

**Government of Canada Consultation on How to Implement an Extended Term of
Copyright Protection in Canada**

Submission by

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Introduction

I am a law professor at the University of Ottawa, where I hold the Canada Research Chair in Internet and E-commerce Law and where I am a member of the Centre for Law, Technology and Society. I focus on the intersection between law and technology with an emphasis on digital policies. I have been actively involved in copyright policy in Canada for two decades, having edited multiple books on the subject and having appeared regularly before House of Commons and Senate committees on the issue. This submission on copyright term extension is provided in a personal capacity representing only my own views.

My submission can be summarized as follows:

1. Copyright term extension was rightly resisted by successive Canadian governments because it offers few benefits and raises significant costs.
2. The decision to agree to an extension in the USMCA is harmful policy. A two decade moratorium on new works entering the public domain will have an enormous impact on access to Canadian culture and heritage, create new costs for Canadian education that will run into the hundreds of millions of dollars, and create barriers to digitization initiatives designed to increase access to works for all Canadians from coast-to-coast-to-coast.
3. The government was right to negotiate a transition period and should be actively pursuing so-called “accompanying measures” to limit the harm associated with the extension in the term of copyright. Canada should take full advantage of the transition period with no extension at least until the conclusion of that period.
4. The consultation is wrong to largely dismiss a registration requirement as recommended by the Standing Committee on Industry, Science and Technology in its statutorily mandated review of the Copyright Act. Registration provides an ideal mechanism to allow rights holders to extend the term of copyright for their works, while ensuring that the remaining works enter the public domain consistent with the Berne Convention standard of life of the author plus 50 years.
5. Contrary to claims in the consultation document that registration “raises serious questions in the context of Canada’s international obligations”, there is broad support from leading copyright scholars that such an approach is permissible under international copyright law.
6. The proposed accompanying measures in the consultation document are an inadequate response to the harm posed by term extension. Measures that result in new licensing systems for works that would otherwise remain the public domain under the Berne Convention standard or that involve narrowly tailored exceptions that are not widely available to all Canadians are certainly insufficient and potentially harmful.

I. The Harm from Copyright Term Extension

For decades, successive Canadian governments – both Liberal and Conservative - rejected calls to extend the term of copyright, citing the fact that Canada was compliant with its international treaty obligations on copyright and recognizing the harmful effects and limited benefits of term extension. The issue has been repeatedly canvassed during copyright reform efforts, copyright reviews, and during trade negotiations. Canada did not include term extension in the 2012 Copyright Modernization Act and opposed extensions in trade agreements (including supporting the suspension of term extension in the CPTPP).

The opposition to term extension was well-founded since studies on the impact of term extension are unequivocal: there is an enormous societal cost to term extension with limited to no benefit. The negative effects of term extension has been confirmed by many economists, including in an Abraham Hollander study commissioned by Industry Canada, which concluded that extending the term simply does not create an additional incentive for new creativity.

Moreover, studies in other countries have concluded that term extension ultimately costs consumers as additional royalties are sent out of the country.¹ For example, when the issue was raised during the Trans Pacific Partnership negotiations, New Zealand estimated that the extension alone would cost its economy NZ\$55 million per year.² Given Canada’s larger population, the Canadian cost is undoubtedly far higher.

The Australian Productivity Commission considered the impact of term extension in Australia in 2017 and concluded:

*The scope and term of copyright protection in Australia has expanded over time, often with no transparent evidence-based analysis, and is now skewed too far in favour of copyright holders. While a single optimal copyright term is arguably elusive, it is likely to be considerably less than 70 years after death.*³

Independent academic study has arrived at much the same conclusion. For example, Professor Paul Heald, who Canadian Heritage commissioned to engage in research in the area,⁴ has written several important articles on the economic importance of the public domain.⁵ Heald has characterized copyright term extension as a “tax on consumers.”⁶

In fact, Professor Heald has found that works in the public domain are far more likely to be published and available in different forms to the public. He writes:

a 2018 study of bestsellers published in the US from 1910-1936 found that a book’s transition to the public domain was associated with the appearance of an average of 26.5 additional editions

¹ <https://www.eff.org/deeplinks/2012/08/all-nations-lose-tpps-expansion-copyright-terms>

² <https://www.tpp.mfat.govt.nz/assets/docs/TPP%20-%20Analysis%20of%20Copyright%20term%20extension,%20explanatory%20cover%20note.pdf>

³ <https://www.pc.gov.au/news-media/pc-news/pc-news-august-2017/intellectual-property>

⁴ https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3548702

⁵ https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2362983

⁶ <https://www.michaelgeist.ca/2020/02/lawbytes-podcast-episode-40/>

of the title. Another 2018 study shows a significant increase in the accessibility of German textbooks in the US after a WWII executive order essentially moved them into the public domain. The extension of copyright terms has further been found to correlate negatively with the production of audiobooks. A 2013 study found that public domain bestsellers from 1913-1922 were significantly more likely to be offered as audiobooks than copyrighted bestsellers from 1923-193.⁷

More recently, Professor Rebecca Giblin has studied the impact of copyright term on the availability of e-books. Her findings:

we found what appears to be a positive public domain effect: that titles are more available, and in a greater number of editions, where they are in the public domain than where they are under copyright. Longer exclusive rights for older, ‘culturally valuable’ titles demonstrably results in less investment than where those titles were permitted to enter the public domain.⁸

Moreover, there is a significant impact on consumer cost as Professor Giblin notes that “US (copyright) titles are more expensive than Canadian (public domain) titles by up to 136%, while US (public domain) titles are almost universally cheaper than the Canadian offerings.”

