

A Passion for Justice

The Legacy of
James Chalmers McRuer

Patrick Boyer

Passion For Justice The Legacy Of James Chalmers Mcruer

John T. Saywell



Passion For Justice The Legacy Of James Chalmers Mcruer:

Brian Dickson Robert J. Sharpe, Kent Roach, 2003-12-15 When Brian Dickson was appointed in 1973 the Supreme Court of Canada was preoccupied with run of the mill disputes By the time he retired as Chief Justice of Canada in 1990 the Court had become a major national institution very much in the public eye The Court s decisions reforming large areas of private and public law under the Charter of Rights were the subject of intense public interest and concern Brian Dickson played a leading role in this transformation Engaging and incisive Brian Dickson A Judge s Journey traces Dickson s life from a Depression era boyhood in Saskatchewan to the battlefields of Normandy the boardrooms of corporate Canada and high judicial office and provides an inside look at the work of the Supreme Court during its most crucial period Dickson s journey was an important part of the evolution of the Canadian judiciary and of Canada itself Sharpe and Roach have written an accessible biography of one of Canada s greatest legal figures that provides new insights into the work of Canada s highest court Memoirs and Reflections

Roy McMurtry, 2013-01-01 From the Kid on the Varsity Blues football team to the Chief at Osgoode Hall R Roy McMurtry has had a remarkably varied and influential career As reformist attorney general of Ontario one of the architects of the agreement that brought about the patriation of the Canadian Constitution high commissioner to the United Kingdom and chief justice of Ontario he made a large and enduring contribution to Canadian law politics and life These memoirs cover all these facets of his remarkable career as well as his law practice his work on various commissions of inquiry and his reflections on family sport and art This volume is both an account of his life in public service and a portrait of a humane humorous still optimistic and always decent man **Essays in the History of Canadian Law**

George Blaine Baker, Donald Fyson, 2013-12-06 The essays in this volume deal with the legal history of the Province of Quebec Upper and Lower Canada and the Province of Canada between the British conquest of 1759 and confederation of the British North America colonies in 1867 The backbone of the modern Canadian provinces of Ontario and Quebec this geographic area was unified politically for more than half of the period under consideration As such four of the papers are set in the geographic cradle of modern Quebec four treat nineteenth century Ontario and the remaining four deal with the St Lawrence and Great Lakes watershed as a whole The authors come from disciplines as diverse as history socio legal studies women s studies and law The majority make substantial use of second language sources in their essays which shade into intellectual history social and family history regulatory history and political history *The Court of Appeal for Ontario*

Christopher Moore, 2014-11-05 In Christopher Moore s lively and engaging history of the Court of Appeal for Ontario he traces the evolution of one of Canada s most influential courts from its origins as a branch of the lieutenant governor s executive council to the post Charter years of cutting edge jurisprudence and national influence Discussing the issues personalities and politics which have shaped Ontario s highest court The Court of Appeal for Ontario offers appreciations of key figures in Canada s legal and political history including John Beverly Robinson Oliver Mowat Bora Laskin and Bertha Wilson and a serious examination of what the right of

appeal means and how it has been interpreted by Canadians over the last two hundred years The first comprehensive history of the Ontario Court of Appeal Moore s book is the definitive and eminently readable account of the court that has been called everything from a bulwark against tyranny to murderer s row **Claire L'Heureux-Dubé** Constance

Backhouse,2017-11-06 Both lionized and vilified Claire L Heureux Dub has shaped the Canadian legal landscape and in particular its highest court The second woman appointed to the Supreme Court of Canada and the first from Quebec she was known as the great dissenter on the bench making judgments that were applauded and criticized in turn L Heureux Dub s innovative legal approach was anchored in the social economic and political context of her cases Constance Backhouse employs a similar tactic Rather than focusing exclusively on her high profile cases and jurisprudential legacy she explores the socio political and cultural setting in which L Heureux Dub s career unfolded while also considering her personal life This compelling biography covers aspects of legal history that have never been so fully investigated enhancing our understanding of the judiciary the creation of law the distinctive socio legal environment of Quebec the experiences of women in the legal profession and the inner workings of the top court *Ruin and Redemption* Thomas G. W. Telfer,2014-11-05 In 1880 the

