

Louis Marquis Ph.D. '00

By Milton Kiang

Canada can play a global role in promoting 'participatory justice,' says this alumnus

In the opinion of Louis Marquis (Ph.D. '00), participatory justice brings a new way of thinking about law and justice, one that's progressive, empowering, dynamic. Simply put, participatory justice is the use of mediation and conciliation that engages everyone involved, in order to find a satisfactory solution.

The former University of Sherbrooke law dean also happens to think Canada could play a leading role in promoting participatory justice.

For the last ten years, Marquis, vice president of francophone affairs at Laurentian University, has been working overseas in countries like Haiti, Benin, Madagascar, and Senegal to help create mediation and arbitration programs. When working on these projects, Louis doesn't blindly impose Western principles or legal values; he works in a collaborative fashion with key stakeholders, always mindful of the cultural environment in which he finds himself.

"I've always been sensitive to cultural diversity," says Marquis. "The key is to instill confidence in the people; let them know that they're building something that'll last for the long term."

Marquis says that innovation lies at the heart of participatory justice: "It happens that law is seen as a strict and rigid system of rules. People have no choice but to obey. If they do not, bodies will enforce the rules. While respecting the fact that a rule is a rule, participatory justice considers the parties as free to imagine a solution not previously expected."

"So, the quest is always for the new."

The 46-year-old academic handled his first mediation project in Madagascar in 2000, when the United States Agency for International Development was looking for a French-speaking jurist with relevant experience who could bring the project to fruition. The arbitration and mediation centre Marquis helped build was such a success that the Madagascar government awarded him the Officer of the National Award in recognition of his contribution to the improvement of the country's legal system.

Encouraged by his uncle, a superior court judge, one he affectionately calls his "second father," Marquis began his legal studies at the University of Sherbrooke, earning his LL.B. in 1986. After being admitted to the Quebec Bar in 1987, he pursued his masters in law at the University of Cambridge. In 2000, he earned a Ph.D. from UBC.

Marquis' career in academia began at Sherbrooke, as a law professor. He soon went on to become vice-dean of research, then director of graduate programs and ultimately dean of the law faculty.



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Marquis has no regrets about never having been in private practice. "I've always considered myself as being a practitioner," he says, "with the difference that I don't have to bill anyone!" Marquis explains that as the dean of a law school, he was constantly working through a set of rules, regulations, and customs in order to find solutions for everyone.

"I feel like a real and complete practitioner with all the advantages conferred by a rich academic life."

Marquis has fond memories of UBC Law. "It was fantastic and cool," he says. "It gave me absolute intellectual freedom, something that fits perfectly with my personality. My studies at UBC represented a sort of intellectual 'big bang.' Everything exploded in my mind. Today, I still rely, as a scholar and senior [university] officer, on what I learned there in terms of knowledge and argumentative thinking."

Looking towards the future, Marquis says that the Canadian government should put participatory justice at the forefront of its foreign policy.

"There are several reasons for this: Canadian jurists have a great reputation overseas and are perceived as collaborative, rather than dictatorial or self-centered. The Canadian legal system is also seen as transparent, rigorous and impartial, qualities admired by foreign jurists."

Marquis is now writing a book on participatory justice, due out at the end of 2010. The book will discuss the values and principles behind participatory justice, how it works and how it's implemented. ●

Editor's Note: Marquis' term as Vice President, Francophone Affairs at Laurentian University completed on October 31st, 2010.