

## THE THIRTIETH ANNUAL MEETING OF THE CANADIAN BAR ASSOCIATION\*

It was refreshing to find when we landed near Montreal on Sunday afternoon, August 29th, that we had left behind us the sticky heat of Ontario. True the annual meeting was not due to open until Tuesday, but the Executive and the Council were to meet on Monday and there was also the meeting of the Conference of Governing Bodies that day. Indeed the Conference of Commissioners on Uniformity of Legislation had been hard at work the previous week, for this gathering of lawyers is more than the annual meeting of the Canadian Bar Association, it is the focus of all our national activities.

By Monday, as the registrations piled up and the familiar faces of the veterans of these meetings were to be seen everywhere mingling with many a newcomer, it became obvious that this meeting was going to be the largest to date. A glance at the programme also made apparent the wisdom of adding a day to the meeting since the activities planned, both the work and the social side, would even if everything ran on schedule fill the next four days to overflowing. Even on the Monday the Conference of Governing Bodies overlapped the meeting of the Executive and during the ensuing days meetings of several of the Sections and Committees were scheduled for the same hour.

There was an enlivening debate at Monday's Council meeting when the subject of revising the constitution was raised. There seemed to be some idea that the Constitution Committee was not functioning or was failing to keep pace with the growing needs of the Association and that a general revision of the constitution and by-laws was long overdue, and it was not long before Council was launched into such a maze of motions, amendments and sub-amendments that no one quite knew where he stood. However, the President brought order out of chaos and in the upshot Council expressed itself as desiring both a revision of the constitution and reconsideration by the Nominating Committee of the set-up of the Constitution Committee. This undoubtedly was the high light of the Council meeting, but the report of the improved financial position of the Association as well as the steady increase in membership also gave great satisfaction. The membership has now reached almost 4,100, about half of the lawyers in Canada in active practice. A falling-off of sustaining members was noted, but as there had been no consistent follow-up

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of the original drive for sustaining members this was not surprising. A canvass of the provinces on the British Columbia plan of universal — not compulsory — membership, whereby the Law Society collects the Association fee from all its members with their annual practising fee, showed that none of the other provinces was yet ready for such a step.

These annual meetings still follow the routine pattern of an inaugural session of the Association as a whole, followed by meetings of the Sections and Committees, and ending with a wind-up meeting or plenary session at which the members are asked to endorse the work done and pass resolutions put forward by the Sections and Committees. The inaugural meeting is mainly a forum for the presidential address and the wind-up meeting either a rather perfunctory routine of reports or a stormy session — as at Winnipeg two years ago — when one or more of the reports or the appended resolutions raise matters of controversial interest. It becomes increasingly apparent that this routine pattern no longer fits either the importance or the volume of the work done by the Association. More time has been added to the meetings to enable the work of the Association to be done, but no more time has been given to enable the increasing numbers of those who attend the meetings to appraise in full the work done between the main sessions. Nor has any scheme yet been devised to enable the members to give more than cursory consideration to the often important resolutions they are asked to endorse in the closing hours of the meeting, after many of those in attendance have already departed homeward. It is to be hoped that the revision of the constitution now being undertaken will extend to the whole scheme or pattern of these plenary sessions.

This year the meeting was given an auspicious send-off in the speeches of welcome made by the Prime Minister and Attorney-General of the Province of Quebec and the Mayor of the City of Montreal. Whether his audience agreed with all that M. Duplessis had to say, he set a grand example of forthright speaking which no one could help but admire. His statement of the case for provincial autonomy in the provincial field showed a perfect appreciation of the proper balance necessary to a truly federal system of government. Even his views on the method of handling communism, drastic though they were, must have struck a sympathetic chord in the hearts of most of his audience. The communist doctrine of divided allegiance and higher loyalty is a plain avowal of disloyalty that renders any claim they make to the privileges inherent in the constitution an open mockery.

After so good a start the Association was in mood to listen with rapt interest to a Presidential Address that did not always follow the pattern of its predecessors. The President roamed afield in his account of the activities of himself and the Association during the year, and that his activities were the stimulus for the activities of the Association became apparent from the full account he gave of his stewardship. The transition from this phase of his speech to a profound discussion of human rights was made with graceful ease. His picture of the man of our civilization endowed with the human rights belonging to Christian philosophy stirred idealism to its depths, and the logical sequence of the people and public opinion as the best safeguard of those rights followed in crowning serenity. It was plain that the President had chosen the subject best suited to his style of oratory, that he was a great speaker and that his sincerity and the profundity of his thought matched the grace and skill with which he led his audience from the mundane remarks of Josh Billings on the difference between dirt and dictionary farmers to his ideal conception of the dignity of man. John T. Hackett's year of office has been a memorable one, but not least in the manner in which he inspired the Association in the last days of his term.