The Giblin findings highlight that the negative effects arising from term extension involve both economic and cultural harms. Indeed, term extension will create a massive blow to access to Canadian heritage.

Even artists have expressed doubt about the value of the term extension. For example, famed Canadian recording artist Bryan Adams told the Standing Committee on Canadian Heritage in 2018:

Canada is now more or less duty-bound to increase copyright protection by 20 years, to “life + 70”. Extending the duration of copyright essentially enriches large firms of intermediaries. It does not put money in the pockets of most creators.⁹

Canadian publishers such as Broadview Press, an independent academic publisher that has been a vocal proponent of copyright, has warned about the dangers of the term extension to its business and the academic community:

Unlimited, or excessively long, copyright terms have often kept scholars from publishing (or even obtaining access to) material of real historical or cultural significance. They have severely restricted certain options for university teaching as well. Broadview’s editions of Mrs. Dalloway and of The Great Gatsby (edited by Jo-Ann Wallace and by Michael Nowlin, respectively), for example, are to my mind unrivalled. Each includes far more than just the text itself: explanatory notes, extended introductions, and an extraordinary range of helpful and fascinating background

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https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3480127&dgcid=ejournal_html_email_intellectual:property:empirical:studies:ejournal_abstractlink

⁸ https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3401684

⁹ <https://www.cbc.ca/news/politics/bryan-adams-copyright-act-heritage-committee-1.4828097>

material in a series of appendices. They offer a truly distinctive pedagogical option. But instructors and students in the USA are still not allowed access to those editions.¹⁰

Term extension would have a damaging effect on education beyond the loss of public domain compilations.¹¹ The Ontario Book Publishers Organization conducted a 2017 study on the use of Canadian books in English classes in Ontario Public and Catholic schools from Grades 7 to 12.¹² The study surveyed teachers and school boards on which books (including novels, short story collections, creative non-fiction, poetry and plays but not textbooks) are taught in English classes. The goal was to see whether Canadian books were included in class lists. The survey generated hundreds of responses (27 from school board participants and 280 from the Ontario Teachers Federation) resulting references to 695 books by 539 authors.

Of the top 20 titles, fully half were in the public domain at the time of the study or have since become part of the public domain. The importance of the public domain within the classroom extends far beyond the most popular works. The survey identified 99 books that received at least four separate mentions from respondents. Of those 99 books, 22 are now in the public domain. These books are widely used as they represent 35% of the total mentions. Expanding even further to the entire list of 695 books, 96 books are now in the public domain.

Despite efforts by some to dismiss its value, the widespread use of public domain works within Canadian classrooms underscores its continued relevance. It also raises two important policy issues. First, it reinforces how many of the works used in classrooms fall outside of current copyright protection and are not subject to licence fees or royalties. In fact, as governments emphasizes the benefits of open electronic textbooks,¹³ using public domain works will become even more essential since they can be fully incorporated into open electronic texts without the need for licenses or permissions and can be made more readily accessible in electronic form for the blind and sight impaired.

Second, the harm to Canadian history and culture is hard to overstate. Appendix A to this submission includes an extensive list of Canadian authors and leaders, whose works were set to enter the public domain in the coming decades but will face a 20 year moratorium ban on entry once the term of copyright in Canada is extended. The result is that an entire generation will go through their K-12 schooling with no new work entering the public domain. Notable Canadian authors whose works will be delayed from entering the public domain and thus rendered less accessible include:

- Morley Callaghan
- Philip Child
- Donald Creighton
- Northrup Frye

¹⁰ <http://donlepan.blogspot.com/2015/10/copyright-tpp-and-canadian-election.html>

¹¹ <https://www.michaelgeist.ca/2017/09/copyright-term-matters-publisher-study-highlights-crucial-role-public-domain-ontario-schools/>

¹²

<https://static1.squarespace.com/static/50e1ddb9e4b0395512a13974/t/5991ba6ad2b85748d2ae18c0/1502722671742/FINAL+OBPO+Canadian+Books+in+Ontario+Schools+Report.pdf>

¹³ <https://www.michaelgeist.ca/2017/05/ontario-government-placing-big-bet-open-textbooks/>

- Marian Engel
- Hugh Garner
- Margaret Laurence
- Hugh MacLennan
- Gabrielle Roy
- George Grant
- Marshall McLuhan

Historians will lose public domain access to some of Canada’s most notable leaders and figures of modern times, including leading Prime Ministers, Premiers, and Supreme Court chief justices. They include:

- Louis St. Laurent
- John Diefenbaker
- Tommy Douglas
- René Lévesque
- Jean Lesage
- John Robarts
- Bora Laskin

These great Canadians helped shape a nation. To withhold their works from the public domain for decades represents an enormous collective loss to our culture and heritage.

II. Mitigating the Harm of Copyright Term Extension

i. Registration Requirement

Given the unquestioned harms that arise from copyright term extension, it is essential that Canada mitigate those harms in the most effective manner possible. The best approach – as recommended by the Standing Committee on Industry, Science and Technology in its extensive review on Canadian copyright – is to establish a registration requirement for the additional years of copyright protection. The committee concluded:

The Committee believes that requiring rights-holders to register their copyright to enjoy its benefits after a period equal to the life of the author plus 50 years would mitigate some of the disadvantages of term extension, promote copyright registration, and thus increase the overall transparency of the copyright system.¹⁴

Registration would allow rights holders that want the extension to get it, while ensuring that many other works enter the public domain at the international standard of life plus 50 years. By providing for life plus 50 and the option for an additional 20 years, Canadian law would be consistent with Berne Convention formalities requirements and with its new trade treaty obligations. Copyright registration would not eliminate all the harm to the public domain, but it would mean that only those that desire the extension would take the positive steps to get it.

