

*The Late Bora Laskin*

**Right Hon. P. E. Trudeau (Prime Minister):** Mr. Speaker, yesterday Canadians lost one of their greatest champions of equity and fairness. I rise in this House today to pay tribute to the Right Hon. Bora Laskin, the 14th Chief Justice of the Supreme Court of Canada.

Any attempt to categorize the man is predestined to fall short of doing him justice. His public persona is well known: he was a brilliant scholar and academic—a mentor to thousands of young men and women, all of whom recall him with genuine affection. His writings, particularly on property and constitutional law, remain required reading for any serious law student.

I personally did not have the privilege of studying with this great teacher, but I would be remiss if I did not state the very great personal debt I feel to him, intellectually and emotionally. I am a life-long student of the Constitution and sometime teacher, and certainly in latter years, a practitioner of constitutional matters. I want to say that it was with something like a sense of awe that I approached the writings of the man and read his judgments, so much were they imbued with clarity and a sense of equity.

His judgments during his 19 years on the bench demonstrated sensitivity, humanity, thoroughness, intellectual rigour, and an unflinching understanding of the law.

[*Translation*]

That his majority judgments should have become part of our jurisprudence is entirely normal, Mr. Speaker, but it is remarkable, on the other hand, that his dissenting judgments have also become an important source of reference and inspiration. It is perhaps the distinguishing mark of the great law scholar that Bora Laskin was, that his judgments, whether for or against, were always interesting, never indifferent, always inspired respect and were never disappointing. We are thankful that this exceptional Canadian, even after reaching retirement age, continued to serve his country and his fellow citizens with the integrity, dedication and generosity that was his.

[*English*]

Always sensitive to the needs and conditions of the country, he expressed an important truth when he said: "The law must constantly adapt to the changing reality of Canadian life".

He was regularly honoured with citations, awards, and degrees, but he never sought recognition and never hoped for greatness. His life was a private pursuit of excellence, and no one was more amazed than he by the attention his remarkable success attracted.

Bora Laskin found pleasure not in reviewing his own accomplishments but in the company of his family and his students. His humility was as refreshing as it was genuine.

I recall once asking him which of his many achievements he remembered most fondly. "That is easy," he replied. "When I was young, back in Fort William, I played baseball. I still hold the record for the longest home run hit out of the local ballpark."

Today, as the sympathy of the nation goes out to Mrs. Laskin and her children, we are all conscious that we have lost a remarkable man who gained the respect and admiration of Canadians, and of countless others throughout the world, for his dedication to the rule of law, to civil liberties and social justice.

**Some Hon. Members:** Hear, hear!

**Mr. Brian Mulroney (Leader of the Opposition):** Mr. Speaker, greatness has been compared to a forest giant that, when removed, leaves emptiness around it. Such was the greatness of Bora Laskin. Without being born to privilege or easy accomplishment, his qualities were such that greatness was his inevitable destiny. He walked the path of high achievement without forgetting his roots and with an unswerving commitment to the rights of the humble and unrepresented.

He was, above all, a great and distinguished Canadian. His outlook was essentially and distinctly Canadian. He read with uncanny certitude the scroll of Canadian destiny. He possessed, in my judgment from afar, a keenly sensitive appreciation of where we had been, where we were, and where this nation must go. He used his talent and his genius, his deep understanding of the broad sweep and play of constitutional forces, to assist the forward movement of this nation.

He remained true to his origins. His parents were Russian Jewish immigrants who settled in western Canada and moved to Thunder Bay. His unswerving commitment to minority rights and his deep sense of tolerance were ingrained by the heritage of which he was so justifiably proud.

The power and insight which were to mark his judgments in the highest Court of Canada were apparent as a student, and later professor, at the University of Toronto where he won a reputation as a strong and able defender of civil liberties.

I can remember in the early 1960s, as a law student at the University of Laval in Quebec City, that the comments, articles, and opinions of Mr. Laskin were held up as examples of excellence which all associated with the law strove to emulate.

In ten turbulent years he placed his stamp on the Supreme Court, which became described as "Laskin's Court".

[*Translation*]

Mr. Speaker, he is referred to, and rightly so, as liberal rather than radical, innovative rather than revolutionary. In fact, he will be remembered as a man of his time, for having wanted to adapt the law to changing circumstances. Bora Laskin was very concerned that Canadians did not understand how the legal system worked and, especially, were not aware of the importance of the role played by the Supreme Court in Canada. Because of this, he made a considerable effort to give the Court's important judgments more publicity and attention. He liked to say that it is necessary to have informed citizens if we are to maintain and observe the law.

His death is a tremendous loss, not only for the judicial and legal world but for all Canadians.