

Cecil (“Caesar”) Augustus Wright: The Father of Legal Education in Ontario

by C. Ian Kyer

No individual has had a greater impact on the shape of legal education in Ontario than Cecil Augustus Wright, known widely as Caesar Wright¹. The story of his career is, in many ways, the story of legal education in Ontario. That career spanned 5 decades. In the 1920’s, he came to Osgoode Hall Law School (**The** Law School as it was then known) from the University of Western Ontario where he had been an award winning young scholar. During his student years at Osgoode Hall, Dr. Donald A. MacRae and Dean John D. Falconbridge began to change the law school from a trade school to an academic institution. Traditionally the law school had been seen as supplementary to the real education that young would be lawyers received in law offices as articled clerks. The lectures at that school were most often delivered not by professional law teachers but rather by practising lawyers. MacRae and Falconbridge were trying to change this approach. They sought to recruit young scholars to do graduate work in law in the USA and to then join their faculty. Wright was one of those recruited. Following graduation and with the encouragement of these early law teachers, Wright spent a year at Harvard Law School earning an S.J.D. degree. In 1927 he returned to join the teaching staff at Osgoode Hall. Wright’s year at Harvard taught him that a professional three year university law degree was infinitely superior to the combined part time law course and articling program that was then prevalent in Ontario. In the 1930’s and 1940’s he took on the cause of MacRae and Falconbridge and lobbied extensively both in person and in print for professional law teachers and for a more academic

¹ This paper is based upon the research that I did for Kyer and Bickenbach, *The Fiercest Debate* (Osgoode Society, Toronto, 1987).

instruction of law students in Ontario. His cries for reform largely fell on deaf ears. The benchers, who were themselves products of the old system, could see no reason why legal education ought to change.

The summer of 1945 proved a turning point in Wright's efforts to create what he called a "honest to God law school" at the University of Toronto. That was the summer when his life long friend and ally, Sidney Smith, became the President of the University of Toronto. Wright's telegram to Smith was an emotional outpouring: "Allah be praised. Lassie come home. Never happier in my life. Love to Harriet." Wright and Smith put every form of pressure they could upon the benchers of the Law Society of Upper Canada to reform legal education and to establish the University law school that they so much wanted.

The benchers would not budge. They resisted the pressure. Even in 1948 when Wright became the Dean of Osgoode Hall they would not accept his views on legal education. The special committee that the benchers established to study legal education reported in 1949 that there was no need to adopt the university law school for which Wright and Smith were pushing. There is no better evidence of the fact that Wright had alienated the benchers than the way he learned of the report's conclusion. The benchers did not give him, the dean of the law school, a copy of their final report on legal education. He read about it in the *Globe & Mail*. He called together the small faculty at Osgoode Hall – Stanley Edwards, John Willis, Bora Laskin and Walter Williston. The group decided to resign *en mass* to force the Law Society to relinquish its control of legal education in the Province. When, to their surprise, the Law Society accepted their resignations and hired new faculty, Wright, Willis and Laskin went to the University of Toronto and established a rival law school.

In the 1950's, Wright and his rebel law faculty fought to win official recognition for their school. Initially, the benchers treated the graduates of the U of T three year full time program as equivalent to the graduates of their own two year program, thus penalizing those that attended U of T by requiring of them an additional year of study. Finally in 1957, at a time when the number of law students was making the maintenance of Osgoode Hall Law School an economic burden on the legal profession, the benchers worked out a compromise with the Universities. They sanctioned University programs at the University of Toronto, University of Ottawa, Queens' and the University of Western Ontario. All of these universities, as well as the Osgoode Hall Law School adopted a 3 year LLB program. Where the Universities compromised with the benchers was in the establishment of the one year articling program and the 6 month bar admission course that followed the University degree. This way the benchers could ensure that people called to the bar in Ontario would have at least some practicable experience and that practising lawyers would have the opportunity to test the suitability of these candidates through the Bar Admissions Course examinations.

Wright's forceful personality and his refusal to compromise on matters that he considered of real importance meant that he played only a small role in the 1957 compromise. Alex Corry of Queen's led the negotiations for the universities. There cannot, however, be any doubt that Wright's efforts were what drove the benchers of the Law Society to adopt the full time three year University legal education program that was the central focus of the 1957 compromise.

Wright served as the Dean at the University of Toronto Law School until his death on April 24, 1967. A few weeks after his death, the Chairman of the Law Society's Legal Education Committee read the following testimonial to Wright:

“Mr. Treasurer, I have the honour to present to you the following citation:

For 18 years Cecil Augustus Wright is the Dean of the Law School of the University of Toronto. He began his teaching career 40 years ago as a lecturer and subsequently became Dean of the Osgoode Hall Law School. He has rightly been called the architect of legal education in Ontario. The fact that this Province enjoys the system of legal education and second to none in the common-law world is to considerable extent attributable to his selfless dedication. As a teacher, he had no peer and generations of law students first received from him a knowledge and understanding of law as an instrument of social justice.

Never once did he compromise his standards, nor was he dismayed if he was the only voice to criticize the inadequate or to advocate reform. He lived to witness the realization of his goals and many legal reforms stand as his monuments. For him, the finest tribute is that many that were his students and colleagues remain to pursue his ideals and practice his precepts.

In March of this year, he accepted your invitation, Mr. Treasurer, to receive the degree of Doctor of Laws, *Honoris causa* [**causa**], and it is a matter of deep regret that his death intervened. It is fitting that the name of Cecil Augustus Wright be recorded among those worthy of our highest honour.”

Caesar Wright was fond of saying that he did not train law students for their first six months of practice. His goal was to sharpen their minds and give them the tools to understand and apply the law as it changed throughout their legal careers. That focus on law as an intellectual, as well as a practicable discipline, and his ceaseless efforts to establish the University legal education

program helped improve the professionalism of lawyers, but also helped create the profession of law teacher. As law students, lawyers, law teachers and judges we are all in his debt.