federal Parliament of Canada repealed the Insolvent Act of 1875 leaving debtor creditor matters to be regulated by the provinces Almost forty years later Parliament finally passed new bankruptcy legislation recognizing that what was once considered a moral evil had become a commercial necessity In *Ruin and Redemption* Thomas G W Telfer analyses the ideas interests and institutions that shaped the evolution of Canadian bankruptcy law in this era Examining the vigorous public debates over the idea of bankruptcy Telfer argues that the law was shaped by conflict over the morality of release from debts and by the divergence of interests between local and distant creditors *Ruin and Redemption* is the first full length study of the origins of Canadian bankruptcy law thus making it an important contribution to the study of Canada s commercial law

The Last Day, The Last Hour Robert J. Sharpe,2009-09-26 On 11 November 1918 the last day of the Great War the Canadian Corps led by Sir Arthur Currie liberated Mons after four years of German occupation The push to Mons in the last days and weeks of the war had cost many lives Long after the war Currie was blamed by many for needlessly wasting those lives When the Port Hope Evening Guide published an editorial in 1927 repeating this charge Currie was incensed Against the advice of his friends he decided to sue for libel and retained W N Tilley Q C the leading lawyer of the day to plead his case First published in 1988 *The Last Day the Last Hour* reconstructs the events military and legal that led to the trial and the trial itself one of the most sensational courtroom battles in Canadian history involving many prominent legal military and political figures of the 1920s Now back in print with a new preface by the author judge and legal scholar Robert J Sharpe *The Last Day the Last Hour* remains the definitive account of a landmark legal case **The Laws and the Land** Daniel

Rück,2021-09-15 As the settler state of Canada expanded into Indigenous lands settlers dispossessed Indigenous people and undermined their sovereignty as nations One site of invasion was Kahnaw ke a Kanien keh ka community and part of the

Rotinonhsini Confederacy The Laws and the Land delineates the establishment of a settler colonial relationship from early contact ways of sharing land land practices under Kahnawake law the establishment of modern Kahnawake in the context of French imperial claims intensifying colonial invasions under British rule and ultimately the Canadian invasion in the guise of the Indian Act private property and coercive pressure to assimilate What Daniel R. Cole describes is an invasion spearheaded by bureaucrats Indian agents politicians surveyors and entrepreneurs This original meticulously researched book is deeply connected to larger issues of human relations with environments communal and individual ways of relating to land legal pluralism historical racism and inequality and Indigenous resurgence *The Thousandth Man* Barry Cahill, Osgoode Society for Canadian Legal History, 2000-01-01 James McGregor Stewart 1889-1955 was perhaps the foremost Canadian corporate lawyer of his day He was also an appellate counsel venture capitalist Conservative Party fundraiser bibliographer of Rudyard Kipling and sometime university teacher of classics A leader of the bar in the interwar period he was the first Maritimer to serve as president of the Canadian Bar Association He distinguished himself mainly in constitutional cases before the Judicial Committee of the Privy Council During his career Stewart was also head of the leading law firm in eastern Canada now Stewart McKelvey Stirling Scales director and vice president of the Royal Bank of Canada and senior counsel to the Royal Commission on Dominion Provincial Relations Above all Stewart was committed to the idea of law as a truly learned profession and to the bar as the most important legal institution To this day no lawyer has held such prestige and power both within and outside Atlantic Canada in his time he was the only Maritime lawyer who gained full acceptance by every branch of the Canadian establishment Thematic rather than chronological in approach this fascinating legal biography provides both a history of a uniquely Canadian career and an interpretation of its significance for Stewart's time and ours *"Race," Rights and the Law in the Supreme Court of Canada* James W. St. G. Walker, 2006-01-01 Four cases in which the legal issue was race that of a Chinese restaurant owner who was fined for employing a white woman a black man who was refused service in a bar a Jew who wanted to buy a cottage but was prevented by the property owners association and a Trinidadian of East Indian descent who was acceptable to the Canadian army but was rejected for immigration on grounds of race drawn from the period between 1914 and 1955 are intimately examined to explore the role of the Supreme Court of Canada and the law in the racialization of Canadian society With painstaking research into contemporary attitudes and practices Walker demonstrates that Supreme Court Justices were expressing the prevailing common sense about race in their legal decisions He shows that injustice on the grounds of race has been chronic in Canadian history and that the law itself was once instrumental in creating these circumstances The book concludes with a controversial discussion of current directions in Canadian law and their potential impact on Canada's future as a multicultural society *Canadian Criminal Law in Ten Cases* Martin L. Friedland, 2024-07-05 Canadian Criminal Law in Ten Cases explores the development of criminal justice in Canada through an in-depth examination of ten significant criminal cases Martin L. Friedland draws on cases that went to the

