

in **Focus**

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ADMISSION D'ANNIE MACDONALD LANGSTAFF AU BARREAU

On Teaching Law Transsystemically
What Does Transsystemia Look Like?
Entrevue avec Daniel Jutras
The Oppenheimer and Echenberg Gifts to Law

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KEEPING IN TOUCH

We welcome comments about our newsletter. Veuillez faire parvenir vos commentaires à lysanne.larose@mcgill.ca. We also welcome information from our readers. Toute contribution à InFocus pourra être révisée pour la clarifier ou l'abrégé. Correspondence and information should be sent to:

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COVER

Portrait of Annie MacDonald Langstaff

WORD FROM THE DEAN



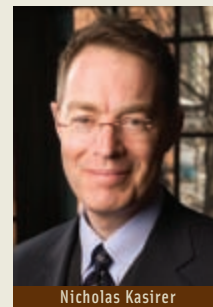
one of the glories of McGill's Faculty of Law is its multiple constituencies – we are, at once, a faculty for Montreal, Quebec, Canada and, increasingly, for the Americas, Europe and the developing world. There is no single path to McGill – our students and professors come from every corner of this country and beyond,

they arrive with wildly different life experiences and they start out with varied aspirations for a life in the law. But one thing binds them together. In coming to the Faculty, they have made a conscious choice to study in a cosmopolitan setting where multiplicity – of legal traditions, of languages and indeed of identities in the law – is at the centre of our intellectual project. What does it mean to choose McGill?

Pour Sam Walker, étudiant de première année au BCL/LLB transsystémique, le choix de McGill et de Montréal s'imposait. Pour ce diplômé en histoire de Yale ayant un goût pour les droits de la personne, le retour au Canada – pour son bilinguisme, pour son horizon politique – est la prochaine étape d'une jeune carrière qui retient le pluralisme et le droit international comme pistes à suivre. Le Comité des admissions l'a rattrapé l'été dernier à Sarejevo où il était en stage auprès de la Section des crimes de guerre de la Cour d'État de Bosnie-Herzégovine et en septembre M. Walker est arrivé à McGill, titulaire d'une bourse Greenshields. Le voyage vers McGill a été moins long pour Marie Annik Grégoire, étudiante au doctorat. Cette boursière Wainwright est venue de l'Université de Montréal après avoir raflé la médaille d'or et le Prix Minerve pour son mémoire de maîtrise sur la bonne foi dans le droit des obligations. Le choix de McGill permet à M^{me} Grégoire de poursuivre ses études sous le signe du droit comparé, essentiel à son avis à son développement intellectuel. Et que dire du choix de Futsum Abbay qui arrive à McGill de l'Érytrée pour poursuivre des études doctorales sur le droit à l'égalité des personnes handicapées à titre de boursier O'Brien, grâce à la dotation établie par David O'Brien, BCL'65.

There are hundreds of these stories across the Faculty, all bound up in the great McGill narrative for law, which sees a dexterity of mind as the foundation not just for a legal education, but also for an ideal of citizenship shared well beyond this country. Others

CHOOSING MCGILL, CHOOSING MONTREAL... ET L'HEUREUX EMBARRAS DU CHOIX



agree that teaching and learning the common law, the civil law and international law themes, in French and English, point naturally to Montreal – a place to study law and to contemplate our complicated world. What else explains the fact that again this year, the Supreme Court of Canada has chosen eight law clerks from McGill – more than from any of the other 20 law schools in Canada – or the fact that our International Courts and Tribunals Program won the Scotiabank-AUCC Award for Excellence in Internationalization? Or that the transsystemic teaching program received an Outstanding Program in International Education Award from the Canadian Bureau for International Education?

Les professeurs et les chercheurs de la Faculté ont choisi McGill et Montréal dans ce même esprit. On peut retenir l'exemple de Nandini Ramanujam, la nouvelle directrice exécutive du Centre des droits de la personne et du pluralisme juridique, qui arrive à McGill avec un doctorat d'Oxford et quelques années d'expérience comme conseillère de la Fondation Soros à Paris. Ou l'Australienne Kirsten Anker, nouvelle professeure en droit des peuples autochtones, qui choisit McGill pour son bilinguisme – M^{me} Anker parle un français impeccable avec un délicieux accent de Sydney – et pour son engagement en faveur des multiples traditions juridiques, toutes pertinentes à la formation du juriste. Indeed it is often the choice to come to McGill made by scholars who were not themselves educated here that is the most compelling tribute to the ambitions of McGill and Montreal to be a model for legal education around the world. Think of the choice made by our newest honorary degree recipient Donovan Waters, LL.D. '06, one of the world's leading authorities on the common law of trusts, who came to teach at McGill 40 years ago, a choice which turned out to be critical to the founding of the National Programme in 1968. Or that of former dean Roderick Macdonald, who came here after studies at Osgoode, Toronto and a gold medal at the University of Ottawa in civil law. Professor

Macdonald's work at McGill, shaped by a world view nourished by Montreal's multiple identities, was crowned this year with the \$100,000 Killam Prize. Don't forget Stephen Smith, a William Dawson Scholar who left Oxford to take up teaching duties at McGill ten years ago, and whose recent publications in the Clarendon Law Series rate him as a leading authority on common law contracts. Perhaps the most ringing testimonial of the promise of McGill comes from a recent Fulbright visitor to the Faculty from the Columbia University Law School: Professor Peter Strauss made the case for choosing McGill to the readers of the widely-read US-based *Journal of Legal Education* in his 2006 article

"Transsystemia – Are We Approaching a New Langdellian Moment? Is McGill Leading the Way?"

No one understands the advantages and challenges of multiple identities in the law better than our graduates. They have long seen the unique educational experience at McGill, at the confluence of languages and legal traditions, as one that has equipped them to move in and out of professional settings as diverse as Quebec City and Calgary, Paris and Singapore, Montreal and Yellowknife, or Manhattan and Tel Aviv, with stunning ease. The intellectual and professional project on which McGill rests its reputation is what we now have come to call 'trans-

systemic' in that it is not beholden unto any one jurisdiction or set of local understandings. It flows from our longheld ideal that deems Montreal as a place like no other to study law. Our graduates are our grand transsystemic ambassadors and have helped me make the case for McGill far and wide. They see – as plainly as our entering class and the professors and scholars who accompany them – that choosing Montreal and McGill throws the door open on a wide world of legal ideas.

Choose McGill again!

OUR GRADUATES ARE
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THE CASE FOR MCGILL
FAR AND WIDE.

NICHOLAS KASIRER, DEAN OF LAW



ON TEACHING LAW TRANSSYSTEMICALLY

BUILDING ON THE FOUNDATIONS ESTABLISHED BY MAXWELL COHEN, F.R. SCOTT, JOHN DURNFORD AND JOHN BRIERLEY

For almost a decade, a number of private law courses at the Faculty have been taught transsystemically. This innovative approach has been widely recognized in North America and Europe as an extraordinary, even revolutionary, curricular development. Yet, however much the detail of these private law courses has changed, the fundamental ambitions of law teaching at McGill have remained relatively constant.

One can find the intellectual roots of transsystemic teaching in the preoccupations of four outstanding McGill professors and former deans. Maxwell Cohen's initial vision for a National Programme for the study of law represented a bold step to introducing a common law degree to legal education at McGill. By so doing, Dean Cohen renewed an idea that was first launched in the 1920s by then Dean and Gale Professor of Roman law Robert Warden Lee. Maxwell Cohen's ideal for legal education – scholarly and international in its orientation, comparative in its aspiration – connected to the themes in the careers of the three great law deans of the 1960s and 1970s: F.R. Scott believed that law teaching should focus on the goals we seek to achieve through law; for John Durnford, it was equally important to attend to the rules and principles by which these goals were pursued; and for John Brierley, our pedagogical mission was not complete if it did not also address method and technique.

So how are these antecedents reflected in our teaching today? First, transsystemic teaching challenges the notion that law's logic and ambitions are pre-determined: it confronts students with the paradox that law is best learned when its values are contested and its methods up for debate. Second, the formal materials and concepts by which some try to pin down law (civil codes, cases and treatises on the one hand; categories like common vs. civil law, private vs. public law, etc., on the other) are explored not as reflecting a given order but rather as hypotheses: law's meaning is always contingent. Third, transsystemic teaching nonetheless attends to what is distinctive about the craft of law. Through teaching that emphasizes how the

conventions and routines of professional life conceal policy choices, students are invited to avoid jumping too quickly to the conclusion that formal legal regulation is inexorable. Law sometimes empowers, but law sometimes also oppresses; and often law simply seems irrelevant to people's lives.

The aspiration that great teachers like Cohen, Scott, Durnford and Brierley pursued even before the transsystemic program was developed – and to which McGill professors are committed today – is to engage with our students in a common project of understanding and reconstructing how we organize legal knowledge.

Imagine the following commercial transactions: the financing of snowmobiles in Val d'Or (Quebec), Kapuskasing (Ontario), Grenoble (France) and Aviemore (Scotland); and the financing of automobiles in Montreal, Toronto, Paris and London. What are the meaningful affinities between and among these transactions: is it just the distinction between civil law and common law traditions? Might it rather be that between the legal regimes of snowmobiles and automobiles, or of small towns and big cities, or of Europe and North America, or perhaps of something else altogether? Transsystemic teaching treats all these questions as open and equally deserving of exploration.

Giving students confidence that their everyday experiences, prior to and during their law studies, should inform their legal education provides them with the courage to question the wisdom dispensed by courts, by legal texts and by professors. This, in turn, enables them to use their newfound confidence to dare to ask tough questions of themselves.

Ultimately, this ambition towards self-discovery has always informed law teaching at McGill (even if only implicitly) and is now the aspiration to which transsystemic teaching explicitly directs our attention.

Former dean Roderick A. Macdonald is 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. His book-length article, "The National Law Programme at McGill: Origins, Establishment, Prospects" [(1990) 13 Dalhousie L.J. 211-363], sets out an account of the intellectual history of the project that paved the way for transsystemic legal education at McGill.

"Transsystemic teaching challenges the notion that law's logic and ambitions are pre-determined."

WHAT DOES TRANSSYSTEMIA LOOK LIKE?



Desmond Manderson

DESMOND MANDERSON OFFERS SEVERAL “POINTS” OF VIEW ON THE NATURE OF TRANSSYSTEMIC LAW



Paul Signac. *La Route Pontoise, or The Railway Junction at Bois-Colombes, 1886*, Leeds Museums and Galleries (City Art Gallery) U.K.

Paul Signac, a French neo-impressionist painter, worked with Georges Seurat in developing the pointillist style.



Holder of the Canada Research Chair in Law and Discourse, Desmond Manderson studies a wide range of subjects involving interdisciplinary work in law and the humanities, including foundations of law, ethics, aesthetics, drug policy and history, and legal education.



Transsystemia builds upon the insight that no one lives in a “legal system” characterized by unity and coherence. On the contrary, we live at the nexus of many legal systems – local ones, like those of communities, organizations, or families; national ones, like the common law and the civil law; and international ones, such as those built around the principles of human rights or upon the forces of globalization.

Now, more than ever, these forces do not just exist in some ordered way. Quite the reverse. They constantly tug and pull on each other as well as on us, exerting now more and now less influence, but at all times colouring our understanding of our obligations and ourselves, our pasts and our futures. So, as we at McGill well understand, the “civil law” does not exist in some conceptual space entirely removed from the “common law”; their meanings and their visions of the world

overlap, critiquing and conversing constantly with each other. Bijuralism in the McGill Faculty of Law’s National Programme opened this conversation; transsystemia enlarges it to a Babel of inquiry and understanding.

If we often fail to recognize the dynamism and discourse of many legal systems, it is perhaps because we tend to stand too far away when we look at “the law”. Take a painting by the great exponent of pointillism, Georges Seurat. From a distance we see a landscape, vibrant and compelling. But when we draw near, we become conscious that the blocks of colour which we had thought were monolithic are in fact composed of tiny dots – indeed, we would now be more accurate in describing them as “pixels” – of many different colours: red and yellow and green in every sky of blue. These points of colour interact, vibrating, competing and enriching one another.

From a distance, our brains convert this dynamism into a coherent whole, though one that seems to shimmer and crackle like the world itself. But to truly study the painting is to study the interplay of multiple distinct forces in a constant state of flux and engagement. A careful viewer’s gaze moves in and out, side to side, always attentive to position and perspective.

The transsystemic study of law, as it is practised at McGill, does not merely admire law’s coherent image from a distance. It examines its colour and force up close, where illusion is replaced by complexity, and blandness by an almost bewildering variety – and where law, like Seurat’s pointillism, truly comes to life.



ENTREVUE AVEC DANIEL JUTRAS

LAURÉAT DU PRIX DURNFORD, LE PROFESSEUR JUTRAS S'ENTRETIENT AVEC PASCAL ZAMPRELLI SUR L'ENSEIGNEMENT DU DROIT DANS UNE PERSPECTIVE TRANSSYSTÉMIQUE

PZ : Comment le programme transsystémique a-t-il changé la façon dont vous enseignez le droit ?

DJ : Voilà une question difficile – un peu comme demander à une personne devenue végétarienne il y a huit ans si cela a changé sa façon de manger ! Enseigner dans le programme transsystémique, qu'on a mis en place en 1999, c'est à la fois pareil et très différent de ce qu'on faisait auparavant.

Dans le Programme National qui avait cours avant la réforme, les étudiants s'initiaient d'abord à une tradition juridique, puis à l'autre. Beaucoup d'entre eux développaient une très forte identité de 'civiliste' ou de 'common lawyer' de laquelle il était très difficile de les séparer. A mon avis, c'était l'enjeu principal du changement de programme : amener les étudiants et les étudiantes à se concevoir eux-mêmes comme appartenant à une pluralité de cultures juridiques. Le tout s'est traduit par un programme qui oblige souvent les étudiants à traiter de manière intégrée les deux traditions.

Pour ma part, je ne donne que des cours « transsystémiques ». Puisque ces cours visent à intégrer l'enseignement du droit civil et de la common law, je préfère ne pas aborder les deux traditions juridiques de manière séquentielle. Règle générale, le point de départ de la conversation n'est donc pas une règle de droit, ou un jugement, ou un principe de droit civil ou de common law. On part plutôt du problème fondamental d'organisation des rapports humains et on tente ensuite de mieux saisir les avantages et les inconvénients de différentes solutions que le droit civil et la common law permettent de concevoir.

Quand on le décrit de cette manière, je ne crois pas que le programme transsystémique ait changé de manière fondamentale ma façon d'enseigner. J'ai toujours abordé les questions de manière assez fonctionnelle, en parlant du problème et en examinant la règle de droit positif comme une solution parmi une foule de possibilités. Cela dit, la création du programme transsystémique a

élargi l'éventail des possibilités et a formalisé l'obligation de les analyser de manière critique et comparative.

Dans nos cours, on assiste maintenant à des conversations riches d'enseignements très concrets quant aux rapports humains que le droit tente de régir. Il en ressort aussi une grande liberté pour le professeur, qui permet un regard proprement universitaire sur le droit, détaché des contingences d'un système juridique donné. C'est à la fois très pragmatique et très théorique.

PZ : En septembre 2006, vous avez organisé une table ronde intitulée « Réinventer l'enseignement du droit ? L'harmonisation du droit européen et l'approche transsystémique ». Quels sont les points saillants que vous reprenez de cette discussion ?

DJ : La table ronde a été une formidable occasion de réfléchir aux liens entre les conditions et les grandes orientations de la formation juridique, d'une part, et la culture propre à chaque espace juridique, d'autre part.

L'un des constats les plus importants de cette journée, du moins pour moi, a été de voir à quel point notre programme d'enseignement intégré est le fruit de conditions historiques, politiques et institutionnelles uniques, fortement liées à l'évolution de la Faculté de droit de l'Université McGill. Il n'est pas du tout certain qu'un programme comme le nôtre puisse être transposé dans un autre cadre institutionnel et politique. En Europe par exemple, il exigerait qu'on surmonte les défis découlant d'une pluralité de langues, les aspects culturels très marqués de l'enseignement du droit et de l'organisation universitaire dans chaque juridiction, et les difficultés politiques liées à un projet controversé d'harmonisation du droit, dont il n'est pas question au Canada. Cela dit, il ressort aussi très clairement de nos échanges que la formation juridique offerte au sein d'une université ne peut s'accomplir que dans un programme qui met l'accent sur les idées plutôt que sur l'information.

Un programme véritablement universitaire ne peut se contenter de gérer la formation professionnelle des

« Pour moi, c'était l'enjeu principal du changement de programme : amener les étudiants et les étudiantes à se concevoir eux-mêmes comme appartenant à une pluralité de cultures juridiques. »

avocats et des avocates. S'il ne peut être exporté tel quel en Europe ou aux États-Unis, le programme transsystémique de notre Faculté de droit a néanmoins le grand mérite d'offrir un exemple de ce qui peut être réalisé quand on élargit la réflexion. Sur ce plan, nos succès ont fait une vive impression sur les Européens présents à la table ronde. C'est un dialogue qui a de fortes chances de continuer – d'ailleurs, nous organisons une autre table ronde pour l'automne prochain, afin d'aller encore plus loin dans l'examen des liens entre la formation juridique et les conceptions du droit qui s'entrechoquent à mesure que les frontières s'effacent.

PZ : Vous avez récemment gagné le prix John W. Durnford pour l'excellence en enseignement. Quels sont, d'après vous, les attributs d'un bon professeur de droit ?

DJ : Je suis ravi d'avoir remporté ce prix créé en l'honneur de John W. Durnford, qui pendant des décennies a transmis aux étudiants et étudiantes son extraordinaire enthousiasme pour le droit. Dans mon cas, je crois qu'il m'a été offert par les étudiants pour marquer une année où mon rapport avec la classe était particulièrement positif. Ça m'a beaucoup touché. Je ne sais pas si cela fait de moi un bon professeur de droit ou encore une personne qualifiée pour faire la liste des attributs d'un tel professeur.