¹⁴ <http://www.michaelgeist.ca/2019/06/the-authoritative-canadian-copyright-review-report-industry-committee/>

The government's consultation has sought to cast doubt on the validity of the approach recommended by Canada's parliamentarians who have conducted detailed on the issue. With respect, the parliamentarians are correct. Indeed, the proposed approach has been raised by many copyright experts from around the world, some of whom are well-known as being strong supporters of copyright and creators.

In fact, no less than current Minister of Justice David Lametti, one of Canada's leading copyright experts, has written in support of a registration requirement in the context of copyright, particularly once the term of protection extends beyond a reasonable period of time. In a 2005 book chapter, Lametti argued:

we might consider strengthening these proposals [on copyright term] with a registration requirement, especially for longer terms, putting some of the onus on creators themselves of identifying and protecting works of ongoing value.¹⁵

Maria Pallante, then the U.S. Register of Copyrights, wrote about the issue in 2013 within the context of potential reforms for copyright:

Perhaps the next great copyright act could take a new approach to term, not for the purpose of amending it downward, but for the purpose of injecting some balance into the equation. More specifically, perhaps the law could shift the burden of the last twenty years from the user to the copyright owner, so that at least in some instances, copyright owners would have to assert their continued interest in exploiting the work by registering with the Copyright Office in a timely manner. And if they did not, the works would enter the public domain.¹⁶

Professor Stef van Gompel notes that registration is possible, though it is subject to some conditions:

the proposal to require registration at life-plus-fifty years as a condition to prolong protection until life-plus-seventy years can only be imposed on domestic works and foreign works that are subject to material reciprocity (through a comparison of terms) and are voluntarily granted additional protection.¹⁷

Professor Jane Ginsburg of Colombia Law School wrote in 2010:

To obtain the social benefits of formalities without disadvantaging authors, it may be desirable to look beyond the current copyright law and the Copyright Office to alternatives to demarcating the public domain status of a work, and to establishing a traceable public record of copyright claims.¹⁸

Professor Chris Sprigman has written:

¹⁵ https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1758903

¹⁶ https://www.copyright.gov/docs/next_great_copyright_act.pdf

¹⁷ https://www.ivir.nl/publicaties/download/BTLJ_2014_3.pdf

¹⁸ https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1537247

*it is clear that Berne members may impose a registration formality on domestic authors—i.e., they can condition the enjoyment of any portion of the minimum term for native works upon registration. Similarly, Berne member states should be able to condition enjoyment for native authors of some portion of the “minimum” term on compliance with the formality. In both instances, the law would continue to offer a Berne-compliant minimum term.*¹⁹

In short, the consultation document’s sidelining of a registration requirement is inconsistent with expert evidence (including that of a senior cabinet minister) and democratic norms associated with Canada’s most extensive copyright consultation in over a decade. Registration is the best approach to address the unquestioned harms caused by term extension and should be pursued as Canadian government policy.

ii. Other Accompanying Measures

The consultation document identifies five additional options as accompanying measures. None in the form proposed will sufficiently address the harms caused by copyright term extension.

The first three options are all grounded in orphan works reforms. While there may be benefits in addressing Canada’s orphan works system, the costs associated with copyright term extension is not an orphan works issue. Additional licensing systems are likely to increase costs for all participants given the lengthy hearings at the Copyright Board with little revenues actually flowing to creators.

The fourth and fifth options contemplate new exceptions, one for uses in the final 20 years of protection and the other after 100 years after creation. One of the exceptions is modelled after a U.S. provision, but the data suggests that the provision remained little used for almost 20 years after its enactment, only becoming more relevant in 2018 when the Copyright Office released a report on the matter.²⁰

If the government wants to pursue an exception-based approach, the exception should extend to all users, not just libraries, archives, and museums. Indeed, the narrow availability of the exception to those sectors demonstrates a fundamental misunderstanding of the importance of the public domain in the lives of all Canadians, whether pursuing cultural activities, education, historical work, or archival interests.

There are benefits to exceptions available after a reasonable period that could be used to supplement fair dealing and Canada’s other user rights. However, the Supreme Court of Canada has identified fair dealing and other limitations and exceptions as users’ rights. If Canada is to create additional exceptions to mitigate against the harm of copyright term extension, those new users’ rights should be available to all users.

¹⁹ https://papers.ssrn.com/sol3/papers.cfm?abstract_id=578502

²⁰ Elizabeth Townsend Gard, “Last Twenty (L20) Collections: Applying Copyright’s Section 108(h) in Libraries, Archives and Museums Including the New Music Modernization Act for Pre-1972 Sound Recordings” (2018) 22 UCLA JL & Tech 1 at 4.

