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THE LAW SOCIETY OF UPPER CANADA

CALL TO THE BAR - Thursday, July 22, 2004

Roy Thomson Hall, Toronto, Ontario, Canada

2:30 p.m.

Professor Vern Krishna, Q.C., FRSC, FCGA

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CALL TO THE BAR PROCEEDINGS
JULY 22, 2004

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PROF. V. KRISHNA: Treasurer, Your Honour, Benchers, members being called to the bar, family and friends. I must confess, I am tempted to court your popularity today by telling you that this is the last speech you will hear today.

(laughter)

PROF. V. KRISHNA: Unfortunately, that is not true.

(laughter)

PROF. V. KRISHNA: But I am privileged, Treasurer, to be allowed to address Convocation first before we partake of this traditional ceremony on the road to your professional career. I thank you, Treasurer, for allowing me to share this auspicious day with the graduates being called to the bar. On this day, you make your transition from the world of academia to the world of professional life; from the world of the gown into the world of the town. Today, you replace your academic robes for your professional gowns, which will symbolize your professional life as lawyers from here on in.

For me, too, it's an auspicious day. As

1 one who has spent the last 30 years in academia, I am
2 honoured today by my profession with this colourful
3 crimson robe that symbolizes the history of our profession
4 and the Law Society of Upper Canada. I must tell you,
5 however, that although we wear different gowns today, you
6 have the better bargain. Three hours from now, the Chief
7 Executive Officer of the Law Society of Upper Canada will
8 strip me of this gown.

9 (laughter)
10 PROF. V. KRISHNA: You, at least, get to
11 keep yours.

12 (laughter)
13 PROF. V. KRISHNA: Nevertheless, despite
14 the differences in our colours, we share a common bond.
15 Your gown represents the beginning of your professional
16 career. My gown, albeit more flamboyant, represents the
17 near-culmination of a very happy professional and academic
18 career.

19 The common bond that we share is that your
20 future and my past are both rooted in the honour of the
21 profession. But we're here today not only to celebrate
22 symbolism and ceremony but also to recognize the
23 contribution of our profession: one, to maintaining the
24 rule of law; two, to an independent legal profession and
25 judiciary; and three, our commitment to a just and

1 democratic society. These are our enduring values. These
2 are the values that have lasted and taken us from 1797 in
3 this province to today, and these are the values that will
4 take us forward.

5 Truth is not a wiry Methuselah that it is
6 made up to be. It has a life span at best of 25 years or
7 so, or so said Justice Oliver Wendell Holmes. Only
8 yesterday, Stephen Hawking, Dr. Stephen Hawking, the
9 world-renowned astrophysicist, admitted in Dublin that his
10 black hole theory that he had been espousing for more than
11 a decade was now wrong. But there are certain values that
12 continue and that we cherish and that will endure in our
13 profession if we make it and continue to do so.

14 But neither you nor I are here today only
15 because of our hard work and commitment, despite all the
16 generous comments of George Hunter, who read my citation.
17 We have been supported en route by our families and loved
18 ones. Seated behind you are those who have supported you,
19 both financially and emotionally, during the many years of
20 your education and professional training. They sit behind
21 you. From my vantage view, I can see how they reflect
22 their pride in your achievements.

23 I can see as I look out into this vast room
24 behind you the glowing happiness of your families and
25 friends as they enjoy this day with you. For me, too,

1 seated in the visitors' gallery are my family and friends.
2 They have helped to sustain me in an eventful and exciting
3 journey through life that has crossed three continents.
4 We have a long and colourful history. Many
5 have gone before us who have made it possible for us to be
6 here today. Although the law has changed and will
7 continue to evolve to meet new and increasing needs, our
8 core values remain the same: service to our clients with
9 the utmost loyalty; commitment to an independent bar that
10 supports the rule of law; public service for our
11 communities; and service to our self-governing profession,
12 as epitomized by the Benchers on stage today.
13 As newly admitted members of the legal
14 profession, you may look forward with enthusiasm to fully
15 participating in all aspects of professional life. Not
16 all of us stem from the same origins or from the same
17 socio-economic segments of society. Many of you are here
18 today as the first generation of professionals in the
19 family. Not all of you have come from wealth and economic
20 advantage. We represent the diversity of cultures and
21 backgrounds. Many have sacrificed, and your families have
22 sacrificed, in seeing you to this position. And so I
23 recognize and we recognize your desire to serve your own
24 self-interest and the well-being of your families, and
25 you're perfectly entitled to do so. However, we have but

1 a small window of opportunity in our lives to contribute
2 not only to our own well-being but also to the well-being
3 of those, whether individuals or institutions, whom we
4 cherish and trust.