Pour moi, bien enseigner se résume à trois choses : le respect, le rire et le doute. Le respect est une condition fondamentale pour soutenir un dialogue productif avec les étudiants et entre eux. Je valorise aussi l'humour. J'ai toujours aimé faire rire et le droit fournit des occasions multiples de rigolade. Les enjeux sociaux, les questions éthiques et morales, l'organisation des institutions, c'est déjà bien sérieux, mais il n'est pas nécessaire que ce soit ennuyeux.

Enfin, je tente chaque jour de déstabiliser mes étudiants. Pour moi, il ne suffit pas qu'ils finissent le cours en se disant « j'ai bien compris la matière aujourd'hui ». C'est essentiel d'en arriver là, bien entendu, mais j'ai toujours l'espoir qu'ils ajoutent « je n'avais jamais envisagé ce problème de cette manière. Il faudra que j'y réfléchisse encore. »

À mon avis, c'est le plus beau cadeau qui puisse venir d'un étudiant – du moins, tant qu'il ne sera pas possible sur le plan éthique d'accepter une grande bouteille de vin ou une paire de billets rouges pour un match des Canadiens.

« S'il ne peut être exporté tel quel en Europe ou aux États-Unis, le programme transsystémique de notre Faculté de droit a néanmoins le très grand mérite d'offrir un exemple de ce qui peut être réalisé quand on élargit la réflexion. »

ALL MY CLIENTS ARE INNOCENT

WENDY A. ADAMS



The Animal Legal Defense Fund, an animal advocacy organization, made the above – presumably ironic – claim in one of its early campaigns to educate lawyers and law students. Fortunately, while teaching animal law at the Faculty, I did not have to devise my own campaign.

The subject matter is relatively new to McGill, but we are joining a growing number of faculties and scholars who have come before us.

Animal law is amenable to different pedagogical approaches. I call my course “Animals, Persons and Legal Relations” to reflect what I think is the most significant aspect of the subject. Studying the place of animals in civil and common law is a way to examine how law divides entities into subjects and objects, then structures relationships between them.

The legal status of animals as property – as captive objects in relation to autonomous subjects – challenges our assumptions of law as a rational discipline. Animals are unique because they are the only sentient objects of property in law. This has not always been the case, but memories of a time when animals were not the only living, breathing objects of property do not encourage belief in the coherence of a legal system that purports to deny the existence of life in its classification system.

Animals as the quintessential “other” also provide a unique opportunity to re-evaluate equality as a fundamental legal concept, equality in the sense of being equal before the law and deserving of

equal treatment by the law. Does a principled justification exist for limiting “human” rights to human beings? How significant, really, is the distinction we draw between formal equality, which is where we began, and substantive equality, the point to which we have now progressed? How relevant is any distinction when the legal comparison to be made is not between persons, similarly situated or otherwise, but between persons and animals, separated by a line drawn by law, but which biology cannot confirm?

I don’t have the answers to these questions, at least not yet. This is why I am fortunate to have the opportunity to teach in this area. I work with a number of intelligent, thoughtful and engaged students from a wide variety of backgrounds, each with a unique interest in the course. I do not know how many vegans we have in the class, perhaps none. Perhaps some of us oppose using animals in scientific experiments; perhaps some of us obtained graduate degrees by doing exactly that. What we do have in common is our interest in animals and the law, an interest we share with what appears to be a steadily increasing number of students and scholars.

By the way, if anyone asks, yes, all our clients are innocent.

Wendy Adams teaches business law, animal law and IP Law. She is a member of the Centre for Intellectual Property Policy. At home, she enjoys the company of Frankie, an Italian Greyhound (pictured), and Toby, a Manchester Terrier.

SOME PLACES WHERE ANIMAL LAW IS TAUGHT TODAY

Dalhousie University	Columbia University	Yale
University of Alberta	Duke	Northwestern University
University of Victoria	Stanford	Oxford
UQAM	UCLA	

FACULTY HONOURS, AWARDS AND ANNOUNCEMENTS



Payam Akhavan

Payam Akhavan was appointed associate professor in 2006, following his residence at the Faculty as Boulton Senior Fellow. The author of numerous publications, including the *Report on the Work of the Office of the Special Adviser of the United Nations Secretary-General on the Prevention of Genocide* (2005), Professor Akhavan was instrumental in organizing a conference titled *Speaking the Unspeakable: A Conversation with Survivors of Three Genocides*, in April 2006 (see p.15).

In 2006, **Mark Antaki** received a three-year research grant from the Fonds québécois de la recherche sur la société et la culture (FQRSC) for his research project on the question of “Humanity as a Juridical Topic”. This work is a logical continuation of his doctoral research, which sought to formulate a genealogy of crimes against humanity.

En mars 2006, **Frédéric Bachand** a reçu une importante subvention de la Fondation canadienne pour l’innovation (FCI) pour son projet d’établir une base de données sur l’arbitrage commercial international. Son projet était l’un des rares au Canada qui aient été reçus dans la catégorie des sciences sociales et humaines. Quelques mois plus tard, la Fondation pour la recherche juridique lui a décerné le Prix Walter Owen 2006 pour son livre *L’intervention du juge canadien avant et durant un arbitrage commercial*, décrit par le jury comme «une explication claire, cohérente et documentée de l’arbitrage commercial international» et «une contribution originale et précieuse à un champ de droit à la fois difficile et important».

Adelle Blackett was appointed a William Dawson Scholar by the University in January 2007 in recognition of her accomplishments as a teacher and scholar of trade and labour law. In September 2006, Professors Blackett and Christian Lévesque (HEC) brought together more than 30 talented local graduate students and interdisciplinary researchers from around the world for Mapping the Social in Regional Integration: Rethinking Labour Regulation, a trilingual international conference on transnational labour law.

Angela Campbell was awarded a research grant from the Social Sciences and Humanities Research Council to fund a research project entitled “Wives’ Tales: The Role and Meaning of Law for Women in Polygamy”. She hopes her project will contribute to a fuller under-



standing of the way in which formal law is understood by women living within a particular plural marriage community in Canada. It will provide a more substantial basis for assessing the viability of current legal approaches to questions about polygamy.

In May 2006, **Irwin Cotler** delivered the keynote address at Yeshiva University's 75th Annual Commencement Exercise and was awarded an honorary degree from Yeshiva for his work in international human rights, leadership and philanthropy. Professor Cotler spoke of Jewish Values and the Pursuit of Justice. In January 2007, Professor Cotler presented a Wallenberg lecture at the Faculty, titled "Human Rights in the 21st Century: The Legacy of Raoul Wallenberg?"

William Foster has been carrying on his work as Associate Provost (Policies and Procedures), serving the University at large. Professor Foster continues to teach Real Estate Transactions in the Faculty.

Last November in Ottawa, **Evan Fox-Decent** presented his paper "Parliamentary Privilege and the Rule of Law" at the 2006 Law and Parliament Conference: Accountability as a Pillar of Democratic Governing. In 2007-2008, he will teach the first Spanish-language course in the history of the Faculty, in connection with an initiative to open the Faculty to Latin American concerns.



Fabien Gélinas

En février 2007, **Fabien Gélinas** a été nommé vice-doyen à la recherche. Parmi ses responsabilités, il coordonnera les différents programmes de recherche menés à la Faculté de droit, afin de soutenir les efforts des chercheurs et d'accroître le rayonnement de leurs travaux.

At a ceremony held in November 2006 at the Quebec National Assembly, **H. Patrick Glenn** received the Prix Léon-Gérin. Awarded to a researcher in the social sciences, the Prix Léon-Gérin is one of 11 prestigious Prix du Québec presented annually by the Quebec government to scientists for outstanding contributions to their field or in honour of an illustrious career. The jury cited Professor Glenn's exceptional contribution to comparative law in an era where globalization and the abolition of borders have required a redefinition of the discipline. In particular, they drew attention to his seminal book, *Legal Traditions of the World* (Oxford University Press, 2000; 3rd ed., 2007), as well as his most recent publication, *On Common Laws* (2005).

Robert Godin, in addition to his long-standing commitment to teaching Civil Law Property, is one of a group of professors, including **Richard Janda** and **Jaye Ellis**, who have embraced the law and the environment in their teaching. He is preparing a new research seminar dealing with issues of environmental law from a trans-systemic perspective in 2007-2008.

Ram Jakhu was elected Chairman of the Legal & Regulatory the Committee by International Association for the Advancement of Space Safety (IAASS). Established in 2004 in the Netherlands, the IAASS is a non-profit association dedicated to furthering international cooperation and scientific advancement in the field of

space systems safety. The association promotes the development of space safety professionals and standards, and advocates the establishment of safety laws and regulatory bodies for the civil use of space. This distinguished nomination reaffirms the international recognition of the Institute of Air and Space Law and its unique expertise.

Pierre-Gabriel Jobin, qui enseigne un cours trans-systémique sur le droit de la vente, travaille actuellement à préparer la 3^e édition de son important livre, *La vente*. Il dirige le programme de stages judiciaires et de cliniques juridiques pour les étudiants au premier cycle.



Pierre-Gabriel Jobin

In May 2006, the McGill Alumni Association held its annual Honours and Awards Banquet. McGill governor **Kappy Flanders** received a Special Recognition Award as thanks for her outstanding work with the association in establishing the 'Mini' public education programs, including the successful Mini-Law series.

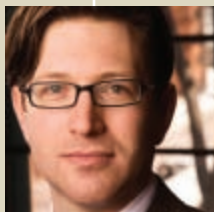
The same event also saw **Dean Nicholas Kasirer** accept the David Johnston Award for his exemplary work on behalf of the McGill Alma Mater Fund. Also, in July 2006 in Utrecht, the International Academy of Comparative Law elected **Dean Kasirer** as Titular Member during its Congress.

In a feat that will not be matched anytime soon, **Dennis Klinck** returned from sabbatical in possession of the Law Society of Saskatchewan Gold Medal – for graduating at the top of his class! The College of Law of the University of Saskatchewan began awarding the medal in 1986, and current dean W. Brent Cotter decided quite rightly that medals also ought to be granted to pre-1986 top graduates such as Professor Klinck, who graduated in 1982.



Dennis Klinck

McGill Law graduate **Robert Leckey** joined the Faculty in July 2006 as assistant professor. In fall 2006, he was awarded the Alan Marks Medal at the University of Toronto for best law thesis. Professor Leckey's thesis examines *The Emergence of the Contextual Legal Subject in Family and Administrative Law: An Inquiry into Relational Theory*. It will be published next year by the University of Toronto Press.



Robert Leckey

In October 2006, **Roderick A. Macdonald** was mandated by Quebec Justice Minister Yvon Marcoux to head an expert panel that will examine whether the government should take any measures to prevent Strategic Lawsuits Against Public Participation (SLAPPs). SLAPPs are usually defamation lawsuits filed by corporations attempting to limit public debate and stifle criticism by non-governmental organizations or citizen lobby groups, who usually do not have the financial resources to defend themselves. In April, Professor Macdonald was presented with a Killam prize, Canada's most distinguished annual award for outstanding career achievement in research. The Killam Prize comes on the heels of his recognition as a Fellow of the Trudeau Foundation in 2004. ▶



Frédéric Mégret



Armand de Mestral

► **Frédéric Mégret** was invited in February 2007 to give a lecture at the NYU Center for Human Rights and Global Justice titled *The Security Council and Human Rights*. He was also part of the launch of a five-year project financed by the Flemish government titled “The discretion of prosecutors before international criminal tribunals”.

Armand de Mestral s’est vu décerner la Médaille Paul-André Crépeau 2006 par l’Association du Barreau canadien (Division Québec). Lors d’une cérémonie tenue à Montréal, le président, M^e Louis Brousseau, a chaleureusement décrit l’importance des travaux du professeur de Mestral, en particulier ses contributions en droit international. À son tour, Armand de Mestral a expliqué combien McGill a été pour lui l’endroit idéal pour accomplir ce type de travail. Il a ajouté combien il était touché de recevoir une médaille qui rend hommage au professeur

Crépeau, «qui m’a donné mes premières leçons de droit.» La Médaille Paul-André Crépeau est conférée chaque année à un juriste canadien qui a contribué à l’avancement de la dimension internationale du droit privé et du droit commercial au Canada.

Tina Piper has been very busy: she was invited to speak at Oxford, and in London, Toronto, Banff and Vancouver on topics including e-science and collaborative networks, patent theory, and open source and open access approaches to intellectual property. She has been awarded grants as a co-investigator to study representations of biotechnology in the media (from CIHR) and the intellectual property implications of improvisation (SSHRC). Professor Piper is also continuing her work as co-director of Creative Commons Canada and has taken a leading role in an interdisciplinary intellectual property course involving professors of Law, Music and Management at McGill.

Marie-Claude Prémont a suivi de près les interprétations juridiques et les retombées politiques de la décision Chaoulli de la Cour suprême du Canada concernant le rôle de l’assurance privée dans le domaine de la santé. Elle a prononcé l’allocution d’ouverture de la Conférence sur le rôle du privé en santé, en réponse au jugement Chaoulli, en février 2006. Elle est intervenue sur de multiples tribunes à travers le Québec et le Canada. Elle s’est également entretenue avec le ministre de la Santé du Québec, Philippe Couillard, lors de la présentation de son analyse du projet de loi 33 devant la Commission des affaires sociales en avril 2006.

CE N’EST QU’UN AU REVOIR, PATRICK FORGET



Directeur adjoint du Centre de recherche en droit privé et comparé du Québec depuis juillet 2006, Patrick Forget, LL.M., joue avec les mots du droit depuis février 2001. Ce chercheur à la plume généreuse a commencé à débusquer le sens juridique de la quittance, du récépissé, puis des contrats nommés en marge de ses études de maîtrise. C’est son travail d’étudiant, comme il se plaît à dire, qui l’amène aujourd’hui à chausser de bien grands souliers : d’abord ceux d’expert en jurilinguistique et ensuite ceux de Mathieu Devinat (professeur à l’Université de Sherbrooke), d’Élise Charpentier (professeure à l’Université de Mont-

réal) et de France Allard (experte en droit comparé au ministère fédéral de la Justice), lesquels comptent tous parmi ses prédécesseurs au poste de directeur adjoint du Centre.

En 2003, Patrick Forget a mené de front la rédaction du *Dictionnaire du droit des obligations* (2003), dont il a été l’un des principaux artisans, et l’écriture de son mémoire de maîtrise, aujourd’hui remanié et publié chez Liber (*Sur la manifestation - le droit et l’action collective*; 2005). Entre 2004 et 2005, un deuxième séjour de coopération internationale lui a donné la piqure de l’Afrique. Au retour, ce touche-à-tout impénitent a repris le collier au Centre et, pour un temps encore, figole, avec l’aide de sa précieuse équipe de chercheurs, les dernières entrées du *Dictionnaire du droit des biens*, parmi lesquelles destination et revendication le font rêver...

PUBLICATIONS



YAËLL EMERICH

La propriété des créances : approche comparative.
Éditions Yvon Blais (Cowansville)
et LGDJ (Paris), 2006. 606 pages.



LARA KHOURY

Uncertain Causation in Medical Liability.
Éditions Yvon Blais (Cowansville) and
Hart Publishing (Oxford), 2006. 256 pages.



DESMOND MANDERSON

Proximity, Levinas, and the Soul of Law.
McGill-Queen's University Press, 2006.
280 pages.



STEPHEN SMITH

Atiyah's Introduction to the Law of Contract, 6th ed.
Oxford University Press (Clarendon
Law Series), 2006. 480 pages.



WILLIAM TETLEY

The October Crisis, 1970: An Insider's View.
McGill-Queen's University Press, 2006.
310 pages.



SHAUNA VAN PRAAGH

Hijab et kirpan. Une histoire de cape et d'épée.
Presses de l'Université Laval. Collection
Mercure du Nord/Verbatim, 2006. 56 pages.



Nandini Ramanujam

Nandini Ramanujam was appointed Executive Director of the Centre for Human Rights and Legal Pluralism in July 2006. Dr. Ramanujam is a trained economist with considerable experience in the fields of higher education, development and human rights. She is currently hard at work planning The Global Conference on the Prevention of Genocide, sponsored by Gordon and Penny Echenberg and their family, to

be held at McGill next October (see p. 31).

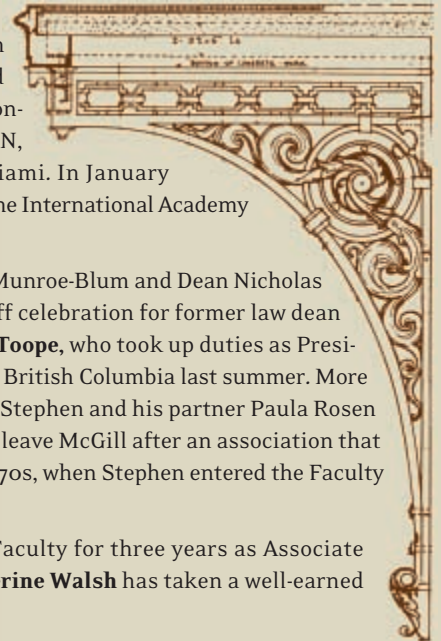
Associate Dean **Geneviève Saumier** is leading a review of the Faculty's undergraduate program, focusing particularly on the evolution of the transsystemic curriculum and students' time to completion. The process will also consider the joint Law/MBA and Law/MSW programs, as well as the Majors and Minors, with a view to improving the multidisciplinary dimensions of those options within the Faculty's law curriculum.

Ron Sklar has taken on the US Constitutional course this year, while continuing his long-standing commitments of advising the moot teams for the Sopinka Cup and the Gale Cup with great results (see p. 23).

In 2006, **Lionel Smith** presented research on the law of trusts and unjust enrichment at conferences in London, ON, Brisbane, Banff and Miami. In January 2007, he was elected to the International Academy of Estate and Trust Law.