Supreme Court of Canada or the Privy Council including well known cases such as those of Louis Riel Steven Truscott Henry Morgentaler and Jamie Gladue The book addresses such issues as wrongful convictions the enforcement of morality Indigenous experiences with criminal law bail and trial delay and the impact of the 1982 Charter of Rights and Freedoms on the criminal justice system Friedland describes in a masterful way the factual background of each case and the political social and economic conditions of the time Each character the accused judges and counsel is described in detail as are the relevant laws and procedures Friedland includes recommendations on how the criminal justice system can be improved such as by creating a new federal commission devoted solely to criminal justice and by the enactment by Parliament of enhanced codes of evidence and criminal law and procedure Canadian Criminal Law in Ten Cases is an indispensable guide to understanding the criminal justice system for lawyers students and anyone interested in criminal law and the administration of criminal justice

Final Appeal Ian Greene, 1998 Appeal courts including the Supreme Court of Canada rule on the most contentious issues facing Canadian society abortion Aboriginal land claims gay rights The authors of this book have conducted extensive research into the nature and function of appeal courts and here present their findings This book outlines how appeal court judges make their decisions and how they defend them the role played by judicial discretion regional differences in appeal court operations and the increasingly controversial role courts play in policymaking Final Appeal is a detailed analysis of the nature and operation of Canada's courts of appeal

Aggressive in Pursuit Frederick Vaughan, Osgoode Society for Canadian Legal History, 2004-01-01 Few people have had a greater impact on the lives of Canadians than the late Supreme Court judge Justice Emmett Hall At the forefront of several important judgements in the 1960s and 70s such as Truscott and Calder Hall is perhaps best known for his role in the adoption of universal health care at the federal level in 1968 Based on extensive interviews with Hall and people who knew him Frederick Vaughan's Aggressive in Pursuit tells Hall's remarkable story Born in Quebec in 1898 and raised in Saskatchewan Hall had a long and distinguished career as a lawyer In 1957 former law school classmate Prime Minister John Diefenbaker appointed Hall to the Saskatchewan Court of Queen's Bench and four years later to the office of Chief Justice of Saskatchewan In 1963 Diefenbaker elevated Hall to the Supreme Court of Canada where he took up the task of universal health care and showed himself to be an aggressive defender of native causes Aggressive in Pursuit traces Hall's career from his earliest days of private practice in Saskatchewan to the end of his career and death in 1994 It shows how one prairie lawyer made a difference in the life of Canada