Notable Canadian Authors & Politicians: Deceased 1973-1993

Canadian Writers, Poets & Playwrights

#	Name	D.O.B.	D.O.D.	Title, Notable Distinctions, Works, or Comments
1.	Milton Acorn	1923	1986	Poet. Notable work: <i>The Island Means Minago</i>
2.	Ken Adachi	1929	1989	Historian, writer, and literary critic. <i>The Enemy That Never Was</i> (history of the Japanese Canadian community)
3.	Robert Thomas Allen	1911	1990	Children's literature writer. Two-time recipient of the Stephen Leacock Award for humour. He won the award in 1957 for <i>The Grass Is Never Greener</i> , and in 1971 for <i>Wives, Children and Other Wild Life</i> .
4.	Gertrude Bernard (also known as Anahareo)	1906	1986	Writer and conservationist of Algonquin and Mohawk ancestry. Notable work: <i>Devil in Deerskins: My Life With Grey Owl</i>
5.	Gordon Stewart Anderson	1958	1991	Novelist. Notable work: <i>The Toronto You Are Leaving</i>
6.	Patrick Anderson	1915	1979	Poet
7.	Hubert Aquin	1929	1977	Quebecois novelist. Notable work: <i>Prochain épisode</i> (1965)
8.	Richard Arès	1910	1989	French Canadian writer and humanist. Officer of the Order of Canada
9.	Jean-Paul Audet	1918	1993	French Canadian writer, theologian, and philosopher. Officer of the Order of Canada for his contribution to the field of theology.
10.	Raymond Barbeau	1930	1992	Quebecois essayist, literary critic and political activist.
11.	Jean Basile	1932	1992	French Canadian novelist and essayist. Notable works: "Mongol" trilogy of novels, <i>La Jument des mongols</i> , <i>Le Grand Khan</i> and <i>Les Voyages d'Irkoutsk</i> , and co-founder of the counterculture magazine <i>Mainmise</i>
12.	Jovette Bernier	1900	1981	Quebecois poet, journalist, and writer. Notable work: <i>Non Monsieur</i>
13.	Will R. Bird	1891	1984	Novelist and non-fiction author. Notable works: <i>Here Stays Good Yorkshire</i> , <i>Judgment Glen</i>
14.	Marthe Blackburn	1916	1991	Quebecois screenwriter and dramatist.

				Notable works: "Le retour de l'âge", <i>Mourir à tue-tête</i> , (Nominated for Best Original Screenplay at the 1st Genie Awards), <i>A Scream from Silence</i> , <i>Beyond Forty</i> .
15.	Charles Tory Bruce	1906	1971	Poet, journalist and fiction writer. Notable poetry collections: <i>The Mulgrave Road</i> (Governor General's Award for English-language poetry), <i>Wild Apples</i> (1927), <i>Tomorrow's Tide</i> (1932), <i>Personal Note</i> (1941), <i>Grey Ship Moving</i> (1945), <i>The Flowing Summer</i> (1947) and <i>The Mulgrave Road</i> (1951), the novel <i>The Channel Shore</i> (1954) and the short story collection <i>The Township of Time</i> (1959).
16.	Michel Brunet	1917	1985	Quebecois historian and essayist. Notable work: <i>Les Canadiens après la conquête</i>
17.	Ernest Buckler	1908	1984	Novelist and short story writer. Officer of the Order of Canada and Canadian Centennial Medal recipient. Notable works: "The Mountain and the Valley" (1952), "The first born Son", <i>Whirligig</i> (Leacock Medal)
18.	Mabel Burkholder	1881	1973	Writer and historian. Notable works: <i>The course of Impatience Carningham</i> (1911), <i>Before the white man came: Indian legends and stories</i> (1923), <i>The Heart of Kerry</i> (1907).
19.	Morley Callaghan	1903	1990	Novelist, short story writer, and playwright. Notable works: <i>A Fine and Private Place</i> (1975), <i>Strange Fugitive</i> (1928), <i>The Loved and the Lost</i> (1951) (Governor General's Award), <i>The Many Colored Coat</i> (1960), <i>A Passion in Rome</i> (1961), <i>A Time for Judas</i> (1983), <i>Our Lady of the Snows</i> (1985). His last novel was <i>A Wild Old Man Down the Road</i> (1988)
20.	Philip Child	1898	1978	Novelist, poet, and academic. Notable works: <i>Mr. Ames Against Time</i> (1949 Governor General's Award and Ryerson Fiction Award), <i>Day of Wrath</i> (Ryerson Fiction Award),
21.	Greg Clark	1892	1977	Journalist and humorist. Officer of the Order of Canada.

				Notable work: <i>War Stories</i>
22.	James Alexander Cowan	1901	1978	Writer and columnist. Notable works: <i>Three Stories and Ten Poems</i>
23.	Donald Creighton	1902	1979	Historian Notable works: <i>The Commercial Empire of the St-Lawrence, 1760–1850, John A. Macdonald</i>
24.	True Davidson	1901	1978	Poet, fiction and non-fiction writer. Notable work: <i>The Golden Strings</i>
25.	Northrop Frye	1912	1991	Literary critic and theorist. Notable works: <i>Fearful Symmetry</i> (1947) (Internationally acclaimed), <i>Anatomy of Criticism</i> (1957)
26.	Selwyn Dewdney	1909	1979	Novelist, illustrator, artist, and activist Notable works: <i>Wind Without Rain, The Sacred Scrolls of the Southern Ojibway</i> (1975), <i>Indian Paintings of the Great Lakes, They Shared to Survive: The Native Peoples of Canada, Christopher Breton, The Hungry Time, Daylight in the Swamp: Memoirs of Selwyn Dewdney</i>
27.	Evelyn Eaton	1902	1983	Novelist, short-story writer, poet and academic known for her early novels set in New France, and later writings which explored spirituality. Notable works: <i>Quietly My Captain Waits, The King Is A Witch, The King Is A Witch</i>
28.	Marian Engel	1933	1985	Novelist and a founding member of the Writers' Union of Canada. Officer of the Order of Canada. Notable works: <i>Bear</i> (1976) (Governor General's Award for English-language fiction)
29.	Michael Estok	1939	1989	Poet Notable works: <i>A Plague Year Journal</i> (considered one of the crucial works of HIV/AIDS literature in Canada), "Ordination", "As the Crisis Deepened" and "Hydrangeas", "Let It Go"
30.	Hubert Evans	1892	1986	Novelist, poet, and short story writer.