Principal Heather Munroe-Blum and Dean Nicholas Kasirer hosted a send-off celebration for former law dean and professor **Stephen Toope**, who took up duties as President of the University of British Columbia last summer. More than 100 guests wished Stephen and his partner Paula Rosen well as they prepared to leave McGill after an association that dates back to the late 1970s, when Stephen entered the Faculty as a student.

After serving the Faculty for three years as Associate Dean (Academic), **Catherine Walsh** has taken a well-earned sabbatical.



ON THE ETHICAL WALLABY



Margaret Somerville

In October, one of McGill's own drew audiences from across the country for a prestigious Canadian event. Professor Margaret Somerville, founding director of the McGill Centre for Medicine, Ethics and Law, delivered the CBC-sponsored Massey Lectures. In this annual lecture series, a distinguished Canadian or international scholar is invited to speak on a political, cultural or philosophical topic.

Somerville's lectures were titled *The Ethical Imagination: Journeys of the Human Spirit*, which is also the name of her latest book. In them, she discussed the idea of finding a shared code of ethics for an interdependent world.

"You've signed on for a journey of the human spirit," she told the crowd at the Mount Royal Centre in Montreal during the first of her five lectures, "at the end of which you'll have many more questions than you came with. I'm here to help you find the questions, not to give you the answers."

Somerville explained that she was "going on the ethical wallaby", a reference to the distinctly Aussie expression "going on the wallaby". This was coined in the Great Depression when unemployed men followed wallaby trails from homestead to homestead looking for work, because the wallabies always knew where the water was. Much like going on the original wallaby, Somerville's ethical quest is meant to get us off the beaten path, in this case the one laid down by religion-based faith and linear reason, with the goal of establishing a shared system of ethics.

Following her Montreal appearance, Somerville went on to address audiences in St. John's, Vancouver, Calgary and Toronto. The lectures were also broadcast on CBC's national radio program *Ideas* in November 2006.



NEW FACES AT THE FACULTY

PAYAM AKHAVAN

Professor Akhavan teaches and researches in the areas of public international law, international criminal law and transitional justice. His work focuses on human rights and multiculturalism, war crimes prosecutions, UN reform and the prevention of genocide. Professor Akhavan was the first Legal Advisor to the Prosecutor's Office of the International Criminal Tribunals for the Former Yugoslavia and Rwanda, and he played a key role in the development of its foundational jurisprudence. A Harvard graduate who was a teaching fellow at Yale before coming to McGill, Professor Akhavan has considerable experience in post-conflict peace-building and international dispute settlement, having advised the UN on transitional justice. He has appeared as counsel before international courts and tribunals on behalf of sovereigns, and sat on boards of directors of human rights NGOs, including the Iran Human Rights Docu-

mentation Centre in New Haven, of which he is also the president and co-founder. Professor Akhavan is a world-wide leading scholar in human rights and international law, and was recently selected as a Young Global Leader by the World Economic Forum because of his contributions to accountability for human rights violations.

KIRSTEN ANKER

Professor Anker teaches in the areas of property and Aboriginal peoples and the law. Her research combines property, Aboriginal title, translation studies, education, anthropology, legal theory, evidence and alternative dispute resolution. She is interested in studying law as a lived human practice and has written about anthropological and social-scientific approaches to law, aesthetics in proof of native title and the intersection of normative orders in colonial states. Holding undergraduate degrees in Physics and Law from the University of

Sydney, Professor Anker was a Boulton Fellow at McGill in 2004 and a visiting Lecturer at the London School of Economics' Faculty of Law in 2006. She is currently one of the principal researchers on a project in partnership between the McGill Faculty of Law and Justice Canada, investigating the inclusion of indigenous legal traditions in the transsystemic program at McGill.

YAËLL EMERICH

La professeure Emerich s'intéresse particulièrement au droit civil, notamment au droit des biens, ainsi qu'à la théorie du droit et aux rapports entre droit et langue. Elle enseigne actuellement le droit des biens et le droit des sûretés. Ayant travaillé au Centre de droit privé et comparé du Québec en tant que directrice de projet de 2003 à 2006, elle continue à faire partie du Comité de rédaction du *Dictionnaire de droit privé/Private Law Dictionary*. Elle a récemment soutenu sa thèse de doctorat, en co-tutelle à l'Université de Lyon III et l'Université de Montréal, intitulée *La propriété des créances – Approche comparative*. Sa thèse a été inscrite sur la Liste d'honneur du doyen et a remporté le prix Minerve, ainsi que le prix de l'Association des professeurs de droit du Québec.

ROBERT LECKEY

Professor Leckey, BCL/LLB'02, teaches contractual obligations and family law, and conducts research in family law, administrative law and constitutional law. Following a Gold Medal from Queen's as an undergraduate in English literature, he worked in research and government relations in the financial services industry. He was editor-in-chief of the *McGill Law Journal* and he clerked for Justice Bastarache of the Supreme Court of Canada. From 2003 to 2006, he undertook doctoral studies in law at the University of Toronto as a Trudeau scholar. In 2005-2006, he worked as a visiting scholar at the Centre de recherche en éthique de l'Université de Montréal (CRÉUM). He has been a member of the Law Society of Upper Canada since 2003 and is a member of the Legal Issues Committee of Égale Canada.

PIERRE-EMMANUEL MOYSE

Le Dr Pierre-Emmanuel Moysse fut nommé boursier Wainwright junior 2006-2007, un poste dont la création émane du Fonds Wainwright, mis sur pied en vertu des dernières volontés de feu Arnold Wainwright, BA 1899, BCL 1902, DCL 1963. Le Dr Moysse a pratiqué pendant plusieurs années au sein du cabinet d'avocats Léger Robic Richard et agit actuellement à titre d'avocat principal dans la cause *Euro-Excellence c. Kraft Canada*, récemment entendue par la Cour suprême du Canada. Il s'intéresse à l'histoire du droit et à l'étude des régimes de biens (propriété intellectuelle, droit des biens). En juin 2006, il a défendu sa thèse de doctorat – *Le droit de distribution électronique* – laquelle s'est classée dans le premier 10 % des meilleures thèses présentées à la Faculté de droit de l'Université de Montréal. Sa thèse sera publiée par Yvon Blais. Pierre-Emmanuel Moysse enseigne le droit des biens et la preuve civile.



Debout : Yaëll Emerich, Helge Dedek, Pierre-Emmanuel Moysse, Payam Akhavan. Assis : Robert Leckey, Kirsten Anker.

NEW FELLOWS

HELGE DEDEK

Dr. Helge Dedek has been named the 2006-2007 Boulton Fellow. The Boulton Fund was established in 1983 under the terms of a bequest of the late A. Maxwell Boulton, QC, BA'30, BCL'33. Dr. Dedek has recently completed his doctoral studies at the University of Bonn in the summer of 2006, and previously obtained an LLM

degree from Harvard Law School as a Langdon H. Gammon Fellow in 2004. In the course of his legal studies, he has held several scholarships from institutions such as the German National Merit Foundation and the ZEIT Foundation (Bucerius Program). Before completing his graduate work, he practised with the Chamber of Civil Law Notaries in Cologne, Germany, primarily in the fields of corporate law and real estate transactions. Dr. Dedek has published in the areas of European private law, in particular the law of obligations, comparative law, comparative legal history and Roman law.



Donovan Waters, Dean Kasirer
and Louise Fréchette.

OUR NEWEST DOCTORS HONORIS CAUSA

At its spring 2006 Convocation, the Faculty awarded honorary doctoral degrees to Louise Fréchette and Donovan Waters for their lifetime contributions to law.

Louise Fréchette a joué un rôle clé dans les activités de maintien de la paix des Nations Unies, ainsi que dans l'organisation du Secrétariat de l'ONU. Elle a été la première vice-secrétaire générale des Nations Unies, poste qu'elle a occupé de 1998 à 2006. Durant sa longue carrière de diplomate et de fonctionnaire, M^{me} Fréchette a acquis une réputation internationale en ce qui a trait à l'aide humanitaire, aux questions environnementales, à l'aide apportée aux personnes atteintes du sida et à la sécurité internationale.

Donovan Waters is a leading international expert in trust law and the author of several texts, including *The Law of Trusts in Canada*. Before joining McGill's Faculty of Law in 1967, he taught at the universities of Oxford, London, Chicago and Saskatchewan. He was appointed Gale Professor of Law at McGill in 1974, leaving three years later to teach at the University of Victoria where, in 1996, he was named Emeritus Professor. With an international reputation as an expert on common law and equity, Professor Waters twice represented Canada at the Hague Conference on Private International Law. At Convocation, his role as one of the founding teachers of the National Programme was highlighted.

F.R. SCOTT AWARDS

In 2006, two eminently worthy recipients were honoured with the F.R. Scott Award for Distinguished Contribution. The prize, created by the Faculty of Law and its Advisory Board to pay tribute to those who have provided exceptional service and leadership to the Faculty, was awarded to the **Hon. Mr. Justice Morris Fish** and the **Hon. Mr. Justice Frank Iacobucci**.

Guests gathered in March 2006 in the atrium of the Faculty of Law to celebrate the career and accomplishments of Mr. Justice Fish. During his distinguished career, he was called to no fewer than three bars before being appointed QC in 1984. He was appointed to the Supreme Court of Canada in 2003. He taught criminal law for many years at the Faculty and remains to this day one of our adjunct professors. In 1997, he spoke at his daughter Laura's graduation from McGill's Faculty of Law. She returned the favour at this event, delivering a moving tribute to her father.

In November 2006, a second event was held at the Royal Ontario Museum in Toronto to celebrate the contributions of Mr. Justice Iacobucci, who retired from Canada's Supreme Court in 2004. He was appointed to the court in 1991 after an extraordinary career, which included serving as Dean of Law and Provost of the University of Toronto, as Deputy Minister of Justice, and as Chief Justice of the Federal Court of Canada. Shauna Van Praagh, a close friend and professor at the Faculty, addressed the crowd and spoke glowingly of the honouree.

On June 6, 2007, Professor William Tetley will be presented with the F.R. Scott Award at a reception at the Faculty. If you wish to attend, contact Maria Marcheschi at (514) 398-1435 or maria.marcheschi@mcgill.ca.



Mr. Justice Frank Iacobucci (centre), with Mr. Justice Morris Fish, Mrs Nancy Iacobucci, Prof. Shauna Van Praagh and Dean Kasirer, after receiving the F.R. Scott medal.

PAST CONFERENCES AND EVENTS

A SAMPLING OF SOME OF THE INNOVATIVE CONFERENCES AND SPECIAL LECTURES OVER THE LAST YEAR.

MARCH 2006

MEREDITH LECTURES

Organized by the CIPP, the 2006 Meredith Lectures addressed intellectual property. More than 20 renowned speakers, including **David Vaver** of Oxford University and **Simon Anholt**, a specialist in place-branding, discussed the place of IP law in regulating information production in the arts, social sciences and sciences. Six panels of lawyers, policy makers and business people examined practical issues affecting IP systems through a transsystemic lens. McGill Law participants included **Richard Gold**, **Sunny Handa**, **David Lametti**, **Tina Piper** and **Catherine Walsh**.

APRIL 2006

SPEAKING THE UNSPEAKABLE: A CONVERSATION WITH SURVIVORS OF THREE GENOCIDES

Pagam Akhavan hosted a panel of genocide survivors from the Holocaust, Cambodia, and Rwanda. Through their moving stories, **Hédi Fried**, **Youk Chhang** and **Esther Mujawayo** grappled with unanswerable questions: what does it mean to be a survivor? How does one make sense of radical evil? Can human rights discourse — or language — adequately capture the gravity of such an experience? And, ultimately, is justice possible?

Dean **Nicholas Kasirer**, Her Excellency **Ingrid Iremark**, Ambassador of Sweden

to Canada, and **Sabine Nölke**, a Deputy Director at the UN, welcomed the speakers and gave the opening remarks. Professor **Colleen Sheppard**, Director of Research at the Centre for Human Rights and Legal Pluralism and the Honourable **Irwin Cotler** concluded the presentations.

Hédi Fried, **Youk Chhang** and **Esther Mujawayo** will return to Montreal this fall to speak at the Global Conference on the Prevention of Genocide (see *Conférences à venir* in this section).

JUNE 2006

WORKSHOP ON POLICY AND LAW RELATING TO OUTER SPACE RESOURCES: THE EXAMPLE OF THE MOON, MARS & OTHER CELESTIAL BODIES

Organized by the Institute of Air and Space Law and the International Institute of Space Law (IISL), this forum analysed issues at the nexus of law, policy, economics, technology and environmental sciences. Experts discussed the ideologies behind the law of outer space. They also examined the incentives and increased interest in the exploration and use of the moon, Mars and other celestial bodies, with emphasis on the role of private enterprise. Among their aims was the promotion of international cooperation for maintaining outer space for peaceful uses.

JULY 2006

COMPARATIVE LAW IN UTRECHT

Members of the Faculty participated prominently in the 17th Congress of the International Academy of Comparative Law, held last year in Utrecht.

Faculty participants included **Madeleine Cantin Cumyn**, **Jane Matthews Glenn**, **H. Patrick Glenn**, **David Lametti**, **Fabien Gélinas**, **Daniel Jutras** and **Patrick Healy**. Professor H. P. Glenn was a general rapporteur for the study on National Traditions and Historical Backgrounds. He and Professor Cantin Cumyn also were called upon to chair sessions during the conference.

SEPTEMBER 2006

TERMINOLOGIE ET MODÈLES PROPRIÉTAIRES AU XXI^e SIÈCLE

Organisé par **Jean-Guy Belley**, **Nicholas Kasirer** et **Yaëll Emerich** et présidé par **Paul-André Crépeau** du Centre de recherche en droit privé et comparé du Québec, l'événement a fait état des questionnements linguistiques relativement aux modèles propriétaires actuels et s'est penché sur l'avenir du droit privé canadien dans une optique bilingue et bijuridique. Les travaux des participants permettront éventuellement de déve-

opper des outils pédagogiques ayant une perspective transsystemique.

Outre de nombreux membres de la Faculté, on comptait parmi les éminents participants **Marie Cornu** (Poitiers-Paris), **Laurent Pfister** (Université Versailles Saint-Quentin), **Isabelle de Lamberterie** (Poitiers-Paris) et **France Allard** (ministère de la Justice du Canada), ainsi que des membres d'autres facultés de droit du Québec.

ROUND TABLE ON TRANSSYSTEMIC LEGAL EDUCATION

Christophe Jamin (Institut d'études politiques, Paris), **Ruth Sefton-Green** (Université Paris 1, Panthéon-Sorbonne), **Franz Werro** (Fribourg), **Gerhard Dannemann** (Humboldt University, Berlin) and **Lionel Smith** (McGill) discussed recent developments in the harmonization of European Law and assessed the possibility of a McGill-inspired program of undergraduate legal studies for Europe. A 'lesson' on unjustified enrichment was used as an example of transsystemic teaching.



Le professeur émérite Paul-André Crépeau en conversation avec Isabelle de Lamberterie, directrice de recherche au Centre d'études sur la coopération juridique internationale (CECOJI) à Poitiers-Paris

CONFÉRENCES À VENIR À INSCRIRE À VOTRE AGENDA...

INTERNATIONAL AVIATION: THE WAY FORWARD ON SAFETY, SECURITY & THE ENVIRONMENT

SEPTEMBER 14-16, 2007

The Institute of Air and Space Law will host a major international conference in Montreal on aviation safety, security and the environment in September 2007. The event immediately precedes the 35th General Assembly of the International Civil Aviation Organization (ICAO) and several hundred delegates from around the world are expected to attend.

Industry, legal, financial, governmental and academic experts from around the world will address the issues facing commercial aviation today. Panels will address cutting-edge issues in aviation technology, law and policy surrounding security, safety and sustainable development.

For more information or registration, please contact **Maria D'Amico** at the Institute of Air and Space Law by phone (514-398-5095) or email (maria.damico@mcgill.ca)



Installations from *Ethics of Encounter*, an exhibition curated by Sandra Buckley and Lorraine Oades during the Levinas conference.

Organized and hosted by McGill's **Daniel Jutras**, this event is a prelude to the International Workshop on Transsystemic Legal Education to be held at the Faculty of Law in the fall of 2007.

CENTENNIAL CONFERENCE ON LEVINAS AND LAW

Desmond Manderson organized a multidisciplinary conference on the occasion of the centenary of philosopher Emmanuel Levinas. The event attracted over 100 scholars from around the world and from a range of disciplines – law, philosophy, ethics, theology, anthropology, Jewish studies, politics, communications and more. The varied and extensive program included presentations on aesthetics, jurisprudence, reconciliation, politics and law by over 55 speakers.

The conference opened with the vernissage of the *Ethics of Encounter*, an exhibition composed of interactive installations, audio-video works and photographs by ten artists. Curated by Sandra Buckley and Lorraine Oades, the exhibi-

tion was designed to complement the conference.

AIR NAVIGATION: FLYING THROUGH CONGESTED SKIES

The Institute of Air and Space Law and the International Civil Air Organization (ICAO) held an international event in late September 2006. Their symposium on business, finance, technology, regulation and policy governing air navigation systems brought together experts from all over the world. Participants discussed potential solutions to the most pressing problems facing aviation, such as the rapid growth of air traffic. The Faculty was represented by **Paul Dempsey**, **Richard Janda** and **Michael Milde**, as well as by adjunct professors **Roderick Margo** and **Francis Schubert**.

OCTOBER 2006

LE POUVOIR JURIDIQUE

Madeleine Cantin Cumyn, professeur titulaire de la chaire Arnold Wainwright en droit civil, présentait en octobre la conférence Arnold Wainwright à la Faculté. Élegante et rigoureuse, son étude a exa-

miné la notion du pouvoir juridique en contraste au droit subjectif dans la tradition civiliste. S'appuyant sur des exemples tirés de l'ensemble du droit privé, et notamment du droit de l'administration du bien d'autrui, **Madeleine Cantin Cumyn** a proposé la première théorie globale du pouvoir juridique pour le droit civil du Québec, voire pour la tradition civiliste à travers le monde.

