McGill’s Centre for Human Rights and Legal Pluralism Takes Flight

- O’Brien Fellowships Create a Vision for Teaching, Research and Public Service
- Honouring a Legacy: The H. Heward Stikeman Chair in the Law of Taxation
- McGill Law Students Excel at International Tribunals

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“Cette formation croisée et intégrée ouvre la porte à des nouvelles perspectives quant aux deux grandes traditions juridiques, où la structure de l’une éclaire l’originalité de l’autre, permettant ainsi une compréhension accrue des droits en cause.”

Professeure Marie-Claude Prémont
DEAN’S MESSAGE

For the better part of its history, the Faculty of Law has staked its fortunes on the idea that Law deserves to be taught among the foundational disciplines at the University. There is always a temptation in legal education to give in to the exigencies of the legal moment or pander to the passing professional fads. McGill has always resisted this – cheered on by gifted students and accomplished graduates, teachers in the Faculty have championed an ideal for legal education that prizes knowledge over information.

A legal education at McGill is one that is marked by the mutually sustaining relationship between the common law and the civil law as the Western world’s two great legal traditions. It recognizes that the law comes from a broad range of sources, and is predicated on the study of law as an intellectual inquiry that is, to use the expression increasingly current in the Faculty, inherently “transsystemic”. While others watch the globalization of law and wonder about its impact on legal education, law teachers at McGill take it as reason to be confident in their choice to teach law comparatively. The common law and the civil law are taught together, alongside topics in public law, in French and English, from the opening days of the undergraduate course of study as a pragmatic and scholarly response to law in a changing world.

We presented four areas of emphasis for the coming five years to the Principal, all of which draw on the foundational mission of the Faculty to study legal traditions comparatively. This is not to say that our core teaching and research in other areas is to be neglected, but it was felt that advancing “Human Rights and Legal Pluralism”, “Transsystemic Legal Education”, “Trade, Mobility and Enterprise” and “Public Policy and Private Resources” would allow the Faculty to assert its distinctive place among law faculties in Canada and best embrace values of interdisciplinarity and internationalization that the Principal has identified as central to McGill’s future.

Part of my task as Dean has been to share this expression of our priorities with graduates, applicants for admissions and friends. Some law faculties might have worried about presenting such an ambitious project to prospective and former students; the plans have been uniformly greeted with great enthusiasm. The Faculty Advisory Board, chaired successively by Justice Morris Fish, BA’59, BCL’62, LLD’01 and Montreal lawyer James Woods, BA’70, BCL’73, LLB’74, helped with some welcome input as we fine-tuned the proposal, especially with respect to how issues such as the Environment, Health Law, Taxation and Intellectual Property find expression in the “Public Policy and Private Resources” sector. Graduates in Toronto convened as an advisory group led by Brian Pel LLB’85. Their input on how “Transsystemic Legal Education” and in particular how McGill’s comparative turn gives graduates an edge in big Canadian cities outside Quebec was most helpful. I met a robust group of graduates in Manhattan last spring with help from New York lawyer Michael Shuster BCL, LLB’87. Discussion turned to “Trade, Mobility and Enterprise” and in particular, how the McGill legal education makes so much sense in an internationalized market for legal services, with its growing demand in fields like arbitration for multilingual jurists who are at ease in both the common law and the civil law.
Most gratifying has been the response to these proposals from those on whom the Faculty must increasingly rely to meet our ambitious aspirations. A case in point has been the response to the choice to assert “Human Rights and Legal Pluralism” as a priority area of teaching and research. The University responded generously by investing precious funds in a proposal to create a university-wide Centre for Human Rights and Legal Pluralism in the Faculty of Law. Headed by Professor René Provost, an expert in international humanitarian law, with Professor Colleen Sheppard, an authority on social and economic rights in Canadian law acting as Research Director, the new Centre has attracted scholarly interest from faculties and departments across the University – Political Science, Education, Medicine, and others. It is proving to be a rallying point for investment in our students as well. The Canadian and Quebec governments have provided funds to sponsor human rights internships around the world and in international organizations. We have a student programme to provide advice to the Sierra Leone Criminal Court. Donors such as the Chawkers Foundation, Bruno Ducharme BCL'79, and Avi and Dora Morrow have helped fund internships here and abroad. The Canadian government recognized the importance of funding this dimension of our mission in approving a Canada Research Chair for Professor Frédéric Mégret, an expert in international criminal law who has come to McGill this January. David O’Brien, BCL’65, responded in high style to the aspiration of linking the student experience to human rights by providing a $3 million gift to endow the “O’Brien Fellows” in human rights and legal pluralism. Thanks to Mr. O’Brien, we will have the world’s leading graduate students in this field working at the Faculty of Law, preparing themselves for lives in government, teaching and public service.

The project of thinking about and giving expression to what McGill feels is important in the study of law has been immensely invigorating for the Faculty. I have reveled in the excitement and confidence expressed by students, teachers and friends in our Faculty’s future. But it has been the appetite of our graduates – who have a fine understanding of McGill’s distinctive mission to teach law in the world of ideas – that has been most encouraging for me since arriving in the deanship. I invite you to write me with your thoughts on these priorities, and other features of the intellectual life of our Faculty, at nicholas.kasirer@mcgill.ca. Better still, come back to Chancellor Day Hall and enjoy the great creative energy that the present generation of students is bringing to the Faculty.

Nicholas Kasirer BCL, LLB’85

“One might say that the destiny of McGill graduates reflects the intellectual aspirations that underlie the curriculum–aspirations that reach beyond the present, that reach beyond the local and the vernacular, and that reach beyond the formal instrumentalities of official law; in short, an aspiration to contemplate and to question law’s cosmos.”

Professor Roderick A. Macdonald
ACADEMIC PRIORITIES FOR THE FACULTY OF LAW

FACULTÉ DE DROIT FACULTY OF LAW

FOUNDATIONAL PRIORITY: LEGAL TRADITIONS, COMPARATIVE LAW AND THE INTERNATIONALIZATION OF LAW:
This is the Faculty’s core strength, and it is articulated in the present Compact as the foundation of the Faculty’s mission. All other strategic priorities draw on this central aspect of the intellectual life of the Faculty of Law. The strategic advantage of McGill in comparison to other faculties in North America and Europe lies in its decision to pursue research in different legal traditions as a matter of legal theory and cultural pluralism. In this spirit, the Faculty pursues its historical commitment to international law and the internationalization of law. The Faculty’s unique perspective in Quebec, at the confluence of the common law and the civil law, along with a sense of the normative importance of legal bilingualism, places this comparative and international research mission at the top of the Faculty’s agenda. The rich environment in which we conduct research and teaching in comparative law and international law rivals that of any institution in the world today.

TRANSSYSTEMIC LEGAL EDUCATION:
McGill presents a world-leading model for legal education in its study of the common law and the civil law in an integrated, dialogic manner. Rather than comparing two discrete bodies of knowledge, McGill scholars understand the two leading traditions of the western world as epistemic communities, detached from any narrowly jurisdictional or territorial model. This is the grand orientation of the BCL/LLB degree in the Faculty of Law. In the face of the globalization of legal culture in the western world, the approach that is being developed at McGill is widely recognized as the most innovative technique for studying law, and as a model for other forward-looking institutions. In the graduate programme, values of nomadic and dialogic jurisprudence are brought to teaching and research in comparative law in a manner unique when measured against North American and European reference LL.M. and doctoral programmes. The principal research groups involved are the Centre of Private and Comparative Law and the Institute for European Studies.

HUMAN RIGHTS AND LEGAL PLURALISM:
The Faculty has a long tradition of outstanding and influential scholarship and teaching relating to essential aspects of human identity and dignity. McGill scholars are at the forefront of shaping discourse regarding the evolution of international and domestic human rights law, and of the ethical imperatives that influence citizens in their interactions with one another. The importance of the international forum as a laboratory for exploring these ideas is pursued alongside concerns for regulation of domestic, local and indigenous human rights and social diversity. Concerns for social justice in law, legal ethics and the appropriate path for the relationship between law and society are animating themes for the study of Human Rights and Legal Pluralism at McGill. The principal research groups involved are the Centre for Human Rights and Legal Pluralism and the health law working group.

PUBLIC POLICY AND PRIVATE RESOURCES:
The interface between public policy and private resources has traditionally been understood as state regulation of private property rights. McGill scholars, with an interest in sites of normativity other than that state, and with the broadest understanding of property and legal ordering thereof, have opened this inquiry to matters relating to globalization, citizenship, instrument choice, institutional design and evolving conceptions of property that encompass matters ranging from taxation to the environment, from labour law to business law, as well as copyright and patent law. The principal research groups involved are the Centre for Intellectual Property Policy and the sustainable development law working group.

TRADE, MOBILITY AND ENTERPRISE:
Faculty members are engaged in exceptional research and teaching relating to commercial law, trade law, dispute resolution, and the governance of mobility, at the international and domestic levels. The expertise of McGill researchers is regularly sought by international organizations (ICAO, UNIDROIT, ICC) that shape evolving international norms. International and domestic arbitration, in particular, represent a strategic focus for McGill when imagined as a site for the emergence of legal norms and the comparative endeavour generally. The principal research groups involved are the Institute of Air and Space Law and the Institute of Comparative Law.
Students nominate and choose the winner of the John W. Durnford Award for Teaching Excellence, so it was appropriate that last year’s award was presented to Professor Blaine Baker by one of his students. Toby Moneit used the words of students from Professor Baker’s first year Contractual Obligations class in an eloquent tribute to a teacher and scholar:

- Professor Baker embodies the true meaning of “teacher”– he loves to teach and it shows. He encourages his students to think.
- Professor Baker treats students as intellectual equals and engages the fundamental issue at play in the law.
- Professor Baker empowers us to rise above a pure reaction to a set of circumstances and allows us to begin to set the agenda rather than always being swept away by the tyranny of thinking that the way things are is how they necessarily should be.
- Professor Baker comes to class with a contagious enthusiasm and exudes both respect and caring for his students.
- Professor Baker’s breadth of knowledge, passionate teaching style and engaging choice of material make the three-hour lecture the most enjoyable of my week at the Faculty.

As one of his more poetic students put it: “Dante had Virgil, we have Baker”.

Past recipients of the John W. Durnford Award for Teaching Excellence include professors Dennis Klinck and Ronald Sklar.

Professor Madeleine Cantin Cumyn was appointed Wainwright Professor of Civil Law on December 9, 2005. She is the fourth holder of the Chair, succeeding Paul-André Crépeau, John E.C. Brierley and Yves-Marie Morissette. The appointment recognizes Professor Cantin Cumyn’s leading role in teaching and research in civil law. Her association with the Wainwright Trust dates back to her earliest days at McGill when she was Junior Wainwright Fellow in the Faculty of Law in 1977.

Professor Marie-Claude Prémont helped organize a three-day gathering that was held a half-hour away from the Inuit village of Puvirnituq on August 25, 2005. The meeting brought together 27 women from the south
of the province and from each of the 14 scattered Inuit villages that comprise the region of Quebec known as Nunavik. Participants discussed social, justice and language issues to find solutions appropriate to a region and culture where southern legal practices can be both unfamiliar and impractical. One of the outcomes of the Puvirnituq gathering was the resurrection of the Nunavik Women's Association, which will provide a source of community and outreach for Inuit women. The meeting was the second of three women's gatherings that are being financed by the Claire L’Heureux-Dubé Fund for Social Justice.

At its meeting in San Jose, Costa Rica, in October 2005, the Comité Americano de Derecho Agrario named Professor Jane Matthews Glenn an honorary member for her scholarly contributions to agrarian law.

Professor Jean-Guy Belley is élu à la Société royale du Canada. L'élection à la Société royale du Canada constitue l'un des plus grands honneurs qui puissent être accordés aux chercheurs, aux artistes et aux scientifiques au Canada. Professeur Belley fut officiellement accueilli par la Société lors d'une cérémonie de réception qui a eu lieu le dimanche 27 novembre 2005.

