information about the law faculty?
10. Would it be correct to say that the books and articles of French scholars are widely used at Laval? Are any American or English texts used? What I am trying to determine here is the extent to which scholarly and academic links with France have been strengthened during the past twenty years. Presumably, Quebec's renewed interest in France, and the new interest that France now has in Quebec, has been reflected in the domain of international law.

11. I have the impression that political events of the last twenty years, namely, the movement to create a new state outside the Canadian Confederation, has increased student interest in international law very significantly. It seems to me that many students in Quebec now regard the subject as practical and important and that great progress was made in the teaching and research of the subject from 1970-1980. Is that an accurate statement? Incidentally, I notice that Mr. Levesque's paper on a new deal for Quebec is full of the language of international law.
12. I need to obtain some "impressions" of Adjutor Rivard (1868-1945) and Antonio Langlais (1886-), both of whom taught international law. Could you suggest the names of one or two senior lawyers in Quebec City (to whom I could write) who may have taken lectures from these gentlemen? Are there any older members of the Law Faculty still living who would remember Rivard and Langlais?



11 March 1982

Doyen Ivan Bernier  
Faculté de droit  
Université Laval  
Cité Univesitaire  
Quebec, Canada  
G1K 7P4

Dear Ivan:

Many, many thanks for your good letter of March  
2, 1982.

N.B) ( I apologize for having inconvenienced you and I  
promise not to bother you with this matter again.  
Allow me to say simply that I could not have done  
the note on Laval without your generous assistance.

With personal good wishes, I remain,

Yours sincerely,

R. St. J. Macdonald, Q.C.  
Professor

27

28 June 1980

Dr. Annemarie Jacomy-Millette  
Centre Québécoise de Relations Internationales  
Université Laval  
Faculté des Sciences Sociales  
Québec  
G1K 7P4

Dear Annemarie:

Many thanks for your letter of 10 June 1980 and for your very interesting comments on the foreign policy of Flora MacDonald. You have certainly had a busy time of it, and I hope that your holiday abroad will be simply glorious.

If, on your return, you could send me a few paragraphs on the teaching of international law at Laval between 1975-1980, I will not only be even more in your debt than now I am, but I will also be able to complete my essay on that topic. I am attaching a copy of the excellent letter sent me by Ivan Bernier. Any details that you can fill in will be much appreciated. I want to know as much as possible about the actual content of the courses, what books and articles are used, what publications are being produced, and the number of graduate students. (1)

Thanking you, Annemarie, for your kindness in assisting me in this matter, and with all good wishes, I remain

Yours sincerely,

R. St.J. Macdonald, Q.C.  
Professor

PS: I am enclosing an order for a copy of your new collection of essays. RSTJM

RSTJM:lf  
Encl: (2)

(1) See H. check - list.

Received  
Jan 7/80



Centre québécois de relations internationales  
Secrétariat de langue française de  
l'Institut canadien des affaires internationales  
Université Laval

December 30, 1979

Dear Ron,

The holiday recess allows some time for looking through our files & notes & remembering our friends & requests.

Concerning your request on the teaching of international law at Laval, I asked a secretary at the Faculty of Law to send me, or you, the documents you were asking for. I shall enquire when the University opens again, whether she did it -  
All the best for your voyage through the world -

sincerely  
Annexa Ric





✓ Centre québécois de relations internationales  
Secrétariat de langue française de  
l'Institut canadien des affaires internationales  
✓ Université Laval

Le 10 juin 1980

Professor Ron St.J. Macdonald  
Dalhousie Law School  
Halifax Canada  
B3H 4H9

Dear Ron:

I was attending, last week, two meetings, one in Montreal (Learned Societies, Political science association, panelist on Flora MacDonald's Foreign policy). The other in Ottawa (C.I.I.A.). I am just back and very busy this week (tomorrow in Chicoutimi, and two meetings on the Centre and the Institute), before leaving for a month holiday abroad. Therefore I cannot write anything about the teaching of international law now though I shall take the matter up when I am back in Quebec.

I was delighted to hear from you. *you must have very interesting comments to make on China & Mexico - Will you write them down?*

*Best wishes*

Yours sincerely

Dr Annemarie Jacomy-Millette

AJM/en

Encl.