JANUARY 2007

YOUNG SCHOLARS CONFERENCE

The Young Scholars' Conference proved a great success in bringing together recently appointed law professors from



Professors **Ravi Malhotra** (Ottawa), **Angela Campbell** (McGill), **Natasha Bakht** (Ottawa) and **Robert Leckey** (McGill) at the Young Scholars Conference, held at the Faculty on January 24, 2007

across Canada. The event, organized by professors **Robert Leckey** and **Hoi Kong BCL/LLB'02** (now teaching at Queen's), provided a forum for young law professors to discuss the joys and challenges of the early years of teaching.

Twenty-three law professors from five faculties presented, including **Mark Antaki**, **Evan Fox-Decent**, **Lara Khoury**, **Frédéric Mégret**, **Jaye Ellis**, **Kirsten Anker**, **Angela Campbell** and **Robert Leckey** from McGill.

FEBRUARY 2007

THE CHARTER @ 25

Hosted by the McGill Institute for the Study of Canada, this conference was billed as the definitive conference on the Charter of Rights and Freedoms as it reaches the quarter-century mark. Nearly 300 participants filled the Omni Mont-Royal and many of the Faculty's own were on hand. Dean **Nicholas Kasirer** participated in a panel dealing with the framing of the Charter, while **Colleen Sheppard** intervened on the Charter and equality. **Roderick Macdonald** entered the fray as a panellist, discussing citizenship and the Charter, while **Irwin Cotler** spoke on the Charter and security.

CONFÉRENCES À VENIR À INSCRIRE À VOTRE AGENDA...



THE GLOBAL CONFERENCE ON THE PREVENTION OF GENOCIDE OCTOBER 11–13, 2007

ECHENBERG FAMILY
CONFERENCE ON HUMAN RIGHTS
MCGILL UNIVERSITY

The Centre for Human Rights and Legal Pluralism will hold the first Echenberg Family Conference on Human Rights: *The Global Conference on the Prevention of Genocide* on October 11–13, 2007 in Montreal (see p. 31).

Speakers at the inaugural conference will include Senator **Roméo Dallaire**, former leader of the UN peacekeeping force in Rwanda; Professor **Irwin Cotler**,

currently MP (Mount Royal) and former Minister of Justice of Canada; **Juan E. Méndez**, United Nations Special Adviser on the Prevention of Genocide; Nobel laureate **Wole Soyinka** of Nigeria; **Martha Minow**, Professor of Law, Harvard; and **Benedict F. Kiernan**, Director of the Genocide Studies Program at Yale. A number of genocide survivors will also be in attendance, to offer personal narratives and perspectives.

In the week preceding the Conference, the *International Forum for Young Leaders* will provide students from around the world with the opportunity to meet with some of the distinguished speakers and debate key issues surrounding genocide.

For more information, visit efchr.mcgill.ca.



Michael Milde retired in 2006 from the Faculty of Law at the age of 75. He is an accomplished scholar, teacher, lawyer, and a gentleman.

Born in Prague, Czechoslovakia, he earned three law degrees from Charles University and became associate professor of private international law, comparative and commercial law. In Prague, he served as an arbitrator of the Chamber of Commerce in international commercial litigation, and as a general average adjuster for maritime insurance claims. Like many intellectuals, Dr. Milde fled communist Czechoslovakia in the mid-1960s and made Montreal his new home.

A highly respected international lawyer and dedicated international civil servant, Dr. Milde served in senior legal positions in the International Civil Aviation Organization (ICAO), including as its Principal Legal Officer and as Director of the

ICAO Legal Bureau, from 1966 to 1991. This directorship is among the most prestigious legal positions in international aviation law anywhere in the world. In this capacity, Dr. Milde put his mark on many of the international treaties, protocols and conventions governing international aviation. During this period, he was frequently a guest lecturer at the Institute of Air and Space Law.

MICHAEL MILDE RETIREES

PAUL STEPHEN DEMPSEY

He is known among his students as an insightful, vigorous and dedicated teacher of public and private international air law.

He followed one distinguished career with another, as Director of the Institute of Air and Space Law for a decade (1989-1998). During that period, Dr. Milde refined and improved the Institute's academic curriculum. During his term, the Institute was awarded the prestigious Edward Warner Award by ICAO. For nearly a decade and a half (1989-2002), he was editor-in-chief of the *Annals of Air and Space Law*.

He is known among his students as an insightful, vigorous and dedicated teacher of public and private international air law. In Socratic dialogue and lectures, he challenged them to analyze critically the jurisprudence of international air law, and understand the meaning and nuances of the provisions of the Conventions. Over the years, he has supervised scores of theses authored by our students. In McGill's fabled history in the fields of air and space law, Michael Milde is to be counted among the Institute's most dedicated teachers and scholars.

Dr. Milde has travelled the world advising nations and clients, and lecturing at seminars and conferences. He is well known and respected in international aviation circles. Dr. Milde is also a scholar, having published many articles and several important books, including *International Air Carrier Liability: The Montreal Convention of 1999*, published by the Centre for Research on Air and Space Law. He is a regular contributor to the IASL's *Annals of Air and Space Law*.

Given his tremendous influence in public international law and his significant contributions to legal education, it is entirely appropriate that the Board of Governors of McGill University conferred upon Dr. Milde the status of Director Emeritus of the Institute of Air and Space Law in 2006.

To this author, Dr. Milde is a friend, colleague, co-author and learned mentor. We at the IASL appreciate his contributions to legal education at McGill and his insightful scholarship on the subjects of public and private international air law. His mark on the law, and on a generation of McGill students, is enduring. Well done, Michael.

Paul Stephen Dempsey is Tomlinson Professor of Global Governance in Air and Space Law and Director of the Institute of Air and Space Law at McGill University.

GREAT SCOTT!

PASCAL ZAMPRELLI

A GLIMPSE OF THE MAN BEHIND THE NEW STEPHEN ALLAN SCOTT SEMINAR ROOM

On November 3, 2006, a beautifully renovated room in Old Chancellor Day Hall was christened the Stephen Allan Scott Seminar Room. Judges, faculty, practitioners and students were on hand to witness the rebirth of the room, whose walls are now adorned with tributes to past faculty members of prominence, chosen mostly by Professor Scott himself. Among that evening's highlights was former dean Yves-Marie Morissette's address, a captivating — and sometimes riotous — tribute to the career of Stephen Scott. Dean Kasirer also made special mention of his colleague's devotion to McGill. "Stephen is in constant contact with his vast network of former students. His unswerving loyalty to the Faculty is a model to us all."

Stephen Scott, BA'61, BCL'66, is something of a legend at the Faculty of Law. This year marks his 50th at McGill — he began his General Arts degree here in 1957. He retired in 2002, but remains active at the Faculty as an emeritus professor. For scores of graduates, Professor Scott represents their first brush with Canadian constitutional law, a subject on which he is a passionate expert.

He is known not only for his expertise, but for a teaching style that was highly unorthodox or highly effective, or both, depending on whom you ask. In his teaching days, it was not uncommon to find him covered in chalk, shirt slightly untucked, banging loudly on the walls to emphasize a point. Students were often treated to spontaneous impersonations of judges or political leaders, or to some blackboard art (such as the infamous sketch of a "big lumbering brontosaurus" representing federal bureaucracy). Those in a quiet classroom next door would be left wondering what all the laughter and thumping was about.

Scott had a way of explaining things that was often succinct and witty, leaving you baffled for a moment — before realizing that you now understood the matter much more clearly. In explaining the difference between a superior court and the Superior Court, for example, Scott simply declared, "If you call a man Mr. Carrot, that doesn't make him a carrot."

This style, coupled with his grading methods, made him a controversial figure. "I am not

universally loved," he admits simply, recalling third-party accounts of former students who still go into convulsions when they hear his name.

The controversy surrounding him extends beyond McGill. His outspoken views — in particular his views on unilateral secession — have earned him a certain degree of fame with some and infamy with others. Those opinions even brought him a death threat on a radio call-in show, which he now laughs off, paraphrasing Descartes: "I am threatened with assassination, therefore I am." He has not only stirred important debates, but has contributed profoundly to them, whether acting as counsel on key constitutional cases or addressing parliamentary hearings.

Having achieved notoriety with the legal and political ruling classes, it would have been easy to move away from academia. It was in fact recommended in the past that Scott be appointed a judge, an opportunity he turned down to stay at McGill. Today, he looks back on that possibility, not with regret, "because I would never have done a lot of the really interesting and useful things I've done, or met a lot of the people I've known", but rather to ponder what sort of judge he would have been. His verdict? "If I was difficult then, I would have been impossible after five years, and intolerable after ten".

For all his endeavours outside the classroom, he has certainly left his mark in it. He explains that the best time to write was always after a heated debate in class, recalls with fondness the "zillions of fun exchanges" with students, and concludes "I owe to the student body most of my friends in the world". And when asked whether there is one thing he hopes every student took away from his class over the years, he replies, "That it was never dull". Rest assured, it never was.

*In his teaching days,
it was not uncommon
to find him covered
in chalk, shirt slightly
untucked, banging
loudly on the walls
to emphasize a point.*



NEWS FROM OUR CENTRES AND INSTITUTES



Richard Gold

THE CENTRE FOR INTELLECTUAL PROPERTY POLICY

The CIPP currently has 85 members on five continents, with researchers from a variety of disciplines. One of the Centre's largest research projects models

the interaction between IP and biotechnology innovation in a form usable by policy-makers. Under the direction of Professor Richard Gold, the Centre recently received a grant to help local community representatives in Kenya to better understand the business and social uses of IP. Currently, the CIPP is planning a 2008

workshop on technology transfer issues in Canada, addressing issues affecting university researchers. Lately, the Centre increased its outreach efforts by revamping its website, improving its visibility in the press and distributing a weekly newsletter (*IP News This Week*) to more than 500 subscribers. (www.cipp.mcgill.ca)

THE CENTRE FOR HUMAN RIGHTS AND LEGAL PLURALISM

The CHRLP celebrated its first anniversary by appointing Dr. Nandini Ramanujam as Executive Director. The Centre has expanded its membership with professors from Political Science, Anthropology and Geography, and welcomed its first two O'Brien Fellows, Maureen Duffy (USA) and Futsum Tesfatsion Abbay (Eritrea). A new research initiative, the Dialogues on Human Rights and Legal Pluralism series, kicked off with a talk by Rod Macdonald.

ADMISSION D'ANNIE MACDONALD LANGSTAFF AU BARREAU

UNE ENTREVUE AVEC M^{re} JULIE LATOUR, BÂTONNIER DE MONTRÉAL, GRÂCE À QUI ANNIE MACDONALD LANGSTAFF (1887-1975) A FINALEMENT ÉTÉ ADMISE AU BARREAU EN 2006



M^{re} Stéphanie Rivard, Lucien Bouchard et Julie Latour avec le doyen Kasirer.

Que représente Annie MacDonald Langstaff pour la profession aujourd'hui ?

Elle est une importante figure de symbole, et ce, à plus d'un titre. Elle incarne tout d'abord le courage de mener seule un combat d'avant-garde, ce qui est la quintessence même du rôle de l'avocat. Elle a également été le porte-étendard de toutes les femmes diplômées en droit de sa génération qui, pendant près de trois décennies, ne purent accéder à la profession d'avocate. Enfin, son parcours rappelle à la nouvelle génération le caractère somme toute récent de cette quête.

Qu'est-ce qui vous a motivée à proposer l'admission d'Annie MacDonald Langstaff au Barreau et l'octroi posthume de la médaille du Barreau ?

Il y a des êtres ou des choses que l'on porte en soi. C'est le cas pour moi avec Madame Annie MacDonald Langstaff. Elle fut une figure d'inspiration lors de mes études à la Faculté de droit. Un sentiment d'inachevé m'habitait quant au destin de cette femme que l'on avait en quel-

que sorte dépossédée de son avenir. Or, malgré le fait qu'elle n'ait pu accéder à la profession d'avocat, elle a contribué à enrichir le droit, notamment en étant l'auteur de l'un des premiers dictionnaires de terminologie juridique français-anglais. En outre, Annie Langstaff a su brillamment s'élever au-dessus des limites terrestres qu'on lui imposait, car elle s'est même faite aviatrice !

Je suis heureuse que nous puissions enfin fièrement l'appeler M^{re} Annie MacDonald Langstaff !

Vous avez reçu votre diplôme en droit en 1986. Comment la situation des femmes dans la profession a-t-elle évolué au cours des deux dernières décennies ?

Par un beau retournement des choses, le Québec, qui fut la dernière province à admettre des femmes à la pratique du droit, en 1941, est maintenant la juridiction en Amérique du Nord où l'on retrouve la plus grande proportion d'avocates, avec plus de 46 %. Le pourcentage des effectifs féminins est de 60 % chez les avocats admis

Si vous pouviez poser une question à M^{re} Langstaff, que serait-elle ?

Où avez-vous donc puisé tout ce courage ?

Vous avez également célébré le 65^e anniversaire de l'admission des premières femmes au Barreau.

La Faculté de droit et son doyen, Nicholas Kasirer, furent les hôtes d'une grande soirée commémorative que le Barreau de Montréal a tenue le 7 février dernier, afin de souligner le 65^e anniversaire, presque jour pour jour, de l'admission au Barreau de M^{es} Elizabeth Carmichael Monk et Suzanne Raymond-Filion.

Cette soirée visait à honorer les juristes pionnières dans toutes les sphères de la société, allant de la politique à la magistrature, en passant par le Barreau, les facultés de droit et les affaires. La plupart des pionnières du droit étaient présentes et McGill était fort bien représentée, notamment par les honorables Marie-Claire Kirkland, Marie Deschamps et Sylviane Borenstein, de

« Cependant, si les barrières à l'accès à la profession sont maintenant levées, celles à la pleine reconnaissance et à l'ascension aux postes de pouvoir tardent à tomber. »

depuis moins de dix ans. Au cours des deux dernières décennies, les femmes ont continué de prendre leur place dans la profession.

Cependant, si les barrières à l'accès à la profession sont maintenant levées, celles à la pleine reconnaissance et à l'ascension aux postes de pouvoir tardent à tomber. Ainsi, les femmes ne représentent que 15 % des associées dans les grands cabinets, et à peine plus de 25 % des effectifs de la magistrature. Ainsi, la quête de Madame Langstaff demeure d'actualité.

même que M^{re} Joan Clark, QC, et d'autres encore. Des étudiantes de la Faculté, M^{mes} Kara Morris et Ewa Krajewska, ont également pris la parole afin de représenter la relève.

M^{re} Julie Latour, BCL/LLB'86, est le 141^e bâtonnier du Barreau de Montréal et la troisième femme à accéder à ce poste. Elle est également avocate à la Direction des affaires juridiques de Loto-Québec.

The Centre has established a research planning group under the direction of Colleen Sheppard and is preparing grant applications for all its members. Finally, the CHRLP joined the Human Rights Working Group in organizing the John Humphrey Workshops, as well as talks with human rights lawyers Valérie Couillard and Gabriel Shumba, and Afghan-Canadian journalist Nelofer Pazira. The CHRLP is now busy organizing the upcoming Global Conference on the Prevention of Genocide, slated for October 2007 (see p. 15 and 31). (mcgill.ca/humanrights)

THE INSTITUTE FOR EUROPEAN STUDIES

In August 2006, the IES was designated a Centre of Excellence in European Studies by the European Commission and its triennial grant from the Commission was renewed for the third time. At the urging of both McGill and Université de Montréal, the IES will focus largely upon research, with a mandate to set up research groups. The Faculty of Law will lead a research project and organize colloquia on the harmonization of private law in Europe and transsystemic law teaching in

Canada. Armand de Mestral has been co-director of the IES since 2001. (www.iee.umontreal.ca)

THE INSTITUTE OF AIR AND SPACE LAW

The IASL, in cooperation with the Macau Civil Aviation Authority and the ADA-Administration of Airports, held a three-day intensive Introduction to Air and Space Law workshop, followed by a three-day international conference on Contemporary Issues in Air and Space Law in Macau (China), April 16-21, 2007. The event provided aviation, airport and air navigation lawyers and industry

executives with a "nuts and bolts" overview of the major legal principles governing international air law and space law. In September 2007, the IASL will be holding the International Aviation: The Way Forward on Safety, Security & the Environment conference in Montreal (see p. 14). (mcgill.ca/iasl)

LE CENTRE DE RECHERCHE EN DROIT PRIVÉ ET COMPARÉ DU QUÉBEC

Pour le CRDPCQ, 2007 s'annonce une année des plus fastes sous la direction du professeur Jean-Guy Belley. La Chambre des notaires ►

THE ANNIE MACDONALD LANGSTAFF WORKSHOPS

ANGELA CAMPBELL



Each year, McGill's Faculty of Law celebrates the spirited life and achievements of the late Annie MacDonald Langstaff through a series of workshops named in her honour. Langstaff was the first woman graduate of a law program in Quebec and the first female graduate of McGill's professional schools. She received her McGill BCL degree in 1914 with first-class honours.

Langstaff's heroic battle with the Bar of Quebec is well-known, sparked by the Bar's refusal to allow her to write its qualifying exams and enter the legal profession. She advocated for the admission of women to the Bar with perseverance until her efforts were met with success in 1942. While Annie MacDonald Langstaff never practised law during her lifetime, she was admitted to the Quebec Bar posthumously in September 2006, in celebration and recognition of her contributions to juridical life and scholarship in Quebec.

Inaugurated in 1988, the Annie MacDonald Langstaff Workshops provide a forum for the presentation of scholarly research and juridical insights on issues relating to social diversity, equality and access to justice. Last year, the Faculty welcomed the following scholars and jurists to present: Mariana Valverde (University of Toronto), Janet Halley (Harvard Law School), Lucie Lamarche (University of Ottawa), Margrit Eichler (Ontario Institute for Studies in Education at the University of Toronto), Martha Jackman (University of Ottawa) and David Lepofsky (founding president of the Canadian Association for Visually Impaired Lawyers).

