

Bora Laskin Award Presentation to Rick Engel

November 12, 2024

Ross McNab's Speaking Notes

Honoured guests, friends and family of Rick and Adrienne,

It is wonderful to see all these people gathered this evening to honour Rick Engel and recognize his contributions to labour law in Canada, and to celebrate the continued importance of the labour movement in this country.

Thank you, Rick, for asking me to speak tonight. It is a rare honour and pleasure for me to be serious in public and perhaps to be taken seriously, albeit briefly. I'm also pleased to have the opportunity to say nice things about Rick Engel in a setting where I am unlikely to be contradicted.

Rick is a somewhat reluctant recipient of the Bora Laskin Award. He feels unworthy. And that's not just false modesty. He's got really low self-esteem. Sad, really. Makes me wish I'd been nicer to him over the years.

Rick will no doubt, in his remarks, assure us that the career accomplishments we celebrate tonight were, in fact, a group effort - that he played a minor, though perhaps influential, role in the advances we identify as his work.

He'll resist the idea that he is "great". Yet, at the same time, he will note that each and every person who has received this award in the past is, well, great, heroic, in fact - from Harry Arthurs through Paul Weiler, Rosalie Abella - they're all great. They inspired him, and in some cases, advised him.

Of course, it is not enough to be great and accomplished. You also have to be well-liked enough so that people are willing to nominate you and gather at an event like this. Unless there has been some pretty spectacular mass delusion, Rick, you're great and you're popular and richly deserving of this award. So. Like. Get over yourself.

My task here tonight, other than counselling Rick, is to give you all a bit of insight into the more personal side of the man behind the working-class hero and fancy lawyer.

I believe I was chosen for this task because I gave a tribute to Rick to celebrate his 60th birthday. I only did that because John Williams was busy. I dug it up out. There is nothing in it that is appropriate for an event like this. This isn't a roast. Nor was that, now that I think of it.

Okay - maybe one story - since I'm going to start with Rick's childhood anyway. This one illustrates Rick's entrepreneurial creativity. On the farm, as children, Rick and his brother would shoot pigeons around the barn, wrap the corpses in newspaper and go to the

neighbouring farmhouses and try to sell them as some kind of exotic fowl, like quail. Horrifying, I know, but the analogy to the practice of law is irresistible - are we not all in some ways just door to door dead pigeon salespeople?

Rick grew up on a farm near Woodrow Saskatchewan. He attended school - from Kindergarten through grade 12 - down the road [highway 13] in Lafleche. All of the press on Rick related to this award keeps saying that Rick grew up in Gravelbourg. That's hurtful to the people of Lafleche and Woodrow. And inaccurate - anyone who knows him knows that he's not that urban.

Rick grew up in a religious Mennonite home. His parents Allan and Joyce [here tonight] were politically very active - great campaigners for the CCF and later the NDP. Yes. Rural socialists. More unusual - Allan was elected as an NDP MLA in three elections starting in 1971, serving in the Blakeney government and in opposition during the first term of the Devine years. He was a legendary heckler.

That political upbringing obviously influenced young Rick. He grew up hearing about and meeting people like Tommy Douglas Woodrow Lloyd, David Lewis, Ed Broadbent, Blakeney and Romanow of course.

Rick told me that he was raised to believe that the government could be a force for good. That, of course, is demonstrably true. Unlike many in the province, Rick never lost the notion that, through cooperation, we can make a better life for ourselves and our families and our communities than we can just by pursuing our individual interests. For Rick, this is more than just a political belief.

After finishing high school, Rick went to Caronport and studied religion for a couple of years and then moved on to the University of Saskatchewan, where he studied political science. That is where I first encountered Rick.

In about 1977 we were in in Jene Porter's political philosophy class – as was Rick's future law partner, John Williams. Yes. We were three young philosophers - I don't know what other young men were seeking at that time, but we were seeking enlightenment. John and I were just young dweebs - Rick looked the part - he had thick long brown wavy hair. He could grow a beard - which he could stroke pensively. Smoked a pipe. Probably wore a beret. Rick was a bit of a star in the political science department and had opportunities to pursue advanced studies, but opted to study law instead just one of many poor career choices.

Rick got his degree from Queen's University in Kingston, Ontario, in 1982.

And he returned to Saskatchewan. Why? In those days, we weren't expected to return to or stay in Saskatchewan unless we absolutely had to. Plus, it was 1982, the Devine Tories had driven the NOP out of office. Doors previously open to him because of his political connections were now closed because of those connections. At least one offer of an articling position was withdrawn.