Professeur Frédéric Bachand a reçu le Prix Henri-Capitant 2005 pour sa thèse de doctorat sur l'intervention du juge canadien avant et durant un arbitrage commercial international. Ce prix est décerné annuellement par la section québécoise de l’Association Henri Capitant pour la meilleure thèse en droit privé. En réédigant sa thèse, professeur Bachand a pu s’inspirer de son expérience antérieure en tant qu’avocat en arbitrage chez Ogilvy Renault. Il a également bénéficié des connaissances de son superviseur, le regretté Philippe Fouchard, qui était un expert dans le domaine de l’arbitrage international.

Professeur Bachand fait maintenant partie de la relève internationale dans le domaine grâce à son nouveau rôle comme éditeur du World Commercial Arbitration and Report.

Professor Lara Khoury was awarded $70,000 by the Social Sciences and Humanities Research Council of Canada, for a three-year research project on nosocomial (hospital-acquired) infections. The project will study the practical and theoretical problems associated with the compensation of victims of nosocomial infections in civil law and common law. The results of the study will be used to discuss more generally the capacity of adaptation of the classical theory of civil liability when faced with modern forms of injury resulting from medical advances. Professor Khoury also received the Prix Minerve for her doctoral thesis Uncertain Causation in Medical Liability, which she completed at Oxford University in 2003. The thesis will be published by Yvon Blais (Canada) and Hart Publishing (Oxford) and will be available in spring 2006.

In May 2005, The World Health Organization (WHO) released a crucial report entitled “Genetics, Genomics and the Patenting of DNA.” The background paper for this report was prepared by Louise Bernier, Karen L. Durell and Richard Gold, Director of the Centre for Intellectual Property Policy.

Professor Rosalie Jukier, recipient of the 2004 John W. Durnford Award for Teaching Excellence, is currently on leave as a senior adviser at the National Judicial Institute (NJI), the organization that provides expertise and personal-growth opportunities for Canada’s judges. Professor Jukier is coordinating a series of more than 80 programmes that keep judges informed of new legal developments and offer insights into issues related to language and diversity. Her appointment is for two years.

Professor Roderick A. Macdonald received the prestigious Trudeau Foundation Fellowship in 2004. The prize of $150,000 is given to exceptional thinkers in a range of disciplines in the social science and humanities, in recognition of innovative contributions to the area of public policy and public engagement.


In 2004, Professor Stephen Smith was appointed to the rank of full professor and was named William Dawson Scholar by McGill University. Also in 2004, he published Introduction to Contract Theory, a book that is both an examination of, and a contribution to, our understanding of the theoretical foundations of the common law of contract. Professor Smith has just published the sixth edition of Atiyah’s Introduction to the Law of Contract at Oxford University Press.

Professor Patrick Healy was also appointed to the rank of full professor in 2004. He continues to be involved in judicial training and law reform.

Professor Lionel Smith was appointed James McGill Professor of Law in 2004. During 2004-5, he was a Visiting Researcher at the Swiss Institute of Comparative Law, and he gave invited presentations in Sydney, London, Lausanne and Oxford. His recent publications include Commercial Trusts in European Private Law (Cambridge U. P., 2005) and Water’s Law of Trusts in Canada, 3d ed. (Thomson, 2005).

It’s been a busy period for Margaret Somerville since our last publication. In 2004, she became the first laureate of UNESCO’s Avicenna Prize for Ethics in Science, awarded in Paris in the presence of Jafar Towlighi, Minister of Science, Research and Technology for Iran, and the Director of UNESCO, General Koichiro Matsuura. In June of that same year, she received a Doctor of Laws honoris causa from the University of Waterloo and will receive an honorary doctorate from Ryerson University in Toronto on June 19, 2006. Professor Somerville has been recognized for her important contribution to the global development of bioethics and to the ethical and legal aspects of medicine and science.

In 2006, Dr. Somerville will give the Massey Lectures, a week-long series of lectures on a political, cultural or philosophical topic. Some of the most famous Massey Lecturers have included Northrop Frye, Noam Chomsky, Jane Jacobs, Michael Ignatieff and Martin Luther King, Jr. The lectures are broadcast each year on CBC radio’s Ideas, and are often rebroadcast by the BBC in the United Kingdom, the ABC in Australia and PBS in the United States.

On September 8, 2004, Professor Paul-André Crépeau was awarded the Medal of the Bar of Montreal for his role as one of the architects of the Civil Code of Québec, which came into force ten years ago. The French government also honoured him with one of its highest distinctions, the medal of Commandeur des Arts et Lettres at a public ceremony at the French embassy. In June 2005, Université Laval conferred a Doctor of Laws honoris causa upon Professor Crépeau, on the occasion of an international colloquium on codes and codification.

Senior Research Scholar Yaëll Emerich of the Faculty’s Centre of Private and Comparative Law won the Prix Minerve (2005) for her doctoral thesis “La propriété des créances”. Dr. Emerich is the
coordinator of the Centre’s Private Law Dictionary / Dictionnaire du droit privé, and is leading a team which has a bilingual dictionary on the law of property in preparation.

Wainwright Senior Fellow, the Honourable Charles Gonthier, and Professor Richard Janda, Academic Director of the Centre for International Sustainable Development Law (CISDL), have undertaken a major project with Lexis/Nexis Canada to produce a book on Corporate Social Responsibility in Canada. “The power and influence of corporations in society has never been more pervasive,” says Janda. “It is difficult to think of a single dimension of public policy – even, (or perhaps especially) health care, education, policing or prison reform – in which corporate actors do not have high stakes and an enormous organizational capacity to mobilize political outcomes”. Central to the book project is an effort to describe the interplay between voluntary codes of socially responsible corporate conduct – which are proliferating across many sectors – and the legislative and regulatory frameworks that specify the fiduciary duties of corporate actors.

McGill’s participation in the Russian Civil Law Reform Project is entering its 10th year. This phase of the project, directed by Professor David Lametti and Peter Sahlas, BCL/LLB’99, is funded in the amount of $1.8 million by the Canadian International Development Agency. Participants in the project provide substantive legal and technical assistance to Russia’s Centre for Private Law, which is under the jurisdiction of the Office of the President of Russia. The consultations currently touch on areas of interest such as property, corporate law, private international law and procedure (Russian Accession the 1965 Hague Convention on Service of Documents) and intellectual property. As part of the Project, McGill professors visit the Centre in Moscow to lecture and continue their consultations. Recent lecturers have included Professors Stephen Smith, Frédéric Bachand and Robert Godin. Russian professors have also visited the Faculty to lecture and conduct research.

Another crucial aspect of the programme is to support the translation of useful documents into Russian, and from Russian into English. Thus the Civil Code of Quebec is now the most widely cited foreign civil code in Russia, and the Civil Code of the Russian Federation can be found in a high-quality parallel English-Russian version. McGill’s Faculty of Law has become a trusted, respected and privileged partner in Russian law reform. Our Russian partners control both the substantive and agenda of law reform while McGill provides a special private law response team to address their needs.

**PUBLICATIONS**


(for more on Professor Tetley’s work, please visit Tetley’s Maritime and Admiralty Law: www.mcgill.ca/maritimelaw)
At the Law Convocation on June 3, 2005, honorary Doctor of Laws (LLD) degrees were awarded to Rodolfo Sacco and L. Yves Fortier. Professor Rodolfo Sacco, Professor Emeritus at the University of Turin, is one of the world’s foremost scholars in comparative law. His books on contract law and the law of possession are important reference works for civilians and comparative lawyers in Europe and beyond. Professor Sacco’s scholarship has helped open comparative law to anthropology, epistemology, linguistics and legal theory.

Advocate, diplomat, international arbitrator, and chair of one of Canada’s oldest law firms, L. Yves Fortier graduated from McGill University in 1958 with a Bachelor of Civil Law. Mr. Fortier joined the law firm of Ogilvy Renault in Montreal, with which he has been associated for over 40 years. Mr. Fortier has also served as a member of the Law Faculty Advisory Board. L. Yves Fortier was introduced by Dean Nicholas Kasirer at the Law Convocation with the following address:

Mr. Chancellor, I have the honour of presenting to you a most distinguished advocate and Canadian diplomat, Mr. Yves Fortier. A Rhodes Scholar and a graduate of McGill’s Faculty of Law in 1958, Mr. Fortier has pursued one of the most remarkable careers of any lawyer in the modern history of the Canadian bar. He is recognized as a pre-eminent courtroom advocate in this country, pleading with grace, wit and imagination in all fields of the law. Counsel to the Government of Canada in the Quebec Secession Reference before the Supreme Court in 1998, Mr. Fortier is also well known for his great expertise in international legal matters, and has represented Canada on many occasions, including before the International Court of Justice in the Gulf of Maine case in the 1980s.


Their very different paths in the law mask some similarities that shed light on the aspirations for legal education at McGill. Yet, at first blush, this seems somewhat paradoxical; after all, Yves Fortier graduated from the Faculty in 1958 before teaching common law and civil law comparatively became institutionalized, and long before our transsystemic turn. And while Rodolfo Sacco knows Canada and Montreal, he has spent most of his professional life teaching law in Italy and Africa, far from the unique setting Montreal presents for studying law; far from the common law/civil law encounter so basic to Quebec legal culture.

EXCERPTS FROM THE ADDRESS TO THE CLASS OF 2005, CONVOCATION CEREMONY, FRIDAY, JUNE 3, 2005
By Dean Nicholas Kasirer

In celebrating your achievement today, my colleagues and I want to thank you for a choice you made three or four years ago – somewhat less, or maybe more, for graduate students – a choice to come to McGill; to come (or perhaps to stay) for studies in Montreal. As the shine of this convocation moment wears off later today, I think it is right for you to wonder what this choice has meant for you. What did it mean to study in a venerable Law Faculty with a counter-culture curriculum, one of the only law faculties in the world committed resolutely to comparative law and legal pluralism – McGill’s Transsystemic mission – and one that is so deeply wedded to the bilingual, bicultural setting that is Montreal? What did that choice mean to you as a citizen, a jurist, a person looking to make other choices in the months to come? I would like to suggest that, in thinking about McGill and Montreal as choices, the two jurists to whom we have just awarded honorary doctorates can help – the magnificent careers of Yves Fortier and Rodolfo Sacco have helped me better understand McGill and Montreal as a place to study law as I have reflected on today’s convocation.

Convocation 2006 takes place on May 31.
Academic staff charged with the administration of McGill’s innovative programmes of legal education:

Nicholas Kasirer is James McGill Professor and Dean of Law since November 2003. A specialist in language and law and family property law, Professor Kasirer’s research bears on comparative law and Quebec legal culture.

Véronique Bélanger is Assistant Dean (Internal Affairs). She is responsible for the formulation and implementation of policy on student academic affairs, and advises the Dean on issues related to policy, programmes and administration.

Richard Gold is the Director of the Centre for Intellectual Property Policy and the holder of the Bell chair in e-Governance. Dr. Gold teaches in the area of intellectual property and technology.

Armand de Mestral is holder of the Jean Monnet Chair in the Law of International Economic Integration and Co-Director of the Institute of European Studies. He teaches constitutional law, international trade law, and the law of the European Community.
Marie-Claude Prémont is Associate Dean (Graduate Studies). Her interests are in legal discourse and its impact on society. Professor Prémont also carries out research in the field of healthcare law and public policy, data protection and access to information.

Fabien Gélinas is the Director of the Institute of Comparative Law. He teaches and conducts research in the areas of international dispute resolution, constitutional law and legal theory.

Charmaine Lyn is Assistant Dean (External Affairs), responsible for admissions to the undergraduate programme, career development services and alumni relations.

Jean-Guy Belley is the Sir William C. Macdonald Professor of Law and Director of the Quebec Research Centre for Private and Comparative Law. Professor Belley’s teaching and research interests are in contract and general theory of law from a social sciences perspective.

Geneviève Saumier is Associate Dean (Academic) and teaches private international law, international commercial law and civil liability. Current research projects include an analysis of the constitutional dimensions of private international law under the Civil Code of Québec and an examination of judicial intervention in commercial arbitration in Canada.

Paul Stephen Dempsey is Tomlinson Professor of Global Governance in Air and Space Law, and Director of McGill’s Institute of Air and Space Law.

We extend a warm welcome to the newest members of the Faculty of Law.