Thus uplifted, the Association turned its face to its work. No reporter of these meetings can begin to cover all the work that was done. There were never less than three sectional meetings in progress at one time, during the hours allotted to those meetings, and on one morning no less than five were scheduled at the same hours. Lawyers, particularly those who practise actively before the courts, become adroit in being in two places at once, but five or even three is somewhat beyond the powers of even the best of us. So if we appear to neglect some and give undue emphasis to others it is only evidence of a rather natural human limitation. This, however, can be said, that never in the history of the Association has greater interest been shown in the meetings of all the Sections. We were told that both the Sections on Insurance and on Commercial Law had to adjourn to larger rooms to accommodate the people who wished to attend. All the sections had excellent programmes and their reports presented on Friday morning — which owing to the wholly inadequate time given to their consideration had to be synopsized — spoke volumes for the earnestness with which the Association got down to work. Unfortunately, on more than one occasion social activities or overlong speeches sadly interfered with this business activity, but the interest evinced was gratifying to all who believe that the Association has a real place in the national life.

The Section on Administration of Civil Justice, probably the most active and best organized of all the Sections for work between meetings of the Association, had as usual a lengthy agenda. Its main work this year was a consideration of a very full report by a special committee on Constitutional and Administrative Law, and there was a lively debate on the question of abolition of appeals to the Privy Council, on which the Section pronounced a qualified opinion.

It was good to note a revived interest in the Section on Legal Education and Training, which seemed to find itself in need of reorganization and wound up by capturing Chief Justice Vanderbilt to give it a special address. The Chief Justice's interest in the work of the Section as well as his pre-eminent qualifications to talk on legal education undoubtedly made the capture a matter of no great difficulty, just as it made the adjourned meeting of the Section one of commanding interest, of which the members took full advantage when the word went round.

In the last two years two new Sections have been formed, those on Industrial Relations and Civil Liberties. Efficient organization and urgent necessity arising out of the new federal Industrial Relations and Disputes Investigation Bill, which as originally proposed had many features upon which the opinion of the Bar ought to be heard, led to the Industrial Relations Section getting into its full stride before the Section on Civil Liberties. The good work of the Industrial Relations Section on the Dominion Labour Bill was praised on every hand and it will undoubtedly rank with the other Sections in importance and influence. Now the Bar of Canada has a vehicle for putting forward the lawyer's viewpoint on labour relations. The Civil Liberties Section still had not completed its provincial organization this year and confined itself to a discussion of the proposed Bill of Rights. A report suggesting that the Section confine itself to a method of guaranteeing constitutional rights before discussing what those rights are was presented and referred to the Section for study during the year, as also were the international phases of the matter arising out of a recent convention of the International Labour Organization and the proposed convention under the aegis of the United Nations Organization. For the past few years Civil Liberties has been a storm centre of the Association. This year it was quiescent, but that will not always be so.

Now as to the social side of the meeting. It was significant of the growing importance of the Association that it was tendered

a dinner by the Government of the Province of Quebec and a reception at that most delightful of all spots, the Chalet on Mount Royal, by the City of Montreal. The good fortune of the Association in those respects was not, of course, entirely due to the fact that it is becoming a growing force in the national life. The unbounded hospitality of the metropolis of Canada and of its ancient Province, a hospitality evidenced on every hand and finding its ultimate expression in these events, undoubtedly also played its part. But, to those who appreciated some of the deeper imports of the meeting, this and other things did point to the heartening fact that the Association today is one of the strongest influences we have for national unity. Indeed it becomes increasingly clear that the Association, as a bond between the two great systems of law that prevail in Canada and between the two great races that espouse those systems, can do more than any other organization to weld them into the strong nation that is the ultimate destiny of Canada. The aim to make that so should be amongst the most important of the Association's objects and, if it were its sole object, would be more than a justification of its existence. For that reason alone every lawyer ought to join and support the Association.

The Annual Dinner is the climax of the meeting and this year, as last year, the Association received its highest honour in the presence of the Governor-General and his gracious Countess. The attendance was the greatest yet and the problem of finding accommodation for so great a gathering at future meetings is likely to become an insuperable one. Already it is clear that the number of places where annual meetings can be held is being narrowed to a very small compass. The representative of the Bench and Bar of Great Britain this year was Godfrey Russell Vick, President of the General Council of the Bar, who had come at a moment's notice to take the place of our old friend, Viscount Simon, and Mr. Vick was given the place of honour as the speaker at the Annual Dinner. The address was that of an accomplished after-dinner speaker, full of humour, with heartening remarks on the fundamental soundness of the Old Country despite her apparent troubles and difficulties, and above all an admirable brevity.

