

Constitutional rights and freedoms are designed to protect individuals against the bias of other minority and majority cultural groups. To me, the David Asper Center for Constitution Rights indicates a larger trend to provide advocacy for social reform in agencies outside of direct governmental control. Governments are increasingly bound by international conditions where globalisation allows for massive transfers of financial investment. It is then appropriate to delegate protection of human rights to the judiciary who can challenge governmental action using a combination of civil / criminal codes and constitutional rights and freedoms.

Your Thoughts?? SB

SPEECH << Re: Donation of \$7.5 Million >>

Final section of the speech presented by David Asper to the U. of T. Law School
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“How do we take all of these incredible resources that are off in many different directions and what could we do to harness some of this intellectual property horsepower and focus it toward some kind of profound good / common good. And what could that be?? And to me the answer was fairly self evident, that not just because of the court challenges program, but because one of the last things that my dad did, in his life, was to hatch the idea of this, and lay the groundwork for, the creation of a national museum for Canadian human rights. And then, through the efforts of my sister who carries on that effort, and the prime minister, who remarkable joined in very quickly, the vision will become the reality.

And it would be an enormously important national institution that will animate the Canadian experience with the abuses of human rights and the fundamental freedoms, and it will generate awareness that as much as we see ours as a free and democratic society, of course it's not always been so and it may not always be so. Looking forward though, the museum is only one weapon that we have in what must be a persistent struggle for freedom. And at some point, the law and legal process has to get engaged. And this is where, I think the need arises for a constitutional rights center, such as what we're establishing here today.

It becomes essential, obviously, because the avoidance of noxious laws before they are passed, and enforcement of such laws that do exist, is how we can actually coral the state with the rule of law. People need advocates, their needs to be a structure of inquiry so that our courts can properly frame and address the concern of the day.[...]

Which brings us to today. And I am very, extremely proud to be an alum of the school now and even more proud to not just initiate the project, creating the center for constitutional rights, but also start with a significant contribution to rebuilding of the law school itself. The design proposals are extremely exciting, and I know that whichever one is chosen, great things lie ahead for the faculty. And my sincere hope; you know, you don't just make these gifts unto themselves, my sincere hope is that this will actually motivate others and aliven others to join soon with Mayo and the fund-raising team and get the job of rebuilding the school done as soon as possible. [pause] And get a proper bookstore :) And coffee shop :)

So, I want to thank you all, It is humbling to see you all here. Ya know, I see Lorraine over here and I took away a lot from that class, the enduring thing though - I have to tell you that - I was watching the unfolding of a legal aid crisis, surprise surprise, in rural Manitoba. And when they interviewed members of the profession about why they weren't taking cases and record numbers and how the low end of the income spectrum and families in criminal cases were falling off the map, the response from a guy who I articulated with, and is now a managing partner of a major firm was that if you want to do that kind of work, you should be a social-worker, not a lawyer”

Shawn Berney

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