Evan Fox-Decent teaches and publishes in legal theory, administrative law, First Nations and the law, the law of fiduciaries, and human rights. He recently completed a JD and a PhD (Philosophy) at the University of Toronto. He has worked on human rights and democratic governance reform in Latin America since 1987, beginning with advocacy and relief work in El Salvador under the auspices of Nobel Peace Prize Nominee Medardo Gomez.

Frédéric Bachand is particularly interested in the judicial and extrajudicial resolution of civil and commercial disputes, (whether they occur in a domestic or international context), as well as legal interpretation. He currently teaches – from a transsystemic perspective – courses on evidence in civil matters, civil procedure and extrajudicial means of dispute resolution. Professor Bachand clerked for Justices Jean-Louis Baudouin, of the Quebec Court of Appeal, and Gérard V. La Forest, of the Supreme Court of Canada.
Robert Leckey has recently completed interdisciplinary doctoral work that examines how legislatures and judges view the individuals subject to their laws. His investigation of relational theories of personhood and identity will be applied to developments in family, administrative and employment law.

Payam Akhavan is a Senior Boulton Fellow in the Faculty. Dr. Akhavan has been involved in the prosecution of war criminals before the International Criminal Tribunal for the former Yugoslavia, the International Criminal Tribunal for Rwanda, and the International Criminal Court. He is a leading scholar and practitioner in the development of norms of international criminal law.

Angela Campbell has teaching and research interests that include health law, law and the regulation of technology (with a particular focus on reproductive technologies), family law, children and the law and criminal law. She clerked for the Honourable Mr. Justice Frank Iacobucci at the Supreme Court of Canada.

Mark Antaki graduated with a BCL and an LLB from McGill in 1996, in the National Programme. He completed a PhD from the Jurisprudence and Social Policy programme at the University of California at Berkeley in 2005. His recent work concerns “humanity” as a legal and political category and undertakes a genealogy of the idea of a crime against humanity.

Frédéric Mégret is the Faculty’s most recent appointment. He holds the Canada Research Chair in Human Rights and Legal Pluralism. Professor Mégret’s appointment coincides with the recent launch of the McGill Centre of Human Rights and Legal Pluralism, an interdisciplinary research group dedicated to studying legal and cultural issues related to human rights.

Tina Piper pursued her graduate degree in law at Oxford University as a Rhodes Scholar. Her doctorate explores how patents were often irrelevant or damaging to the historical development of many medical technologies. Throughout her career, Professor Piper has been intensely involved
Wendy Adams (not pictured) came to McGill from the University of Western Ontario where she was an assistant professor. She was also Clerk to the Honourable Mr. Justice Iacobucci, Supreme Court of Canada, 1998-1999. She is widely published in the area of intellectual property and does research and teaching in the area of animal law.

Familiar Faces at the Faculty in 2006: Emeritus Professors and Former Deans

Stephen Scott was appointed Professor Emeritus of Law in 2003 and maintains an office in the Faculty. Professor Scott is engaged in research and in the supervision of graduate and undergraduate theses and essays. Throughout his career, he has taught and conducted research in public and commercial law, with a focus on constitutional law and the law of banking and negotiable instruments.

Rod Macdonald was Dean of the Faculty of Law from 1984 to 1989, and from 1997 to 2000, he was the founding president of the Law Commission of Canada. Professor Macdonald is the F.R. Scott Professor of Constitutional and Public Law; he teaches and publishes in the areas of civil law, commercial law, administrative law, constitutional law and jurisprudence.

Ivan A. Vlasic became Professor Emeritus of Law in 1996. He is the former Director of the McGill Institute of Air and Space Law, and a Senior Fellow at Yale Law School. Professor Vlasic acted as legal advisor to the United Nations (on military uses of outer space) and to the Canadian Delegation to the Legal Sub-Committee of the U.N. Committee on the Peaceful Uses of Outer Space (COPUOS). He is currently working on a history of the I.A.S.L.

William Foster is now McGill University’s Associate Provost (Policies and Procedures). In this role, he is responsible for the development and application of policies and academic regulations. He works closely with Faculties and academic leaders to offer support and guidance. Professor Foster has served as Acting Dean (1979-80) and Interim Dean (2003). He has been acting Secretary-General of the University this past year.

“McGill’s Faculty of Law is a community that places a premium on ideas and imagination. Our framework on legal education - adventurous, comparative, inter-disciplinary - is as old as Roman law and as modern as globalization.”

Professor Desmond Manderson
McGill enjoys the reputation of providing the environment where students undertake their legal education as an end in itself, and they revel in their place in the public square. You are about to read about some of our current students whose names may someday be added to the long list of Law alumni who have made a difference to our world. Some will influence laws that govern society, some may sit at the Security Council at the U. N., perhaps even at the Supreme Court of Canada. Time will tell, but today’s students named below already give our Faculty many reasons to be proud. Here’s your chance to meet some of them now.

2005 Human Rights Bursary Programme

Thanks to the generous support from the Class of 2001 and funds raised for the 2005 Human Rights Internship Bursary Programme, financial aid was made available to 17 students who worked as interns on five continents. Their experience covered a range of areas, such as micro-credit development and international criminal tribunals.

Last year’s recipients were: Naomi Kikoler, International Criminal Tribunal for Rwanda (ICTR), Arusha, Tanzania; Delphine Lourtau, International Criminal Tribunal for Rwanda (ICTR), Arusha, Tanzania; Karin Baqi, Women’s Rights Programme, Rights and Democracy, Montreal; Genevieve Painter, Human Rights Watch, New York City; Delphine Mauger, The Africa and Middle East Refugee Assistance (AMERA) Legal Aid Project in Cairo, Egypt; Nicole P. Anthony, The Human Rights Commission of Pakistan in Lahore, Pakistan; Ioana Luca, Inter-American Human Rights Court, San Jose, Costa Rica; Katie Gibson, Canadian HIV/AIDS Legal Network, Montreal; Lani Rabinovitch, Women’s Access to Micro-Credit Programme, Canadian Crossroads International, Mali; Benjamin Perrin, International Criminal Tribunal for the Former Yugoslavia, The Hague, Netherlands; Vanessa Gréa Maëva, Ministry of Human Rights of Yemen and UNDP, Yemen; Andrea Hwang, Cambodian League for the Promotion and Defense of Human Rights; Jessica Adley, Al Mezan, Gaza Strip; Leslie Robertson, Canadian Association of Elizabeth Fry Societies (CAEFS), Canadian Lawyers Abroad Summer Internship Programme, Ottawa; Daria Boyarchuk, Chechnya Justice Initiative/Human Rights Watch, Moscow; and Pamela Shapiro, Commission for Environmental Cooperation, Montreal.

Auxiliaires juridiques à la Cour suprême


Cour internationale de justice

La compétition de procès-simulé en droit international Charles-Rousseau


Willem C Vis International Commercial Arbitration Moot

The Vis competition was held in Vienna in April 2005. The team – comprised of Jean-Pierre Blanchette, David Grossman, Adrian Rae Leipsic and Alison Lester – tied for 5e overall, out of 151 law faculties from around the world. Jean-Pierre, David and Alison received honourable mentions for their oral arguments, with an approximate ranking in the top 7 percent of the more than 500 mooters. The team also won a second place award for its respondent’s factum. The team was coached by Professor Frédéric Bachand with assistance from Stephen Curran, an upper-year student who participated in the 2004 edition of the moot.

Sopinka Moot Competition

The team of Jason Dolman and Robert Israel won the Quebec round of the Sopinka trial moot competition (La Coupe Guy Guérin) on February 17, 2005. Jason Dolman won the prize for the best opening statement and Robert Israel won for the best closing argument. They were coached by Professor Ronald Sklar.

Concours Pierre-Basile Mignault

La Faculté de droit tient à souligner les performances exceptionnelles des quatre étudiants participant à ce concours de plaidoirie en droit civil qui a eu lieu en février 2006, soit Jean-François Bisson-Ross, Julien Morissette, Lani Rabinovich et Caroline Briand. Julien Morissette a remporté le prix du meilleur plaideur à l’issue de la compétition mettant en jeu des questions relatives au droit des contrats et à l’arbitrage. L’équipe d’appelants, composée de Julien Morissette et Lani Rabinovich, a s’klassé deuxième. En février 2005, l’équipe de McGill, composée de Geneviève Bertrand, Jean-Philippe Dallaire, Marianna Ferraro et Caroline Leduc, s’était qualifiée pour la finale contre l’équipe de l’UQÀM. Nos quatre étudiants se sont brillamment illustrés en gagnant quatre trophées sur sept: Meilleure équipe, Meilleur tandem (Marianna et Jean-Philippe), Meilleur plaideur (Jean-Philippe) et 2e meilleur mémoire (Marianna et Jean-Philippe).

Concours Cybertribunal-Ecole


New student-run Law Journal

This September, students in the Faculty proudly exhibited the inaugural issue of the International Journal of Sustainable Development Law and Policy at an event in the atrium, attended by the Dean and retired Supreme Court Justice Charles Gonthier. The journal is the culmination of several years of preparation and represents an effort, on the part of its founders, to bolster the intellectual credibility of sustainable development.

“We felt a need for a frank discussion of issues that are important to our future,” said Michelle Sanders, editor-in-chief of the new journal. “We also felt it important to emphasize both law and policy in order to bring together various communities such as NGOs, academics and civil society.

“The McGill International Journal of Sustainable Development Law and Policy was the brainchild of a group of undergraduate students at the Faculty. It is a very ambitious project, and the publication of the first issue represents a real accomplishment. As the journal’s founders realised, there are few vehicles for sustained attention to sustainable development law and policy at the international level. This journal provides a space for these important debates.” –Professor Jaye Ellis, Faculty Advisor to the Journal.

Ayan pris sa retraite de la Cour suprême du Canada, l’honorable Charles Gonthier est revenu à Montréal et à la Faculté de droit de McGill comme Wainwright Senior Fellow, lui permettant de poursuivre ses intérêts de recherche en matière de développement durable à McGill.

LIEN DE DROIT: TWO LOUISIANA LAW STUDENTS ARRIVE AT THE FACULTY

by Jeff Roberts – McGill Reporter

It was a semester like no other for two recent arrivals at the Faculty. Tiara Pilisi and Douglas Risk were preparing for a new term at Tulane University when the calamity of Hurricane Katrina struck not only the city of New Orleans, but the famous Southern University as well.

Among the offers of assistance that went out to the stricken Gulf Coast was one from McGill, which had arranged expedited administrative and immigration processes for Tulane students wishing to transfer to the University. Pilisi and Risk are among the dozen or so students who have arrived on campus to continue their education while New Orleans is undergoing the process of recovery. The transition has been an abrupt one, especially for Pilisi who has had to contend not only with starting first year law, but with beginning three weeks late, while worrying about family back home.

As for Risk, this is his second time at McGill; he earned an undergraduate degree here before beginning law studies at Tulane, where he has completed two years. He plans to return; but in the meantime, he’s making the most of his time in the Faculty and Montreal.
By Ian Philp

The Faculty of Law at McGill seems to have a knack for preparing its students for work with international legal institutions. In the past two years, no fewer than 20 McGill students have gone on to work with seven different international legal bodies, where they have achieved extraordinary success.

The International Criminal Tribunal for Rwanda (ICTR) has hosted the largest number of McGill interns – eight in the last two years – and counts McGill graduate Christopher Gosnell among its permanent legal staff. The ICTR has found McGill students to be of such consistently high calibre that the Faculty and the Tribunal have a standing agreement under which two students are accepted as ICTR interns each year. The ICTR internship is extremely popular at the Faculty, and McGill’s transsystemic curriculum – which incorporates the principles of both common and civil law – has been cited by many interns as a decisive factor in their success at the Tribunal. Former intern Delphine Lourtau reports that “the bi-juridical legal education I received at McGill placed me in a privileged position to observe the formation of international criminal law”, and former intern Will Paterson refers to the Tribunal simply as “a fantastic laboratory for transsystemia”. Former intern Anna Matas agrees with Lourtau and Paterson and was greatly inspired by the dedication and devotion she found amongst the court’s staff, a factor that motivated her to give her best in the long hours the job demands.