# BOOKS

## Literature, the colonizer and Quebec's colonized

### LE PAYS NATAL

ESSAIS SUR LES LITTÉRATURES DU TEIRS-MONDE ET DU QUEBEC

BY MAX DORSINVILLE

Nouvelles Editions Africaines  
193 pages, \$12

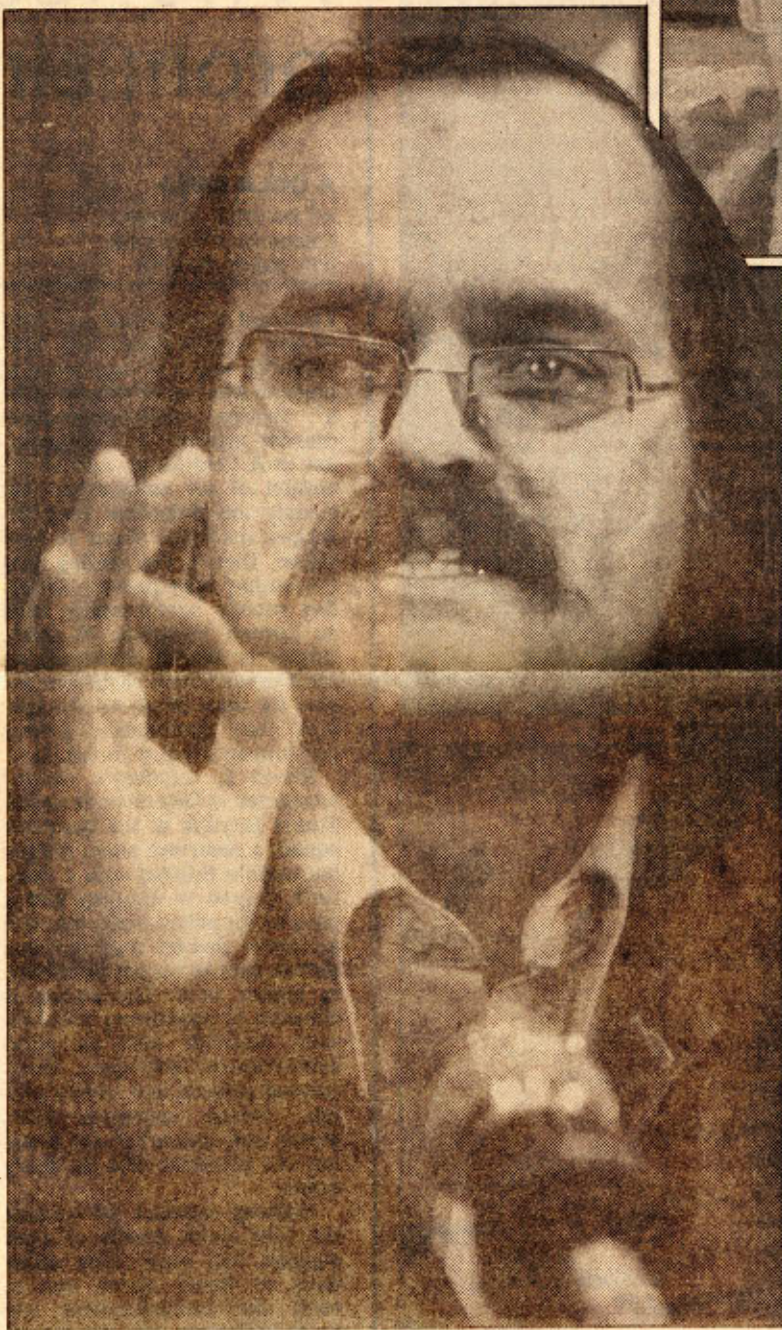
### REVIEW BY RONALD SUTHERLAND

Max Dorsinville is a disciplined scholar with an extraordinarily broad knowledge of literatures — of Africa and the Caribbean, of the United States and Europe, of Spanish America and particularly of both English and French Canada. By combining this knowledge with the capacity to discern underlying patterns and transcendent themes, he has produced a book remarkably rich in brilliant insights: *Le Pays natal* — The Native Land.

Dorsinville's essays in comparative literature in effect provide a highly revealing psychoanalysis of the evolution of Quebec writers and intellectuals over the past quarter-century, the period of the Quiet Revolution, FLQ terrorism and the rise of the New Separatism under René Lévesque. It was also during this period that Quebec thinkers began to look toward the Third World in their search for both a *modus vivendi* and a positive identity; thus Dorsinville's comparative approach is especially meaningful and effective. *Le Pays natal* is divided into three sections, one on the writers of the Caribbean, the second on African literature and the third on the entire literary and cultural scene of Quebec.

The first section begins with a discussion of the concept of a "national literature" and its implications for writers in the colonial or post-colonial context. Prominent black authors such as Aimé Césaire, Mongo Beti, Frantz Fanon and David Diop, for instance, might be regarded as "assimilated" and might have easily accepted that role inasmuch as they are part of an intellectual elite and use the language of the European colonizer. Yet each one chose to reject the confines of the European cultural metropolis to associate himself with and to take inspiration from the colonial masses. Dorsinville outlines the three "imperatives" of this position — cultural, psychological and political — then goes on to analyze the challenges faced by a number of writers in various countries, suggesting finally that the distinction, so far as Third World literature is concerned, is not between national and international but between dominated and dominant.

