

Dean Read was wrong about Bertha Wilson

He didn't want her to study law in 1954. She took it anyway, and now she's on the Supreme Court of Canada. Here, from an article by Sandra Gwyn (BA '55) in Saturday Night, is the story of Wilson at Dal

The conversation that nearly ended Bertha Wilson's legal career before it started took place in the office of Horace E. Read, the dean of Dalhousie Law School. In the early autumn of 1954, Wilson was 31. She was five years removed from her native Scotland, married to a naval chaplain recently posted to Halifax. She had no children and no parish affairs to look after, and she didn't enjoy being idle. "I really had no intention of becoming a practising lawyer," she remembers. "Law seemed a good way of picking up a liberal education where I'd left off." Horace Read, renowned as a teacher but also renowned as a crusty, choleric figure on campus, was unimpressed. "Madam," he barked, "we have no room here for dilettantes. Why don't you just go home and take up crocheting?"

But eventually Wilson persuaded him to give her a chance, and her life quickly began to change. "From my very first day of classes," she recalls, "I knew the law was my thing. I just sopped it up like a sponge." At Christmas, as was his custom, Read set an exam for his first-year class in contracts, a dinky little problem intended, as he put it, "to separate the wheat from the chaff." Wilson's memory for detail is flawless. "We had to prepare an opinion for a client. This particular client was a woman who was furious at the Singer sewing machine people for putting an ad in the paper advertising machines on special, and then informing her, when she got to the store, that there weren't any left." For Wilson, practical wife of the manse, "this was a real human problem that I could identify with." The opinion practically wrote itself, and Read read it out to the class. No legal grounds for complaint existed, Wilson told the mythical client.

The newspaper was "a mere puff," not an offer. Then she added a word of advice. "Why not, next time, be first in the queue?" . . .

In 1949, the Wilsons immigrated to Canada, from Scotland, prompted by glowing letters from John Wilson's brother James. For three years, John was minister at the Presbyterian church in Renfrew, in the Ottawa Valley. Their lives were transformed by the war in Korea. The chaplain of the fleet, who'd become a close friend, urged John to enlist as a seagoing padre. "It meant we would be separated for over a year," Wilson recalls. "But I knew how much John wanted to go, and after forty-eight hours we said yes." She moved to Ottawa, took a tiny flat in a mostly working-class, mostly French-speaking district, and got her first paying job — as receptionist for two dentists. She made appointments, developed x-rays, sent out bills, and kept the books. She learned to type and to drive a car. "I was often very lonely, but in a strange way it felt good and exhilarating to be my own centre of reference." When John Wilson sailed home in 1954, they moved to Halifax, where he took up a shore appointment. When time began to hang heavy on her hands, she made an appointment to see the dean at Dalhousie Law School.

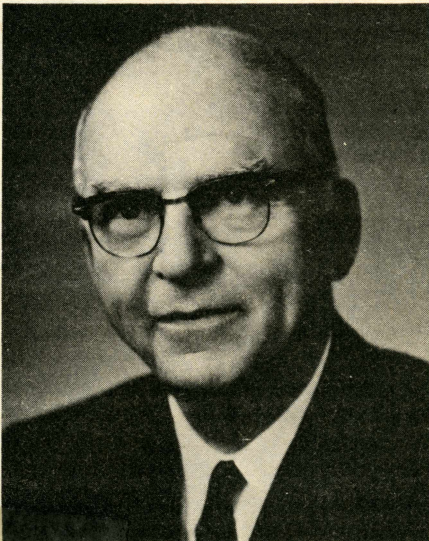
Thirty years ago Dalhousie was a small, cosy campus, and the law school was the jewel in the university's crown (as it still is). Dal was a folksy kind of place where one professor, a yachting enthusiast, taught marine law with model boats in a tub full of water. In those days Dal Law was not yet imprisoned in a stone-and-glass box. It occupied the most handsome of the old stone buildings on the campus, the one that's now Dalhousie's faculty club, with graceful Corinthian columns and a

wide, welcoming portico.

Though a decade older than most of her classmates — five others, out of fifty, were women — Wilson fit in. “She was a very attractive girl who wore black sweaters,” recalls one former classmate, now an Ontario judge. “She was very nice about lending me her notes.” She was one of the superachievers who got together on Friday nights to chew over cases. “She had a wonderful capacity for analysis, tempered with kindness,” recalls another member of this group, Ron Pugsley, now a leading Halifax lawyer. She graduated in 1957 with a couple of prizes, near though not quite at the top of her class, and was offered a Harvard scholarship that could have led to teaching. Dean Read dissuaded her. “He said, ‘Oh my dear! A woman on faculty! Not in *your* time!’” Nor was it easy to find a place to article. Eventually, a crusty Halifax intellectual named Fred Bissett (father of the poet, bill bissett), took her on. “From the dizzy heights of academia,” recalls Wilson, “I was plunged into the stark reality of the police court, with its daily roster of drunks and prostitutes . . . And when I became too insufferable in my new-found legal knowledge . . . Fred would say to me, innocent-like, ‘How would you like to work up a defence on this buggery charge?’”

But lady lawyers of the 1950s did not often go to court to defend buggers or anyone else. Instead, they searched titles and wrote up mortgages — the “clerkish scutwork” of the law, as the Newfoundland lawyer-novelist William

Rowe has called it. Early in 1958, when John Wilson’s short-service naval appointment came to an end, the Wilsons moved to Toronto. Bertha deliberately applied to a large firm, Osier, Hoskin & Harcourt, “because, in a small firm, they could always fob you off with excuses about not having a ladies’ washroom.” Osier Hoskin, a corporate-commercial giant with roots in Victorian Toronto, almost didn’t hire her. “There was an incredibly long and solemn debate as to whether a woman could really be suited to the practice of law,” recalls Allan Beattie, now a senior partner . . . □



Dean Horace Read felt a housewife's place was anywhere but a courtroom