



## LEGAL ICON WESTMORELAND- TRAORÉ RETIRES

By Patricia DeGuire<sup>1</sup>

Westmoreland-Traoré's dogged decision to be independence, her passion for and resolute commitment to equality, social justice and the rule of law inspired her to choose a career in law. Equipped with a PhD, first class, from *Université de Paris*, in 1969 Westmoreland-Traoré embarked upon the frontier of justice in Quebec. She would spend over four decades in the trenches of the legal profession serving in many capacities trailblazing - educator, advocate, mentor, dean and jurist, debunking the vestiges of discrimination in Canada and around the world. Her perspicacity, sound rearing by parents - mother still alive - and an innate intellect will have boded well for navigating her legal career during a pivotal point of Canadian legal history - from the computer-room riot of Black and Caribbean students at Sir George Williams in 1969, to the *Front de libération du Québec*, the 1970 October Crisis, primarily in the Montreal area in the province of Quebec, the patriation of the *Charter of Rights and Freedoms* in April 1982, to *Employment Equity in Ontario*, to racial profiling, just to name a few.



Westmoreland-Traoré began her legal career at a pivotal point where women, *Quebécois*, and people-of-colour overtly began to assert their rights to fundamental rights and freedoms. At the Montreal law firm of Bernard Mergler, known for his work in human rights and civil liberties, she found a veritable camp to launch, cultivate and hone her passion and commitment to social justice, the rule of law and equality.

Westmoreland-Traoré's career was a progression of firsts in the Black legal communities. She would recall in March 2012, that at the time she began to practise law in Quebec, the only other Black lawyer in Quebec was Frederick Phillips, who had graduated from McGill in 1956.<sup>2</sup> Westmoreland-Traoré was the first Black woman to teach law, at the Université de Montréal and at the L'Université du Québec à Montréal. She was a Commissioner for the Canadian Human Rights Commission, the first chair of *Quebec's Conseil des communautés culturelles et de l'immigration*, the chair of the Employment Equity Commission, Ontario (a position that helped shape the legislation, systemic policies law of employment and pay equity in Ontario), the first Black Canadian Dean in Canada, at the University of Windsor,

<sup>1</sup> Patricia DeGuire, First Vice-President of JusticeNet, member of OBA Council, Newsletter Editor of FLAC Newsletter.

<sup>2</sup> Anthony Morgan: <http://publications.mcgill.ca/droit/2010/01/19/meet-mcgills-first-black-law-grad/>

Faculty of Law and the last trail she blazed was in 1999, as the first Black person to appointed to any court in the province of Quebec.

After 12 years on the Québec court, upon attaining the vintage status of a certain age, on April 10, 2012, having issued her last judgement a day earlier, Judge Juanita Westmoreland-Traoré, ambled gracefully into retirement. I hasten to add that her retirement is from *paid* public service: for Juanita's passion and resolute commitment to social justice, law, equality, mentoring and community building do not entertain the notion of retirement. She has a huge "congregation" of protégé and protégées that she has cultivated and sustained during her legal career. No doubt, they will be wishing to tap into her encyclopaedic knowledge and expertise that she is wont to give generously garnished with humility. Besides, she may, with the permission of the Quebec government, continue to sit as a supernumerary judge.

Thus, it was fitting that a group of her protégées celebrate her retirement in a style that is apropos her demeanour and career path. The "Gifts in Action" were a series of lectures by legal scholars and practitioners entitled: "A conference in Honour of Judge Juanita Westmoreland-Traoré on *Social Justice, Law and Equality*" that was held March 16 - 17, 2012, in Montreal. The conference was the brain-child of scholars, Adelle Blackett<sup>3</sup> and Colleen Sheppard,<sup>4</sup> and lawyer Tamara Thermitus.<sup>5</sup> The conference Chair was Yola Grant, of Toronto.<sup>6</sup> Westmoreland- Traoré's "Sister in Law", Judge Corrine Sparks, Nova Scotia Family Court,<sup>7</sup> gave a remarkable tribute to close the conference (see link for snapshots of her presentation).<sup>8</sup> The organisers wanted to reflect, not only Juanita's contribution to the community, but also to encompass themes she had championed throughout her career. Other Ontarians that attended the conference included Beth Symes, Mary Cornish and Verlyn Francis.



