

● (1410)

[English]

His supreme achievement was to shake the Court out of the straight-jacket of orthodoxy in which it had long operated. He brought the Supreme Court to the mainstream of major national issues, cutting the knot of constitutional impasse in order to remove from the political arena the vital issue of Canadian rights. The Court became a deeply human entity whose rulings were to become part of the daily living of every Canadian.

Bora Laskin was an ornament to his profession, his community, and to the nation. He kindled a light that will not soon be extinguished.

Some Hon. Members: Hear, hear!

Hon. Edward Broadbent (Oshawa): Mr. Speaker, with the death of Bora Laskin we have witnessed the passing of a truly great Canadian, one who was humble in his origins. He was a man who grew up as really an ordinary boy, as the Prime Minister (Mr. Trudeau) has reminded us, who took great pleasure in playing sports and who cited his baseball accomplishments as perhaps the most noteworthy of all.

He was a modest man who achieved great heights in our society. In many aspects of his life, not simply in his contributions to our judicial system, he made a distinguished contribution. He was a teacher of extraordinary ability. During the late 1960s I had the pleasure and honour of sharing with him the responsibilities of a commission at York University which was looking into the then existing difficulties on the campus, including, as they did, the conflicts that were occurring between young people and faculty members. These conflicts were occurring not only in our nation at that time but indeed throughout the industrialized democratic world. During that period I saw Bora Laskin close at hand as a man with a fine mind, a rigorously logical intelligence, but also as a man of broad sympathies and democratic inclinations. During the work he did at that time in the University community he made a great contribution to the intellectual and student life of the University.

He was, as Canadians know, one of the truly great judges of our period. For 19 years he worked particularly on bringing home to Canadians the importance of fundamental human rights. He was a great defender of the Charter of Rights. He was a great believer in improving the rights of women in our society. He was a scholar, making a distinguished contribution to our own tradition of constitutional law. As has been noted by the Leader of the Opposition (Mr. Mulroney) and the Prime Minister, he really did prepare our Supreme Court for its new role in our society for the decades to come. He went beyond the old rigidities of the law. He saw law as a liberating and changing force in society. More than any other man of his time, he showed leadership to our existing Supreme Court to ensure that it would function in that kind of way in the future.

We regret his passing, Mr. Speaker, as only a nation can regret the passing of one of its distinguished sons or daughters.

The Late Bora Laskin

An extraordinary man has left an extraordinary gap in our nation. We send our profoundest sympathy to Mrs. Laskin and other members of his family.

Some Hon. Members: Hear, hear!

Hon. Bob Kaplan (Solicitor General of Canada): Mr. Speaker, a great honour I have had in life has been the friendship of the late Chief Justice Bora Laskin and of his beloved Peggy. I knew him first when I was a student and he was a pioneer in legal education who, with the late Cecil Wright, established the concept which made the University of Toronto Law School the centre of excellence and a model for most of the law schools founded in Canada since then. In those days all the students at the school, and we were not many, shared a sense that we were part of something special. Indeed, we were. Bora Laskin was our inspiration to legal excellence.

He was also our inspiration to hard work. During my three years at the law school, Professor Laskin's door was never closed, and the worktable beside the door was where he could be found, morning, noon, and night, weekdays and weekends, preparing lectures, preparing opinions, editing law reports and, nevertheless, taking the time and interest to give advice to students about the law, about job prospects, and about personal problems, as if he had no other responsibilities.

His true and highest calling was that of teacher. To his surprise, and to mine, I led his classes in both constitutional law and in property law. That was the basis for continuing contact and friendship that we shared over the years. His later distinction was no surprise to any of the thousands of students like me for whom he was a model. His passing is a grievous loss to Canada.

Bora Laskin was also a member of the Jewish community. His Jewish roots were a clear and constant part of his life. A love of the law and a love of learning are central values to Jewish culture, and every Jew in this country has shared pride and satisfaction that a member of our community was called to the greatest heights of service to Canada. It says much of our beloved Canada that he was so recognized. This is a sad day for all Canadians.

Some Hon. Members: Hear, hear!

Hon. Mark MacGuigan (Minister of Justice): Mr. Speaker, unlike my colleague, the Solicitor General, I never had the opportunity of being a student of Chief Justice Laskin, except in the broader sense, because I had chosen a rival law school. But I did have the great pleasure of being for six years his colleague on the teaching faculty of the University of Toronto. He was a man who was very kind to young professors, provided of course that you were prepared to accept his own very high standards of dedication and excellence. He was never too busy to give advice. He was a master of detail, but nevertheless, and despite his great legal knowledge, he was also a warmly human person who was always prepared, when he saw an inequity, to respond to the needs of the situation and to be kind, and even indulgent, to the student or person involved.