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Austin Cooper Art Donation to Osgoode Hall Law School

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Austin Cooper

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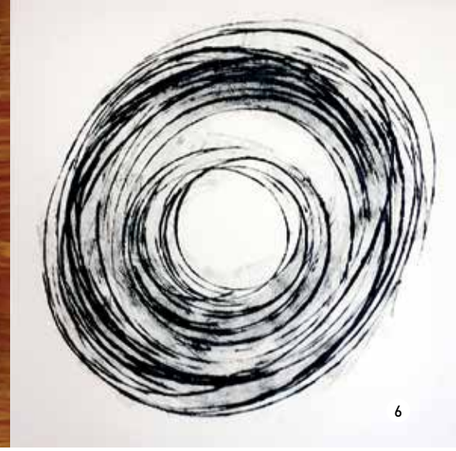

LEGENDARY TORONTO LAWYER'S PASSION FOR *Advocacy & Art*

Austin Cooper '53 donates his art collection to Osgoode

by Christine Ward

In 1950, Austin Cooper was a University of Toronto commerce grad with no grand plan for what came next when his buddy proposed an idea. "He said to me, 'C'mon to Osgoode. I'm going to register there next week. Come with me. We'll have fun.'"

The problem was Cooper had no idea where Osgoode was and he knew nothing about law. He declined the friend's offer, saying he would work for his dad, a store owner in Toronto's Cabbagetown. But the younger Cooper underestimated his friend's persistence. "I said, 'OK, I'll flip a coin. Heads, I go to law school. Tails, I'll stay with my father.'"

Heads won.

HIS WORD WAS HIS BOND

So goes the story of how the esteemed criminal defence lawyer and Osgoode graduate launched a career that spanned 60 years and included virtually every top legal honour in the country. Until his death in September at age 84, Cooper '53 was one of the justice system's most passionate advocates. With his trademark integrity and intensity — law partner Mark Sandler says "his word was his bond, but he could very quietly tear your throat out on cross-examination" — he defended capital murder cases pro bono, represented the accused in Ontario's first legal aid-funded murder trial and counted some of the country's most high-profile defendants among his clients.

After working to exonerate Toronto nurse Susan Nelles at a 1982 preliminary hearing into the deaths of four babies at The Hospital for Sick Children, Cooper famously told the media that everyone — the Crown, the defence, the judge and the police — did their job. "He saw it as a vindication of the justice system," remembers Sandler. "His perspective was that this was a manifestation of how the system works. Austin was a strong believer in the justice system, even with all its faults."

Such high standards of honour and professionalism didn't come overnight. When Cooper met with Osgoode Dean Lorne Sossin this summer, he laughed at the memory of the young man who chose to study law on the flip of a coin.

"It was pretty irresponsible, immature and ridiculous, but it's absolutely true."

Cooper's long-time partner Catherine Williams says the glimmer of the lawyer Cooper would become emerged toward the end of that first year at law school. "Osgoode had hired a new dean who decided to post pass or fail results. Austin rushed over and saw he had passed. He was thrilled." A few weeks later, someone posted the actual grades. Cooper was twelfth out of the class of 200. "That's when he turned his attention seriously to it," Williams says.

A GIFT FROM THE HEART

In January 2012, when Cooper learned he was critically ill, he called Sossin to explore an idea he had for giving back to the School that he says made his career possible. He included a clause in his will donating his entire art collection — about 100 paintings, photographs and works of sculpture by such recognized artists as John Scott, John Hartman, Lillian Freiman and Edward Burtynsky — to Osgoode Hall Law School. The works will be displayed throughout Osgoode's building, where they will provoke thought and discussion and become part of the learning experience.

The donation is an ideal fit with Sossin's vision to blur the lines between artistic creativity and justice, and create a welcoming home-away-from-home for Osgoode's students. The School introduced its first Artist-in-Residence this fall (see page 4) and a new Law.Arts. Culture Colloquium, aimed at exploring the intersection of law and the arts, is attracting speakers on topics related to images of justice, their cultural sources and the role of law in producing the stories society tells about itself.

"The best art tells a story," explains Sossin. "It makes you think about the human condition captured in that narrative. Law does that, too — harm, loss, suffering, vindication — all the faces reflected in the justice system are captured in Austin's collection."