*Le Pays natal* traces the influence of writers such as Césaire and Senghor in the late fifties and in the sixties on Quebec poets such as



Pierre Vallières and Paul-Émile Borduas: ideological ammunition

Gaston Miron and Paul Chamberland, who suddenly realized that they too wished to reject the cultural metropolis and that the British Conquest had placed Quebec in a situation psychologically similar to that of former European colonies. Even the concept of "negritude" could be appropriated, albeit symbolically, as explicitly illustrated in Pierre Vallières' 1968 book on the people of Quebec entitled *Nègres blancs d'Amérique*. Césaire's *Cahier d'un retour au pays natal*, which presumably provided Dorsinville with a title for his own book, appears to have been of particular importance in Quebec, its themes being reflected in the works of

Paul-Marie Lapointe, Jacques Brault, Gratien Lapointe, Yves Préfontaine, Jean-Guy Pilon, Roland Giguère and Anne Hébert, as well as those already mentioned. In addition to Césaire, Jacques Berque (*Dépossession du monde*), Frantz Fanon (*Peau noire masques blancs* and *Les Damnés de la terre*) and Paul-Émile Borduas (*Refus global*) also provided Quebec writers with ideological ammunition, including the precept that certain types of social change can be achieved only through violence, and the resultant intellectual currents coincided with the resurgence of Quebec nationalism, punctuated by terrorist bombs.

The second section of *Le Pays natal* examines African writing in English and French, beginning with the premise that a literature produced in the language of the colonizer is of necessity at a crossroads, which is the case for Chinua Achebe, Hamidou Kane, Yambo Ouologuem, Cyprian Ekwensi and numerous others. The consequence is an ambiguity which cannot be resolved easily, for obviously African writers cannot now return to former tribalism, yet at the same time they are charged with the task of defining and fostering African identity in African terms. The situation of exiled Haitian writers (Dorsinville himself was born in Haiti, educated in Quebec and the U.S. and now teaches at McGill University) is even more complicated and is treated in a separate chapter.

The final section of *Le Pays natal* is actually a thorough ideological, cultural and literary history of contemporary Quebec. Dorsinville examines political and philosophical writing as well as poetry, fiction and drama, and he even devotes a chapter to the book-publishing industry itself.

Over the past few years, of course, since the prospect loomed that Quebec might well secede from the Canadian confederation, hundreds of books have been written about French Canada. The great majority of these books, however, describe the way Quebec ticks; Dorsinville provides a perspicacious analysis of what makes Quebec tick. By comparisons with the literary and cultural phenomena of the Third World, he is able to develop a perspective which seems eminently legitimate, and he seems always to maintain an approach which is at once candid and objective.

Written in clear, concise prose, rich in detail and insight, distinguished by extensive research, unusual breadth of vision, skilled analysis and originality, Max Dorsinville's *Le Pays natal* is certainly an important contribution of Canadian literary scholarship, and it will do much to raise the appreciation of that scholarship in the international community.

*Ronald Sutherland teaches comparative literature at the University of Sherbrooke.*



6 March 1985

Ms. Chantal Houdet  
1549 av. Ranvoyze  
Sainte-Foy, Quebec  
G1W 3T8

Dear Chantal:

Just a note to say that Mr. Bissen will be coming to a conference at McGill in May and that he is planning on visiting Quebec City, where he hopes to see you. The date of the conference is May 23 and 24. I am sure that he will be in touch with you before then. Mr. Pettiti, Judge Rousseau and Professor Jacqui will also be in attendance. Perhaps it is something that you yourself would be interested in. The person organizing the conference is Professor Armand de Mestral of McGill.

May I ask for one last piece of information? I am anxious to find a book on Quebec City by Andre Duval, entitled La Capital. Could you ask one of the librarians for the exact title, date and place of publication, so that we can get it on inter-library loan?

With personal good wishes, I remain,

Yours sincerely,

R. St. J. Macdonald, O.C.Q.C.  
Professor



29 January 1985

*held*  
Ms. C. Houdet  
1549 av. Ranvoyze  
Sainte-Foy, Quebec  
G1W 3T8

Dear Chant<sup>a</sup>l:

I am just back from Strasbourg and I wish to report that Vincent Berger and all your friends at the Court are eagerly awaiting your arrival in May or June. Everyone is delighted to know that you are returning.

With personal good wishes, I remain,

Yours sincerely,

R. St. J. Macdonald, Q.C.  
Professor

17 January 1985

Ms. C. Houdet  
1549 av. Ranvoyze  
Sainte-Foy, Quebec  
G1W 3T8

Dear Chantel:

Thank you for the material you so kindly sent me on December 17, 1984, and for your very kind note and Christmas card. I was really delighted to hear from you and to know that you will be returning to Strasbongg in May. I will, if I may, alert Vincent Berger of your plans. I know that all your friends will be delighted to learn of your plan to ~~stay~~ in Strasbourg for a full year.

The material you sent me is exactly what I needed and I must say that I am astonished at how much you were able to find. You certainly did a lot of work on this project!

Please remember me to your family and let us keep in touch until we meet in May.

With every good wish I remain,

Yours sincerely,

R. St. J. Macdonald, Q.C.  
Professor

N13

15 August 1988

Ms. Chantal Hovdet  
1549 Av. Ranvoyze  
Ste. Foy, Quebec  
G1W 3J8

Dear Chantel:

Unfortunately I will not be able to visit Quebec City during August as planned; however, I do expect to be in Montreal at some stage during the autumn and would very much appreciate an opportunity to see you. Are you still planning on being in Montreal as of September? Perhaps you will send me a note at your convenience.

With personal good wishes, I remain,

Yours sincerely,

R. St. J. Macdonald, Q.C.  
Professor