Angela Campbell's main interests include family law, health law, and children and the law. Her current research focuses on state intervention in the family sphere, and the role of law in defining and identifying families, parents and spouses.

LE DROIT COMME DISCIPLINE SCIENTIFIQUE OUVERTE SUR LE MONDE



Isabelle Lemelin

La Faculté de droit est fière du rôle unique qu'elle joue dans le développement du droit comme discipline scientifique transcendant les frontières nationales et ce qu'elles représentent. Forte de son héritage et de sa place comme lieu de rencontre du droit international et de grandes traditions linguistiques et juridiques, la Faculté s'est naturellement donné pour thèmes structurants l'étude des traditions juridiques, du droit comparé et de l'internationalisation du droit.

Une quarantaine de projets de recherche individuels sont en cours de réalisation, avec un taux de financement externe plus élevé que jamais. En effet, le nombre de demandes de subventions auprès des organismes subventionnaires gouvernementaux (CRSH et FQRSC) croît et McGill jouit d'un taux de réussite exceptionnel. La Faculté a créé en 2005 un poste de coordonnatrice de la recherche, occupé par Isabelle Lemelin, pour épauler les professeurs dans les processus de financement. En 2007, la Faculté a nommé Fabien Gélinas à un nouveau poste de vice-doyen (recherche), qui poursuit ainsi la mission d'appui à la recherche qu'il avait entamée sous l'égide de l'Institut de droit comparé.

Parmi les projets récemment subventionnés qui ne sont pas autrement mentionnés dans ce numéro, relevons les bourses du Barreau qu'ont reçues Lara Khoury et Pierre-Gabriel Jobin pour les projets *Innovation biomédicale, santé et évolution du droit de la responsabilité* et *Le droit de la vente*; l'appui du CRSH (Aide aux ateliers et aux colloques de recherche) à Desmond Manderson pour la conférence sur Lévinas et le droit; ainsi qu'à Daniel Jutras (Fonds d'initiatives internationales) pour la table ronde *Pour un regard transsystémique sur le droit privé; faut-il repenser l'enseignement du droit*; et le financement du FQRSC qu'ont reçu Mark Antaki et Jaye Ellis, en tant que nouveaux professeurs-chercheurs, pour approfondir *L'humanité comme notion juridique* et *Le droit international constructiviste*. De plus, Adelle Blackett et Fabien Gélinas ont reçu d'importants montants par le CRSH pour leurs recherches sur le droit du travail et sur l'arbitrage du commerce transnational.

Outre ces nombreux succès individuels, plusieurs collaborations importantes ont été saluées par divers organismes subventionnaires, dont celle incluant Marie-Claude Prémont et le réseau de recherche en santé des populations du Québec sur l'assurance privée, celle de Shauna Van Praagh, Roderick Macdonald et Richard Janda avec plusieurs chercheurs du CRDP de l'Université de Montréal (*Théorie et émergence du droit, Peuples autochtones et gouvernance* et *Nouvelles formes de la gouvernance et de la régulation juridique*); celle de Fabien Gélinas avec des chercheurs du CRDP sur la cyberjustice et finalement celles de Richard Gold avec des chercheurs de l'UQÀM, de l'Université de Toronto et de l'Université de Guelph.



Jean-Guy Belley

► du Québec a cru bon de financer l'acquisition gratuite, par tous les étudiants de première et de troisième année dans toutes les facultés de droit du Québec, des exemplaires de l'*Édition critique du Code civil du Québec – The Civil*

Code of Québec, A Critical Edition, publiée au Centre sous la direction de Jean-Maurice Brisson et Nicholas Kasirer. La Chambre renoue avec sa longue tradition de soutien aux projets de recherche en droit civil fondamental à McGill avec l'octroi d'une subvention permettant au Centre d'engager un « chercheur notarial – Notarial

Scholar ». M^e Luc Plamondon, un expert du droit des assurances, est en résidence au centre pour travailler sur un traité de droit des rentes. L'équipe du Centre s'active aussi à compléter son grand projet de dictionnaire bilingue sur le droit des biens, grâce aux efforts du responsable du projet de jurilinguistique et directeur adjoint

du Centre, Patrick Forget, LL.M'04. D'ici la fin 2007, le Centre compte doter le projet des Dictionnaires d'outils informatiques qui faciliteront à la fois le travail et la consultation.

I am on sabbatical this year in Tunisia, where the African Development Bank has temporarily relocated, to research the relationship between trade relations and labour law in low-income regions. My time has been spent editing a book manuscript on the topic, co-editing a text on regional integration and labour regulation, and completing a few shorter publications. I have also given research presentations at the International Institute for Labour Studies in Geneva and the European University Institute in Florence. The time afforded by this first sabbatical to recharge, read widely and lay the groundwork for forthcoming research (notably on the role of international institutions in labour law reform in Africa) is proving invaluable!

Adelle

ADELE BLACKETT

Adelle Blackett is a William Dawson Scholar. She is currently studying the role of international persuasion in labour law reform in West Africa. She is also looking at the impact of trade liberalization on labour law reform in developing countries.

While on leave from the Faculty, I have been serving as a senior advisor at the National Judicial Institute (NJI), an organization devoted to the development and delivery of legal education for all of Canada's judges. On an annual basis, the NJI offers over 70 courses that integrate the teaching of substantive law with skills-based and social context education. The NJI also offers multiple opportunities for judges to engage in judicial education through electronic means, such as on-line courses, e-letters and electronic bench books. It has been a wonderfully enriching experience for me to work with judicial educators and members of Canada's judiciary, and I will return to the classroom at McGill ready to incorporate the judicial perspective in my courses.

Rosalie

ROSALIE JUKIER

Rosalie Jukier teaches and conducts research in comparative private law, obligations, and contracts, with a special interest in the law of remedies.

During my sabbatical, I have been working on the final phase of my interdisciplinary project, mapping out ways to shape intellectual property systems with a view to maximize innovation, create and maintain the ingredients necessary to conduct science research, and build mechanisms that assure fair access to existing and future technology. I have been meeting with academics, policy-makers, business people and NGOs around the world to discuss these issues. This has also been a great way to promote the work conducted at the CIPP and create links to support future research and training opportunities for undergraduate and graduate law students. Most recently, I have had the opportunity to go to the Global Forum on Health Research in Cairo, to the Cour de Cassation in Paris and to the World Bank in Washington.

Richard

RICHARD GOLD

Richard Gold is the Director of the Centre for Intellectual Property Policy. He teaches in the area of intellectual property and common law property, and his research centres on the nexus between technology, commerce and ethics, particularly with respect to biotechnology in the international context.



AROUND THE WORLD WITH OUR HUMAN RIGHTS INTERNS

MCGILL HAS A LONG TRADITION OF HUMAN RIGHTS EDUCATION AND INVOLVEMENT. IN THE SUMMER OF 2006, TEN LAW STUDENTS INTERNEED WITH NGOs AND TRIBUNALS FOR 12 WEEKS, EXPERIENCING AND CONTRIBUTING TO HUMAN RIGHTS WORK. THESE VENTURES HAVE BEEN INTEGRATED INTO THE ACADEMIC EXPERIENCE WITH ALUMNI SUPPORT THROUGH THE KNOWLEDGE AND OPPORTUNITY FUND FOR LAW. HERE'S WHAT SOME OF OUR STUDENTS HAD TO SAY ABOUT THEIR EXPERIENCES.



Children look out through the bars of a Phnom Penh-area prison. Women prisoners in Cambodia often have no option but to raise their children in prison (Jacob Wilson)



Stark contrasts: a gun tower just beside the Galle Face Hotel on Galle Road Colombo, Sri Lanka (Jennifer Poirier)



Playful children in Kigali, Rwanda, mugging for the camera (Kirk Shannon)

Jess Adley went to Cairo to work with AMERA, helping African refugee claimants. She found that her training experiences varied widely, from "theoretical sessions on international refugee law to more practical lessons on the sometimes unsettling experience of dealing with taxi drivers in Cairo." She heard harrowing stories from her clients, but also had touching encounters. One illiterate but zealous

man arrived over four hours early for his meeting because he could not read his appointment slip. In describing the delight of a teenage client on having her appeals testimony prepared, Jess explained that "her happiness gave me a real sense of self-worth and made me realize just how much of an impact we can have through seemingly routine work."

Scott Doucet est allé faire son stage avec la Cour interaméricaine des droits de l'homme au Costa Rica. Ce fut l'occasion pour lui de faire du travail intéressant dans une «atmosphère professionnelle pleine de dynamisme». Scott a particulièrement apprécié qu'on l'invite à participer à la prise de décisions durant leurs rédactions. Il a aussi aimé assister aux séances de la Cour. Scott s'est fait une idée des importantes questions humaines auxquelles la Cour est confrontée : il a décrit une séance extraordinaire de la Cour à El Salvador, durant laquelle une survivante d'un massacre au Pérou a raconté que le soir précédent, elle avait eu un rêve. Dans ce rêve, une amie tuée au cours du massacre lui avait annoncé que les victimes l'accompagneraient ce jour-là, pour «entendre son témoignage et espérer que la justice soit rendue».

When she began working for the Human Rights Commission of Pakistan, **Emilie Paquin-Holmsted** followed the advice of a former intern: seize the initiative and seek out interesting assignments. She found her efforts

well rewarded. Emilie networked with other local NGOs, attended conferences, visited juvenile detention facilities, spoke with legal professionals and prepared a report on the current state of the Pakistani juvenile justice system. She also travelled within Pakistan, studied Urdu and enjoyed a wide range of cultural encounters. "Working in Pakistan has demystified an area of the world to which I had very little exposure and it has developed my interests in the issues and politics affecting the region."

Hugh Sandler interned with the International Justice Division of Human Rights Watch (New York), which reports on "war crimes, crimes against humanity, genocide and other matters of international justice." Hugh worked specifically with an attorney who prepared a report on the Saddam Hussein trial. Because of his internship, he found himself in a unique position to hear "timely and interesting discussions of various human rights issues around the world".

Jessica Adley Cairo, Egypt	Africa Middle-East Refugee Assistance www.amera-uk.org
Scott Doucet San José, Costa Rica	Inter-American Court of Human Rights www.corteidh.or.cr
Adrienne Gibson Montreal, Canada	Rights & Democracy www.dd-rd.ca
Sara Kushner Toronto, Canada	Canadian HIV/AIDS Legal Network www.aidslaw.ca
Émilie Paquin-Holmsted Lahore, Pakistan	Human Rights Commission of Pakistan www.hrcp-web.org
Jennifer Poirier Colombo, Sri Lanka	International Centre for Ethnic Studies www.icescolombo.org
Hugh Sandler New York, United States	Human Rights Watch www.hrw.org
Kirk Shannon Arusha, Tanzania	International Criminal Tribunal for Rwanda www.ictt.org
Frédéric Wilson Montreal, Canada	Equitas - Centre international d'éducation aux droits humains www.equitas.org
Jacob Wilson Phnom Penh, Cambodia	Cambodian League for the Promotion & Defense of Human Rights www.ticadho.org

STUDENTS AND THE WORLD

PRIZED STUDENTS

Frédéric Desmarais a gagné le concours de rédaction juridique Matthieu-Bernard, organisé par la Société québécoise de droit international. Son travail, intitulé *Le consentement préalable, libre et éclairé des peuples autochtones en droit international à la lumière des modèles de l'intégrité culturelle et de l'autodétermination : l'émergence d'un principe prématuré* a impressionné le jury pour son excellente documentation et son analyse fouillée, le déclarant «un excellent travail». Son texte a été publié dans la Revue québécoise de droit international en mars 2007.

In March 2006, LLM student **Carlos Iván Fuentes Alcedo** was awarded first place in Spanish by the Academy on Human Rights and Humanitarian Law for his paper "Protegiendo el derecho a la salud en el Sistema Interamericano de Derechos Humanos: Estudio comparativo sobre su justiciabilidad desde un punto de vista sustantivo y procesal" (Protecting the Right to Health in the Inter-American System of Human Rights: A Comparative Study on Justiciability from a Substantive and Procedural Perspective). The award allowed him to attend the three-week Summer Program of the Academy on Human Rights and Humanitarian Law at the Washington College of Law.

Katie Gibson, a student in the joint Law-MBA program, won the 2005 Canadian Lawyers Abroad/Avocats canadiens à l'étranger Essay Competition. She impressed the panel of judges with her response to the question "Does the 'Responsibility To Protect' principle have a basis under international law and should it form part of Canada's foreign policy?" Her essay, titled "The Responsibility To Protect: Is

It Time?" was printed in an edition of the Université de Montréal CLA-ACE Student Chapter's legal journal, *Perspectives légales internationales/International Legal Perspectives*.

Emmanuel Henri Ravanans, un étudiant à la maîtrise supervisé par la professeure Madeleine Cantin Cumyn, a remporté ex æquo le Prix de la Chaire du Notariat (administré par la Chaire à l'Université de Montréal) pour sa thèse intitulée *Les difficultés d'introduction de la fiducie québécoise dans les pays de tradition civiliste connaissant l'institution de la réserve héréditaire. L'exemple de la France*.

En juillet 2006, **Pierre-Olivier Savoie**, BCL/LLB'05, a remporté le Prix de règlement des différends pour les études en droit au niveau national, accordé par le ministère de la Justice du Canada. Le comité de sélection a couronné son travail «parce qu'il est exceptionnellement bien documenté et qu'il contribue de manière novatrice à la littérature théorique dans le domaine du règlement des différends au Canada». Le prix reçu lui a permis d'assister à une conférence où son travail a été présenté.



Andrés J. Drew received a Scarlet Key Award this spring. Committed to both the Faculty of Law and the broader McGill community, Andrés has been heavily involved in student government and clubs. During his term as President of the Law Students Association (2005-06), Andrés was responsible for organizing substantial renovations to the Law student lounge and for creating the McGill Legal Community Networking Fund, which has raised close to \$15,000 for human rights internships and other student projects. He is also founder of both the Savate Kickboxing and PLQ McGill Clubs.



RUMOUR HAS IT...

In January, the law students' theatre troupe, Actus Reus, put on an uproarious production of the Neil Simon play, *Rumors*. In this comedy of errors, several affluent couples arrive at a party in an upper-crust house in New York, only to discover that the servants have run off, the hostess is missing and the host has shot himself through the earlobe. And then things get complicated...

Front row (L-R): Julia Kennedy, Claire Ezzeddin, Andrea Engels, Aryana Rousseau. Back row: William Fyfe, Ryan Kirshenblatt, Seth Earn, Alison Glaser, Sarah Dobson, Guy Bouchard, Kyle Gervais, Joyce Tam and Kirk Shannon.



GRADUATE STUDENTS TAKING THE LEAD

The Graduate Law Students' Association became a reality in 2006. The Association represents over 130 graduate students in programs at the master's and doctoral levels. This year's representatives are **Mohammad Nsour** for the DCL, **Karan Singh** for the Institute of Air and Space Law, **Clément Smadja** for the LLM with thesis and **Daniel Singh** for the LLM non-thesis. They are working together to advance graduate students' academic experience at the Faculty. The team is proud of its accomplishments for their first year: promotion of teaching experience for doctoral students and adoption of a budget to support research results-sharing and numerous social events for graduate students.

A HEALTHY NEW JOURNAL

LAUNCHED IN EARLY 2007, THE MCGILL HEALTH LAW PUBLICATION REFLECTS THE GROWING INTEREST OF STUDENTS AND FACULTY FOR ISSUES OF HEALTH AND THE LAW

The *McGill Health Law Publication* (MHLP) is a new student-run, on-line interdisciplinary project sponsored by the Faculty. The MHLP consists of a peer-reviewed anthology of scholarly contributions by renowned academics and practitioners, set alongside an organic online database of recent developments in health law. Both components aim to inform the public debate surrounding public policy, health and ethics, and to explore critically the nexus

MHLP



PDSM

of health and law in a transsystemic framework.

The publication intends to serve as an educational resource for academics, students, healthcare professionals, policy-makers and the general public alike. The MHLP is run by 19 McGill law students who are advised by Angela Campbell, Pierre Deschamps, Derek Jones, Nicholas Kasirer, Lara Khoury, Marie-Claude Prémont and Margaret Somerville.

Find out more at healthlaw.mcgill.ca

MOOT POINTS

SOPINKA CUP MOOT COMPETITION

The Sopinka Cup team of **Robert Sampson** and **David Tortell** won the Quebec regional competition in February, capturing between them an astonishing three of the four individual prizes. David Tortell won the award for the best opening statement, while Robert Sampson won for best cross-examination and best closing statement. The team was expertly coached by Lori Weitzman and Thierry Nadon of the Quebec Procureur's Office, and by Professor Ron Sklar.

CONCOURS DE PLAIDOIRIE PIERRE-BASILE-MIGNAULT

Une vendange de trophées; voilà qui résume la prestation de l'équipe de McGill au concours de plaidoirie en droit civil Pierre-Basile-Mignault qui se tenait à l'Université Laval les 16 et 17 février 2007. Emblème de cette réussite, la Coupe du Bâtonnier récompensant la meilleure équipe est revenue à McGill. L'équipe était constituée cette année de **Marcelo Garcia**, **Frédéric Desmarais**, **Joshua Krane** et **Michael Lubetsky**, qui étaient supervisés par Yaëll Emerich et Pierre-Emmanuel Moyse. Leurs conseillers, Jean Lortie, Gregory Moore et Alexandre-Philippe Avard de l'étude McCarthy Tétrault, ont généreusement donné de leur temps et organisé une dernière séance d'entraînement devant monsieur le juge Louis Lacoursière, BCL'73, de la Cour supérieure du Québec. L'équipe avait auparavant pu aiguïser ses arguments devant une cour ad hoc aussi intransigente que savante, composée des juges Madeleine Cantin Cumyn, Pierre-Gabriel Jobin et Jean-Guy Belley. La coupe de la meilleure équipe s'est accompagnée de quatre autres trophées: le prix pour le

second meilleur mémoire (Garcia/Desmarais), le prix du meilleur plaideur (Lubetsky), le prix du second meilleur plaideur (Krane) et le prix du meilleur tandem de plaideurs (Lubetsky/Krane).