Maitre Maurice Ribet, the Bâtonnier of the Bar of Paris, was the guest speaker at the dinner given by the Government of Quebec, and Chief Justice A. T. Vanderbilt spoke at the luncheon given by the Bar of Montreal. The Prime Minister of Ireland, Hon. John A. Costello, spoke at the luncheon given by the Bar of Quebec. It is ten years since Chief Justice Vanderbilt won all

our hearts at the annual meeting in Vancouver, and he has lost none of his charm. There were many references to that 1938 meeting both at the luncheon at which he spoke and throughout the meeting. In Vancouver he charmed us with his inimitable wit and humour. In Montreal his subject was more serious and he charmed us with the skill of his pleading. But even the seriousness of his subject did not prevent him from spicing it with wit and humour and thus demonstrating that he has lost none of the art with which he made his name glorious in Vancouver.

Both the Universities, University of Montreal and McGill, conferred honorary degrees during the course of the meeting, and at McGill the members were given the added treat of an address by Chief Justice Vanderbilt and a garden party on the lawn afterwards. For us the afternoon of the ceremony at the University of Montreal was peculiarly memorable. Madame Brais, chatelaine of our old friend and Past President, Phillipe Brais, held a reception at her delightful home in Outremont. Afterwards some of us drove with Monseigneur Maurault back to the University of Montreal and in the lengthening shadows of the sunset looked on that magnificent view across the Island of Montreal from the front steps of the University. Then we drove on round the Mountain to Mayor Houde's reception at the Chalet, again in time to see the matchless view over the City in the growing twilight. All this was enlivened by the sparkle of running comment by Msgr. Maurault. Perhaps that is why we were particularly in the mood to enjoy that evening at the Chalet. But there were others also who voted it the best of all the entertainments of the meeting. No speeches, just a mingling of friends renewing old acquaintanceships and making new ones.

There is a matter which might have been mentioned earlier, but which, since it was the driving force of John T. Hackett that put it over, may well be reserved till just before the account of his leave taking. It is the proposed commission, a counterpart of one in the United States, to make a survey of the legal profession in Canada. At the Mid-Winter Council Meeting in Toronto the President had been authorized to appoint a special committee to consider the scope of the survey, its probable cost and possible means of raising the money. Mr. Hackett presented the report of this committee at the plenary session on Friday morning and it was approved, a step that involved approval of the principle of the survey. His committee had defined the scope of the survey in rather general terms and the next step will be to plan the work in detail. When that has been accomplished a special committee

appointed by the incoming president will set about the task of raising the necessary money and will appoint a Director and independent Commission to organize and supervise the actual work. The meeting was asked to endorse, and did endorse, a contribution by the Association of up to ten per cent of the estimated cost of \$50,000. The balance it is hoped to raise from educational foundations, corporations and individuals.

So this account like the meeting draws to its close. There is one more function to report. The report of the Nominating Committee was presented to the wind-up meeting on Friday morning and the announcement — scarcely news — was made that Stanley H. McCuaig, of Edmonton, would be the President for 1948-1949. All that remained was for the retiring President to hand over the reins of office to his successor at the luncheon on Friday. This John T. Hackett did in a graceful little speech that endeared his audience to him and, if anything could do so, made Stanley H. McCuaig even more welcome as his successor. Plainly appreciative of the high honour done him, Mr. McCuaig expressed his thanks with a sincerity that bodes well for the Association's coming year. A. N. Carter, of Saint John, who succeeds him as Dominion Vice-President, tendered his fullest support to the new President. Our congratulations go to both these new Dominion officers. The Association is in safe hands during their tenure of office.

No account of the meeting would be complete without an expression of deep appreciation — in which we voice the opinion of all at the meeting — for the unbounded hospitality of the Bar of Montreal and of Quebec. Our particular thanks must go to John T. Hackett and Mrs. Hackett and their family, who showered us with attention throughout the meeting.

So the Thirtieth Annual Meeting passes into history, and history will appraise it as another milestone in the growth of the Association in dignity, in influence and in cementing and adorning the brotherhood of the Bar. The generation of the builders is passing on. Younger hands will make of it the superb edifice dreamed of by its architects.