				Notable works: <i>Mist on the River</i> (1954) (described as the first Canadian novel ever to present a realistic portrait of First Nations peoples)
31.	Jacques Ferron	1921	1985	Playwright. Notable works: <i>Contes du pays incertain</i> (Governor General's Award for French fiction)
32.	Hugh Garner	1913	1979	British-born novelist. Notable works: <i>Storm Below</i> (1949), <i>Cabbagetown</i> (1949), <i>The Intruders</i> (1976), <i>Death in Don Mills</i> (1975) and <i>Murder Has Your Number</i> (1978), <i>Hugh Garner's Best Stories</i> (Governor General's Award)
33.	John Glassco	1909	1981	Poet, memoirist, and novelist. Notable works: <i>Memoirs of Montparnasse</i> (1970), <i>Selected Poems</i> (1971) (Governor General's Award), <i>A Point of Sky</i> (1964) (Grand prix littéraire de Montréal finalist).
34.	E. M. Granger Bennett	?	1988	Historical fiction writer. Notable works: <i>Land for Their Inheritance</i> (1955), <i>A Straw in the Wind</i> (1958), <i>Short of the Glory</i> (1960) (Ryerson Fiction Award)
35.	Ethel Grayson	1890	1980	Novelist and poet. Notable works: <i>The Seigneur's Daughter</i> (1920), <i>Beggar's Velvet</i> , <i>Apples of The Moon</i> , <i>Willow Smoke</i> , and <i>Fires in the Vine</i> , <i>Flower of the Storm</i> , <i>Unbind the Sheaves: A Prairie Memoir</i> (1964)
36.	Claude-Henri Grignon	1894	1976	Quebecois novelist, satirist, journalist and politician. Notable works: <i>Un Homme et son péché</i> (1933), <i>Le Secret de Lindbergh</i> , <i>Les Belles Histoires des pays d'en haut</i> , <i>Les Vivants et les autres</i> and <i>Ombres et Clameurs</i> , <i>Le Déserteur et autres récits de la terre</i> , <i>Les Pamphlets de Valdombre</i>
37.	Roderick Haig-Brown	1908	1976	Writer and conservationist. Notable works: <i>The Western Angler</i> , <i>A River Never Sleeps</i> , <i>Fisherman's Fall</i> , <i>Measure of the Year</i> , <i>Saltwater Summer</i>
38.	William C. Heine	1919	1991	Novelist and newspaper editor.

				Notable works: <i>The Last Canadian</i> (1974), <i>The Swordsman</i> (1980)
39.	Paul Hiebert	1892	1987	Novelist and humorist. Notable works: <i>Sarah Binks</i> (1947) (Stephen Leacock Medal for Humour), <i>Willows Revisited</i> (1967)
40.	Bruce Hutchison	1901	1992	Author and journalist. Officer of the Order of Canada. Notable works: <i>The Unknown Country: Canada and her People</i> (1942) (Governor General's award for creative nonfiction), <i>The Incredible Canadian: A candid portrait of Mackenzie King, his works, his times, and his nation</i> (1952) (Governor General's award), <i>Canada: Tomorrow's Giant</i> (1957) (Governor General's award).
41.	Thomas P. Kelley	1905	1982	Pulp fiction and crime writers. Notable works: 2 <i>Black Donnellys</i> novels
42.	A. M. Klein	1909	1972	Ukrainian-born poet, novelist, and leading figure in Jewish-Canadian culture. Notable works: <i>The Rocking Chair and Other Poems</i> (Governor General's Award), <i>The Second Scroll</i> (1951), <i>Poems</i> (1944), <i>The Hitleriad</i> (1944), <i>Hath Not a Jew</i> , <i>Portrait of the Poet as Landscape</i> , <i>Polish Village</i> , <i>Meditation Upon Survival</i> , <i>Elegy</i> , <i>Lookout: Mont Royal, Grain Elevator, and The Cripples</i> . Lorne Pierce Medal recipient; designated a Person of National Historic Significance by the federal government in 2007. Klein's papers are preserved in the National Library and Archives in Ottawa.
43.	Henry Kreisel	1922	1991	Austrian-born novelist and essayist. Officer of the Order of Canada. (Some of his papers are preserved with the University of Manitoba Archives & Special Collections.) Notable works: <i>The Rich Man</i>
44.	Gerald Lampert	1924	1978	Novelist and poet. Notable works: <i>Tangle Me No More</i> (1971), <i>Chestnut Flower Eye of Venus</i> (1978).
45.	Gilbert La Rocque	1942	1984	Quebécois writer and biographer.

