

CIAJ ICAJ

Canadian Institute
for the Administration
of Justice

Listening. Learning. Leading.

Institut canadien
d'administration
de la justice

Écouter. Apprendre. Inspirer.

THE 2017 CHARLES D. GONTHIER FELLOWSHIP

The Canadian Institute for the Administration of Justice (CIAJ) provides funds for the Charles D. Gonthier Research Fellowship, named in honour of the late Mr. Justice Charles D. Gonthier of the Supreme Court of Canada, a former President of CIAJ. The Fellowship supports research in relation to the topic of the annual conference. Each conference focuses on a specific aspect of CIAJ's themes:

- Justice as a humanistic and social value
- Justice as a public service
- Justice in a global economy and interdependent world

2017 ANNUAL CONFÉRENCE

Canada at 150:

Cultural and Religious Diversity in the Administration of Justice

October 2-4, 2017 | Hyatt Regency Hotel | Montreal (QC)



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Theme of the Annual Conference:

Since Confederation, there has been a transformation of Canadian society toward inclusiveness and equality. This has been a path of achievement and aspiration but not without conflict and controversy. Hence the topic proposed for the annual conference of CIAJ is diversity in the administration of justice in Canada. There is no feature of the administration of justice that has not been transformed to reflect the values of inclusiveness and diversity. This is evident in all aspects of private and public law. Public institutions and their mandates have been reformed to realise and strengthen these values. Perhaps no more conspicuous expression of this transformation can be found than in the *Canadian Charter of Rights and Freedoms*.

The recognition and realisation of inclusiveness and equality in the administration of justice since Confederation has not always been progressive. Many examples can be given to demonstrate resistance or opposition, including the experience of aboriginal communities and the treatment of minorities during world conflicts. Notwithstanding waves of immigration in an increasingly globalised community, it cannot be claimed that the administration of justice in Canada has an unbroken history of respect and accommodation. These shortcomings cannot be ignored.

But there can be little doubt now of Canada's commitment to inclusiveness and equality. This commitment is a companion to the recognition, entrenchment and application of rights since the latter half of the twentieth century. There are demonstrable effects of this commitment in the administration of justice and there are future effects that may be sought and anticipated.

For these reasons the aim of the annual conference in 2017 will be to present a critical appraisal of diversity in the administration of justice with a focus on cultural and religious diversity.

An overarching question in this theme is definitional. It is commonplace to speak of Canada as a multi-cultural or multi-ethnic society and these characteristics must figure in any consideration of diversity in the administration of justice. Diversity is an encompassing term that allows for multiple forms of social groupings but also multiple themes that cross between and among social groupings. Diversity is thus a preferable term with which to examine the manner in which public institutions serve (or fail) the interests of inclusiveness and equality in the administration of justice.

An important dimension of this appraisal will thus be the examination of the manner in which public institutions have evolved to advance values of inclusiveness and equality, including an assessment of their shortcomings. Another broad dimension will focus on substantive issues concerning complementarity and contradiction between values of diversity and equality.

It would also be possible to bring to the fore more contentious (even divisive) facets of the same theme. The current controversy around the wearing of a hijab/niqab/tchador/burqua at citizenship ceremonies, its sudden surge during the electoral campaign of 2015 and the Federal Court's response to it are examples of how delicate matters involving facets of diversity are picked up in the public space. So are several other aspects of full-fledged diversity (the antinomy between fundamentalist proselytism and religious tolerance or freedom of conscience, the practices of polygamy or arranged marriages, creationism, dietary requirements, the implications of the State's religious neutrality or secularism, etc.).

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ADMINISTRATION OF FUNDS

The funds are administered by CIAJ on behalf of the successful applicant and are available to support research assistance or other out-of-pocket expenses, but may not be used as an honorarium. It is expected that the completed research will be presented at CIAJ's annual conference in October 2017 in Montreal (QC).

The maximum amount of the Fellowship is \$7,500. The selection of the project for the research fellowship will be made by a committee composed of the President of the CIAJ (or his/her nominee), the CIAJ Academic Advisor, one of the Co-Chairs of the Education and Research Planning Committee, and one other person selected by the Executive Committee.

The successful applicant will be notified by the end of February 2017 and the completed research paper must be forwarded to CIAJ by the end of August 2017.

The recipient of the Charles D. Gonthier Research Fellowship is encouraged to seek publication of the paper in a reputable scholarly publication and to indicate, in an introductory note, that financial support for the research was provided by the CIAJ.

TO APPLY

- The fellowship competition is open to faculty and graduate students at Canadian universities. **New Deadline : March 15, 2017**
- Applicants should complete the attached application form and submit it by email to ciaj@ciaj-icaj.ca, **no later than February 6, 2017**.
- In addition to submission of a completed research report, CIAJ expects to receive a complete account of expenditures.

ABOUT CIAJ

The Canadian Institute for the Administration of Justice (CIAJ) is a voluntary non-profit organization dedicated to promoting excellence and leadership in the administration of justice through knowledge, learning and the exchange of ideas. The CIAJ offers education and research programs and provides a forum for everyone interested in the administration of justice. Since its inception in 1974, the organization has kept a critical eye on our justice system and explored cutting-edge issues likely to improve the administration of justice and preserve a strong and independent judiciary.



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