La nouvelle Cour pénale internationale a également bénéficié des habiletés juridiques provenant de McGill, puisqu’elle compte trois diplômés de McGill parmi ses employés et deux parmi son équipe d’auxiliaires juridiques. L’un d’eux, Mark Rusko, est l’Assistant spécial du Procureur et parle de son travail comme étant « un mélange de droit et de diplomatie ». Il reconnaît également que l’éducation juridique étendue qu’il a reçue à McGill lui permet d’interagir facilement avec les avocats des deux traditions juridiques. Aimée Comrie, une autre diplômée de McGill et membre du personnel de la cour travaillant sur l’affaire du Darfour, remarque qu’il s’agit « d’une expérience incroyablement captivante de pouvoir contribuer à l’émergence d’une institution de justice internationale à partir de ses débuts ». Ce sentiment est partagé par Jennifer Schuetze, qui a récemment été stagiaire pour la section des avis juridiques de la Cour et qui observe que la CPI possède un « domaine juridique unique basé sur le principe de complémentarité ». Pour elle, interpréter la législation de la Cour signifie de « constamment gérer l’intégration d’approches innovatrices à travers deux systèmes juridiques », une tâche qui l’oblige à « puiser fortement dans les compétences qu’elle a acquises à McGill ». In addition to these tribunals, other institutions dealing with international legal law, such as the International Criminal Tribunal for Rwanda (ICTR) and the newly-formed UN Sierra Leone Special Court (which employs a hybrid national-international jurisdiction), have also benefited from McGill legal expertise. Closer to home, McGill has sent a number of students to the Inter-American Court of Human Rights in San Jose, Costa Rica. This placement, open only to students with excellent Spanish language skills, puts students at the heart of an organization creating an emerging body of human rights jurisprudence in Latin America. Former intern Iona Luca was inspired by the “young and passionate group of lawyers and illustrious-yet-approachable judges from all over Latin America”, a sentiment shared by former intern Christina Birks who was particularly inspired by the cross-cultural legal analysis she was called upon to do for the tribunal. Both Luca and Birks found that their McGill training helped them to find the right analytical questions to ask when faced with challenging legal questions.

En plus d’être avantageuse dans le cadre des tribunaux des droits de la personne, une formation en droit de l’Université McGill est fort appréciée partout dans le monde des affaires. On ne sera donc pas surpris d’apprendre que la Cour permanente d’arbitrage (CPA) ait inauguré son programme d’auxiliaires juridiques à McGill. Brooks Daly, avocat principal à la Cour permanente, a déclaré que « McGill dispense un enseignement en droit particulièrement approprié pour la CPA et l’arrivée de l’un de ses diplômés est toujours bien reçue. » La CPA assure l’administration des arbitrages, des conciliations et des commissions d’enquête dans des litiges entre États, parties privées et organisations intergouvernementales. Directeur de l’Institut de droit comparé de McGill, le professeur Fabien Gélinas a joué un rôle de première importance dans la création du programme d’internat à la CPA et il nous a révélé que « la CPA est idéalement située à la croisée du droit international public et du droit international privé. La Cour opère dans un secteur juridique qui connaît à l’heure actuelle une croissance des plus rapides au plan international, soit les arbitrages entre les États et les parties privées. »

The PCA programme was designed on the model of a judicial assistants programme at the International Court of Justice (ICJ), also known as the World Court. McGill is one of a select group of participants in this programme, with Columbia, Michigan, New York, Virginia, Yale and Strasbourg universities. The programme is considering establishing a funded position at The Hague that will run from September to May of each year. This is probably the most selective and prestigious international law internship, and represents an outstanding opportunity for a McGill graduate. “The most challenging

McGILL LAW STUDENTS EXCEL AT INTERNATIONAL TRIBUNALS

Anna Matas

Christina Birks

Jennifer Schuetze

Will Paterson

Anna Matas

Christina Birks

Jennifer Schuetze

Will Paterson
aspect of the work is the degree of precision that is needed. This requires patience, thoroughness, and above all else a very deep understanding of both general principles of international law and the case law of the World Court,” said Sean Fraser BCL/LLB’02, who was the first McGill graduate to participate in the programme.

The success of the McGill students and graduates who have worked with these numerous international courts and tribunals speaks to their exceptional training and capacity for “outside the box” analysis of legal problems. Perhaps, however, the best explanation of the formative role of a McGill legal education comes from Noah Weisbord, recent McGill graduate and law clerk to ICC Chief Prosecutor Luis Moreno-Ocampo. At the ICC, Weisbord has found that “law students trained only in what the law is are often confounded when placed in an institution that is in the process of changing the system in which it is embedded. The theoretical discussions I had at McGill about what the law should be were invaluable training for my work at the International Criminal Court.”

In February 2006, the Canadian Department of Foreign Affairs has awarded a one-year $150,000 grant to the McGill Centre for Human Rights and Legal Pluralism to help continue financing the International Judicial Internships Programme.

DES ÉTUDIANTS DE McGILL ASSISTERONT LES JUGES DU TRIBUNAL SPÉCIAL POUR LA SIERRA LEONE
par René Provost

Grâce à un programme novateur de clinique juridique, huit étudiants de la Faculté de droit assisteront les juges du Tribunal spécial de la Sierra Leone (TSSL) cette session-ci ; on aura nommé Philippe Assouline, Paul Clark, Melissa Martins-Casagrande, Heidi Matthews, Gaëlle Missire, Will Paterson, Erika Sasson et Parul Shah.

Cofoncé par le gouvernement de la Sierra Leone et par les Nations Unies, le TSSL vise à traduire en justice ceux qui ont commis les violations les plus graves du droit international humanitaire et du droit de la Sierra Leone sur le territoire de ce pays depuis le 30 novembre 1996. Soulignons qu’un Canadien, le juge Pierre Boutet, préside l’une des cours du Tribunal spécial.

Le 15 juin 2004, à l’Université McGill, on inaugurait la Clinique d’aide juridique du Tribunal spécial pour la Sierra Leone, avec l’objectif d’assister les juges de ce tribunal international.

La Clinique a été rendue possible par une subvention du Programme de sécurité humaine du Ministère des Affaires étrangères du Canada, dans le cadre de sa « Campagne en faveur de la CPI et de l’imputabilité ». La Faculté doit une vive reconnaissance à la Fondation Chawkers et à Bruno Ducharme (BCL ’79) pour avoir fourni les ressources qui permettent à ses étudiants de poursuivre des internats en droit de la personne à travers le monde, ainsi qu’au Tribunal de la Haye.

Joana Luca in Romania

2005–2006 LAW STUDENTS ASSOCIATION EXECUTIVE

Dear Alumni and Friends,

Students have always been important catalysts for advancing the Faculty of Law’s standing. Indeed, it was students who petitioned, in 1853, to separate law courses from the arts curriculum and create the Faculty. Last year, students continued the trend by adding two new important student-run ventures to the Faculty’s mosaic: the McGill Innocence Project and the McGill International Journal of Sustainable Development Law and Policy. Both endeavours have received alumni support and encouragement, which has led to musings by students about the creation of other journals at the Faculty! On behalf of all our Law students, thank you for your continued support of the Faculty.

Andrés J. Drew, BA’03, BCL/LLB’07
LSA President

Andrés J. Drew (President); Kara Morris (VP Athletics); Martin Doe (VP External); Neil Modi (VP Academic); Stephanie Cofford (VP Administration); Joe Hillier (VP Public Relations).

For current news on student activities and the LSA’s annual goals and achievements, visit our new website at: www.law.mcgill.ca/lsa
A NEW CENTRE FOR HUMAN RIGHTS AND LEGAL PLURALISM

AT McGill

By René Provost and Colleen Sheppard

Over the last fifty years, human rights issues have emerged at the global level, producing a language that is universally understood, and invoked by those who believe they are the victims of oppression. This has proven to be a powerful engine for social change in every area, including political imprisonment, trade regulation, environmental protection and peacemaking. More and more, however, human rights arguments are being countered by the invocation of cultural diversity, and a call for recognition of multiple and overlapping legal regimes which would mirror the world we live in. The danger, of course, is that the diversification of norms will result in the dilution of human rights standards. This tension has increased dramatically since September 2001, with a culturally polarising war against terrorism and the rolling back of basic human rights norms to allay security concerns in many states. Legal pluralism, an approach that acknowledges that norms exist, not only in the formal strictures of the state, but also in every form of human encounter, offers a fertile ground for attempts to embrace diversity while strengthening human rights. This conceptual leap of fundamental social and political importance for every situation in which human rights may be invoked is the raison d'être for the new Centre for Human Rights and Legal Pluralism at McGill University.
La Faculté de droit de l’Université McGill a joué un rôle de premier plan dans l’élaboration du standard des droits de la personne au Québec, au Canada et sur le plan international depuis la fin de la Seconde Guerre mondiale. La rencontre des traditions de droit civil et de common law dans le programme de McGill implique également que le pluralisme juridique est venu naturellement occuper une place fondamentale dans l’enseignement et la recherche à la Faculté de droit. La création du Centre pour les droits de la personne et le pluralisme juridique à l’Université McGill combine donc ces deux aspects propres à la Faculté de droit pour offrir aux étudiants, aux professeurs et à la communauté les ressources intellectuelles et physiques permettant une discussion critique de l’impact du droit sur les problèmes sociaux les plus importants de l’ère moderne.

The concept of human rights expresses concern for the lives of individuals and the well-being of communities. Human rights issues are relevant to our understanding of history, the present, and inter-generational justice, and appear regularly on institutional, legislative, constitutional and international agendas. Human rights ideals have been embraced by diverse social movements all over the world. Human rights law is generally associated with the flourishing of international and domestic public law, demarcating the relationships between individuals, communities and the state. Yet it is in the everyday lives of individuals in the workplace, the family, educational institutions and civil society that human rights issues arise. Embracing both international and domestic law, the study of human rights raises fundamental questions about the historical intersection between human rights principles and the legal and ethical principles embedded in common law, civil law, indigenous and religious legal traditions.

Les concepts de droit de la personne sont appliqués de façon croissante dans divers contextes sociaux et culturels, reflétant un pluralisme juridique à l’échelle mondiale. Ce pluralisme incite à une nouvelle réflexion sur la relation entre le droit et la société. L’association de l’étude des droits de la personne avec le pluralisme juridique dévoile l’importance des nombreux ordres juridiques et normatifs, de l’enquête éthique, de la connaissance locale, des relations individuelles et systémiques et du pouvoir social à l’intérieur des institutions et des communautés de la société civile.

On September 15, 2005, McGill’s Senate approved the creation of a Centre for Human Rights and Legal Pluralism at McGill University. The McGill Centre for Human Rights and Legal Pluralism will carry forward the Faculty’s longstanding involvement in human rights, comparative law, multiple legal traditions and legal pluralism. Building on the foundational strengths of the Faculty, the Centre will promote innovative legal and interdisciplinary research, teaching, dialogue and outreach on human rights and legal pluralism. At this historic juncture, it is critical to educate jurists to think in new ways about human rights in an intercultural world. Our goal is to attract committed and creative scholars from around the world to engage in an intercultural dialogue of critical inquiry and scholarship and thereby advance the protection of human rights in a complex, global community.

On September 15, 2005, McGill’s Senate approved the creation of a Centre for Human Rights and Legal Pluralism at McGill University.

Colleen Sheppard

Ian Philip during his internship with the United Nations Development Programme and the Yemeni Ministry of Human Rights - Sana’a, Yemen.
RESEARCH

Collaborative and interdisciplinary research projects will address a range of interrelated themes on human rights and legal pluralism, including:

- International Humanitarian Law, Post-Conflict Justice and Reconciliation in Culturally Diverse Societies
- Comparative Constitutionalism: Interculturalism, Identity and Human Rights
- Systemic Inequalities in Social Institutions: Rethinking Human Rights and Relationships
- Human Rights Discourse: Legal History and Legal Theory

Teaching Human Rights and Legal Pluralism

The presence of imaginative, interdisciplinary, international and national research on human rights and legal pluralism nurtures innovative teaching of human rights at the Faculty of Law. Over the last decade, the Faculty of Law has re-imagined and re-fashioned its undergraduate and graduate curriculum. The central preoccupation has been the transformation from a national to a transsystemic model of private law teaching and research. Implicit in this shift is a commitment to comparative methodologies and recognition of the deep cultural and legal plurality that marks Canadian and world society. The resulting creation of an entirely novel approach to the teaching of foundational elements of private law at McGill has been recognised as a groundbreaking development in legal education and scholarship. The next steps in this curricular transformation will involve the working out of the transsystemic approach in other areas of private and public law, including human rights.