				Notable works: <i>Les masques</i> (1980) (finalist for the Governor General's Award for French-language fiction) (Prix Suisse-Canada recipient), <i>Le Passager</i> (1984)
46.	Margaret Laurence (pseudonym Steve Lancaster)	1926	1987	Novelist and short story writer. Founder of the Writers' Trust of Canada. (In 2016, she was named a National Historic Person.) Notable works: <i>The Stone Angel</i> (1964), <i>A Tree for Poverty: Somali Poetry and Prose</i> (1954), <i>The Prophet's Camel Bell</i> (1963), <i>The Diviners</i> (1974) (Governor General's Award), <i>A Jest of God</i> (1966) (Governor General's Award), <i>A Bird in the House</i> (1970), <i>The Olden Day's Coat</i> (1980).
47.	Roger Lemelin	1919	1992	Novelist and essayist. Companion of the Order of Canada and an Officer of the National Order of Quebec. Notable works: <i>L'Homme aux oiseaux</i> (1952), <i>Au pied de la pente douce</i> (1947)
48.	Pat Lowther	1935	1975	Poet Notable works: <i>Milk Stone</i> (1974), <i>A Stone Diary</i> (1975), <i>Time Capsule</i> (1997), "The Age of the Bird", "Regard to Neruda".
49.	Michael Lynch	1944	1991	American-born poet, journalist, and AIDS activist Notable works: <i>These Waves of Dying Friends</i> , <i>The Age of Adhesiveness: From Friendship to Homosexuality</i> .
50.	Gwendolyn MacEwen	1941	1987	Poet and novelist. Notable works: <i>Julian the Magician</i> , <i>The Drunken Clock</i> , <i>Terror and Erebus</i> , <i>King of Egypt</i> , <i>King of Dreams</i> , <i>The Shadow Maker</i> (Governor General's Award)
51.	Hugh MacLennan	1907	1990	Novelist and essayist. Lorne Pierce Medal recipient, Companion of the Order of Canada. Notable works: <i>Barometer Rising</i> (1941), <i>Two Solitudes</i> (1945) (Governor General's Award for Fiction), <i>The Precipice</i> (1948) (Governor General's Award), <i>Cross Country</i> (1949) (Governor General's Award for Non-Fiction), <i>Thirty and Three</i> (1954) (Governor General's Award for Non-Fiction), <i>The Watch That Ends the Night</i> (1958) (Governor General's Award).
52.	Eli Mandel	1922	1992	Poet and literary academic. (Husband of Miriam Mandel)

				Notable works: Fuseli poems (1960), <i>Trio, Stony Plain</i> (1973), <i>Black and Secret Man</i> (1964), <i>The Family Romance</i> (1986), <i>Auschwitz and Poetry, An Idiot Joy</i> (1968) (Governor General's Award)
53.	Miriam Mandel	1930	1982	Poet. (Wife of Eli Mandel) Notable works: <i>Lions At Her Face</i> (1973) (Governor General's Award), <i>Where Have You Been?</i> (1980)
54.	Tom Marshall	1938	1993	Poet, novelist, and literary critic. Notable works: <i>The Adventures of John Montgomery, The Essential Tom Marshall, Adele at the End of the Day</i>
55.	Edward McCourt	1907	1972	Irish-born novelist and non-fiction writer. Notable works: <i>Music at the Close</i> (1947) (Ryerson Fiction Award) (re-published in the New Canadian Library), <i>The Canadian West in Fiction</i> (1949), <i>Home Is the Stranger</i> (1950), <i>The Wooden Sword</i> (1956), <i>Walk Through the Valley</i> (1958), <i>Revolt in the West</i> (1958), <i>Fasting Friar</i> (1963), <i>Remembering Butler</i> (1967).
56.	Colin McDougall	1917	1984	Novelist. Notable works: <i>Execution</i> (1958) (Governor General's Award), and "The Firing Squad" (First Prize in Maclean's contest).
57.	Leslie McFarlane (pseudonym Franklin W. Dixon)	1902	1977	Children's literature author. Notable works: 19 of the first 25 <i>Hardy Boys</i> books, first four volumes of <i>The Dana Girls</i>
58.	Peter McGehee	1955	1991	American-born novelist, dramatist and short story writer. Notable works: <i>Boys Like Us</i> (1991), <i>Sweetheart</i> (1992).
59.	Edgar McInnis	1899	1973	Poet and historian. Notable works: <i>Canada: A Political and Social History</i> (History textbook), <i>The Unguarded Frontier, Oxford Periodical History of the War, "Byron"</i> (Newdigate Prize)
60.	Marie McPhedran	1904	1974	Novelist and writer of short stories for children.

				Notable works: <i>Golden North</i> (1948) (runner-up for the Governor-General's Award for juvenile fiction), <i>Cargoes on the Great Lakes</i> (Governor General's Awards for juvenile fiction).
61.	Orlo Miller	1911	1993	Historian and novelist. Notable works: <i>The Donnellys Must Die</i> , <i>Death to the Donnellys</i>
62.	Grace Jones Morgan (pseudonym)	1884	1977	Pulp fiction novelist. Also wrote for pulp fiction magazines. Notable works: <i>Salvage All</i> (1928), <i>Tents of Shem</i> (1930) and <i>The Golden Rupee</i> (1935),
63.	Barrie Phillip Nichol	1944	1988	Poet, writer, sound poet, and editor Notable works: <i>Journeying & the returns</i> (1967), <i>Konfessions of an Elizabethan Fan Dancer</i> (1969), <i>The Martyrology</i> , <i>The True Eventual Story of Billy the Kid</i> (Governor General's Award), <i>Beach Head</i> (Governor General's Award), <i>Still Water</i> (Governor General's Award) and <i>The Cosmic Chef</i> (Governor General's Award)
64.	Alden Nowlan	1933	1983	Poet, novelist and playwright. Notable works: “ <i>Bread, Wine and Salt</i> ” (Governor General’s Award for Poetry), <i>I’m a Stranger Here Myself</i>
65.	Howard O'Hagan	1902	1982	Novelist and short story writer. Notable works: <i>Tay John</i> , <i>Wilderness Men</i> (1958), <i>The Woman Who Got on at Jasper Station and Other Stories</i> (1963) and <i>The School Marm Tree</i> (1977).
66.	Raymond M. Patterson	1898	1984	Northwest Canadian explorer and writer. Notable works: <i>Dangerous River</i> (1954), <i>Buffalo Head</i> (1961), <i>Far Pastures</i> (1963), <i>Trail to the Interior</i> (1966) and <i>Finlay’s River</i> (1968)
67.	Josephine Phelan	1905	1979	Historian and biographer. Notable works: <i>The Ardent Exile</i> (1951) (Governor General's Award for English-language non-fiction), <i>The Boy Who Ran Away: Great Stories of Canada</i> (1954), <i>The Bold Heart: The Story of Father Lacombe</i> (1956), <i>The Ballad of D'Arcy McGee: Rebel in Exile</i> (1967).