5 There are really basically three types of
6 persons in this life: those who make things happen; those
7 who watch it happen; and those who say, "What happened?"

8 (laughter)
9 PROF. V. KRISHNA: Your life, about 35
10 years of your professional life, is made up of
11 approximately 70,000 billable hours.

12 (laughter)
13 PROF. V. KRISHNA: You do not want to come
14 to the end of your professional career and when asked on
15 your exit, and what did you do?, answer, "I billed 70,000
16 hours."

17 (laughter)
18 PROF. V. KRISHNA: You want to consider the
19 many ways in which you can serve your profession, your
20 community and society. Legal Aid needs your help,
21 pro bono needs your help, governments and the profession
22 need your help, communities need your help.

23 We have a long professional history, some
24 of which has been commented upon with cynicism and doubt.
25 You know that famous line, sometimes said in jest and

1 sometimes in half-jest: "The first thing we do, we kill
2 all the lawyers."

3 (laughter)

4 PROF. V. KRISHNA: Canada's national
5 newspaper, The Globe and Mail, on Tuesday, July the 13th,
6 just nine days ago, on its editorial page has a cartoon
7 where it says: "What do you call 500 human rights lawyers
8 encased in concrete?" And the answer attributed,
9 unfortunately, to Prime Minister Sharon of Israel
10 says: "A good start."

11 This is an unkind and untrue half-joke.
12 Few will remember, except for those who may have studied
13 Shakespeare many years ago, that that phrase emanates from
14 "King Henry VI", in which Dick says, when he is asked,
15 "The first thing we do, let's kill all the lawyers." But
16 why does he say it? Because Cade is planning a revolution
17 and wants to proclaim himself as King. And he says --
18 Cade says -- "There shall be no money. All shall eat and
19 drink on my score, and I will apparel them all in one
20 livery, that they may agree like brothers and worship me,
21 their lord." It is then that Dick says, well, in that
22 case, the first thing we must do is we have to kill all
23 the lawyers. Because so long as lawyers are around, they
24 will not permit that to occur. They will not tolerate
25 that to happen. They will not stand by idly to see the

1 usurpation of the rule of law.

2 So I say you have an opportunity that you
3 must seize. I can say this: After 30 years of teaching
4 students, I can think of no more enjoyable reward than the
5 psychic income -- may I say non-taxable psychic income --
6 (laughter)

7 PROF. V. KRISHNA: -- that I have derived
8 from teaching generations of students and members of a
9 learned profession. And although you and I may wear
10 different gowns, I take this opportunity to state that my
11 involvement in the teaching of this and many prior
12 generations of law students has been the source of great
13 personal satisfaction.

14 I recognize that many of you seated here
15 today would probably have preferred not to have studied
16 the intricacies of tax law and that you are glad to have
17 put that behind you. And so as you pass from the gown to
18 the town, I offer you all the best wishes that a teacher
19 can offer his or her students and wish you and your family
20 great joy and happiness from your personal successes.

21 I say only to you that you must guard your
22 reputation. Reputation is the single most important
23 business asset of a professional person. Preserve it and
24 it will reward you; destroy it and you will be shunned.
25 Reputation implies more than what the legal rules

1 state: It implies decency beyond what the law requires.
2 As the English historian Macauley said, the measure of a
3 man's or woman's real character is what he would do if he
4 knew he would never be found out.

5 Or, as they say in The Midrash, the Genesis
6 Raba, if one man says you're a donkey, don't mind. If two
7 say so, be worried. If three say so, get a saddle.

8 (laughter)

9 PROF. V. KRISHNA: And so on this glorious
10 22nd day of July, 2004, a day that will be etched in your
11 memory for the rest of your lives as the beginning of your
12 professional career, a day that is etched in my mind in
13 gratitude for the honour conferred upon me, we, you and I,
14 are privileged to serve in a noble profession committed to
15 the values of decency.

16 I thank you, Treasurer and Benchers, for
17 allowing me to share this auspicious day with you, my
18 professional colleagues, my academic friends, my students
19 and all your families. Thank you.

20 (applause)

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22 I HEREBY CERTIFY THE FOREGOING
23 to be a true and accurate
24 transcription of a compact disk recording
25 to the best of my skill and ability.
26

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28 Kathy Toy
29 Transcriptionist