DIALOGUE AND OUTREACH

The Centre will promote dialogue and bridge the gap between scholarly insights and the practical and lived realities of human rights concerns, through public lectures, seminars, major conferences and publications.

Nous vivons dans une époque passionnante et stimulante. Les concepts des droits de la personne sont de plus en plus utilisés afin de promouvoir la paix, la coopération et le dialogue interculturel dans une communauté globale et pluraliste. Le Centre marque un premier pas mémorable. Il possède un programme considérable, un puissant patrimoine et un futur inestimable.

During her visit to McGill University to deliver the Beatty Memorial Lecture on “Democracy: The Precondition to Peace,” in the Fall of 2004, Dr. Shirin Ebadi also spoke at one of the Annie Macdonald Langstaff Workshops held in the Faculty of Law. Her lecture was titled “Reflections on Women’s Rights and Access to Justice.” In 2003, Dr. Ebadi became the first Muslim woman to receive the Nobel Peace Prize, which was awarded in recognition of her work and achievements in advancing human rights and democracy.

PIONEERS IN THE STUDY OF HUMAN RIGHTS

John Humphrey BCL’29, PhD’45, LLD’76: One of Canada’s best-known champions of Human Rights was a professor at the Faculty of Law, and went on to become the first Director of the Human Rights Division of the United Nations. Together with Eleanor Roosevelt and René Cassin, Humphrey is credited with preparing the first draft of the Universal Declaration of Human Rights, which was adopted by the United Nations General Assembly in 1948. The Universal Declaration remains a central expression of the global commitment to freedom and human dignity and serves as the source of many national human rights instruments.

F. R. Scott BCL’27, LLD’67: One of the great figures in Canadian intellectual history, Dr. Scott has been described variously as a leading poet, teacher, constitutional lawyer and defender of civil liberties before the courts. He began teaching at McGill’s Faculty of Law in 1928, and was Dean of Law from 1961 to 1964. In recognition of achievements in law, the Faculty has created the F. R. Scott Chair in Constitutional and Public Law, currently held by former Dean, Professor R. A. Macdonald.
Angela Campbell (see p.10)

Patrick Glenn is the Peter M. Laing Professor of Law. Professor Glenn’s teaching and research interests are in the areas of comparative law, private international law, civil procedure and the legal professions. His book, Legal Traditions of the World (Oxford University Press, 2000), received the Grand Prize of the International Academy of Comparative Law. He is a Member of the aforementioned Academy as well as a Fellow of the Royal Society of Canada. He has been a Bora Laskin Fellow in Human Rights Research, a Killam Research Fellow, and a Visiting Fellow of All Souls College, Oxford.

Patrick Healy specializes in criminal law and teaches and publishes widely on procedure, evidence, sentencing, comparative criminal law and international criminal law. He has been involved in law reform for many years, as an adviser to governments and various non-governmental organizations.

Mark Antaki (see p.10)

Adelle Blackett worked at the International Labour Office (UN) in Geneva, Switzerland before joining McGill’s Law Faculty. She also taught for two years at Columbia Law School in New York City. Professor Blackett clerked for the Justice Jean-Louis Baudouin of the Quebec Court of Appeal, and was also visiting academic at the African Development Bank in Abidjan, Côte d’Ivoire.

Shauna Van Praagh teaches and conducts research in the areas of tort law, children and the law, feminist legal theory and social diversity. She clerked for Chief Justice Dickson of the Supreme Court of Canada, and has taught at King’s College, London and at Columbia Law School.

Armand de Mestral (see p.8)

René Provost teaches and does research in public international law, international human rights law and the civil law of obligations. He is particularly interested in human rights, international criminal law, the law of armed conflict and the intersection of national law and international law. Professor Provost was law clerk to Justice L’Heureux-Dubé of the Supreme Court of Canada. He is currently the President of the Société québécoise de droit international.

Colleen Sheppard works in the areas of human rights and discrimination, labour law, family law, comparative constitutional law and feminist legal theory. She clerked for Chief Justice Dickson of the Supreme Court of Canada and was a member of the Québec Human Rights Commission from 1991–96. Professor Sheppard worked with the federal Department of Justice on a gender equality initiative in 1997, and her current work focuses on systemic inequality and human rights.

Evan Fox-Decent (see p.9)
The past year has been an exciting period for the Faculty of Law, and 2006 holds much promise.

David O’Brien, BCL’65 set a benchmark at the Faculty of Law by creating some of the most generous fellowships found anywhere in the world. The O’Brien Fellowships in Human Rights and Legal Pluralism will not only enable us to attract some of the world’s most promising graduate students to McGill, but will also foster a commitment to public service from this generation’s brightest minds.

The Faculty expects a similar dramatic advance in teaching and research in taxation. Family and friends of the late H. Heward Stikeman, BA’35, BCL’38, LLD’86 honoured his legacy by creating the H. Heward Stikeman Chair in the Law of Taxation, paying homage to one of our Faculty’s most outstanding graduates.

Professor Stephen Scott, BA’61, BCL’66, to whom we already owe so much, recently made a $100,000 gift to the Faculty of Law, creating the Scott-Rappaport Family Entrance Scholarship.

L’année 2005 marque le lancement d’une nouvelle initiative qui invite les diplômés à considérer un don au Fonds de l’innovation et du savoir. Cette initiative mise sur notre souhait d’offrir à nos étudiants un environnement d’apprentissage dynamique. Tous les étudiants diplômés de la Faculté de droit seront invités à contribuer afin de donner à leur tour à la Faculté et ainsi nous aider à offrir le meilleur à nos étudiants.

The Faculty is deeply indebted to its loyal volunteers who are making the Knowledge and Opportunity Fund a reality. Brian Pel, LLB’85, and Hélène V. Gagnon, BCL/LLB’93, co-chair the initiative while Dominique Lapierre, BCL/LLB’98, heads the young alumni appeal. Peter Nergos chairs an initiative in honour of professors Michael Milde and Nicolas Mateesko Matte, which seeks support for the Institute for Air and Space Law. We are very grateful to all of you who provide generous support to the Faculty on an annual basis; it makes an enormous difference.

En terminant, nous sommes très heureux d’annoncer que Tania Chugani, BCom’91, BCL/LLB’95, MBA’04, est de retour à la Faculté en tant que Chargée des appels de fonds. Avant de commencer cette nouvelle carrière à McGill, Tania a pratiqué le droit pendant cinq ans à Toronto.

En 2005, Tania s’est entretenue avec Ian C. Pilarczyk, BA ’92, LLM ’97, DCL ’03 pour découvrir ce qui le motive en tant que bénévole et philanthrope. Voici un extrait de leur conversation :

They don’t know it yet but the opportunities you provide today shape who they become tomorrow.

Ils ne le savent pas encore mais c’est aujourd’hui que se dessine leur avenir.

Visit the Dr. Nicolas Mateesko Matte Fund for Space Law and Dr. Michael Milde Fund for Air Law at: www.law.mcgill.ca/iaslfund

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McGill
Alma Mater Fund

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IN CONVERSATION with Ian C. Pilarczyk

By Tania Chugani

Tania Chugani: How did you first get involved at McGill?

Ian Pilarczyk: I first got involved in fundraising at McGill in 1991—several of my friends had served in the capacity of University Chair of the Class Action programme, which is still alive and well today. It was started in the Faculty of Law in the late ’80s and then went University-wide. I took on the role of Chair in 1991, and that began my “career” as a volunteer with McGill.

TC: You founded the Law Young Alumni Board a few years ago and you encourage young alumni involvement through a generous matching opportunity in the Knowledge & Opportunity Fund for Law. Can you tell me a little more about your motivation behind this programme?

IP: I consider myself fortunate in that I am an American who spent most of my adult years studying in Canada. One of the great strengths of higher education in Canada is the great accessibility. One of the great strengths of higher education in the States is the tremendous resource base, due largely to the deeply-ingrained culture of philanthropy. When I see what universities like Harvard have to work with, and compare that to what McGill has, it’s even more remarkable what McGill has accomplished. Because, quite frankly, I think McGill is a more dynamic place, doing more interesting things. Perhaps when you are competing with universities that have you outspent by some ridiculous ratio, it forces you to be more creative and efficient. It’s deeply exciting to me to contemplate what the Faculty of Law could do, for example, if it had the resources it needs. The more time you spend outside in the “real world”, the more you realize how much of a bargain a McGill education really is. Even the Knowledge and Opportunity Fund itself is a testimonial to the Faculty’s creative spirit, as it marks the first time such a fund has been set up under the auspices of Annual Fund giving. If I can give an extra bit of inducement to young alumni to see an investment in McGill as an investment in ourselves and in the value of a McGill degree, then it’s money well spent.

TC: What is unique about the Faculty of Law at McGill that motivates you to support it?

IP: It’s a fascinating, energetic, eccentric, complex place – populated with some truly impressive intellectual talent. I learned almost as much from my classmates as my professors, and I consider myself doubly blessed that I was able to experience it from the perspective of both a graduate student and a lecturer. The internationality of the graduate programme is one of its greatest strengths. At the undergraduate level, the Faculty of Law’s programme is as creative and ambitious as any you’ll find elsewhere in the world. But that also means that you probably couldn’t develop a more resource-intensive programme than McGill’s, even if you tried. You have to hire faculty who have experience in bijuridical legal systems, you have to fill a library with legal resources that reflect the bijuridical nature of the programme and you must provide students with the tools they need to practice law anywhere in the world they wish to settle. That’s an over-simplification, admittedly, but my point is that McGill’s programme is a hugely ambitious one, and the demands it puts on the Faculty’s resources are equally enormous. If we think that McGill’s programme is worth it, that the students, faculty, staff and graduates are worth it, that McGill is contributing to the betterment of the global community in some way, then we also have to ask how we can assist McGill to better achieve its mission.

TC: What would you say are the greatest rewards for giving back to McGill and volunteering?

IP: For contributing to McGill, it’s a sense of helping strengthen an institution that accomplishes so much with so little, compared to its peers. For volunteering, it’s meeting McGill alumni. Boston has over 2,000 alumni and, while most of them are obviously not law graduates, so many of them are doing interesting things. I’m fascinated to learn what led them to McGill and to Boston, and what they’re doing in their professional and personal lives. Over the past year I’ve really become part of that community here. And I’ve always found that the more you put in to something, the more you get out of it – and no matter how much I do for McGill, I always feel like I’m still in its debt.

I hope the Knowledge and Opportunity Fund will be a success and I invite all Young Alumni to support this initiative, to whatever extent they can. It won’t be a panacea – it likely won’t address all the Faculty’s needs – but what a wonderful legacy we can build together to benefit future generations of McGill students. And, at the end of the day, it’s an investment in ourselves; if we support the Faculty, the value of our degrees will just increase over time. It’s not only a monetary gift, it’s a vote of support and confidence.
Five fellowships will inaugurate a new era for human rights scholarship in Canada, thanks to a generous donation by David O’Brien, BCL’65, who has made a $3 million gift to the Faculty of Law, creating a permanent endowment that will be used each year to attract top young scholars to do graduate work in human rights at McGill.

"I’ve been a businessman for a long time, but in the last few years, I’ve taken a growing interest in human rights and organizations that support them," says O’Brien. "I knew that first and second-year law students at McGill do field work in human rights, and I wanted to find a way to encourage them to continue that work beyond the undergraduate level."

The O’Brien Fellowships will make this possible through a programme that offers a generous amount each year to five young scholars from around the world who will come to McGill to focus on pressing issues of human rights law and policy. The O’Brien Fellows will also provide a pivotal source of energy and ideas for the newly created McGill Centre for Human Rights and Legal Pluralism, an interdisciplinary research group dedicated to studying legal and cultural issues related to human rights.