68.	Evelyn M. Richardson	1902	1976	Novelist. Notable works: <i>We Keep a Light</i> (1945) (Governor General's Award), <i>Desired Haven</i> (1953).
69.	Gabrielle Roy	1909	1983	Major Canadian literary novelist. Companion of the Order of Canada. (The National Library of Canada has preserved a collection of her materials covering the years 1940 to 1983. In 2004, the Bank of Canada issued a \$20 bank note in the Canadian Journey Series which included a quotation from her 1961 book <i>The Hidden Mountain</i> .) Notable works: <i>Bonheur d'occasion</i> (1945), <i>The Tin Flute</i> , (Governor General's Award), <i>Street of Riches</i> , <i>The Fragile Lights of Earth</i> , <i>Children of My Heart</i> , <i>Courte-Queue</i> (1979) (Canada Council Children's Literature Prize)
70.	George Ryga	1932	1987	Novelist and playwright Notable works: <i>The Ecstasy of Rita Joe</i> (1967)
71.	Laura Salverson	1890	1970	Novelist. Notable works: <i>The Viking Heart</i> , <i>The Dark Weaver: Against the Sombre Background of the Old Generations Flame the Scarlet Banners of the New</i> (1937) (Governor General's Award), <i>Confessions of an Immigrant's Daughter</i> (1939) (Governor General's Award), <i>Immortal Rock: The Saga of the Kensington Stone</i> (1954) (Ryerson Fiction Award).
72.	Elizabeth Smart	1913	1986	Poet and novelist. Notable works: <i>By Grand Central Station I Sat Down and Wept</i> (1945), <i>The Assumption of the Rogues & Rascals</i> (1977), <i>In the Meantime</i> (1984), <i>Necessary Secrets: The Journals of Elizabeth Smart</i> (1986).
73.	Harold Standish	1919	1972	Poet and novelist. Notable works: <i>The Golden Time</i> (1949), <i>The Lake of Souls</i> (1957), <i>Neighbours and Other Poems</i> (1944)
74.	Yves Thériault	1915	1983	Novelist and short story writer. Officer of the Order of Canada.

				Notable works: <i>Agaguk</i> (1958), <i>Aaron</i> (1954), <i>Ashini</i> (1961) (Governor General's Award for French Language Fiction), <i>La Fille laide</i>
75.	John Thompson	1938	1976	English-born poet. Notable works: <i>Stilt Jack</i> (1978), <i>At the Edge of the Chopping there are no Secrets</i> (1973)
76.	Paul Toupin	1918	1993	Playwright, memoirist, and essayist. Notable works: <i>Le Choix</i> (1951), <i>Brutus</i> (1952), <i>Le Mensonge</i> (1960), <i>Chacun son amour</i> (1961) and <i>Son dernier rôle</i> (1979), <i>Brutus</i> (1952) (Prix David), <i>Souvenirs pour demain</i> (Governor General's Award)
77.	Marie Uguay	1955	1981	Quebecois poet. Notable works: <i>Signe et rumeur</i> (1976), <i>L'Outre-vie</i> (1979), <i>Autoportraits</i> (1982)
78.	David Walker	1911	1992	Scottish-born novelist. Notable works: <i>The Pillar</i> (1952) (Governor General's Award), <i>Digby</i> (1953) (Governor General's Award), <i>Geordie</i> (1955), <i>Mallabec</i> and <i>Pirate Rock</i> , <i>Where the High Winds Blow</i>
79.	Bronwen Wallace	1945	1989	Poet and short story writer. Notable works: <i>Two Women Talking: Correspondence 1985-1987</i> , <i>People You'd Trust Your Life To</i> , <i>Signs of the Former Tenant</i>
80.	Ethel Wilson	1888	1980	Novelist and short story writer Notable works: <i>The Innocent Traveller</i> (1949), <i>Hetty Dorval</i> (1947), <i>Swamp Angel</i> (1954), <i>Mrs Golightly and Other Stories</i> (1961), <i>The Window</i>
81.	Adele Wiseman	1928	1992	Novelist and poet. Notable works: <i>The Sacrifice</i> (1956) (Governor General's Award), <i>Crackpot</i> (1974), <i>Old Woman at Play</i> (1978)
82.	Susan Wood	1948	1980	Science fiction author, novelist, and literary critic. Notable works: <i>Energumen</i> (1973) (Hugo award for Best Fanzine)
83.	Robert Zend	1929	1985	Hungarian-born poet and fiction writer.

				Notable works: <i>From Zero to One</i> (1973), <i>Beyond Labels</i> (1982), <i>Arbormundi</i> (1982), and <i>Daymares: Selected Fictions on Dreams and Time, Oāb</i>
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Canadian Politicians & Scholars