[1] John Hartman | Explosion in Midland Harbour, oil on canvas
[2] Gerald Ferguson | Fence 5 (vice versa), enamel on canvas
[3] African masks, wood
[4] Edward Burtynsky | Densified Oil Drums #4, Hamilton, ON, chromogenic colour print
[5] Peter Byrne | Stutter Step, oil on canvas
[6] Gerald Ferguson | 200 Foot Hose, enamel on canvas
PHOTOS OF COOPER COLLECTION: MICHAEL LITWACK

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A COMMANDING PRESENCE IN THE COURTROOM

That Cooper was an art aficionado with a soft spot for his alma mater might surprise some. In fact, there's much to be surprised about by the man who Globe and Mail justice writer Sean Fine described as having "a core of steel." He gave away nothing of himself to the media or the public, preferring instead to keep all eyes on his case — and off his client. His penchant for privacy attracted a long list of 'celebrity' clients, including Rolling Stones guitarist Keith Richards who was defended by Cooper in 1977 when he was charged with heroin possession for the purpose of trafficking while at a recording session in Toronto. When Ken Murray, counsellor to sex-killer Paul Bernardo, wanted to withdraw from the case and, later, when he was charged with obstructing justice, he also relied on Cooper to earn him an acquittal.

Built like a quarterback at 6'2" in a Hugo Boss suit with size 14 feet and a bald head, Cooper commanded the courtroom with what Williams called "laser intensity." He worked hard and played hard, remembers his son Douglas Cooper (the elder Cooper also left behind sons Peter and Paul). "He was one of those guys who was driven while working and quite good at relaxing when he wasn't. He liked the idea of stepping outside his professional self and not becoming too focused on the law."

Sandler agrees. "Very early on he recognized that I worked too hard. He counselled me to have a life away from the law. He could put down his pen in the middle of a big case and go to the theatre, hear a symphony, travel and sail. Maybe that's why he was one of the few who survived in the business as long as he did."

LOVE OF THE NORTH

It was during one of Cooper's retreats at an art gallery in 1994 that he first met Catherine Williams, an art consultant and appraiser. Following her outside, he stopped her in the middle of the street to invite her to dinner. She said yes.

One of Williams' fondest memories involves sitting together on the deck at Cooper's cabin in Algonquin Park, gazing at the stars. The cabin had no electricity or plumbing and it was accessible only by water, in a 4-horsepower tin boat Cooper nicknamed Dog. "Out of his mouth would come the line from The Merchant of Venice: 'Sit, Jessica. Look how the floor of heaven is thick inlaid with patens of bright gold.' I was constantly surprised by his love of simplicity, of the north in particular."

The couple explored Canada, taking more than 40 trips in their almost 20 years together. They also frequented art galleries and museums in Montreal, Paris, Venice and New York, adding to their respective collections. The architecture and folk art of Mexico — home to Cooper's son — held a particular appeal. Some of the pieces collected there will soon find their home at Osgoode.

A CREATIVE ROLE MODEL

Cooper's love of art can be traced back to when he was four or five and his mother, Esther, befriended Canadian artist Lillian Freiman. "Lillian used to come to our house and I remember her drawings all over the floor in the living room," Cooper told Sossin. Cooper bought his first painting for $75 at age 19. He added another 100 pieces over the next 65 years, including 40 works now on the walls at Cooper, Sandler, Shime & Bergman LLP. Williams describes her late partner's tastes as "eclectic." His collection includes such prized works as Burtynsky's photograph of a pile of squashed oil drums (Densified Oil Drums #4, 1997, loaned previously by Cooper for an exhibition at the National Gallery of Canada) and the John Hartman painting Explosion in Midland Harbour, 1993.

Cooper responded to art at a visceral level. He didn't much care if others shared his interest, but he did hope his pieces would stimulate and educate. "I didn't always agree with his artistic choices, but I am going to miss the art," admits Sandler.

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In the final months before his death, Cooper shared his bequest plans with his closest friends and family. "He was very keen to do this," says Douglas Cooper. "He always wanted to be sure his art was on display, not stored where no one would have a chance to see it."

"He's got everyone very excited and touched by his generosity," adds Sossin. He hopes the gift will get students talking as much about a legendary Osgoode graduate as the art itself. "The very best lawyers have a courtroom persona and then other sides that enrich their humanity. You get a glimpse of the many textures of Austin Cooper through his art — his compassion, his playfulness, his desire to be provoked and to think hard about things."

"I hope students take to heart that role-modelling in their own lives."

Christine Ward is principal of Ward Development Communications based in eastern Ontario.

[7] Victor Cicansky | Armchair Eggplant, ceramic
[8] John Hartman | Explosion in Midland Harbour, oil on canvas
[9] John Scott | X Plane, mixed media on paper
[10] Lyn Westfall | Towards the Chapel, acrylic on canvas
[11] George Boileau | Flag, bronze and steel
[12] Gerald Ferguson | Neoclassical Still Life with Empire Cabinet Door, frottage on canvas