Les bourses d'études supérieures O'Brien seront fort bien accueillies à la Faculté de droit de l'Université McGill, dont les chercheurs possèdent une vue d'ensemble unique de nombreuses traditions juridiques, et dont les étudiants bilingues acquièrent une riche connaissance à la fois du common law, du droit civil et du droit international. Ravie de cet appui financier qui lui est accordé, la Faculté est très enthousiaste à l'idée d'accueillir les premiers boursiers, dont les noms seront annoncés au début de 2006.


by Jeff Roberts – McGill Reporter

While traveling in England during the summer of 1934, as an undergraduate in arts, [Heward] spent his twenty-first birthday at the home of friends of his parents. A dinner party was given for the occasion, at which he was placed next to an English lawyer, apparently of some renown. Stikeman described the occasion much later in his life:

“At the dinner, I was placed next to Lord Reading, making one gaffe after another. In fact I had never heard of him. How he had the patience to continue to be interested in me I will never know, because throughout the dinner, he would mention some interesting facet of his varied career: e.g., that he had been on the Bench. I would say ‘When were you on the bench?’ and he would reply, ‘When I was Lord Chancellor, and later when I was Chief Justice.’ Finally he said, ‘You really do not know who I am.’

He concluded by saying that Canada appeared to him to be a country with great industrial prospects ... He believed that tax law offered the greatest opportunity within the field of corporate law in the growing economy.”

Since that summer of 1934, H. Heward Stikeman’s name has become synonymous with the finest tradition of tax law in Canada. As a public servant, as the founding partner of the law firm Stikeman, Elliott, and as a scholar and teacher of the law of taxation, Heward Stikeman, BA’35, BCL’38, LLD’86, would revolutionize the practice of tax law in Canada and abroad.

Avant son décès en 1999, M. Stikeman fondait l’Institut de fiscalité Heward Stikeman pour financer la recherche indépendante dans le droit fiscal canadien, l’un de ses objectifs étant d’en simplifier les lois. Afin d’assurer une continuité dans la mise en œuvre de ses objectifs, l’Institut a pris l’initiative de créer, avec l’appui des amis et de la famille de M. Stikeman, la Chaire H. Heward Stikeman en droit fiscal à la Faculté de droit de l’Université McGill.

La création de la Chaire permettra à la Faculté de droit d’attirer un ou une universitaire de premier plan pour y développer l’enseignement et la recherche en droit fiscal. Par ses travaux, le ou la titulaire de la Chaire Stikeman influencera le cours du droit fiscal au niveau local, national et international. En tant que sommité dans l’enseignement du droit, cette personne rehaussera la réputation de McGill dans le domaine fiscal sur les plans national et international, ainsi qu’en droit comparé, tout en poursuivant la notion de simplification. Cette nomination contribuera à l’excellence de McGill dans le domaine du droit fiscal, tout en stimulant des approches originales de recherche.

Dean Nicholas Kasirer and Mary Stikeman would like to express gratitude for the exceptional generosity and leadership of Jim Robb, BA’51, BCL’54, Stuart Cobbett, BA’69, BCL’72, Richard Pound, BCom’62, BCL’67, and James Grant, BA’58, BCL’61, for helping to raise the funds for the establishment of this Chair. We are also indebted to the loyalty of Fednav Inc., Robert Raizenne, BCL’80, the Fraser Elliott Foundation and all loyal donors who helped perpetuate this great legacy.

The H. Heward Stikeman Professor in the Law of Taxation is expected to be in place at the Faculty of Law by September 2006.
TRAINING THE NEXT GENERATION OF ROLE MODELS – JOHN DOBSON HONOURS
THREE LEGAL EAGLES WITH A MENTORSHIP PROGRAMME

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“ M. Tétrault est un membre fondateur du premier cabinet national d’avocats du Canada et il possède une perspective nationale du droit. M. Tetley est une sommité mondiale en droit maritime, un ancien ministre du gouvernement du Québec et un professeur dont l’érudition a une portée internationale. M. Durnford est un ancien doyen de la Faculté de droit de McGill et en a été, pendant nombre d’années, la conscience. »


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Soulignons que Delia Cristea est la première récipiendaire d’une bourse de recherche Borden Ladner Gervais s.r.l. à la Faculté de droit de McGill.

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Pour célébrer son 150e anniversaire, McCarthy Tétrault a créé les Prix du leadership McCarthy Tétrault. Les Prix sont décernés à des étudiants ayant un excellent dossier académique et qui démontrent des qualités de leadership par leur participation dans la vie de la Faculté de droit ou par leur engagement communautaire. Les récipiendaires de 1er ou 2e année recevront chacun 5 000 $. Les premiers récipiendaires seront sélectionnés avant l’été 2006.

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REPORT FROM THE ASSISTANT DEAN, EXTERNAL AFFAIRS

by Charmaine Lyn

Les Admissions

Pour la sixième année consécutive, le nombre de demandes d’admission au programme B.C.L./LL.B. a crû de façon significative. Le comité d’admissions a évalué plus de 1,500 candidatures pour les 170 places disponibles cette année. Le processus d’admission de septembre 2005 s’est donc clos avec succès; les étudiants de première année sont à présent bien installés et s’embarquent maintenant dans l’aventure enrichissante et transformative qu’est l’éducation juridique à McGill. Et tel les saisons, le cycle se répète; nous entamons déjà le processus d’admission pour la cohorte de 2006. En plus d’avoir d’enviables dossiers académiques, nos candidates et candidates démontrent une implication communautaire variée qui va en s’élargissant.

Our candidates’ diverse histories and aspirations reflect the Faculty of Law’s mission to engage in innovative legal teaching and rigorous scholarship from a multiplicity of perspectives. Their attraction to law springs from varied experiences with family, community, language, culture, difference, poverty and privilege, conflict and relative peace. They are curious, conscientious, and hard-working people, drawn to McGill’s unique – and uniquely challenging – approach to legal education. Our candidates are particularly keen to follow in the footsteps of McGill’s law students and alumni. They are eager to steward law student-initiated institutions like the Legal Information Clinic and the McGill Law Journal and to develop and implement exciting new initiatives like Innocence McGill and the International Journal of Sustainable Development Law and Policy.

Alumni Ambassadors

In deciding where to embark on their legal education, candidates appreciate the opportunity to speak with and meet McGill Law alumni. Crucial to our recruitment and admissions efforts is an ever-evolving network of law graduates – our Alumni Ambassadors – who not only relate their personal experiences as law students and as legal professionals, but communicate a passion for the law and learning that is inspired and inspiring. Alumni wishing to serve as an Alumni Ambassador are encouraged to contact Charmaine Lyn at charmaine.lyn@mcgill.ca.

Journées Carrières

Au même titre que les Admissions, le Service de placement travaille de près avec le réseau des anciens et anciennes de la Faculté. Nous invitons régulièrement des diplômés à participer aux événements du Service de placement, tels que les journées carrières (droit civil, common law, intérêt public), panels sur les carrières en droit, soupers thématiques, occasions de réseautage, entrevues simulées et bien d’autres.

Our graduates also contribute to the CDO’s publications. The most recent publication - You’re Not Alone! A Law Student’s Guide to Careers in the Public Interest – features testimonials from law graduates who are building impressive careers in the public interest in a range of contexts. Alumni wishing to access this, or any other CDO publication, are encouraged to contact the Office at 398-6618.

BOEING ADDRESSES AVIATION ISSUES WITH THE INSTITUTE OF AIR AND SPACE LAW

Boeing has taken the lead in addressing global aviation issues by supporting the Faculty of Law’s Institute of Air and Space Law with a $20,000 commitment to foster public policy discussions. This gift will further strengthen the Institute of Air and Space Law’s position as an international centre for legal scholarship and research.

Boeing’s commitment to higher education is at the centre of its vision for the future, as stated by Robert Gordon, Vice-President Space and Defence, Boeing Capital Corporation: “Boeing believes that intellectual capital will define the future of the aerospace industry. The new partnership between the McGill Institute of Air and Space Law and Boeing will become a testament to what can be achieved by bringing together the best minds of industry and academia to focus on issues of critical importance.”

“The McGill Institute of Air and Space Law looks forward to a long and productive relationship with one of the world’s premier aerospace companies,” declares Paul Dempsey, the Institute’s director. “Ours is a natural pairing of industry with academia, one that can come together and address contemporary policy issues.”

First Row: Louise Mnich, General Council - Boeing Commercial Aircraft; Paul Dempsey, Director of the Institute for Air and Space Law; Janet Fisher, Global Public Issues & Positioning – Boeing Commercial Airplanes
Second Row: Prof. Ram Jakhu; Peter Nesgos, Chair IASL Development Committee; John Catron, Senior Counsel - Boeing Capital Corporation; Robert Gordon, Space & Defense - Boeing Capital Corporation; Prof. Michael Milde; Allan DeQuetteville - Boeing International Relations Canada
The 2005 F.R. Scott Award for Distinguished Contribution

The first recipient of the 2005 F.R. Scott Award for Distinguished Contribution was Professor Irwin Cotler, BA’61, BCL’64. This award honours Professor Cotler’s exceptional teaching and scholarly contributions to the Faculty, and salutes his achievements outside McGill.

The Award was presented by Dean Nicholas Kasirer and by the Faculty Advisory Board at a reception held at the Royal York Hotel in Toronto. Irwin Cotler’s former student, Charmaine Lyn, BA’96, BCL/LLB’03, paid tribute to the ideals of F.R. Scott and the influence of Professor Cotler on a generation of students, and about aspirations for Canadian law and the McGill presence in the Toronto legal community. Longstanding volunteer Neil Finkelstein, LLB’79, introduced Professor Cotler; Attorney General for Ontario Michael Bryant also spoke.

The event was a resounding success and the response from Toronto graduates was immensely gratifying. More than 180 people attended the event. The event was made possible by the generous support of Blake, Cassels and Graydon LLP and Osler, Hoskin and Harcourt law firms.

Irwin Cotler BCL’64, is the Member of Parliament for Mount Royal and served as Canada’s Minister of Justice. He is currently on leave from McGill University. Irwin Cotler has championed every section of the Canadian Charter of Rights and Freedoms, in the classroom and before the courts, and has argued landmark cases in the areas of free speech, freedom of religion, women’s rights, minority rights, war crimes justice, prisoners’ rights and peace law. Internationally, he has acted as counsel for Nelson Mandela, Andrei Sakharov, the family of Raoul Wallenberg and others. Professor Cotler initiated a far-reaching programme of human rights lectureships at the Faculty in the 1980s.

President of the International Criminal Law Tribunal for Rwanda visits the Faculty

Erik Mose, a Norwegian human-rights lawyer and international law specialist and President of the International Criminal Law Tribunal for Rwanda (ICTR), met with students and members of the legal community at the Faculty of Law on December 16, 2005. Mr. Mose was invited by James Woods, BA’70, BCL’73, LLB’74, Chairman of the Faculty of Law Advisory Board, to discuss issues relating to the United Nations and his work in Rwanda. He described the ICTR as an efficient judicial institution that has made a significant contribution to the development of international criminal justice. Since trials began in 1997, the ICTR has conducted cases involving 50 accused, involving a prime minister and several ministers, prefects, bourgmestres and other leaders, who would otherwise not have been brought to justice.

Radhika Coomaraswamy reçoit le Prix Robert S. Litvack


Les Obligations de Pierre - Gabriel Jobin à leur 6e édition !


On October 20, 2005, the Faculty launched McGill Mini-Law, an educational outreach programme consisting of a series of eight public lectures by some of the Faculty’s most distinguished experts, who offered mini-courses to give the public a taste of legal education. The programme ended on December 8, 2005, with the Dean of Law, Nicholas Kasirer presenting “Love and Money... A Marriage Of Convenience?”. Professors Wendy Adams, Patrick Healy, Rosalie Jukier, Daniel Jutras, Roderick Macdonald, Margaret Somerville and Stephen Toope examined topics including the nature of fundamental law, the structure of the court system, human rights, law and ethics, criminal law, corporate responsibility, contracts, and family law. Modelled after the successful Mini-Med programme, the goal of Mini-Law is to provide the public with a greater understanding of the place of law in everyday life, legal language and legal concepts. Mini-Law resumes on October 12, 2006. The Faculty is grateful for the generosity of the 2005 Mini-Law sponsors: the McGill Alumni Association, the Law firm of Davies, Ward, Phillips and Vineberg. The Faculty is also grateful for the visionary leadership of Professor Rosalie Jukier and Kappy Flanders (member of the Board of Governors of the University).