But Rick is a devoted prairie boy, an idealist and an optimist.

Rick's early legal career demonstrated his most enduring character trait - he is fearless. Or perhaps oblivious to danger. He has a faith and confidence that life experience could not beat out of him.

He articulated with Louis Stringer - spelled stringer - in Gravelbourg. It was the "throw him off the end of the dock method" of learning to practice law. He just started practicing - he drummed up business, he ran trials by himself, he told me he actually had a cattle rustling case. And then, before he finished articling, he purchased the legal practice of Jerry Busch in Swift Current. Are you kidding me. Are you even allowed to do that?

He moved to Swift Current eventually joined up with Warren Holland, spending three happy years there, though there were many months when his secretary made more than he did. He then moved to Balfour Moss in Saskatoon. He got his foot in the door with SGEU and, not liking the offer that Balfour Moss was making him, took his files and camped out with Sid Segal for a while. What could possibly go wrong. At this point in Rick's career story, I lose interest. I know he ended up at GRJ, where he has had a happy and productive career.

I want to talk about things more interesting.

Most important: Adrienne.

Rick will say - and he has said on countless occasions - that the best thing that ever happened to him was when Adrienne and Annie came into his life.

Rick was in his forties and was becoming quite comfortably settled into his eccentricities. He was probably on the cusp of being unsalvageable - easing into a golden age where his oddness is somehow less off-putting and verges on endearing.

Rick and Adrienne were set up on a blind date by a person who actually knew neither of them. So, kind of a triple-blind thing. The story is sort of complicated and I wasn't taking careful notes when they told me. But somehow, this person gave each the other's phone number, they talked, they met. Sparks flew. It was over.

Annie was nine years old at the time and possessed of a strong, seemingly immovable will. She was having none of this nonsense. In Rick, however, she had met a formidable opponent in this battle of wills.

Rick gave her his time and attention, took her out for lunch. They developed their own relationship - Annie and Rick - not necessarily dependent upon, nor simply ancillary to the relationship between Rick and Adrienne. Then, in what can only be described as overreach, but will eventually get Rick into the persistent boyfriend hall of fame - He bought her a horse. I suppose he thought they'd become a horsey family. They did not. But whether or not one loves horses, it was a pretty dramatic gesture. Annie has too much dignity to be bribed - her loyalty was not for sale - Nonetheless, she was eventually on board with this.

Two more personal observations.

First. Rick loves dogs. He always has one or two. His dogs can do no wrong. Many people would keep their dogs on the leash after the first time the dog killed a goose in Wascana Park. Rick tells his stories of public goose carnage with great affection and with real confusion as to why passers-by reacted with such horror or why anyone would think the police should be involved.

Second. Rick is maniacally tactile - a physical manifestation of his enthusiasm, friendliness, warmth and affection for everyone. He touches people. He'll shake your hand vigorously. If you don't offer your hand he will grab your arm, or both shoulders, give you a squeeze and a shake, a slap on the back. There is no personal space. We all live in Rick's space. I guarantee that he will touch each and every one of you here before this night is over.

The Globe and Mail editorial this past Saturday was a remembrance of Murray Sinclair - it notes that "The lives of great people can be too easily reduced to a list of their accomplishments ... "

Much is made of Rick's involvement in the constitutional case that gave us the third leg of the new labour trilogy - which established that the Charter of Rights guarantees the right to collective bargaining, including the right to strike. But I think it is more a measure of Rick's contribution to labour law that he practiced for most of his career under the old labour trilogy from our Supreme Court. Within five years of the Charter's proclamation, the Court killed any notion that it was a friend of organized labour - denied that collective bargaining was an aspect of this country's fundamental values. As before the Charter, the protection and advancement of workers' rights depended upon organizing and legislating. It took political work and negotiation and litigation - this is where Rick made his remarkable contribution and built the reputation that earned him this honour tonight.

And finally, it should be recalled that, back in the late eighties - our Court of Appeal ruled that, in fact, the Charter did protect the right to strike, in what we call the Dairy Workers Case - that was overruled by the Supreme Court - yes, but it is worth recalling what was the Saskatchewan's government's response to our Court's ruling. It invoked the Charter's notwithstanding clause to nullify that ruling. Given Canadian governments' current willingness to use this particular "tool in the toolbox" to deal with pesky rights claims, it is likely that the fight for workplace democracy will continue as before. And it will be carried on by Rick and lawyers mentored by him or inspired by his work, his personal example, and by his receipt of this award.

Congratulations Rick.