



REFLECTIONS ON THE LEGACY OF

JUSTICE BERTHA WILSON

JAMIE CAMERON



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Janice Richardson,Erika Rackley



Justice Bertha Wilson Justice Bertha Wilson:

Reflections on the Legacy of Justice Bertha Wilson Jamie Cameron,2008 **Justice Bertha Wilson** Kim

Brooks,2010-07-01 Bertha Wilson s appointment as the first female justice of the Supreme Court of Canada in 1982 capped off a career of firsts Wilson had been the first woman lawyer and partner at a prominent Toronto law firm and the first woman appointed to the Ontario Court of Appeal Her death in 2007 provoked reflection on her contributions to the Canadian legal landscape and raised the question what difference do women judges make Justice Bertha Wilson examines Wilson s career through three distinct frames and a wide range of feminist perspectives The authors evince Wilson s contributions to the legal system in Foundations examine her role in high profile decisions in Controversy and assess her credentials as a feminist judge and her impact on education and the profession in Reflections This nuanced portrait of a complex controversial woman will appeal to lawyers judges policy makers academics and anyone interested in law and women s contributions to Canadian society

Judging Bertha Wilson Ellen Anderson,2002-12-15 Madame Justice Bertha Wilson the first woman appointed to the Supreme Court of Canada is an enormously influential and controversial figure in Canadian legal and political history This engaging authorized intellectual biography draws on interviews conducted under the auspices of the Osgoode Society for Legal History held in Scotland and Canada with Madame Justice Wilson as well as with her friends relatives and colleagues The biography traces Wilson s story from her birth in Scotland in 1923 to the present Wilson s contributions to the areas of human rights law and equality jurisprudence are many and well known Lesser known are her early days in Scotland and her work as a minister s wife or her post judicial work on gender equality for the Canadian Bar Association and her contributions to the Royal Commission on Aboriginal Peoples Through a scrupulous survey of Wilson s judgements memos and academic writings many as yet unpublished Ellen Anderson shows how Wilson s life and the law were seamlessly integrated in her persistent commitment to a stance of principled contextuality This stance has had an enduring effect on the evolution of Canadian law and cultural history Supported with the warmth and generosity of Wilson s numerous personal anecdotes this work illuminates the life and thought of a woman who has left an extraordinary mark on Canada s legal landscape

Laughing at the Gods Allan C. Hutchinson,2012-02-20 Any effort to understand how law works has to take seriously its main players judges Like any performance judging should be evaluated by reference to those who are its best exponents Not surprisingly the debate about what makes a great judge is as heated and inconclusive as the debate about the purpose and nature of law itself History shows that those who are candidates for a judicial hall of fame are game changers who oblige us to rethink what it is to be a good judge So the best of judges must tread a thin line between modesty and hubris they must be neither mere umpires nor demigods The eight judges showcased in this book demonstrate that if the test of good judging is not about getting it right but doing it well then the measure of great judging is about setting new standards for what counts as judging well *Women in Law* Rebecca M. Salokar,Mary Volcansek,1996-09-24 Forty three

women who have made major contributions to the law through their work in the legal profession scholarly legal research and political activism directed at socio legal reforms are profiled in this bio bibliographical sourcebook The women featured are from countries and regions with a Western legal tradition including North America Europe Israel Japan the Philippines and Africa Each profile contains extended biographical information and details significant achievements and contributions to the law made by each woman followed by references Forty three women who have made major contributions to the law through their work in the legal profession scholarly legal research and political activism directed at socio legal reforms are profiled in this bio bibliographical sourcebook The women featured are from countries and regions with a Western legal tradition including North America Europe Israel Japan the Philippines and Africa Each profile contains extended biographical information their family backgrounds education and career development and their significant achievements and contributions to law The women featured include a number of those who were path breakers like Sandra Day O Connor the first woman justice of the U S Supreme Court and Bertha Wilson the first woman to sit on the Canadian Supreme Court Scholars like Margaret Somerville Canada and Beverly Blair Cook U S and political activists like Helene St Docker Germany and Leah Tsemel Israel are also included The introduction to the work presents a comprehensive and historical overview of the role of women as citizens scholars lawyers judges office holders and activists and also provides a review of the scholarship on women in law