MANFRED LACHS SPACE MOOT

In October 2006, McGill's team won the First Runner-Up award at the Space Law Moot Court World Finals Competition, held during the Colloquium on the Law of Outer Space at the International Astronautical Congress in Valencia, Spain. Graduate students **Andrew Williams**, **Michael Taylor** and **Susan Trepszynski** of the IASL also won the award for best written brief and Andrew Williams won for best oralist.

CONCOURS CHARLES-ROUSSEAU

Le concours de procès simulé en droit international Charles-Rousseau se déroulait à Tunis en mai 2006. Soulignons l'excellent travail de l'équipe McGill, composée d'**Émilie Fay-Carlos**, **Kyle Gervais** et **Camille Paulus** et de leur entraîneur Antoine Motulsky, qui leur a ainsi permis de remporter le prix pour le 4^e meilleur mémoire. Émilie Fay-Carlos a de plus gagné un prix de plaidoirie, en 9^e place.

WILLEM C. VIS INTERNATIONAL COMMERCIAL ARBITRATION MOOT

In 2006, the Vis International Commercial Arbitration Moot took place in Vienna. Our team, comprising **Bram Abramson**, **David Dubrovsky**, **Rajalakshmi Krishnan** and **Aleks Zivanovic**, tied for second place for best claimant's memorandum out of nearly 160 teams, and received an honourable mention for best respondent's memorandum. Aleks Zivanovic also received an honourable mention, missing the top mooting prize by the impossibly narrow margin of 0.5 per cent. The team was advised by Kate Taylor (Osler), and Professors Catherine Walsh and Frédéric Bachand. Osler, Ogilvy Renault, Fasken Martineau, and Davies Ward Phillips & Vineberg helped during practice arguments.

PHILIP C. JESSUP INTERNATIONAL LAW MOOT COURT COMPETITION

In February 2006, **Scott Doucet**, **Tina Lie**, **Delphine Lourtou** and **Madelaine Saginur** received the award for second-best memorandum at the Canadian Division Qualifying Tournament of the Jessup Moot, held in Ottawa. They were tirelessly coached by Cara Cameron (Davies Ward Phillips & Vineberg) and advised by Professor Mark Antaki.



Le doyen Nicholas Kasirer, Yaëll Emerich, Marcelo Garcia, Frédéric Desmarais, Joshua Krane, Michael Lubetsky et Pierre-Emmanuel Moyse.

SUPREME PRESTIGE

UNPRECEDENTED NUMBER OF MCGILL LAW STUDENTS
SELECTED TO WORK AS SUPREME COURT LAW CLERKS



Frédéric Bachand

The 2005-2006 academic year was truly phenomenal for McGill applicants to the Supreme Court of Canada clerkship program: no less than eight of the 27 positions were offered to current students or recent graduates who were recommended by the Faculty. They join an elite group of young jurists who assist the judges of the Court in preparing hearings, conducting research, analyzing cases and drafting judgments.

Supreme Court clerkships are among the most coveted positions for law graduates and, each year, the Court receives applications from the top students of each of Canada's 20 law faculties. That almost one-third of the available positions were filled by candidates hailing from the same university is not only unprecedented, it also speaks volumes about the quality and relevance of McGill's distinctive approach to legal education.

À titre de coordonnateur des stages à la Cour suprême, je crois que la formation bilingue et bijuridique que reçoivent nos étudiants est d'une très grande pertinence aux yeux de la Cour, d'autant plus que celle-ci fait preuve d'une ouverture de plus en plus importante au droit international et au droit comparé. Nos étudiants ont de toute évidence une longueur d'avance sur ceux des autres facultés canadiennes et nous en sommes très fiers.

À la Cour suprême, chaque auxiliaire juridique travaille pour le même juge durant une période d'un an. Pour de nombreux anciens auxiliaires, un stage à la Cour suprême fut un tremplin vers des études supérieures, puis vers une carrière universitaire. D'ailleurs, la Faculté compte une douzaine d'anciens auxiliaires juridiques au sein de son corps professoral, dont mes collègues Tina Piper et Robert Leckey.

The outstanding students who will serve as clerks during the Supreme Court's 2007 term are: **Delphine Lourtau** (Madam Chief Justice Beverley McLachlin), **Sylvia Rich** and **Jean-Michel Boudreau** (Mr. Justice Ian Binnie), **Véronique Roy** (Mr. Justice Louis LeBel), **Jason MacLean** (Madam Justice Marie Deschamps), **Tam Boyar** (Mr. Justice Morris Fish), **Rohan Gulrajani** (Madam Justice Rosalie Abella) and **Kelly Doctor** (Madam Justice Louise Charron).

Frédéric Bachand teaches and conducts research on the judicial and extrajudicial resolution of civil and commercial disputes, whether they occur in a domestic or international context. He currently teaches, from a transsystemic perspective, courses on evidence in civil matters, civil procedure, extrajudicial means of dispute resolution and NAFTA Chapter 11 arbitration. He himself clerked for Mr. Justice LaForest in 1995-96.

HIGH SCHOOL OUTREACH

A NEW MCGILL PROGRAM GOES INTO SCHOOLS TO DEMYSTIFY THE STUDY OF LAW
ANDREW BITEEN (LAW II, HIGH SCHOOL OUTREACH COORDINATOR)

For many young people in Montreal, interactions with the legal world are for the most part negative. As one high school guidance counsellor puts it, "for most of my students, all they know about the law — aside from Hollywood — is that the police harass them at the metro station and the landlord tries to evict their mother for missing rent." Against this backdrop, the Admissions Office launched a high school outreach pilot program. The goal is not to recruit "star" high school students to law school, but rather to introduce the worlds of law and university life to those students who may not otherwise have exposure to the positive and empowering aspects of law and education.

Another objective of the program is to encourage McGill Law students to engage with their own legal education through teaching. In the fall, law students visited southwest Montreal high schools, addressing negative perceptions that many highschoolers have of both law and higher education. Law students delivered a curriculum aimed at opening students' minds to legal concepts, legal resources and legal careers. Activities ranged from comparing free expression in the lyrics of Britney Spears, Eminem and Mozart, to a legal analysis of a notorious case of police investigation in a local high school.

The Outreach Program will have as its backbone a mentorship component that will help foster positive

relationships between McGill students and their high school counterparts. For everyone involved, it is hoped that this is the beginning of a lasting partnership.

Following the high school visits, mentors will begin email exchanges with their partners to keep in touch over the summer months. Plans are underway to welcome high-schoolers to the Faculty for a visit in fall 2007. For many of them, this will be their first exposure to a post-secondary campus. The visit aims to demystify the university environment and to promote education as a tool for empowerment and change. We hope this will spark students' interest in future mentorship activities at the Faculty and beyond.

The High School Outreach and Mentorship Program is grateful for the financial support of Dean Nicholas Kasirer and the Law School Admissions Council as well as the deep and abiding commitment of law students, professors and administrative staff, who have all rallied behind this important and inspiring project.

PUTTING A FRESH FACE ON THE FACULTY OF LAW'S WEBSITES

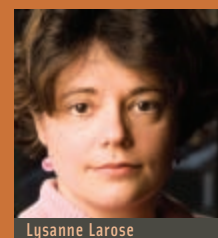
2006 was a year of change at the Faculty of Law, both at 3644 Peel Street and virtually.

After nearly ten months of work led by then newly-hired Web Communications Editor Lysanne Larose, the websites for the Faculty of Law, Law Admissions, the Career Development Office and the Student Affairs Office went live on October 31. With a completely new look, enriched and organized content and clear navigation, the four sites make it easier to locate information and have increased our overall visibility. The slideshow feature on the front pages of the sites now showcases the wonderful photographic talents found among staff members of the Faculty.

Le printemps 2006 avait déjà vu paraître les sites réactualisés de l'Institut de droit comparé et de l'Institut de droit aérien et spatial et c'est en été que le nouveau Centre pour les droits de la personne et le

pluralisme juridique mettait en ondes son site. En septembre, le Centre de recherche en droit privé et comparé du Québec emboîtait le pas.

Nous croyons que les résultats sont probants : passez jeter un coup d'œil sur nos nouveaux sites dès aujourd'hui !



Lysanne Larose

Faculty of Law	www.mcgill.ca/law
Law Admissions	www.mcgill.ca/law-admissions
Law Student Affairs Office	www.mcgill.ca/law-studies
Career Development Office	www.mcgill.ca/cdo
Institute of Comparative Law	www.mcgill.ca/icl/
Institute of Air and Space Law	www.mcgill.ca/iasl/
Centre for Human Rights and Legal Pluralism	www.mcgill.ca/humanrights
Quebec Research Centre of Private and Comparative Law	www.mcgill.ca/crdpcq

AWARDS IN EDUCATION

THE FACULTY OF LAW'S EDUCATION PROGRAMS HAVE BEEN GARNERING PRIZES



Melissa Martins Casagrande, Dean Nicholas Kasirer, Professor René Provost, Tam Boyar, Gaëlle Missire and Parul Shah.

AWARD FOR EXCELLENCE IN INTERNATIONALIZATION

The Faculty, and more specifically the Centre for Human Rights and Legal Pluralism (CHRLP), received some well-deserved recognition this fall for its contributions to international legal education. The CHRLP's International Courts and Tribunals Program received an Award for Excellence in Internationalization, administered by The Scotiabank Group and the Association of Universities and Colleges of Canada. The program was singled out for its results, its innovation and its broader impact on internationalization.

The International Courts and Tribunals Program has two components. First, it manages a legal clinic where students provide legal research assistance to international judges hearing cases of war crimes and crimes against humanity in the Special Court for Sierra Leone. Second,

the program offers international judicial internships with nine-month overseas placements in leading international courts and tribunals, such as the International Court of Justice and the International Criminal Tribunals for Rwanda and the former Yugoslavia.

The clinic and placements give law students the opportunity to work for courts and tribunals during the academic year. Such collaborations allow students to use their knowledge and training to deal with real international cases and prepare for potential careers in an emerging legal field.

By building bridges between McGill and the institutions that work to ensure the respect of human dignity and human rights, our students can make a tangible difference in the global social justice landscape. In the words of CHRLP Executive Director Nandini Ramanujam, such programs allow us to better "connect the ivory tower of research to real life."

The award was created in 1996 to recognize and foster initiatives that enhance the student experience by providing opportunities to collaborate internationally.

AWARD FOR OUTSTANDING PROGRAM IN INTERNATIONAL EDUCATION

The Faculty of Law's Transsystemic Program was recently selected for the Outstanding Program in International Education Award by the Canadian Bureau for International Education (CBIE). The award, which Shauna Van Praagh and Rosalie Jukier accepted on the Faculty's behalf, was presented at a ceremony held in November 2006 in Québec City. The CBIE is a non-governmental umbrella organization representing

colleges, universities, schools, school boards, educational organizations and businesses across Canada.

This prestigious professional award recognizes innovative programs in international education that are developed to meet long-term internationalization goals and needs, and that offer best-practice models that can be transferred to other institutions. The McGill transsystemic program focuses on teaching multiple legal traditions and, as such, was deemed to be particularly relevant to the international context that shapes the development of law not just for Canada, but also around the world.

In Dean Nicholas Kasirer's words, "from the very first year, our students are introduced to both civil law and common law concepts in an integrated fashion, and are encouraged to compare and critically evaluate the two traditions. This transsystemic method fosters not only outstanding analytical ability, but also critical reflection and openness to diverse approaches to legal problems and traditions."

The CBIE award reminds us of McGill's unique mission and of the importance of teaching comparatively and internationally. It also underscores why the transsystemic program has been the object of intense interest from universities in Europe, the US and other parts of the world.

Professor Peter Strauss of Columbia University, who recommended our program for the award, notes that the transsystemic approach is "among the most important developments in legal education in the last century, if not the most important."



Charmaine Lyn



Ali Martin-Mayer

THE WORLD AT OUR DOORS

CHARMAINE LYN,
ASSISTANT DEAN (EXTERNAL AFFAIRS)

ADMISSIONS

In September 2006 the Faculty of Law welcomed 170 new BCL/LLB students, who have now completed their first year of law school. These students arrived at our doors from every Canadian province, as well as the Yukon. An interesting trend is the increased presence of international students in the program this year, with people hailing from countries such as China, Colombia, Dominica, India, Thailand, the Ukraine, the United States and Finland. Students in the first-year class speak a total of 21 different first languages – other than English and French.

Our friends and alumni are some of our most effective and enthusiastic recruiters. We think it important that you know that the Undergraduate Admissions Office has established a new deadline of November 1, 2007 (for fall 2008 entry) for University and Mature candidates. This new deadline will help us manage the ever-increasing number of applications and render final decisions as quickly as possible. As always, we encourage candidates to read thoroughly our admissions materials (mcgill.ca/law-admissions or francais.mcgill.ca/law-admissions).

THE CAREER DEVELOPMENT OFFICE

Last year, the Career Placement Office was re-named the Career Development Office (CDO). This change marks the evolution of the professional development services offered to our students and alumni into a full-service career planning and counselling office. Our aim is to provide students with all the tools, information, contacts and support that they need to make well-informed career planning decisions. Interested in hiring a McGill student? Visit mcgill.ca/cdo/employers to find out why you ought to be, and how to post a listing.

D'ailleurs, la Faculté a procédé à deux importantes nominations en mars 2006. M^e Ali Martin-Mayer a pris les rênes du Centre à titre de directrice. M^e Martin-Mayer, BSc'98, BCL/LLB'02, a trois ans d'expérience en cabinet, ayant travaillé en droit des affaires chez Fasken Martineau DuMoulin. À son tour, M^e Catherine Bleau, BCL/LLB'04, l'assiste à titre de coordonnatrice. M^e Bleau a été admise au Barreau après avoir complété sa cléricature chez Ogilvy Renault. Sous la gouverne de ces deux diplômées de McGill, le Centre de développement professionnel a eu une belle année. Nombre d'étudiants sont venus prendre conseil ou se sont prévalus des multiples activités et services proposés par le Centre.

In an effort to build an accurate bank of alumni contact information, I invite you to check in with us, tell us how and where you are, and if you would be willing to be an alumni contact for career development purposes. The CDO seeks to develop further avenues for public interest careers. Given the varied and diffuse nature of these options, alumni networking is crucial for our students. You have drawn on your legal education to pursue many different objectives: sharing your advice and experiences make a world of difference to our students and your future colleagues!

**Become an alumni contact
by getting in touch with
Ali Martin-Mayer of the CDO:
ali.martin-mayer@mcgill.ca.**

**Locate fellow classmates and
let them know where you are:
www.alumni.mcgill.ca**



Maria Marcheschi

HOMECOMING 2006 FIVE CLASSES – FIVE GREAT GATHERINGS

MARIA MARCHESCHI
SPECIAL EVENTS &
ALUMNI RELATIONS ADMINISTRATOR



CLASS OF 1956 Spectacular! Twenty members of the class and spouses met on October 21, 2006 for dinner, laughter and a little nostalgia. There was much careful planning by the Committee – John Ciaccia, John Gomery, Pierre Legrand and Alex Paterson. Dinner was held at Mr. Ciaccia's home in Beaconsfield, with Mr. Justice Gomery as the honoured speaker. The gentlemen gallantly presented the ladies in attendance with roses. Dean Nicholas Kasirer spoke to the group and thanked them for years of leadership and volunteering at the Faculty.

L'ÉTUDIANT AU CŒUR DE NOS PRÉOCCUPATIONS

VÉRONIQUE BÉLANGER,
DOYENNE ADJOINTE AUX AFFAIRES INTERNES



Véronique Bélanger

Au cours de l'année 2006, la vie étudiante a été au centre des préoccupations de la Faculté et de l'Université. En décembre dernier, le Groupe d'étude de la principale sur la vie étudiante et l'acquisition de connaissances à l'Université McGill a déposé son rapport final; l'année qui vient sera consacrée à la mise en œuvre des recommandations du rapport, notamment en ce qui a trait au soutien pédagogique des étudiants.

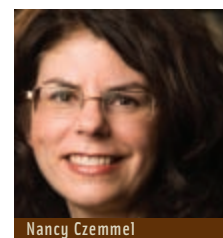
Le souci d'améliorer les services offerts aux étudiants est déjà bien présent à la Faculté, comme en témoignent plusieurs projets entrepris au cours des derniers mois. Nous avons d'abord regroupé tous les services aux étudiants au 4^e étage du Pavillon New Chancellor Day afin d'en améliorer la visibilité et l'accessibilité. Ce regroupement, qui permet une meilleure collaboration entre le Service des admissions, le Secrétariat des études et le Centre de développement professionnel, s'accompagne également d'une intégration, au sein du Secrétariat des études, de la gestion des programmes de 1^{er}, 2^e et 3^e cycles.

La visibilité des services offerts aux étudiants à la Faculté a aussi été grandement améliorée par la mise en ligne récente d'un nouveau site Web pour le Secrétariat des études (mcgill.ca/law-studies). Ce site a été réalisé notamment grâce au travail de Nancy Czermel, nouvelle responsable du Secrétariat. Nancy a remplacé Christine Gervais, qui a pris une retraite bien méritée à l'été 2006. Nancy arrive à la Faculté après avoir travaillé dans les services aux étudiants des Facultés de génie et de médecine; elle nous fait ainsi bénéficier de sa grande expérience de l'Université.

Nancy travaille actuellement sur plusieurs dossiers, dont un projet pilote – le premier de son genre à McGill – sur l'utilisation d'ordinateurs portables pendant les examens. Il faut dire que plus en plus d'étudiants utilisent leur portable en classe. C'est d'ailleurs en réponse à leur demande que nous avons mis sur pied ce projet.

