

Foreword

The Honourable Mr. Justice Jamie W.S. SAUNDERS*
Thomas A. CROMWELL**

What are the prospects for human rights protection in the twenty-first century? The 1996 CIAJ Annual Conference in Halifax brought together distinguished jurists from Canada and around the world to answer that question. Their papers and commentaries, revised for publication, are collected in this volume. Its appearance ensures that the ideas which resonated so profoundly with those at the Conference, will now have a lasting presence and a broader audience.

The papers examine the prospects for human rights in several contexts. Canada's experience and outlook are placed in and related to the international protection of human rights and the social "climate" for human rights protection. Questions of institutional and procedural efficacy and interaction are addressed. In addition, two key areas of substantive law that are perceived by many as being at a crossroads in Canada, Freedom of Expression and Equality, receive detailed consideration. Knitting all of this together is the overarching analysis of the essential character of human rights and the fundamental importance of the judicial function captured in Justice Albie Sachs' opening keynote address.

The assessments and observations contained in this volume are not always comforting; several are controversial. We attempted to ensure a disparate range of views and perspectives as well as a balance between doctrinal analysis and more broadly contextual or policy-based contributions. We believe that the papers inspire, enlighten and provoke. If they do, our objective will have been achieved.

We owe many debts of gratitude to those who helped with the Conference and the preparation of this volume. The long list includes the many persons whom we consulted about topics and speakers; the speakers and chairs who so ably focused their topics and generously gave their time to produce the papers you find here; the President, Executive, Board and administrative personnel of the Institute who were unfailingly supportive and helpful and the Conference participants whose questions and comments substantially influenced the contents.

A final word. Everyone present in Halifax was especially moved and inspired by the opening key note address by Justice Albie Sachs. We take particular delight in the opportunity this volume offers to share his words of commitment, encouragement and insight with a wider audience.

* Supreme Court of Nova Scotia, Halifax, Nova Scotia.

** Professor, Law School, Dalhousie University, Halifax, Nova Scotia (as he then was; now The Honourable Mr. Justice Thomas A. Cromwell, Nova Scotia Court of Appeal, Halifax, Nova Scotia).