**Mini-Law 2006**

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<td>Professor Roderick MacDonald: <em>What is Law? The Rules of Dating and the Rule of Law</em></td>
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<td>Professor Daniel Jutras: <em>The Court System — Decisions, Decisions...</em></td>
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<td>November 30</td>
<td>Dean Nicholas Kasirer: <em>Family Law — Love and Money... A Marriage of Convenience?</em></td>
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**Lionel Chetwynd, BCL’67, Discusses Entertainment Law**

Lionel Chetwynd, movie director and producer, dropped by to visit aspiring entertainment lawyers on November 16, 2005. The event was organized by the McGill Entertainment Law Student Association. Mr. Chetwynd has more than 40 feature and TV films, and numerous documentaries to his credit, including *The Apprenticeship of Duddy Kravitz* (based on the novel of the same name by Mordecai Richler), for which he received an Academy Award nomination.

**Bob Rae on Campus**

Bob Rae, former premier of Ontario, spoke on November 22, 2005 at the Faculty of Law about his experiences as an adviser in the drafting of a new constitution for Iraq. His talk dealt with matters of federalism, multiculturalism and bills of rights, and how Canada can be used as a model in the rebuilding of Iraq. The event was co-sponsored by the McGill Institute for the Study of Canada, the Faculty of Law and the Law Students’ Association.

**La propriété intellectuelle à New York**

Le mois d’avril dernier, au Club Yale de New York, la Faculté de droit et l’Association des anciens de McGill organisaient ensemble un colloque sur la propriété intellectuelle. Le colloque, auquel le doyen a eu le plaisir d’accueillir environ 80 participants, s’inscrivait dans la série de conférences « Progress Needs Help! Towards a Commitment and Understanding of Intellectual Property ». Richard E. Gold, directeur du Centre pour la politique en propriété intellectuelle et titulaire de la Chaire Bell en cybergouvernance, y était d’ailleurs le conférencier d’honneur. Une généreuse commandite de White & Case de New York a permis d’organisation de cet événement.

**Studies on the Quebec Law of Trusts by Me John B. Claxton**

On June 13, 2005, the Faculty of Law and Gowlings and Carswell hosted a reception to celebrate the launch of *Studies on the Quebec Law of Trusts* by Me John Claxton QC, BCL’50.
Mark Your Calendars for Homecoming 2006:  
Thursday, October 19 - Sunday, October 22, 2006.  
Planning for reunions is well on its way.  
Contact Maria Marcheschi for more details at maria.marcheschi@mcgill.ca or call (514) 398-1435

HOMECOMING AND CLASS REUNIONS
by Maria Marcheschi

1955
On October 1, 2005, the Class of ‘55 turned out in force to celebrate 50 years since graduation. Committee members J. Vincent O’Donnell, QC, and Peter D. Walsh, QC, enjoyed dinner with fourteen of their classmates for the first time in a long while at the Chez Julien restaurant. Many lively anecdotes were shared during an evening that was enjoyed by all.

1960
The Class of ‘60 celebrated 45 years since graduation, at the Montefiore Club on November 10, 2005. Almost half of the original class attended for this special celebration. Their next reunion will mark 50 years! Special thanks go to Brahm Gelfand for his hard work in organizing this occasion.

1965
It had been forty years since John O’Connor had seen some of his classmates. To remedy the situation, he kindly agreed to arrange his class reunion at the University Club of Montreal on September 30, 2005. Here are some of the happy participants.

1970
The Class of ‘70 met for dinner at Montreal’s Saint James Club on September 29, 2005. The class committee, Mr. Justice Mongeau and Mr. Richard McConomy, worked hard over a period of months to prepare this special event. There was much reminiscing and laughter.

1975
The Class of ‘75 (and some from ‘74), celebrated 30 years since graduation at a lively banquet attended by professors Cotler, Durnford and Scott. The class was especially delighted that the Minister of Justice, Irwin Cotler, found time to be at the dinner. The class committee of Stephen Halperin, Michael Sax and Norman Steinberg did a fabulous job, repeating their success of five years ago when they arranged their 25th anniversary reunion. Plans have already begun for an even more spirited reunion in 2010.

1980
On October 1, 2005, about 40 members of the Class of ‘80 came to the Faculty from as far as London, Vancouver and New York, to celebrate the 25th anniversary of their graduation. Many had not seen the new library, and enjoyed touring the building and its facilities, including the Atrium, where the class held a cocktail reception and banquet. Special thanks to the Class of ‘80 committee members – Norman Bacal, Maryse Bertrand, John Coleman and Judie Jokinen, for their hard work.

1985
Dean Nicholas Kasirer, a graduate of the Class of ‘85, welcomed his classmates to a cocktail reception at his home, on September 17, 2005. Despite gloomy weather, more than 50 graduates attended, some having traveled long distances to enjoy an evening with their Class of ‘85 peers. Committee members Hillel Rosen, Stephen Sofer and Lori Weitzman put in many hours to plan this successful event.

1995
Members of the Class of ‘95 gathered on September 30, 2005, to mark their 10th anniversary. They attended a reception in the Common Room, followed by more festivities at Thomson House. Many thanks for organizational help provided by Chris Richter, George Sopel and Tania Chugani.
UPCOMING EVENTS

The 2006 F. R. Scott Award for Distinguished Contribution

The F. R. Scott Award for Distinguished Contribution was created by the Faculty of Law and the Faculty of Law Advisory Board to recognize graduates who have provided exceptional service and leadership.

There is no charge for this event.
Please contact Maria Marcheschi for details.
Email: maria.marcheschi@mcgill.ca
Tel: (514) 398-1435

Montreal – March 30, 2006
The Faculty of Law is proud to announce that the Honourable Mr. Justice Morris J. Fish, BA’59, BCL’62, LLD’01 is the most recent recipient of the F. R. Scott Award for Distinguished Contribution.

Toronto – November 16, 2006
Book your calendars! The next F. R. Scott Award for Distinguished Contribution takes place at the Royal Ontario Museum.

The 2006 F.R. Scott Award for Distinguished Contribution was created by the Faculty of Law and the Faculty of Law Advisory Board to recognize graduates who have provided exceptional service and leadership.

There is no charge for this event.
Please contact Maria Marcheschi for details.
Email: maria.marcheschi@mcgill.ca
Tel: (514) 398-1435

Montreal – March 30, 2006
The Faculty of Law is proud to announce that the Honourable Mr. Justice Morris J. Fish, BA’59, BCL’62, LLD’01 is the most recent recipient of the F. R. Scott Award for Distinguished Contribution.

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Centenary Conference on Levinas and Law
The Faculty of Law will hold a major conference to celebrate the 100th anniversary of the birth of the great ethical philosopher, Emmanuel Levinas. This conference, hosted by Professor Desmond Manderson, will bring together major figures in the study of Levinas, law, and justice from around the world for a two-day event on September 17 and 18, 2006. This event will challenge leading and emerging scholars of Levinas in multiple disciplines to imagine and apply ethical styles of thinking, engagement and judgment across the socialscape.

Desmond Manderson holds the Canada Research Chair in Law and Discourse at McGill’s Faculty of Law. For more information, he may be contacted at (514) 398-2372 or desmond.manderson@mcgill.ca
ALUMNOTES

Bernard Amyot, BCL’82, LLB’83, was elected Second Vice-President of the Canadian Bar Association in February 2005, and will become its National President in 2007. Bernard is also chairman of the Board of Governors of the Collège Jean de Brébeuf in Montreal. He is a partner in the litigation department of Heenan Blaikie LLP in Montreal and a member of the firm’s National Executive Committee.

Sarah J. Baker, BCL/LLB’04, recently moved to Los Angeles to pursue a legal career in environmental and immigration law. After completing a master’s degree in Environmental Law at Lewis & Clark University in Portland, Oregon, Sarah was married in Sutton Junction, Quebec, to Andrew Stevenson.

Dirk Bouwer, LLB’92, and his wife, Janet, welcomed their third child, William, in November 2004. Dirk and his family live in Ottawa, where Dirk practices corporate law at the firm of Perley-Robertson, Hill & McDougall LLP.

Daniel Chonchol, BCL’81, LLB’82, has been the Electronic Communications Editor for the McGill Alumni Association for three years. He is responsible for email announcements and e-newsletters that go to nearly 70,000 McGill graduates, and for the Alumni Online Community. Daniel has worked in Development and Alumni Relations at McGill for 13 years.

David Collier, BA’78, BCL’81, LLB’82, was sworn in as the new bâtonnier of the Bar of Montreal at the association’s annual meeting in May 2005. Earlier in his career, David was president of the Jeune Barreau du Québec. David is an IP litigation lawyer and a partner at Ogilvy Renault.

Richard Dalbello, LLM’84, has been nominated as Vice President of Government Relations for Intelsat General Corporation (IGC), a leader in providing satellite networking services to commercial, government and military customers. Richard will be responsible for informing and educating policymakers in government-related organizations.

Bram Freedman, BA’87, BCL’91, LLB’91, has been promoted to Chief Operating Officer of Federation CJA, the central organization for Jewish philanthropy and community service in Montreal. Prior to joining Federation CJA in 2003, Bram was Assistant Secretary-General and General Counsel at Concordia University for 11 years.

L. Yves Fortier, BCL’58, LLD’05, Chairman of Ogilvy Renault, has been recognized as the top arbitrator in the world by The American Lawyer magazine. This ranking was the result of surveys conducted globally, in a wide range of law firms, from January 2003 to April 2005.

Joe Fridman, BCom’66, BCL’70, DCL’05, a retired business executive, chartered accountant, lawyer and board member, received his DCL at the June 2005 convocation. His doctoral thesis, entitled “Corporate Governance: A Practical and Effective Response to the Challenges Raised” seeks to address the challenges inherent in the failures of business corporations. Dr. Fridman’s empirical research focused on Canada. It included in-depth interviews and surveys of business executives from some of the largest corporations in Canada, as well as leading Canadian lawyers and chartered accountants. Prepared under the supervision of Professor Rod Macdonald, it also involved general surveys of members of the Canadian Institute of Chartered Accountants and graduates of the McGill Faculty of Law.

Dr. Fridman draws conclusions as to what is required to help address the challenges raised by the breakdown in effective corporate governance, in order to help instill greater investor confidence. For further information relating to his dissertation, Dr. Fridman can be reached at josef.fridman@mail.mcgill.ca.

David C. Gavsie, BCL’87, retired in October as a senior partner of the Ogilvy Renault law firm and was appointed Chair of the Alcohol and Gambling Commission of Ontario by the Minister of Government Services in November 2005.

Prime Minister Paul Martin announced on August 29, 2005 that Her Excellency the Governor General summoned Yoïne Goldstein, BA’55, BCL/58, to the Senate. Mr. Goldstein is a leading member of Canada’s legal community and one of the most respected lawyers in Canada. The Faculty is very proud to have him as a member of its Faculty Advisory Board. Mr. Goldstein officially joined the Senate in January 2006.

Justice John Gomery, BA’53, BCL’56, was named “2005 Canadian Newsmaker of the Year” by Time magazine. The publication praised Justice Gomery for the scope of his commission, which had a mandate to identify those responsible for creating and managing a federal programme that Auditor General Sheila Fraser BCom’72 criticized in her report to Parliament.

Julia Hanigsberg, BA’87, BCL/LLB’91, was appointed Ryerson University’s first General Counsel and Secretary to the Board of Governors, effective January 9, 2006. The position of General Counsel has only recently been combined with that of Secretary to the Board. As General Counsel, Ms. Hanigsberg will manage the University’s legal services and will ensure that Ryerson meets new government privacy requirements and accountability obligations. She has extensive experience in law, government, policy development and governance, most recently as Counsel in the Policy Division of the Ministry of the Attorney General. She was Chief of Staff to the Attorney General of Ontario from 2003 to 2005.