Dans le but d'améliorer le soutien pédagogique aux étudiants, nous avons créé cette année des « Groupes de première année », qui rassemblent autour d'un professeur cinq à six étudiants de première année. Le but de cette initiative est de donner à chaque étudiant, dès le début de son parcours universitaire, une occasion d'établir un contact personnel avec un professeur qui pourra ainsi agir comme mentor auprès de l'étudiant tout au long de son séjour.

Toutes ces mesures visent à offrir aux étudiants une expérience pédagogique riche et diversifiée. Dans cette optique, mentionnons en terminant les programmes d'échanges qui s'avèrent de plus en plus populaires. Cette année, 49 étudiants de la Faculté sont partis en échange dans 25 institutions situées dans 13 pays. Nous avons récemment conclu un accord avec l'Institut d'études politiques (Sciences Po) de Paris qui permet à nos étudiants de passer un semestre dans cette prestigieuse université pour étudier le droit des marchés régulés. De plus, nous espérons finaliser bientôt un accord avec une grande université chinoise, qui permettra à nos étudiants de passer un semestre à Beijing.



Nancy Czermel



CLASS OF 1981 The Montreal Athletic Association on Peel Street was the site of a dinner reunion for the Class of 1981 on October 21, 2006. Attendance was the highest for any 25th reunion to date. Ann Soden and her committee co-chairs worked for many months to organize the wonderful event. The evening began with a tour of the Library conducted by Wainwright Librarian Daniel Boyer. John Durnford, Stephen A. Scott and Armand de Mestral (the latter two also attending their own reunion that night) joined the festivities, much to the delight of the class.



CLASS OF 1996 On October 20, 2006, a good number of the Class of 1996 met for drinks in the Common Room. Susan Wells Tunnell, who now lives in California, undertook to organize the event, which was also hosted by Jody Berkes. The class got together in a reprise of "Coffee House" – that perennial meeting on Thursday nights at the Faculty at which no student has ever been served coffee! The Dean celebrated the fact that Class of '96 graduate Mark Antaki is now a member of the Faculty and that Fred Headon, who serves on the Faculty Advisory Board, represents the Class so well in that setting.

SUPPORTING STUDENTS AT THE FACULTY OF LAW

SUPPORT FOR UNDERGRADUATE AND GRADUATE STUDENTS AT MCGILL CONTINUES TO BE ONE OF OUR HIGHEST PRIORITIES. PHILANTHROPIC SUPPORT, AS WITNESSED IN THIS EDITION OF INFOCUS, ENABLES THE FACULTY OF LAW TO MEET ITS ASPIRATIONS FOR THE FUTURE

THE IAN C. PILARCZYK RESEARCH INITIATIVE IN LEGAL METHODOLOGY

Research and innovation play a pivotal role in Canada's intellectual, social and economic prosperity. It is therefore no surprise that when Ian C. Pilarczyk, BA'92, LL.M'97, DCL'03, enquired as to what might be the best way to support the Faculty, Dean Nicholas Kasirer suggested the creation of a fund that would support graduate students in their research initiatives.

Dr. Pilarczyk certainly understands the value of graduate studies, having earned from McGill both a Master of Laws degree in 1997 and Doctorate of Civil Law in 2003. His work with Professor Blaine Baker combined with countless hours of research and writing have made him a leading authority in legal history. Many McGill Law graduates will also recall that Ian Pilarczyk is the author of *A Noble Roster: One Hundred and Fifty Years of Law at McGill* (1999).

Dr. Pilarczyk's recollection of his days as a doctoral student is fresh, clearly a motivating factor in his decision to establish a \$200,000 endowment to create the Ian C. Pilarczyk Research Initiative in Legal Methodology. This endowment will allow the University to select an outstanding doctoral student in the Faculty of Law to hold the Pilarczyk Fellowship. The Pilarczyk Fel-

low will assist graduate students in their major research endeavours, which form a central part of the graduate program.

Funding for the Ian C. Pilarczyk Research Initiative in Legal Methodology was provided by the Karol Pilarczyk Foundation, Roma Z. Pilarczyk, and Ian Pilarczyk. The Faculty of Law expresses its deepest gratitude to Ian Pilarczyk for his continuing support of McGill and its students.

THE HON. MELVIN L. ROTHMAN ENTRANCE SCHOLARSHIP IN LAW

The Hon. Melvin L. Rothman BA'51, BCL'54 Entrance Scholarship in Law was established this year at the initiative of Ms. Claire Rothman, BA'81, BCL'84, James Robb, BA'51, BCL'54, Herb Siblin, BCom'50, and Dean Nicholas Kasirer, in honour of a great father, friend and judge.



Melvin L. Rothman

Friends and family of Mel Rothman responded generously to an appeal to create a scholarship in his name. The new scholarship will be offered to an outstanding student entering a full-time undergraduate degree program at the Faculty. A sum of \$100,000 has been raised to create the endowed entrance scholarship, which will provide its recipient with \$5,000 annually.

In December 2006, more than 80 people joined the Honourable Mel Rothman to celebrate his distinguished career and the generations of outstanding students who will receive the scholarship that bears his name.

THE CLIVE V. ALLEN FELLOWSHIP IN INTERNATIONAL BUSINESS LAW

In 1999, friends and family of Clive V. Allen, BA'56, BCL'59, along with Nortel Networks Corporation, created the Clive V. Allen Fellowship upon his retirement after 25 years of service as Nortel's Chief Legal Officer.

Since his retirement, Clive Allen has continued to build the original endowment, which is now valued at over \$200,000. The Faculty of Law is delighted to announce that the Clive V. Allen Fellowship has been re-named the Clive V. Allen Fellowship in International Business Law. The enhanced fellowship will award \$10,000 annually to an entering graduate student.

THE HANS AND TAMAR OPPENHEIMER CHAIR IN PUBLIC INTERNATIONAL LAW

PASCAL ZAMPRELLI



Whether it is due to its bilingual, bicultural surroundings or to its 150 years of teaching and scholarship in international law, the Faculty of Law has long been a breeding ground for diplomats and international public servants. Thus, it was entirely fitting that McGill marked United Nations Day, October 24, 2006, with the announcement of the Hans and Tamar Oppenheimer Chair in Public International Law.

The Chair was endowed through the generous support of Dr. Tamar Oppenheimer, OC, BA'46, LLD'94, the first Canadian woman to have served as Assistant Secretary-General of the UN. Her career of more than forty years at the UN included assignments as Secretary-General of the 1987 International Conference on Drug Abuse and Illicit Trafficking, Director of the Division of Narcotic Drugs and Deputy to the Director General of the UN office in Vienna, where she now lives.

Like Dr. Oppenheimer, many McGill graduates have gone on to accomplished careers on the international scene, in particular at the UN. Among the most notable is one of Dr. Oppenheimer's former professors, John Peters Humphrey, who was the principal drafter of the United Nations Universal Declaration of Human Rights, adopted in 1948.

A hand-written draft of the Declaration was on display during the ceremony, the central piece of an exhibit highlighting McGill's contributions to international law. One can still read Humphrey's faded words on now yellowed paper, "The provisions of the International Bill of Rights shall be deemed fundamental principles of International Law and of the national law of every member state of the United Nations."

This text, although omitted from the final draft, was an early call for the harmony between global principles and domestic laws that is fundamental to securing human rights and international justice worldwide. Dr. Oppenheimer's gift will allow McGill to carry on her life's work, and the Faculty of Law will continue to be a leading force in educating and inspiring future diplomats, lawmakers and public servants.

«Madame Oppenheimer considère à juste titre la création de cette chaire comme un don au Canada. Nous y voyons une pressante invitation de sa part pour que les universités placent le rapport entre le droit international et le droit national au cœur de l'enseignement juridique au Canada», a expliqué le doyen Nicholas Kasirer. «Sa propre carrière est un modèle pour les étudiants de McGill, et sa noble détermination à introduire le droit international dans le cheminement universitaire de chaque étudiant en droit renforcera McGill de manière inestimable», a-t-il poursuivi.

Dr. Oppenheimer began her distinguished career with the UN in 1946, three weeks after her graduation from McGill. In 1953, she became Social Affairs Officer in the Division of Human Rights, Section on the Status of Women, and she acted as Secretary at the 13th session of the Commission on the Status of Women. From 1959 to 1960, she was Program Officer in the Bureau of Technical Assistance Operations. From 1960 to 1963, she was Social Affairs Officer in the Bureau of Social Affairs, as well as serving as Secretary of the 14th and 15th sessions of the Social Commission. From 1963 to 1968, she served in the Advisory Services program in the field of Human Rights, dealing with fellowships, organization of regional seminars and the development of regional training courses, and from 1968 to 1974, as Chief of the Administrative Unit of the Division of Human Rights. From 1974 to 1977, she acted as Chief of the Administrative Unit of the Division of Human Rights, prior to its move to the Geneva Office. From 1977 to 1979, she held the post of Chief of the Recruitment Programs Section in the Division of Recruitment, Office of Personnel Service. From 1979 to 1982, she was Chief of the Training and Examination Service in the Division of Personnel Administration, Office of Personal Services. As of 1982, Dr. Oppenheimer was Director of the Division of Narcotic Drugs and Deputy to the Director-General of the United Nations Office at Vienna.

In December 1985, the United Nations Secretary-General Javier Perez de Cuellar appointed her as Secretary-General of the 1987 International Conference on Drug Abuse and Illicit Trafficking. In addition to her other duties, in 1986-87, she acted as Officer-in-Charge of the Centre for Social Development and Humanitarian Affairs, which at that time was stationed in Vienna.

Dr. Oppenheimer received her Bachelor of Arts (Honours) in Economics and Political Science in 1946 from McGill and her Master of Arts in International Law from Columbia in 1953. In 1994, McGill conferred an honorary doctor of laws degree upon Dr. Oppenheimer.



PASCAL ZAMPRELLI

THE ECHENBERG FAMILY CONFERENCE ON HUMAN RIGHTS

A NEW COMMITMENT TO RAISING PUBLIC AWARENESS AND INTEREST FOR HUMAN RIGHTS



Penny, Andrew, Jessica and Gordon Echenberg

On January 17, 2007, the Faculty announced the establishment of the Echenberg Family Conference on Human Rights, made possible by a generous commitment from the Echenberg family, namely Gordon, Penny, Andrew and Jessica.

Mr. Echenberg announced that the Penny and Gordon Echenberg Foundation will make \$750,000 available to support this initiative, funding a series of five biannual conferences. The series will begin with The Global Conference on the Prevention of Genocide, to be held October 11-13, 2007 (see p. 15).

Mr. Echenberg, BA'61, BCL'64, created the series as a way to initiate a dialogue on human rights that would lead to tangible results. He decided on a conference series with the goal that the meetings will go beyond scholarly discussion and "take the benefits of academia to the public. We hope that these conferences will have some influence on decision makers, and generate public awareness and public interest."

The inaugural conference, organized by the McGill Centre for Human Rights and Legal Pluralism, will also host an International Forum for Young Leaders in the week leading up to the main event. Students from around the world will have the opportunity to meet with some of the distinguished speakers and debate key issues surrounding genocide.

The brainchild of Penny Echenberg, the International Forum for Young Leaders will establish an active network of students able to contribute to the prevention of genocide and the promotion of human rights, both in their own countries and internationally, and to bring about tangible change.

« Ce généreux don démontre la passion de Gordon et Penny Echenberg pour les droits de la personne et leur engagement envers l'Université McGill », affirme Nicholas Kasirer, doyen de la Faculté de droit. « Selon la famille Echenberg, la ville de Montréal, la Faculté

de droit de l'Université McGill et le Centre sur les droits de la personne et le pluralisme juridique forment l'endroit idéal pour la tenue d'une série de conférences axées sur des sujets comme la diversité sociale, la dignité humaine et la libre expression des idées. »

Parmi les participants de la conférence inaugurale, notons le sénateur Roméo Dallaire, ancien chef de la force de maintien de la paix de l'ONU au Rwanda; l'honorable Irwin Cotler, député (Mont Royal); Juan E. Méndez, conseiller spécial des Nations Unies sur la prévention du génocide; Wole Soyinka, lauréat du prix Nobel; Martha Minow, professeure de droit à l'Université Harvard; et Benedict F. Kiernan, directeur du programme d'études sur le génocide de l'Université Yale.

Une partie de ce don permettra également de financer un cycle de conférences au nom de Raoul Wallenberg, diplomate suédois de l'époque de la Seconde Guerre mondiale et humaniste reconnu, établi en l'honneur d'Irwin Cotler. D'ailleurs, étudiants et membres de la Faculté, en compagnie de M. Echenberg, ont eu le privilège d'entendre un discours de l'honorable Irwin Cotler en ce jour du 17 janvier, qui marquait justement la Journée Raoul Wallenberg au Canada.

NICHOLAS KASIRER

McGill entretient une noble tradition en matière des droits de la personne; mentionnons à titre d'exemple les travaux du professeur John Humphrey, un des architectes de la Déclaration universelle des droits de l'homme, du professeur F.R. Scott, constitutionnaliste, du professeur émérite Paul-André Crépeau, un des rédacteurs de la Charte des droits et libertés de la personne du Québec, ainsi que ceux du professeur Irwin Cotler.

Pendant ses études à la Faculté de droit, Gordon Echenberg occupait la fonction de président de l'Association étudiante de McGill. Après avoir obtenu son diplôme, il est devenu le directeur fondateur d'Interamicus, un centre de défense des droits internationaux à McGill. Monsieur Echenberg a continué à siéger au Conseil des gouverneurs tout en poursuivant une brillante carrière en droit.

ALUMNOTES

The 1940s



Manuel Shacter, QC, BCL'47, a partner at McMillan Binch Mendelsohn who practices commercial

law as well as estate and successions law, was the honorary recipient of the Past President's Medal of the Lord Reading Law Society, which was awarded to him on June 7, 2006. He is a former lecturer at the Faculty, and has been a panellist at the Meredith Lectures.

The 1960s

C.J. Michael Flavell, BCL'64, the founding and managing partner of Flavell Kubrick LLP, is pleased to announce that his firm has merged with Lang Michener LLP. His firm will continue to specialize in international trade law, competition law and aboriginal law.

The 1970s

Donald H. Bunker, BCL'71, LLM'85, DCL'86, formerly a partner of Ogilvy Renault and now living and working in Dubai, was named among the leading world practitioners of aviation law by *The International Who's Who of Aviation Lawyers 2005*. The IATA recently published his two-volume textbook *International Aircraft Financing*, which is currently used at the Institute of Air and Space Law, the Concordia International Aviation MBA Program and the IATA Training & Development Institute. Dr. Bunker has served as an adjunct professor at McGill University and he continues to teach air finance law.

Fredric L. Carsley, BCL'74, LLB'75, a partner at De Grandpré Chait, was the recipient in May 2006 of the ICSC Trustees Distinguished Service Award, the highest award bestowed by the retail real estate industry, in honour of his dedication



and hard work. For over 30 years, Fred has practiced commercial real estate law, with particular emphasis on major retail and office projects.

André Champagne, BCL'71, who practices business law at Lavery, de Billy, was made a Fellow of the International Society of Barristers,

an honour society of trial lawyers chosen by their peers on the basis of excellence and integrity in advocacy, in August 2006. He was the first Quebec lawyer to be so recognized.

George Hendy, QC, BCL'71, was presented with the 2007 Douglas Miller Award by the Canadian Bar Association in February. He is a partner in the litigation department of Osler Hoskin Harcourt LLP's Montreal office. Mr. Hendy has been an active CBA member for many years. The award recognizes a CBA member who demonstrates outstanding dedication and team spirit.

Lewis N. Klar, QC, BA'67, BCL'70, LLM'73, was recently awarded the J. Gordin Kaplan Award for Excellence in Research, the University of Alberta's most prestigious research award. It is the first time a member of their Faculty of Law has been named a Kaplan Laureate. Professor Klar was Dean of the Alberta University Faculty of Law from 1997 to 2002.

The 1980s

Herbert Brownstein, BA'79, BCL'82, LLB'83, and **Mitchell Brownstein, BCom'83, BCL/LLB'87**, have been partners in the law firm Brownstein, Brownstein and Associates since 1990, specializing in business and immigration law in Montreal. In November 2005, Herbert was elected a city councillor for Dollard-des-Ormeaux and Mitchell was re-elected a councillor for the city of Côte Saint-Luc.

Ann Soden, BCL'81, LLB'82, chairs the CBA's Quebec National Elder Law Section. Ann also heads the National Institute of Law, Policy and Aging, based in Montreal. She was recently appointed the first international member of the American Bar Association's Commission on Law and Aging, in Washington, DC. Ann was General Editor of *Advising the Older Client* (2005), the first comparative law text to examine law and aging in Canada.

Les Vantor, BCom'76, BCL/LLB'80, has joined Lang Michener LLP as Counsel. Les will continue co-hosting his regular legal call-in shows on CBC Radio and CTV.

Brad Wylynko, LLB'89, became a partner with the Australian national law firm Clayton Utz, and has been living with his wife in Perth, Australia,

since 1999. They have three children, Ella (5) Nicholas (2) and their youngest, born in May 2006. Brad's practice focuses on environmental law in the Asia Pacific region.

The 1990s

Martin-Pierre Boulianne, BCL/LLB'95, et son épouse, Judith Harvie, sont les heureux parents de Simone, née en avril 2006.

Mary-Pat Cormier, BA'89, BCL/LLB'96, became a partner at US firm Edwards Angell Palmer & Dodge in January 2007. She is a member of the Insurance and Reinsurance Department, advising liability insurers throughout the country with complex claims and coverage matters, including coverage litigation. Cormier currently sits on the Board of the New England-Canada Business Council, where she also serves as its First Vice-President. She resides in Cambridge, MA.



In December 2005, **Harry Dikranian, MA'95, BCL/LLB'96**, won a class action case before the Supreme Court of Canada. This case represented approximately \$40 million and 135,000 former students, following the attempt by the Quebec government to abrogate a six-month interest exemption period on student loans after the end of a student's studies.



