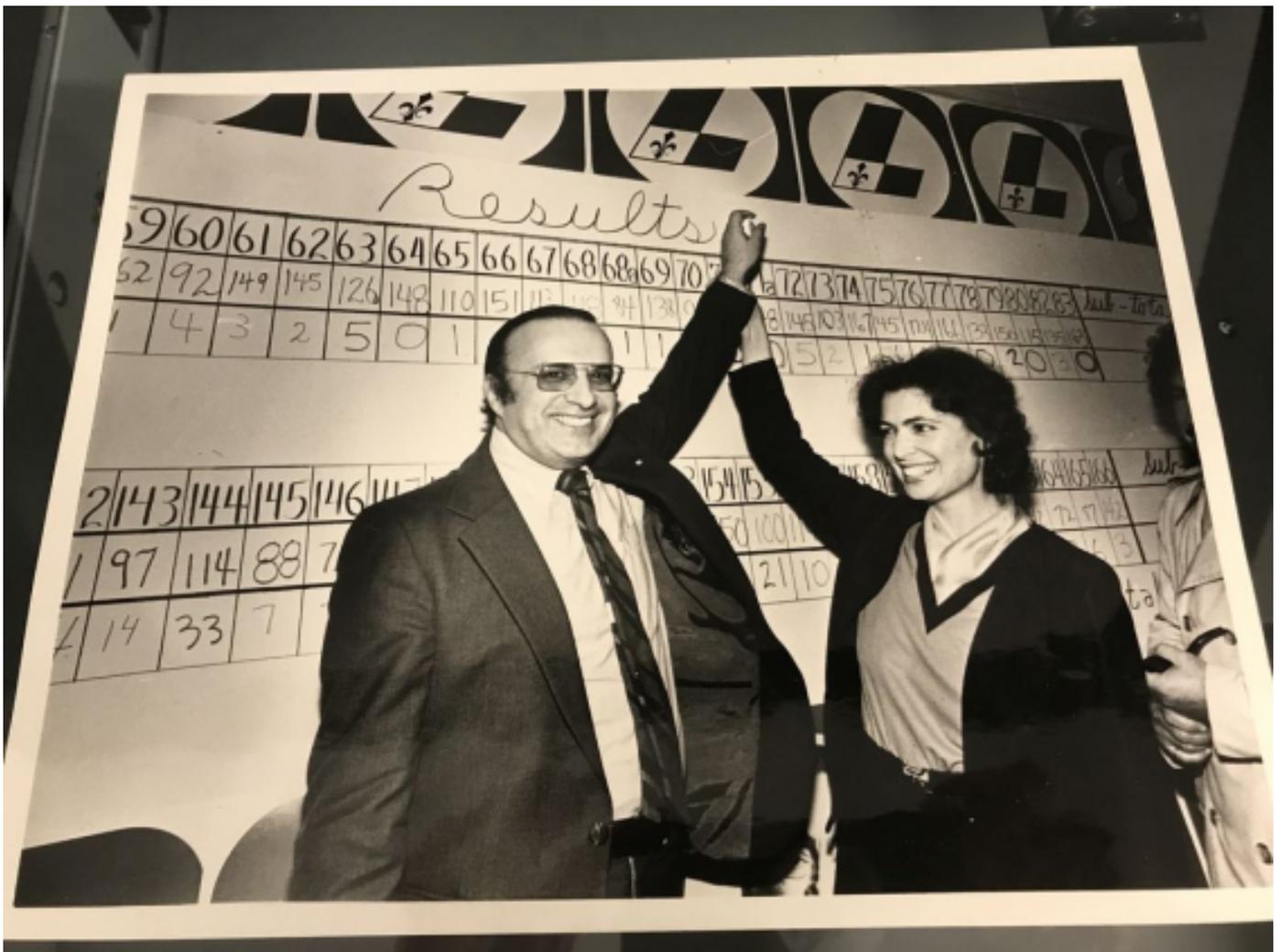


Former justice minister Herbert Marx remembered as a principled man

Paul Cherry • Montreal Gazette

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Herbert Marx and his wife, Eva, celebrate his victory in a Nov. 26, 1979 provincial by-election in the Montreal riding of D'Arcy-McGee. / Montreal Gazette

"Hard work, timing and luck."