Michael Harpur, LLB’78, was appointed to the Ontario Court of Justice in May 2005. He will sit in Barrie. Previously, he was the head of the Commercial Litigation National Practice Group at Gowling Lafleur Henderson LLP. Michael brings to the bench considerable experience in civil litigation, and he has served as counsel to Ontario’s Environmental Assessment Board. Called to the Ontario Bar in 1980, he has been a lecturer for the Law Society of Upper Canada.
Roy Heenan, BA’57, BCL/60, will be the co-recipient of the Bora Laskin Award, which recognizes distinguished contributions to Canadian labour law. This award, by the University of Toronto Centre for Industrial Relations and Human Resources and Lancaster House of Toronto, honours the late Chief Justice Bora Laskin (1912-1984), who before joining the Supreme Court of Canada, was pre-eminent in the area of Labour Law, with a focus on the rights of workers.

The Secretary-General of the Organisation for Economic Co-operation and Development, the Honourable Donald J. Johnston, BCL’58, is retiring after 10 years of service. He has advised the Member countries that he will step down from office in May 2006, having first been elected to the post in 1996.” Mr. Angel Gurria, an economist and former Finance Minister under President Zedillo of Mexico, will be the OECD’s new Secretary General.

The Hon. Fred Kaufman, BCL’54, has just published Searching for Justice: An Autobiography. Kaufman was called to the Bar of Quebec in 1955 and practiced criminal law for 18 years, taking part in many of the famous cases of that period. He was appointed to the Quebec Court of Appeal, where he served for eighteen years, including one year as Acting Chief Justice of Quebec. Since his retirement in 1991, Kaufman has led numerous missions to Canada and New Zealand, and has taught at McGill’s Faculty of Law.

Dimitri G. Mastrocola, BCL’89/LLB’89, has left Citigroup’s corporate finance legal department in New York, after two rewarding years, to begin an exciting new chapter in his career as a certified life and business coach. Dimitri founded SuccessCounsel, a personal empowerment training, coaching and consulting practice to help people achieve their personal and business goals. For more information, visit www.successcounsel.com.

Grant McCrea, BA’82, MA’86, formerly homeless, or perhaps just dissolute, is now one of the ‘World's Leading Litigation Lawyers,’ according to the 2005 Euromoney Guide. His novel “Dead Money,” a story of poker, murder, scotch, cigarettes was published by Random House Canada in February 2006. He lives in New York City with his laptop, and describes himself as having delusions of grandeur.

Former Editor-in-Chief of the McGill Law Journal, Peter Oliver, BCL, LLB’85, was appointed to a professorship at King's College, London last year. Dr. Oliver recently published The Constitution of Independence: The Development of Constitutional Theory in Australia, Canada and New Zealand at Oxford University Press.

Alex K. Paterson, BCL’56, LLD’94, recently published his memoirs entitled My Life at the Bar and Beyond, a candid look at his remarkable life and career. He offers behind-the-scenes views of Bill 101, campaigning for the “No” committee in the 1980 Quebec referendum, and the stand-off at Oka. Paterson also charts his involvement in establishing the McGill University Health Centre. Alex K. Paterson is a member of the Faculty of Law Advisory Board and the McGill Institute for the Study of Canada. He was chancellor of Bishop's University from 1995-2004 and chairman of McGill's Board of Governors from 1990-1994. He is an Officer of the Order of Canada and of the Order of Quebec.

Jan-Fryderyk Pleszczynski, BCL/LLB’00, was recently made President of the Jeune Chambre de commerce de Montréal (JCCM), the largest network of young businesspeople in North America.

Maya Prabhu, LLB’02, has moved from New York to Toronto, where she is completing her medical residency in psychiatry at the University of Toronto. Prior to returning to medicine, she practiced corporate litigation at David Polk & Wardell in New York and served as a Deputy Counsel to the Independent Inquiry Investigation into the UN-Oil-For-Food Programme, headed by Paul Volcker.

On April 15, 2005, Irwin Cotler, former Minister of Justice and Attorney General of Canada, announced the appointment of Michael G. Quigley, LLB’77, LLM’83, of Toronto, as a judge of the Superior Court of Justice. He will replace Mr. Justice J.F. McGarry, who has elected to become a supernumerary judge. Mr. Justice Quigley received a Bachelor of Arts in Economics from the University of Western Ontario in 1970, a Bachelor of Laws from McGill University in 1977, and a Masters of Law from McGill University in 1983. He was admitted to the Ontario Bar in 1980. Prior to his appointment, Mr. Justice Quigley was a partner with the firm McCarthy Tétrault LLP, where he practised primarily in the area of taxation law. He is the former chair of the Taxation Section of the Ontario Bar Association and former President and Trustee of the Lawyer’s Club in Toronto. He has taught at McGill’s Faculty of Law and served as Head of the Tax section at the Bar Admission Course.

Mark A. Roppel, BCL’88/LLB’88, joined Cadwalader, Wickersham & Taft LLP as a partner in the Corporate/Mergers & Acquisitions Department in New York. He represents clients in a variety of domestic and cross-border transactions, including mergers, tender offers, leveraged acquisitions, restructurings and strategic alliances. Before joining Cadwalader, Mark was partner in the Mergers & Acquisitions Group of Shearman & Sterling LLP. While at McGill, Mark was Senior Editor of the McGill Law Journal.

Kasowitz, Benson, Torres & Friedman LLP announced on March 7, 2006 that Michael Shuster, BCL/LLB’86 has joined their firm as a litigation partner. Mr. Shuster, a trial lawyer, has extensive experience in complex financial matters, securities and antitrust class action litigation, and highly contested matters generally. During his 20-year career, Mr. Shuster has tried cases in federal and state courts and has tried arbitrations under the rules of various arbitral bodies. In 2005,
Mr. Shuster was named as one of the "Leading Individuals" in New York City in General Commercial Litigation by Chambers USA.

Howard Strauss, BA’68, BCL’72, LLB’73, is celebrating 30 years in the foreign service. He is the new Canadian High Commissioner for Trinidad and Tobago. Howard can count Canada’s missions in Ghana, Cuba, New York and Lagos, Nigeria as his previous diplomatic assignments. As well as working in the department’s Legal Bureau, Howard has served as coordinator of the Sudan Task Force and as Deputy Agent of the Canada/France Maritime Boundary Arbitration Team.

Elizabeth L. Thomson, LLB’74, BCL’75, celebrated the 25th anniversary of her company’s operations in Hong Kong in 2005. Elizabeth founded ICS Trust in 1980, and from its modest beginnings around her dining room table, the company has grown into a thriving business with 40 staff handling the affairs of several hundred clients worldwide. Services range from corporate structuring and private wealth management to the creation of customized commercial and trade solutions for entrepreneurs and companies doing business in China. Elizabeth L. Thomson describes herself as “a lawyer by profession, an entrepreneur by choice”. Her expertise and profound understanding of doing business in Asia has attracted a host of local and international professional organizations who have invited her to speak at gatherings of key business leaders in Asia and North America.

Mr Justice Dennis O’Connor, who heads the Commission of Inquiry into the actions of Canadian officials in relation to Maher Arar, made public, on October 27, 2005, the 25-page report submitted to him by special fact finder Professor Stephen J. Toope, LLB’82, BCL’83, former Dean of the Faculty of Law. Professor Toope’s mandate was to investigate and report to the Commission on Mr. Arar’s treatment during his detention in Jordan and Syria, and its effects upon him and his family. In order to carry out his mandate, Professor Toope reviewed extensive written material including some in camera testimony and a selection of unredacted documents that were directly relevant to assessing Mr Arar’s experience in Syria. Professor Toope also interviewed ten people, including Mr. Abdullah Almalki, Mr. Ahmad Abou-El Maati and Muayyed Nureddin to hear their experiences in Syrian detention facilities and to compare their description with that of Maher Arar. In the end, Professor Toope spent almost 10 hours in interviews with Maher Arar.

The report provides a detailed account of the conditions of detention and the means of torture used at the Far Falestin (Palestine Branch) and at Sednaya prison where Mr. Arar was detained. The report says the four men tell credible stories of being severely mistreated in Syrian custody and concludes that the Ottawa engineer was tortured. Maher Arar, a Syrian-born Canadian, was detained in New York in September 2002, on suspicion of involvement in Osama bin Laden’s al-Qaida network. The full report can be downloaded from the Commission’s Web site www.ararcommission.ca/eng/17.htm.

Demetrios Xistris, BCL’84, LLB’85, was recently appointed a Managing Director in the Legal Department at BNP Paribas in New York, where he is responsible for legal matters relating to the firm’s equity business. He was previously in the Legal Department at the investment bank JP Morgan, and in private practice at White & Case. Demetrios has been living in the New York area since 1985, and has been married to Dr. Aris Comninellis for 16 years. They have two athletic and hockey-playing daughters, Sylvia and Effie.

Alison Harvison Young, LLB’82, BCL’83, a former professor in the Faculty of Law, was appointed Justice of the Superior Court of Ontario. Prior to her appointment, Justice Harvison was Dean of Law at Queen’s University. An acknowledged expert in family and administrative law, Justice Harvison Young sits in Toronto.

FEELING NOSTALGIC READING ALUMNOTES?

Visit Alumnilife, the Alumni On-Line Community, at www.alumni.mcgill.ca

Congratulations to Professor Stephen Toope, who will take up the position of president and vice-chancellor of the University of British Columbia on July 1, 2006. For further information, please go to: http://www.ubc.ca/
GIFT OF A LIFETIME

The Faculty of Law has benefited tremendously from bequests and planned gifts during its long history. Two examples have had a particular impact on student life.

This year, the Faculty received $50,000 from the Estate of Wolfgang Uhticke to create a student internship programme in private and comparative law.

The late Russell R. Merifield, BA’38, BCL’41, has donated funds in honour of Professor William Tetley which will stimulate student research in maritime and international law.

Bequests and other planned gifts have always been critical to the well-being of the University and its students. Such gifts were instrumental in the establishment of McGill, and they continue to strengthen McGill’s endowment, scholarships and other student financial aid programs, libraries, and research.

For more information:
Susan Reid, Director
McGill University
Bequests and Planned Gifts
1430 Peel Street
Montreal, Quebec, Canada
H3A 3T3

tel.: (514) 398-3560 or (1 800) 567-5175
fax: (514) 398-8012
plannedgifts.dev@mcgill.ca

IN MEMORIAM

1930
Mr. Wesley H. Bradley, QC BCL’37
Mr. Lionel I. Rubin, B.A. 1930, MA’31, BCL’35

1940
Mr. Alexander Biega, QC, BCL’49
Mr. Julius Briskin, QC, BCL’41
Mr. Lawrence McDougall, BA’39, BCL’42
Mr. Russell Roy Merifield, QC, BA’38, BCL’41
Mr. William R. Noble, BCL’48
Mr. William P. Shaw, BA’49, BCL’54

1950
M. Roch A. Bedard, BCL’S6
Mr. Thomas W. Brown, BCL’S3
Mr. Donald J. Finlayson, BCL’S2
Mr. Marvin B. Gameraoff, BA’S5, BCL’S8
The Hon. Dimitrios A. Hadjis, LLM’S8
Mr. Richard B. Holden, QC, BA’S2, BCL’S5
Mr. Godfroy Marin, BA’, BCL’, BCL’S6
Mr. Ian Edward McPherson, LLM’S5
The Hon. Joseph A. Mendelson, BCL’S1
Mr. Saul Morris, BA’S4, BCL’S7
Mr. George Harold Pickel BCL’S9
Mr. Alfred N. Segal, QC, BA’50, BCL’S3

1960
Mr. Bennie Berger, BA’57, BCL’60
Mr. Stanley Gelfand, BA’65, BCL’69

1970
Ms. Nancy J. Carrell, LLB’77, LLM’79, BCL’80
Mr. Denis Michael Fitz-James, LLB’78, BCL’79
Mr. Roch Joseph Martin, BCL’78, LLB’79
Ms. Lorraine Neill, BCL’78, LLB’80
Mr. Paul Avrum Orenstein, BA’68, BCL’70, LLB’72
Mr. Jon H. Scott, BA’70, BCL’73

1980
The Hon. Alan B. Gold, OC, OQ, QC, LLD’84
Evelyn Dorothy Cherry (nee Burke), BCL’89
Ms. Elizabeth Moira Massey, BA’88, BCL’92, LLB’92
Mr. Masao Sekiguchi, LLM’82

1990
Mr. Rodrigo Contreras, BCL’99

We are sad to report that Fay Cotler, who was a friend of the Faculty, passed away on September 29, 2005.