Stephen L. Drymer, BCL/LLB'90, a partner at Ogilvy Renault, was recognized by the *Global Arbitration Review* journal as a leader among lawyers under 45 who practice in the area of international arbitration. With a background in international affairs and finance, he works as an arbitrator and legal counsel in international commercial arbitrations, including investor-State disputes. Stephen also advises clients on issues associated with the design, negotiation and implementation of arbitration agreements and other dispute resolution procedures.

Véronique Hivon, BCL/LLB'94, s'est présentée à titre de candidate du Parti Québécois lors des élections générales du 26 mars 2007 dans la circonscription de Jean-Talon (district Capitale-Nationale).



Ancienne boursière de la Fondation Jean-Charles-Bonenfant, Véronique a aussi travaillé au Centre

de recherche en droit privé et comparé du Québec. Elle travaille depuis 2002 au sein de l'administration publique québécoise, dans les domaines du droit constitutionnel et de l'administration de la justice.

Hanson Hosein, LLB'92, BCL'93, founded and runs HRH Media Inc., a film production company based in Kelowna, BC. In 2005, he and his partner Heather Hughes produced the acclaimed documentary, *Independent America: The Two Lane Search for Mom & Pop*, - which was distributed in North America, Japan and Australia. In 2003, Hanson covered Operation Iraqi Freedom as a correspondent for NBC News, and later helped coordinate their coverage



from Baghdad of the handover of power to the new Iraqi government. He also produced a series of five films in collaboration with fellow alumna Lisa Yarmoshuk (see p. 35).

Charlene W. Kavanagh, BCL/LLB'98, married Michael Wylie of Montreal in Corner Brook, Newfoundland, in September 2005. Today, they reside in Ottawa, where Michael is a Foreign Service Officer with International Trade Canada and Charlene is a partner at Low, Murchison LLP.

Tasha Kheiriddin, BCL/LLB'93, is currently a visiting lecturer at the McGill Institute for the Study of Canada, teaching a course on the conservative movement in Canada. She is also writing a book about the relationship of economic systems to human behaviour. Tasha is the former Ontario director of the Canadian Taxpayers Federation.

Robert Koch, LLM'99, was appointed Chair of Private Law and Insurance Law and Director of the Institute of Insurance Science at Hamburg University, Faculty of Law, in Germany. Koch specialises in jurisprudence, civil law and insurance law.

Jonathan Levinson, BCL/LLB'95, was appointed Assistant General Counsel at Concordia University. Jonathan will provide advice on legal and policy matters,

as well as draft, negotiate and review university policies and agreements with third parties.

■ **David Ma**, BCL/LLB'98, is the proud father of little Jacob Benjamin Yuwei, born in September 2005. David is currently practising law in Toronto.

■ **Anne-Marie Migneault**, BCL/LLB'92, et **Jacques Neatby**, BCL/LLB'92, se sont mariés en 2005. Ils ont accueilli leur premier enfant, Marie-France, cette même année. Anne-Marie est directrice aux Affaires réglementaires pour Radio-Canada à Montréal, tandis que Jacques travaille comme directeur principal chez Secor Conseil.

■ **Mayo Moran**, LLB'90, was named Dean of the Faculty of Law at the University of Toronto in January 2006. Her primary areas of expertise are in private law, comparative constitutional law and legal theory. She has worked on litigation involving the equality guarantee under the Canadian Charter of Rights and Freedoms. She is currently engaged in a project on reparations theory and transitional justice that examines the limits and possibilities of law, particularly private law, in redressing widespread historic wrongdoing.

■ **Nan Wang**, LLB'94, was profiled last summer in *Asian Counsel*, a professional magazine for corporate lawyers in Asia Pacific. Wang, who has worked as VP & Senior Counsel for the Asia/Pacific Marriott International Corporation since 2003, negotiates large and complex international contracts and helps Marriott pursue business opportunities throughout Asia. Previously, Wang was with Stikeman Elliott and NCR Corporation. Today, he resides in Hong Kong.

■ For nearly two years, **Lisa Yarmoshuk**, BCL/LLB'93, has been working in Botswana as Chief of Party/Director of the USAID Southern Africa Global Competitiveness Hub, set up under the U.S. President's TRADE Initiative for Africa. The Hub delivers technical assistance to eleven southern African countries in the area of trade capacity building, trade facilitation (customs and transport), trade finance and private sector dialogue (see p.35).



The 2000s

■ Ancien assistant de recherche auprès de Daniel Jutras, **Maxime Berlingin**, BCL/LLB'06, a été officiellement nommé au poste d'assistant en droit des contrats spéciaux et de la responsabilité civile au Département de droit des obligations des Facultés Universitaires Saint-Louis (Bruxelles) en juillet dernier.



■ Après avoir exercé chez Ogilvy Renault, **Catherine Bleau**, BCL/LLB'04, est de retour au Centre de développement professionnel de la Faculté. Avec son fiancé Brent, elle a accueilli un petit garçon nommé Xavier en juillet dernier.

■ **Andrew Comrie-Picard**, MBA/LLB'01, who specializes in entertainment law, has seen his career take an interesting turn. In 2005, he hosted *War of the Wheels*, a television series about race car building and racing. A top-tier international rally driver, he is currently leading the North American and Canadian rally championships. He also regularly competes in various rally car and drift races, including a run at the 2006 X Games, an extreme action sports competition. Comrie-Picard divides his time between Toronto, ON, and Indiana, PA.



■ **Marie-Claire Cordonier Segger**, BCL/LLB'02, directrice du Centre de droit international pour le développement durable, a été inscrite à l'annuaire *Femmes et Environnement* du Programme des Nations Unies pour l'environnement, une publication qui rend hommage aux contributions des femmes à la protection et la gestion de l'environnement.



■ **Jean-Philippe Dallaire**, BCL/LLB'06, est un de cinq boursiers stagiaires de la Fondation Jean-Charles-Bonenfant de 2006-2007. En plus d'avoir remporté une bourse de 15 000 \$, Jean-Philippe vit actuellement une expérience unique à l'Assemblée nationale du Québec, où il appuie les députés du parti ministériel et ceux de l'opposition avec lesquels il est jumelé. Il mènera ensuite une mission

à l'étranger pour comparer différents systèmes parlementaires en compagnie des quatre autres boursiers stagiaires.

■ **Oliver Draf**, LL.M'00, reports he had moved from being a lawyer in a medium-sized German law firm to serving as corporate privacy officer for Allianz, where he handles matters dealing with the processing of personal data. Draf, who said he has fond memories of his time at McGill, has been married for more than four years and has two children. He and his family make their home in Munich. (oliver.draf@gmx.de)

■ **Jo Anne Legendyk**, BCL/LLB'04, moved to Ottawa after graduating to clerk for Chief Justice John D. Richard of the Federal Court of Appeal. Next, she was hired by the Department of Justice to work as legal counsel in the Official Languages Law Group. The OLLG acts as legal advisor to the Federal government on official language matters, develops broad directions in the area of linguistic rights, and is responsible for examining federal initiatives, programs and policy decisions that could influence official languages in order to determine the legal implications. She reports that her job is constantly changing and constantly challenging – and she loves it!

■ **Hélène Piquet**, BA'87, MA'90, BCL/LLB'94, DCL'04, a remporté le prix Gallet. Ce prix lui a été décerné par l'Académie des Sciences morales et politiques de l'Institut de France pour son livre *La Chine au carrefour des traditions juridiques*, son sujet de thèse de doctorat. Sinologue et juriste, Hélène Piquet est professeure à la Faculté de Science Politique et de Droit à l'Université du Québec à Montréal.

■ The University of Victoria has announced that their new manager of planned giving will be **Robert**

Peterson (BCL/LLB'03). He will oversee all aspects of gift planning for the university's Office of Alumni & Development. Since 2005, Robert had been Senior Development Officer, Major Gifts at the BC Cancer Foundation. Robert began his development and outreach career at Human Rights Watch.



■ **Guillaume Rousseau**, LL.M'06, a publié un livre, *La nation à l'épreuve de l'immigration*, en novembre. Cet essai d'histoire du droit politique, dont la préface a été écrite par l'ancien premier ministre Bernard Landry, étudie le modèle d'intégration des immigrants employé au Québec et le compare aux modèles canadiens et français. Selon lui, le modèle québécois aurait emprunté une voie médiane entre l'intégration républicaine française et le multiculturalisme canadien, entre l'universalisme et le communautarisme.

■ **Pierre-Hugues Verdier**, BCL/LLB'01, a reçu une bourse de la Fondation Trudeau pour son projet de recherche à Harvard intitulé *Compétence extraterritoriale et droit coutumier international : une réévaluation*. Le projet consiste à évaluer l'état actuel du droit coutumier international en matière de légalité des actes



extraterritoriaux, particulièrement au vu de son caractère incertain. Il s'agit de voir comment la recherche interdisciplinaire, particulièrement dans le domaine des relations internationales, peut éclairer les problèmes juridiques liés aux phénomènes de mondialisation économique.

REUNION IN ROMANIA

About 30 members of the Association of European Alumnae and Alumni of the Institute of Air and Space Law of McGill University converged on Bucharest (Romania) for their 10th biannual reunion in May 2006. Organized by Dr. **Dumitra Popescu**, LL.M'70, the event was comprised of workshops, visits to aviation authorities and plenty of sightseeing. The event was also an opportunity for the group to honour Dr. **Nicolas Mateesco Matte** for his commitment to the IASL, his leadership and his vision throughout his career in the field of air and space law. Professor **Paul Dempsey** of the Institute of Air and Space Law attended the reunion.



A CELEBRATION OF THE LIFE OF MICHEL PROULX (1940-2007)

PATRICK HEALY



Michel Proulx's dedication to the Faculty of Law was constant and devoted. He was neither a full-time member of the teaching staff, nor even a graduate of McGill, but he was the next best thing. He taught with us, but he was also a loyal friend, providing counsel and encouragement to students, teachers and deans. He was deeply concerned with what is taught here and with the well-being of students.

Michel gave the sense that he taught as he learned, learned as he taught – and took pleasure in both. His mind was always on the march, and he shared its prodigious energy. He was insatiably curious, an infectious quality that he conveyed in so many ways. Among these was the eloquent movement of his eyes and hands that accompanied the dance of his mind.

For more than 20 years, he taught criminal law and left his mark upon generations of students. Many who have taught here had been his pupils and were inspired by his example.

After he stopped teaching, Michel often returned to give a lecture, participate in class discussions or take part in Faculty events. At the Bar, his skill and flair provided an ongoing lesson in the true vocation of an advocate. As a judge, he mentored students who were enrolled as interns. He was a devoted participant in the National Criminal Law Program of the Federation of Law Societies, and a pioneer in programs of continuing education for judges.

Throughout his career, at the Bar and on the bench, Michel led by example – teaching in yet another way. He gave full meaning to the title of an advocate in Québec – *Maître*.

Michel will be remembered as a great teacher of criminal law in all its aspects. As important, however, will be his legacy in matters of professional ethics, which were of pressing and profound concern to him. His example is the most vivid part of this legacy.

Contributions to the Michel Proulx Memorial Lecture Fund, which was established by his family to honour his memory, may be made by sending a cheque payable to McGill University to

McGill University
Faculty of Law – Michel Proulx Fund
c/o Ms. Micheline Sénia
3644 Peel Street
Montreal, Quebec
Canada H3A 1W9

For those who did not have the privilege to work with him personally, his book with David Layton, *Ethics and Canadian Criminal Law*, is a brilliant beacon of good sense, erudition and conscience that should shine upon every mind in every corner of the law. In this work he was a great Canadian explorer and, yes, a visionary.

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

IN MEMORIAM

The Faculty offers its condolences to their friends and families

1930s

The Hon. Mr. Justice Allison Walsh, BA'33, BCL'36
The Hon. Mr. Justice George R.W. Owen, BA'33, MA'34, BCL'37

1940s

Mr. Alvin B. Jacobs, BA'41, BCL'44
Mr. Geoffrey Murray, BCL'48

1950s

Mr. Michael Awada, BCL'56
Mr. Romanus J. Curran, BCL'50
Mr. Roland L.H.G. Durand, BCL'57
Mr. Mortimer S. Smith, BA'53, BCL'56
Mr. Murray C. Magor, BA'51, BCL'54, BD'59, STM'71

1960s

Mr. Henry J. Prominski, LLM'61
Mr. Irwin Schnaiberg, BA'64, BCL'67

1970s

M. Charles J. Boivin, BCL'71

1980s

The Hon. Ronald St. John Macdonald, CC, QC, LLD'88

1990s

Mrs. Catherine Lina Anderson (née Rakush), BA'86, BCL/LLB'90

2000s

Mr. Robert William Routh, LLM'00

Harold Lapin, devoted night and weekend supervisor in the Law Library for over thirty years, passed away on November 6, 2006.

THE VIEW FROM OUTSIDE

DEGREES OF DIFFERENCE: MCGILL LAW AND FILMMAKING IN THE DEVELOPING WORLD

FROM THE STEPS OF CHANCELLOR DAY HALL TO THE TRANS-KALAHARI CORRIDOR

LISA YARMOSHUK, WITH HANSON HOSEIN

Lisa Yarmoshuk has worked with Nathan Associates, an economic and development consulting firm, since 2003. From November 2004 through October 2006 she was based at the USAID Southern Africa Global Competitiveness Hub in Gaborone, Botswana, where she was Director. She is now based in London as Director, Strategy & Business Development, Emerging Market Economics, Nathan's UK subsidiary. Hanson Hosein is an Emmy Award-winning journalist and digital filmmaker based in Kelowna BC/Seattle, WA with his company HRH Media (www.hrhmedia.com).

On a sunny September day in 1989, I sat on the steps of Old Chancellor Day Hall with my new classmate, Hanson Hosein. We were in our first week of the four-year National Programme.

In those first few hours, Hanson made it very clear that he would never practice law. Meanwhile, I was intent on an international career, and McGill's reputation seemed the perfect passport.

We went our separate ways upon graduation, but 13 years later, we suddenly found ourselves in business together. Not in a law office, but in dusty Botswana, as we filmed a truck driver testing the limits of regional free trade on the Trans-Kalahari Corridor. It was all part of an innovative trade issues film series for the US Agency of International Development Southern Africa Global Competitiveness Hub (USAID Trade Hub).

Our journey from southern Quebec to southern Africa was as unusual as the film project. Hanson went on to get a master's in journalism from Columbia University and spent several years with NBC News and later CBC News, covering important stories in New York and the Middle East.

During my final year at McGill, I was a research assistant to Professor Armand de Mestral, Chair of a dispute settlement panel under the Canada-US Free Trade Agreement. This led to a master's degree in Belgium, and then a career as an international trade lawyer for several years with Weil, Gotshal & Manges LLP in Washington, DC.

In my search for something creative and new, I left the firm in 2001 to work as a management consultant, and later as a legal advisor to the Vietnamese government to help them implement the newly-signed US-Vietnam Trade agreement. Further international trade work took me to Africa, and in November 2004, I landed in Botswana to help build the USAID Trade Hub.

The Trade Hub delivers technical assistance to countries who seek to improve their trade competitiveness. One key mandate is to create a dialogue for outreach and sharing of best practices throughout the region. But it's challenging to discuss these complex, technical trade issues with a wider audience. And that's when Hanson and I – who had maintained contact all these years – came up with the idea for an educational film series on trade issues.

Driving the region's byways and highways, we shot five short films that highlight the progress and challenges of southern Africa's trade environment.

The work was a stark contrast from the world of button-down law. In Lesotho, we got a first-hand look at where North America gets a lot of its T-shirts and blue jeans, as we investigated the impact of US trade preferences in that tiny country.

In Swaziland, we attended a sacred royal festival and interviewed the King's advisors as we explored how HIV/AIDS and other issues challenge that nation's business environment.

We decided to have lunch only after we filmed livestock slaughter at a state-run abattoir in Botswana. In that country, the Trade Hub had successfully helped the cattle farmers negotiate important policy changes in the industry.

And we teamed up with a veteran truck driver in Johannesburg as we followed him all the way to Namibia to show what the Trans-Kalahari transport route was doing to eliminate barriers to efficient regional trade.

Hanson and I produced these films on a tight budget and even tighter deadlines. They were very much a first for the region and for the US government, so it took some effort to sell it to the various constituents.

In May 2006 however, we launched the series at a regional roundtable in Johannesburg. Soon after, they were screened to high level officials from across Africa and the United States at the African Growth and Opportunity Act Forum, held at the State Department in Washington, DC. We got further mileage out of them from use by the OECD and the WTO – among others – as well as through public broadcast in southern Africa.

So, after all these years, neither Hanson nor I ever made partner. But these films, and our unusual career paths, have given us a different sense of accomplishment.



Hanson Hosein (left), Amanda Hilligas (centre) and Lisa Yarmoshuk (right) in the Mountain Kingdom of Lesotho during the film project. The AGOA Advisor at the Trade Hub, Amanda is one of Lisa's colleagues.



Hanson Hosein and Lisa Yarmoshuk interviewing a HR department worker at an apparel factory in Lesotho about the impact of HIV/AIDS on business.

FEELING NOSTALGIC READING ALUMNOTES?

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

IS 2007 YOUR REUNION YEAR?

This year, the classes that graduated
in years ending in 2 or 7 are invited!

For each class reunion, we need
an organizing committee.
If you would like to help coordinate your class
reunion this year, please get in touch with

Maria Marcheschi
(514) 398-1435
maria.marcheschi@mcgill.ca

WHERE ARE OUR ALUMNI-IN-LAW?

The Faculty of Law would like to remain in touch with all of its graduates,
to invite them to events or to mail them the latest alumni magazine.

We try to maintain complete and accurate records of the whereabouts of alumni and
alumnae throughout the world. For many classes, our records need to be updated.

If you move, don't forget to tell us about your new address!

We would also like to locate alumni who have lost touch with the Faculty. If you know
the names and contact information of any McGill Alumni-in-Law near you, let us know!



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