

NAMES IN THE NEWS

No profit from *The Corporation* for law professor Joel Bakan



The film's creators ponder *The Corporation* (from left to right): Mark Achbar, director; Joel Bakan, writer; and Jennifer Abbott, director. Photo by Nancy Bleck

Vancouver

Joel Bakan is professor of law at the University of British Columbia, a former Rhodes scholar with law degrees from Oxford, Dalhousie and Harvard Universities, and the author of *The Corporation: The Pathological Pursuit of Profit and Power*. He is also co-creator and writer of the multimillion-dollar-grossing film *The Corporation*, based on the book.

Bakan conceived the idea in the mid-1990s, although the seeds for the project were planted in the early 1980s when he learned at law school that "a corporation is deemed by the law to be an artificial person... and that one of the core principles of corporate law [is that a corporation] must always act in their own self-interest," he said. Originally, the book was to be a scholarly study of the institution. But then, "I toyed with the idea of writing a book with a mass audience that might actually provoke debate amongst the broader public rather than an academic work."

Bakan had earlier published such an academic work, *Just Words: Constitutional Rights and Social Wrongs*. "In this book I concluded that one of the reasons the *Charter* is ineffective in promoting social justice is that it only imposes obligations on the government, and not private actors such as corporations. So that led me to want to investigate the issues of how corporations exercise economic and social power, and the implications of their growing power in the context of economic globalization," said Bakan.

In 1997 Bakan met filmmaker Mark Achbar, who thought it would make a great documentary – but there was one snag – Bakan hadn't written the book yet. So it was decided that he would write the book and collaborate on the film at the same time. "We e-mailed each other and hashed out possible drafts of film proposals," said Bakan. "At the same time I was working on book proposals and I spent the next three and a half years with the two of us trying to raise money for the film." As well as writing the book.

So far, *The Corporation* has been translated into 17 languages, from Croatian to Korean. Bakan had no idea it was going to be this big. He thought the documentary might turn into a mini-series in Ontario and the book would do well as a Canadian publication. "It's a slow burn rather than a flash in the pan," he said. And it's gaining momentum in developing countries. Bakan just signed a Spanish contract and the film will soon be distributed in South America.

Despite all this good news, Bakan still couldn't make a living from the book and film combined. Ninety cents out of every dollar goes to film distributors and the remaining 10 cents goes back to paying investors and publicists for the film.

Even though it has grossed millions, Bakan and his collaborators on the film, Mark Achbar and Jennifer Abbott, have yet to see a profit. That's the movie business for you.

By Jane Mundy

MOVES

Starting with the West this week, the Vancouver office of *Fraser Milner Casgrain LLP* welcomed **Ron Stuber** to its energy and infrastructure group. Stuber has spent the majority of his career with law firms in London, England.

Now to one of Canada's automotive capitals. *Miller, Canfield, Paddock and Stone, P.L.C.* announced that **Bob Baksi** has joined the firm as senior counsel in the Canadian Law Group in the Windsor, Ont., office. His practice includes business law, corporate finance, franchising, and real estate and development law.

Borden Ladner Gervais LLP has added a handful of new associates to its ranks. **Cara Zwibel** joined the Toronto office, while **André J. Barette** and **Mark Phillips** joined in Montreal. **Nadia Effendi** and **Terry Leier** both joined the Ottawa office.

Neil Saxe has been admitted as a new partner in the Toronto office of *Heenan Blaikie LLP*. Saxe will specialize in bankruptcy and insolvency.

Similarly, **Chris Hersh** has been admitted as the newest partner in the Competition Law Group with *Cassels Brock & Blackwell LLP* in Toronto, while **Lindsay Clements** is now a new associate in the Securities Group.

The boutique Toronto business law firm *Chitiz Pathak LLP* has welcomed several new people, including new partner **Navin Khanna**, two new litigation associates, **Christine Goldsack** and **Meaghan Obee Tower**, and one Corporate and Securities Associate, **Simon Finlayson**.

Meanwhile, there are two new lawyers hanging their hats in the Toronto offices of *Howie, Sacks & Henry LLP*. **Meghan Hull** joined the firm earlier this month, while **Renée Vinett** will join in early December. Vinett was formerly an associate with *Hughes Amys LLP*.

APPOINTMENTS

Federal Justice Minister and

Attorney General of Canada **Irwin Cotler** announced the appointment of **Alan D. Macleod** of Calgary as a judge of the Court of Queen's Bench of Alberta. Prior to his appointment, he was a partner with the firm *Macleod Dixon LLP* and practised in the areas of civil litigation, commercial law and Aboriginal law.

Macleod replaced **P.W.L. Martin** who was appointed to the Court of Appeal of Alberta, who in turn replaced Justice **E.A. McFayden**, who has elected supernumerary status.

HONOURS

The life and contribution of **Frank Iacobucci**, former Justice of the Supreme Court of Canada, was celebrated Thursday, Nov. 24. Attendees included **Michel Desjardins**, president and CEO of the Canadian Unity Council, **George N. Addy**, chair of that organization, and the Honourable **Bob Rae**, a former chair of the council himself.

Iacobucci, who on July 1 joined *Torys LLP* as counsel, and who is also chairman of the board of directors for *Torstar Corporation*, spoke on the theme "*The Challenge and Promise of Canadian Unity*."

Funds raised during the gala went to support The Canadian Unity Council's activities across the country.

EVENTS

The artist reception for *Legal Exposure III: "In Camera"*, a photographic exhibit by several legally-trained shutterbugs, will be held Thursday, Dec. 8, from 5:00 to 8:00 p.m. at the Law Society of Upper Canada Museum Room, Osgoode Hall, 130 Queen St. West, Toronto.

The exhibit features work by **John McMillan**, **Paul Sanderson**, **Hart Pomerantz**, **Cameron Stewart**, and **Julia McArthur**.

Admission is free, although donations are welcome and appreciated. All proceeds will go to the Lawyers Feed the Hungry program.

Contributions to Names in the News can be e-mailed to names@lexisnexis.ca or sent by fax to 905-479-6460. There is no charge for publication.

THE LAWYERS WEEKLY®

www.thelawyersweekly.ca

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Website: www.thelawyersweekly.ca

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(416) 340-1981; Fax: (416) 340-8724

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CIRCULATION

Circulation Controller

Scott Welsh (905) 479-2665, ext. 324

Subscription Rates

1 year (48 issues): \$215 + G.S.T.

2 years (96 issues): \$370 + G.S.T.

U.S. and overseas subscriptions: \$250/year

Law student rate: \$49 + G.S.T.

Individual copies: \$9 + G.S.T.

GST/HST/QST No.: R121051767

Postal Information: Please forward all postal returns to: Circulation Controller, The Lawyers Weekly, 123 Commerce Valley Drive East, Suite 700, Markham, ON L3T 7W8. Return postage guaranteed. ISSN 0830-0151. Publications Mail Sales Agreement Number: 40065517.

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