Captive Court Ian Bushnell, 1992-10-08 Throughout his study Bushnell investigates the question of the absence of an independent judicial tradition in Canada and the development of distinct legal doctrine by the Supreme Court He analyses the nature and cause of the lack of independent thought that makes the Court captive to inherited traditions and legal doctrines and prevents it from achieving its true potential within the Canadian legal system Previous studies of the Court have concentrated on the years after 1949 by expanding the coverage to include the first three quarters of a century of the Court s existence Bushnell has uncovered a critical aspect of Canadian legal history Bushnell provides an analysis of more than eighty cases decided by the Court between 1876 and 1989 He examines the backgrounds and views of the sixty seven judges who served on the Supreme Court during this period evaluating both the role they felt they played in Canadian society and the role others expected them to play He studies the question of the right of appeal to the Judicial Committee of the Privy Council and its effect on the Supreme Court as well as the movement toward the abolition of appeal In the concluding part of the study Bushnell considers the controversy over the demand for impartial justice criticism of the judiciary and the judges who will take the Court into the twenty first century

Justice Bertha Wilson Pushes the Boundaries of Humanity Shamas Nanji, 2018

Swarm Before Me Samuel Schwisberg, 2015-12-08 On November 5 1986 Rosa Becker the estranged common law partner of a successful beekeeper in Eastern Ontario shot herself in the head and died That fatal shot reverberated throughout the Canadian legal system when her suicide note revealed she blamed the legal system for forcing her to do it Despite finally winning a landmark 1980 Supreme Court decision awarding her an equal share

in the couple's assets Rosa never saw a dime of the judgment. By 1986 when it appeared she would finally receive some money after her 12 year legal marathon and the enforced sale of the bee business the court ordered the much reduced share of 68 000 be paid in full to her lawyer to cover her legal bills. Despite her many years of paying bills working and helping to build a successful farm business Rosa was left with nothing. In desperation she committed suicide. Writing in the Ottawa Citizen Dave Brown observed in his review of this book's original manuscript that he never thought anybody would ever be able to make sense of the truck load of paperwork generated by the case but this has been done by Samuel Schwisberg its an amazing piece of work. Wow Swarm Before Me is a thoroughly researched legal history that explores the social and legal issues surrounding a period of enormous changes in Canadian family law and women's rights. *Essays in the History of Canadian Law, Volume XII* Lori Chambers, Joan Sangster, 2023-10-02 Drawing on engaging case studies *Essays in the History of Canadian Law* brings the law to life. The contributors to this collection provide rich historical and social context for each case unravelling the process of legal decision making and explaining the impact of the law on the people involved in legal disputes. Examining the law not simply as legislation and institutions but as discourse practice symbols rhetoric and language the book's chapters show the law as both oppressive and constraining and as a point of contention and means of resistance. This collection presents new approaches and concerns as well as re-examinations of existing themes with new evidence and modes of storytelling. Contributors cover many legal thematic areas from criminal to labour civil administrative and human rights law spanning English and French Canada and ranging from the mid eighteenth century to the late twentieth century. The legal cases vary from precedent setting cases to lesser known ones from those driven by one woman's quest for personal justice to others in which state actors dominate. Bringing to light how the people embroiled in these cases interacted with the legal system the book reveals the ramifications of a legal system characterized by multiple layers of inequality. **Inside the Law** Carol Wilton, 1996-12-15 Law firms are important economic institutions in this country they collect hundreds of millions of dollars annually in fees they order the affairs of businesses and of many government agencies and their members include some of the most influential Canadians. Some firms have a history stretching back nearly two hundred years and many are over a century old. Yet the history of law firms in Canada has remained largely unknown. This collection of essays Volume VII in the Osgoode Society's series of *Essays in the History of Canadian Law* is the first focused study of a variety of law firms and how they have evolved over a century and a half from the golden age of the sole practitioner in the pre industrial era to the recent rise of the mega firm. The volume as a whole is an exploration of the impact of economic and social change on law firm culture and organization. The introduction by Carol Wilton provides a chronological overview of Canadian law firm evolution and emphasizes the distinctiveness of Canadian law firm history. Claire L'Heureux-Dubé Constance Backhouse, 2017-11-06 Both lionized and vilified Claire L'Heureux-Dubé 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