(L to R): Organizers of the Social Justice, Law and Equality conference in honour of Justice Juanita Westmoreland-Traoré: Tamara Thermitus, Adelle Blackett, Colleen Sheppard and Ashley Adams. Photo: Lysanne Larose

Juanita was the mentor of many students that have gone on to careers in law, *e.g.*, Prof. Blackett. She recalls being told about Juanita by her school librarian and she was fortunate enough to have Juanita as a mentor. "She draws people to her, builds people up and does what she can to make sure what she has

---

<sup>3</sup> Adelle Blackett is McGill's first black professor of law and director of the Labour Law and Development Research Laboratory (LLDRL) at McGill. She also received the prestigious Bora Laskin National Fellowship in Human Rights Research for 2010-2011 and sits on the Quebec Human Rights and Youth Rights Commissions.

<sup>4</sup> Colleen Sheppard, director of the McGill Centre for Human Rights and Legal Pluralism, the host of the conference, who had worked previously with Westmoreland-Traoré on social context education sessions for judges of the Court of Quebec.

<sup>5</sup> Thermitus is a lawyer with the Department of Justice and a candidate for LL.M. at McGill.

<sup>6</sup> A lawyer of at Grant & Bernhardt, Toronto, a 10-year partnership in private practice (focussing on labour, employment, and human rights law).

<sup>7</sup> Judge Sparks is Canada's first Black female judge that was appointed in 1987.

<sup>8</sup> The URL for Yola is: <<http://flic.kr/g/ienLD>> <http://flic.kr/g/ienLD> (27 photos); For Rainer:: <<http://flic.kr/s/aHsjyDdvXW>> <http://flic.kr/s/aHsjyDdvXW> (12 photos -Saturday morning session only))

learned through her experience is shared," Blackett, proudly states.<sup>9</sup> Perhaps the most notable characteristics of Westmoreland-Traoré are her warmth, humility and selflessness. For instance, Juanita requested that the raising of funds for a scholarship that was launched in her honour be suspended until the full endowment for the Julius Alexander Isaac Scholarship was raised.

Westmoreland- Traoré has received many awards during her legal career including, Officer of the National Order of Québec, a medal from Université de Montréal for extraordinary contribution to human rights; the Canadian Jewish Congress' Alan Rose Award for human rights; the CBA Touchstone Award for outstanding contribution to the promotion of equality in Canada's legal community; the Montreal Association of Black Business Persons and Professionals' Jackie Robinson Achievement Award; the Mérite Christine-Tourigny, awarded by the Barreau du Québec for her social involvement and contribution to the advancement of women in the legal profession; and the Droits et Libertés award from the Québec Commission des droits de la personne et les droits de la jeunesse. She is also the recipient of honorary doctorates from the University of Ottawa and l'Université du Québec à Montréal.

Juanita is a phenomenal woman. She is a multifaceted trailblazer with far-reaching influence in the legal profession: as a scholar, a lawyer, a professor, a dean and a jurist. She was an agent of change, e.g., a presage of mentorship across cultures and racial divide. Well before "mentorship" and "diversity and inclusivity" became professional buzz words, Juanita mentored Women-of-Colour in Ontario. I first met her at a "meet-to-eat", a mentoring circle, if you will, in the late 1980s. I was a student and she, the Commissioner of the Employment Equity Commission of Ontario. She is a woman with nobility of purpose, who has a keenness of intellect, a kinship of humanity, impeccable integrity, and a fervent invocator of social justice, human right and the rule of law. As well, she is caring mentor a stalwart community builder and leader. Her largess includes, the Juanita Westmoreland- Traoré Leadership Scholarship at Windsor University Faculty of Law, which is still in progress.

---

<sup>9</sup> <http://publications.mcgill.ca/reporter/2012/03/gifts-in-action-honouring-judge-juanita-westmoreland-traore/>