That's the way Herbert Marx once summarized turning his life around from failing Grade 9 at Montreal's Baron Byng High School to being named Quebec's justice minister as part of Premier Robert Bourassa's Liberal government in 1985. Before getting into politics, Marx taught law for a decade at Université de Montréal.

Marx died Thursday, three days after his 88th birthday. He is survived by his wife, Eva, and their two children, Robert and Sarah.

As a politician, Marx was perhaps best known for his principled stand against the Bourassa government's use of the notwithstanding clause in the Canadian Charter of Rights and Freedoms to make French the only language to be used on outdoor commercial signs in Quebec.

Marx resigned as justice minister on Dec. 20, 1988, and six months later resigned his seat in the legislative assembly as the MNA for the D'Arcy-McGee riding. He was joined by two other anglophone cabinet ministers, Clifford Lincoln and Richard French.

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At the time, Marx said he resigned because he had opposed the "suspension of fundamental civil liberties" long before

he became a politician and he had always instructed his students at Université de Montréal to do the same.

His resignation put an end to a political career no one could have foreseen when he struggled academically at Baron Byng High School in the years before he finally graduated in 1950.

[In a very candid and colourful recording on the high school's alumni site](#), Marx recalled the early years of his life, admitting he had little interest in studying. He preferred hanging out and gambling in Montreal pool rooms or selling encyclopedias in Longueuil to make a few bucks.

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But Marx went on to graduate with a BA from Sir George Williams University (now Concordia) and said he finally found his focus while studying law at Université de Montréal.

"I had changed my way," Marx said. "When I got to law school, studying was everything."

Marx went on to earn a master's degree at Harvard Law School and was admitted to the Barreau du Québec in 1968. He taught at Université de Montréal for a decade before Claude Ryan, then leader of the Quebec Liberal Party,

recruited him into politics in 1979. Marx was first elected as an MNA for the D'Arcy-McGee riding in a byelection held on Nov. 26, 1979. His entry into the Quebec Liberal Party was soon followed by John Parisella, who went on to become Bourassa's chief of staff.

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"It's a sad day, but it's also a day to celebrate his legacy and what he contributed," Parisella said about Marx's death.

Parisella added as a politician Marx served his riding, which was predominantly Jewish, very well.

"He brought Jewish people back to the polls after they felt alienated by Bill 22," Parisella said.

Bill 22, adopted in 1974 by a Bourassa-led government, was the first to give French priority status over English in Quebec.

Parisella said the fact Marx resigned should not serve as his legacy. He added that as justice minister Marx worked to have Quebec's judges deliver tougher sentences for men who assaulted their spouses.

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“He didn’t leave by slamming the door,” Parisella said. “It was a very difficult decision for him and Bourassa understood it completely. It was a departure based on principle. I do recall that he had a very progressive agenda and cared very much about people in need.”

Lawrence Bergman, MNA for D’Arcy-McGee from 1994 to 2014, described Marx as a good friend, a mentor and someone he could count on for advice.

“He was loved by the people,” Bergman said. “I spent 20 years in the riding and I can say that he was loved by his (former) constituents.”

Bergman agreed with Parisella that Marx’s legacy should not only be that he resigned from the Bourassa government, even if it was a matter of principle.

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“His life was about much more than that,” Bergman said. “He had an outstanding career as a professor, as an MNA and as justice minister.

“He didn’t take himself too seriously,” Bergman added. “He grew up in modest means and he understood the mentality of the people born here and those who came here. He knew there was equal opportunity out there and he wanted

people to take advantage of the opportunity our wonderful province has to offer."

Fo Niemi, executive director of the Center for Research-Action on Race Relations, posted a message on Facebook recalling how Marx once offered to donate an air conditioner because he supported the group's work. Niemi described Marx as "a great Liberal, a great Quebecer and Montrealer, and simply a great and decent human being."

Niemi added: "He embodied the finest principles and values of justice, liberalism and, of course, his Jewish faith. As justice minister, he was instrumental in promoting civil rights for racial minorities, women and the poor."

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