Pursuing Equal Opportunities Lesley A. Jacobs, 2004 This book offers original and innovative contributions to the debate about equality of opportunity The first part sets out a theory of equality of opportunity that presents equal opportunities as a normative device for the regulation of competition for scarce resources The second part shifts the focus to the consideration of the practical application by courts or legislatures or public policy makers of policies for addressing racial class or gender injustices The author examines standardized tests affirmative action workfare universal health care comparable worth and the economic consequences of divorce

Feminist Perspectives on Tort Law Janice Richardson, Erika Rackley, 2012 Feminist Perspectives on Tort Law offers a distinctly feminist approach to key topics in tort law Ten original essays written by feminist legal scholars from the UK US Canada and Australia encompass a range of ways of thinking about women tort law and feminism The collection provides a fresh and original analysis of issues of long standing concern to feminists as well as nascent areas of concern These include conceptions of harm constructions of reasonableness the duty of care the public private divide sexual wrongdoing privacy and environmental law Written with both scholars and students in mind Feminist Perspectives on Tort Law is an important and timely addition to key debates in tort law

International Law Reports E. Lauterpacht, C. J. Greenwood, 1996-10-17 International Law Reports is the only publication in the world wholly devoted to the regular and systematic reporting in English of courts and arbitrators as well as judgements of national courts

Feminism, Law, Inclusion Gayle Michelle MacDonald, Rachel L. Osborne, Charles Smith, 2005 The contributions to this collection are written by legal advocates community activists and legal scholars While the Introduction and Commentary provide a theoretical overview the ten essays examine theories of intersectionality to demonstrate how race class sexual orientation gender and identity have been integrated into legal scholarship and activism in an attempt to shape legal policy and practice Section 1 Theory in Action addresses anti racism in community legal practice the legal construction of women s sexuality as deviant the protection of sexual orientation under human rights legislation and the gender and racial characteristics of the judiciary Section 2 Organizations in Action looks at women s place in the legal profession international women s rights and disrupting discriminatory practices in the workplace Section 3 Law in Action discusses the rights of Native women racial bias in legal judgements and the recognition and protection of same sex spousal rights Feminism Law Inclusion is an important

contribution to the ongoing development of this critical discourse **Women in the Judiciary** Ulrike Schultz, Gisela Shaw, 2013-09-13 Does gender matter in judging And if so in what way Why were there so few women judges only two or three decades ago and why are there so many now in most countries of the Western world How do women judges experience their work in a previously male dominated environment What are their professional careers How do they organise and live their lives And finally and most notably do women judge differently from men or even better These are the questions dealt with in this collection of contributions by seven authors from six countries UK Australia USA Canada Syria and Argentina contrasting views from common law and civil law countries In spite of differences in the two legal systems as well as greater gender diversity on the bench and the overall higher income and prestige enjoyed by judges in common law countries women judges in all these countries Syria included share many problems Diverse and intriguing facets are added to a debate that started thirty years ago but continues to leave ample space for further discussion This book was originally published as a special issue of International Journal of the Legal Profession How Ottawa Spends, 1991-1992 Frances Abele, 1991-05-15 This volume is the twelfth in the series on federal government spending and policy performance compiled by Carleton University's School of Public Administration This edition assesses the future of Canada in the post Meech post free trade era Four articles concentrate on the increasing fragmentation of Canada after the failure of the Meech Lake Accord and each of the others ponders various topics in the context of an era when the nature of the federation seems very much in questions Authors from western Canada the Atlantic region and Quebec explore the changing political landscapes in their areas while others consider the shifting realities in aboriginal state relations Abortion race relations federal grants to interest groups benefits to the elderly and telecommunications policy are all reviewed as aspects of the mature agenda of the Progressive Conservative party in power Taken as a group these articles provide a multifaceted and sometimes surprising evaluation of government performance *The Human Rights Act and the Criminal Justice and Regulatory Process* Jack Beatson, 1999-12-14 Papers presented at the Cambridge Centre for Public Law's winter conference on 9-10 January 1999 P vii **Tracings of Gerald Le Dain's Life in the Law** G. Blaine Baker, Richard Janda, 2019-05-30 Gerald Le Dain 1924-2007 was appointed to the Supreme Court of Canada in 1984 This collectively written biography traces fifty years of his steady creative and conciliatory involvement with military service the legal academy legislative reform university administration and judicial decision making This book assembles contributions from the in-house historian of the law firm where Le Dain first practised from students and colleagues in the law schools where he taught from a research associate in his Commission of Inquiry into the non-medical use of drugs from two of his successors on the Federal Court of Appeal and from three judicial clerks to Le Dain at the Supreme Court of Canada Also reproduced here is a transcript of a recent CBC documentary about his 1988 forced resignation from the Supreme Court following a short-term depressive illness with commentary from Le Dain's family and co-workers Gerald Le Dain was a tireless worker and a highly respected judge In a series of essays that cover