<u>#</u>	<u>Name</u>	<u>D.O.B.</u>	<u>D.O.D.</u>	<u>Title, Notable Distinctions, Works, or Comments</u>
1.	Louis St. Laurent	1882	1973	12 th Prime Minister of Canada
2.	John Diefenbaker	1895	1979	13 th Prime Minister of Canada
3.	Bill White	1915	1981	Music composer and social justice activist. First Black Canadian to run for federal office. Officer of the Order of Canada.
4.	Tommy Douglas	1904	1986	7 th Premier of Saskatchewan
5.	F. R. Scott	1899	1985	Founding member of the Co-operative Commonwealth Federation party. Two-time recipient of the Governor General's Award (for poetry and non-fiction). Notable works: <i>Essays on the Constitution</i> (1977), <i>Collected Poems of F. R. Scott</i> (1981)
6.	Marshall McLuhan	1911	1980	Philosopher, media theory scholar, predicted the world wide web. " <i>The medium is the message</i> ", " <i>global village</i> ".
7.	George Grant	1918	1988	Philosopher: Canadian nationalism, political conservatism, pacifism, Christianity. Notable work: <i>Lament for a Nation</i> (1965)
8.	Tim Buck	1891	1973	General secretary of the Communist Party of Canada and then the Labour Progressive Party. Charged with sedition, imprisoned at Kingston Pen. Gained national popularity after being target of an assassination attempt.
9.	N. Eldon Tanner	1898	1982	Leader of The Church of Jesus Christ of Latter-day Saints. Alberta MLA, cabinet member and speaker.
10.	Paul-Émile Léger	1904	1991	Archbishop of Montreal from 1950 to 1967.
11.	Hugh B. Brown	1883	1975	Leader of The Church of Jesus Christ of Latter-day Saints and author.

12.	James Sewid	1913	1988	Former Chief councillor of the Kwakwaka'wakw at Alert Bay, British Columbia. Officer of the Order of Canada. Notable work: autobiography- <i>Guests Never Leave Hungry: The Autobiography of James Sewid, a Kwakiutl Indian</i>
13.	Dan George	1899	1981	Chief of the Tsleil-Waututh Nation, located in North Vancouver. Poet, author, musician, actor. Notable work: <i>My Heart Soars</i>
14.	George Manuel	1921	1989	Chief of the National Indian Brotherhood (today known as the Assembly of First Nations).
15.	William John Patterson	1886	1976	6 th Premier of Saskatchewan
16.	Woodrow Lloyd	1913	1972	8 th Premier of Saskatchewan. While a cabinet minister under Tommy Douglas, he helped pilot Canada's first Medicare program.
17.	Ross Thatcher	1917	1971	9 th Premier of Saskatchewan
18.	Jean Lesage	1912	1980	19 th Premier of Quebec. Regarded as the father of the Quiet Revolution. Established Hydro-Quebec.
19.	Jean-Jacques Bertrand	1916	1973	21 st Premier of Quebec. Abolished the Legislative Council of Quebec and established the National Assembly of Quebec.
20.	René Lévesque	1922	1987	23 rd Premier of Quebec. Founder of the Parti Québécois. Attempted to gain Quebec's political independence via the 1980 referendum. Introduced bill 101 banning English commercial signs.
21.	Thane Campbell	1895	1978	19 th Premier of PEI. Companion of the Order of Canada.
22.	Alexander Wallace Matheson	1903	1976	21 st Premier of PEI. Later appointed County Court judge.
23.	Walter Russell Shaw	1887	1981	22 nd Premier of PEI. Officer of the Order of Canada. Instituted a regional system of high schools and revamped the civil service employment system and pay scale.
24.	George A. Drew	1894	1973	14 th Premier of Ontario, mayor of Guelph, first Chairman of the Ontario Securities Commission. Post WWII recovery efforts.

25.	Leslie Frost	1895	1973	16 th Premier of Ontario. Companion of the Order of Canada. Known as “Old Man Ontario” for his long tenure. Expanded public investment in infrastructure (400 series highways), health care and education (8 new universities established).
26.	John Robarts	1917	1982	17 th Premier of Ontario. Companion of the Order of Canada. Frost’s education minister- responsible for the establishment of 5 new universities.
27.	Henry Hicks	1915	1990	16 th Premier of Nova Scotia. Companion of the Order of Canada. Appointed to the Senate by PM Pierre Trudeau.
28.	Joey Smallwood	1900	1991	1 st Premier of Newfoundland. Contributed to the inclusion of the Dominion of Newfoundland into the Canadian Confederation.
29.	Hugh John Flemming	1899	1982	24 th Premier of New Brunswick. Modernized New Brunswick’s hydro system by building the Beechwood Dam. Balanced budget every year in office. Cabinet minister to PM John Diefenbaker.
30.	Richard Hatfield	1931	1991	26 th and longest serving Premier of New Brunswick. Allied with Pierre Trudeau to patriate the Constitution and introduce the Charter. Appointed to the Senate by PM Brian Mulroney.
31.	Stuart Garson	1898	1977	12 th Premier of Manitoba. Cabinet minister to PM Louis St. Laurent. Companion of the Order of Canada.
32.	W. A. C. Bennett	1900	1979	25 th and longest serving Premier of British Columbia. Officer of the Order of Canada. Nationalized BC Ferries and BC Rail and introduced Medicare. Negotiated Columbia River Treaty between Canada and the US.
33.	Richard Gavin Reid	1879	1980	6 th Premier of Alberta. Introduced policies to aid farmers during the Great Depression.
34.	Roy Kellock	1893	1975	Supreme Court Justice
35.	Charles Holland Locke	1887	1980	Supreme Court Justice
36.	John Robert Cartwright	1895	1979	Supreme Court Justice
37.	Gérald Fauteux	1900	1980	Supreme Court Justice
38.	Douglas Abbott	1899	1987	Supreme Court Justice

39.	Wilfred Judson	1902	1980	Supreme Court Justice
40.	Roland Ritchie	1910	1988	Supreme Court Justice
41.	Louis-Philippe Pigeon	1905	1986	Supreme Court Justice
42.	Bora Laskin	1912	1984	Chief Justice of the Supreme Court
43.	Jean Beetz	1927	1991	Supreme Court Justice
44.	Yves Pratte	1925	1988	Supreme Court Justice
45.	Julien Chouinard	1929	1987	Supreme Court Justice
46.	John Sopinka	1933	1997	Supreme Court Justice