

Remarks of the Right Honourable Beverley McLachlin, P.C.
Retirement Ceremony of the Honourable Louise Arbour
Monday, June 7, 2004

It is my great pleasure to welcome you all to this ceremony, which marks the retirement of our dear colleague, the Honourable Louise Arbour. The Supreme Court of Canada is honoured to welcome

- The Honourable Irwin Cotler, Minister of Justice and Attorney-General of Canada
- The Honourable Michael Bryant, Minister of Justice and Attorney-General of Ontario
- Ms. Susan McGrath, first Vice-President of the Canadian Bar Association, representing Mr. William Johnson, President of the C.B.A. and
- Mr. Frank Marrocco, Treasurer of the Law Society of Upper Canada

The Right Honourable Antonio Lamer, former Chief Justice of the Supreme Court of Canada, was supposed to be joining us here this morning, but he had to have an operation last week, so he couldn't make it, but he asked me to give everyone his regards. Our thoughts are with him, and also with the Honourable Peter Cory, who is saying a final farewell to his beloved wife Edith today, and could not join us. Nevertheless, we are fortunate to have among us a few of our former colleagues on the Supreme Court of Canada:

- The Honourable Bertha Wilson and Reverend John Wilson
- The Honourable Gérard LaForest
- The Honourable Claire L'Heureux-Dubé
- The Honourable Charles Gonthier and Madame Gonthier
- as well as Madame Jeannine Chouinard, wife of the late Julien Chouinard, former justice of the Supreme Court of Canada.

I would also like to wish the warmest of welcomes to the distinguished members of the judiciary, to our guests of honour, and to the family and friends of Louise Arbour, who are joining us here this morning. Among them, I would particularly like to point out the presence of Madame Rose Laberge, mother of the Honourable Louise Arbour, as well as that of her daughter, Madame Emilie Taman, a recent graduate of Dalhousie Law School.

I said that we are gathered to mark the retirement ceremony of the Honourable Louise Arbour, but the word "retirement" is used here loosely. Some retirees continue to work at a more reasonable pace and share their experience with others. Some retirees find new hobbies. They discover the joys of gardening, or the challenges of golf, or even the exhilaration of bridge. But Supreme Court Justices never truly retire. For her part, Justice Arbour's retirement plan is to

become the United Nations High Commissioner for Human Rights. That gives an entirely new meaning to "Freedom 55" or in this case, its near equivalent.

Humour aside, this morning is my occasion to formally tell Justice Arbour how much admiration the members of this Court have for her courage and her dedication to the cause of human rights, and how enormously proud we are that she has agreed to play such a pivotal role on the international scene. By all accounts, her return to that scene is most timely. This is a time of uncertainty and disruption for the cause of human rights in the world and International law is once again at the crossroads. We are bombarded every day with images of senseless violence, intolerance and utter misery. Every day brings us new evidence of disrespect for the sanctity of human life and dignity. Our democratic institutions are now put to the test by new challenges to our security. And countries in the North and the South are locked in competing understandings of the meaning of human rights. Of course, it is naive to think that a single individual can fix this world of ours, or put an end to the global abuse of human rights. But those who know Louise Arbour, those who know her moral strength, her intelligence, and her unshakeable determination – all of us here – know that she will make a difference.

Indeed, making a difference has been a hallmark of Justice Arbour's career. Before joining the Supreme Court, she had changed the course of our carceral institutions with her report on events at the Prison for Women in Kingston ; and she had changed the course of International Law with her creative and forceful mandate as Prosecutor for the International Criminal Tribunals for the former Yugoslavia and for Rwanda.

By virtue of these feats, she was already a star when she came back to Ottawa to join the Supreme Court of Canada. In that year alone, she received 17 honorary degrees, which must be some kind of Canadian record. She was profiled in every newspaper and magazine you can think of, and even in some you cannot bear to think of. In fact, I am told that one male member of her family found himself in possession of a copy of Hustler magazine – we are not quite sure how – and to his amazement discovered it contained a rather thoughtful article about the Honourable Louise Arbour. Louise there are no limits to the reach of justice.

At the Supreme Court of Canada, Justice Arbour succeeded the Honourable Peter Cory. She inherited his ceremonial gown, and had it cut by half to fit her own proportions. And then she plunged into her life as a member of this Court, with the energy and dedication that she has brought to every facet of her life. On

the Court, she has been a vibrant, incisive, and inquisitive presence. She brought her extraordinary sense of humour to our deliberations, and her unfailing moral commitments to our decisions. A Court of nine judges is like the delicate movement of a clock and her departure will no doubt change the sound and the rhythm of the Court. But the mechanism cannot stop, and the Court will remain a central institution of Canadian public life as long as men and women of great valour and fierce independence, men and women like Louise Arbour, continue to be appointed to this high judicial office.

And now, Louise, the time has come to wish you well. I know you are very attached to the poetry of Richard Desjardins, and I do believe it will be going with you to Geneva. I have chosen two short excerpts, by way of conclusion. First, in the song “La maison est ouverte” [The House is Open], Richard Desjardins offers us these words, as a plan of action: “Il est temps d’apaiser cette fleur de la peur qu’on appelle le monde. Nous sommes cueilleurs, le fruit est la Loi.” [It is time to appease this flower from the fear that we call the world. We are gatherers and the fruit to be picked is the Law.] Law is indeed a fruit to be gathered, and shared with those who have not been allowed to taste it. That is the task ahead of you. And in another song, these words that show what you are capable of : “Debout le jour, debout le jour. Au bout des bras, ce que tu veux. Tout’ se peut”. [Let the day begin, bring it on. Whatever you desire is within your reach. Everything is possible.] From now on, Louise, as in the past – Everything is possible, and everything is within your reach.

Thank you.