the different periods and dimensions of his career *Tracings of Gerald Le Dain's Life in the Law* is an important and compassionate account of one man's commitment to the law in Canada. Contributors include Harry W. Arthurs, G. Blaine Baker, Bonnie Brown, Rosemary Cairns Way, John M. Evans, Melvyn Green, Bernard J. Hibbitts, Peter W. Hogg, Richard A. Janda, C. Ian Kyer, Andree Lajoie, Gerald E. Le Dain, Allen M. Linden, Roderick A. Macdonald, Louise Rolland, and Stephen A. Scott. **Two Firsts** Constance Backhouse, 2019-03-08. Bertha Wilson and Claire L. Heureux Dubé were the first women judges on the Supreme Court of Canada. Their 1980s judicial appointments delighted feminists and shocked the legal establishment. Polar opposites in background and temperament, the two faced many identical challenges. Constance Backhouse's compelling narrative explores the sexist roadblocks both women faced in education, law practice, and in the courts. She profiles their different ways of coping, their landmark decisions for women's rights, and their less stellar records on race. To explore the lives and careers of these two path-breaking women is to venture into a world of legal sexism from a past era. The question becomes how much of that sexism has been relegated to the bins of history and how much continues.

The Top Books of the Year Justice Bertha Wilson Justice Bertha Wilson The year 2023 has witnessed a remarkable surge in literary brilliance, with numerous engrossing novels captivating the hearts of readers worldwide. Lets delve into the realm of popular books, exploring the fascinating narratives that have enthralled audiences this year. The Must-Read : Colleen Hoover's "It Ends with Us" This heartfelt tale of love, loss, and resilience has captivated readers with its raw and emotional exploration of domestic abuse. Hoover expertly weaves a story of hope and healing, reminding us that even in the darkest of times, the human spirit can triumph. Uncover the Best : Taylor Jenkins Reids "The Seven Husbands of Evelyn Hugo" This captivating historical fiction novel unravels the life of Evelyn Hugo, a Hollywood icon who defies expectations and societal norms to pursue her dreams. Reids compelling storytelling and compelling characters transport readers to a bygone era, immersing them in a world of glamour, ambition, and self-discovery. Justice Bertha Wilson Justice Bertha Wilson : Delia Owens "Where the Crawdads Sing" This mesmerizing coming-of-age story follows Kya Clark, a young woman who grows up alone in the marshes of North Carolina. Owens spins a tale of resilience, survival, and the transformative power of nature, captivating readers with its evocative prose and mesmerizing setting. These top-selling novels represent just a fraction of the literary treasures that have emerged in 2023. Whether you seek tales of romance, adventure, or personal growth, the world of literature offers an abundance of engaging stories waiting to be discovered. The novel begins with Richard Papen, a bright but troubled young man, arriving at Hampden College. Richard is immediately drawn to the group of students who call themselves the Classics Club. The club is led by Henry Winter, a brilliant and charismatic young man. Henry is obsessed with Greek mythology and philosophy, and he quickly draws Richard into his world. The other members of the Classics Club are equally as fascinating. Bunny Corcoran is a wealthy and spoiled young man who is always looking for a good time. Charles Tavis is a quiet and reserved young man who is deeply in love with Henry. Camilla Macaulay is a beautiful and intelligent young woman who is drawn to the power and danger of the Classics Club. The students are all deeply in love with Morrow, and they are willing to do anything to please him. Morrow is a complex and mysterious figure, and he seems to be manipulating the students for his own purposes. As the students become more involved with Morrow, they begin to commit increasingly dangerous acts. The Secret History is a masterful and suspenseful novel that will keep you wondering until the very end. The novel is a cautionary tale about the dangers of obsession and the power of evil.

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