Colour-Coded Constance Backhouse, 1999-11-20 Historically Canadians have considered themselves to be more or less free of racial prejudice Although this conception has been challenged in recent years it has not been completely dispelled In Colour Coded Constance Backhouse illustrates the tenacious hold that white supremacy had on our legal system in the first half of this century and underscores the damaging legacy of inequality that continues today Backhouse presents detailed narratives of six court cases each giving evidence of blatant racism created and enforced

through law The cases focus on Aboriginal Inuit Chinese Canadian and African Canadian individuals taking us from the criminal prosecution of traditional Aboriginal dance to the trial of members of the Ku Klux Klan of Canada From thousands of possibilities Backhouse has selected studies that constitute central moments in the legal history of race in Canada Her selection also considers a wide range of legal forums including administrative rulings by municipal councils criminal trials before police magistrates and criminal and civil cases heard by the highest courts in the provinces and by the Supreme Court of Canada The extensive and detailed documentation presented here leaves no doubt that the Canadian legal system played a dominant role in creating and preserving racial discrimination A central message of this book is that racism is deeply embedded in Canadian history despite Canada's reputation as a raceless society Winner of the Joseph Brant Award presented by the Ontario Historical Society **Equality Deferred** Dominique Clément, 2014-05-06 In *Equality Deferred* Dominique Clément traces the history of sex discrimination in Canadian law and the origins of human rights legislation Focusing on British Columbia the first jurisdiction to prohibit discrimination on the basis of sex he documents a variety of absurd almost unbelievable acts of discrimination Drawing on previously undisclosed human rights commission records Clément explores the rise and fall of what was once the country's most progressive human rights legal regime and reveals how political divisions and social movements shaped the human rights state This book is not only a testament to the revolutionary impact of human rights on Canadian law but also a reminder that it takes more than laws to effect transformative social change

'Terror to Evil-doers' Peter Oliver, Osgoode Society for Canadian Legal History, 1998-01-01 The history of the foundations of modern carceral institutions in Ontario Drawing on a wide range of previously unexplored primary material Oliver provides a narrative and interpretative account of the penal system in 19th century Ontario *The Conventional Man* Robert Alexander Harrison, Osgoode Society for Canadian Legal History, 2003-01-01 Although unusual in his driving ambitions and his consuming need to accumulate a fortune Harrison remained in most respects thoroughly conventional and Victorian and his diary offers unrivalled insights into the voice of the mid nineteenth century Toronto male *The Lawmakers* John T. Saywell, 2002-01-01 Comprehensive ambitious and detailed The Lawmakers will be the definitive work on the evolution of the law of Canadian federalism *Magistrates, Police and People* Donald Fyson, Osgoode Society for Canadian Legal History, 2006-01-01 Based on extensive research in judicial and official sources Donald Fyson offers the first comprehensive study of the everyday workings of criminal justice in Quebec and Lower Canada Focusing on the justices of the peace and their police Fyson examines both the criminal justice system itself and the system in operation as experienced by those who participated in it Fyson contends that although the system was fundamentally biased its flexibility provided a source of power for ordinary citizens At the same time the system offered the colonial state and its elites a powerful though often faulty means of imposing their will on Quebec society This study will challenge many received historical interpretations providing new insight into criminal justice in early Quebec *The Persons Case* Robert J. Sharpe, Patricia I.

McMahon, 2017-06-22 On 18 October 1929 John Sankey England's reform minded Lord Chancellor ruled in the Persons case that women were eligible for appointment to Canada's Senate Initiated by Edmonton judge Emily Murphy and four other activist women the Persons case challenged the exclusion of women from Canada's upper house and the idea that the meaning of the constitution could not change with time The Persons Case considers the case in its political and social context and examines the lives of the key players Emily Murphy Nellie McClung and the other members of the famous five the politicians who opposed the appointment of women the lawyers who argued the case and the judges who decided it Robert J Sharpe and Patricia I McMahon examine the Persons case as a pivotal moment in the struggle for women's rights and as one of the most important constitutional decisions in Canadian history Lord Sankey's decision overruled the Supreme Court of Canada's judgment that the courts could not depart from the original intent of the framers of Canada's constitution in 1867 Describing the constitution as a living tree the decision led to a reassessment of the nature of the constitution itself After the Persons case it could no longer be viewed as fixed and unalterable but had to be treated as a document that in the words of Sankey was in a continuous process of evolution The Persons Case is a comprehensive study of this important event examining the case itself the ruling of the Privy Council and the profound affect that it had on women's rights and the constitutional history of Canada

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