

Issue Overview

D A R C Y L . M A C P H E R S O N *

When the current Editors-in-Chief of the Manitoba Law Journal took over stewardship of the publication in 2010, we decided to profile legal luminaries of the past and the present from Manitoba. When we chose The Honourable Chief Justice Richard J. Scott as an early interviewee, this led us to consider whether there were other former Chief Justices of the province whose recollections should be committed to paper for both present and future generations. That simple question led us to make an entire special issue of the MLJ entitled “Five Decades of Chief Justices of Manitoba”.¹ The volume focused on the last three individuals to occupy the highest judicial office in the province at the time – The Honourable Chief Justice Richard J. Scott (Chief Justice of Manitoba from 1990-2012), The Honourable Chief Justice Alfred M. Monnin (Chief Justice of Manitoba from 1983-1990), and The Honourable Chief Justice Samuel Freedman (Chief Justice of Manitoba from 1971-1983).

As we examined the Manitoba Archives of Legal History as part of our preparation of the Five Decades volume, Dr. Bryan Schwartz recalled that there was a series of speeches, including some by the man himself, given about Chief Justice Freedman several years ago, at an exhibit hosted by the Jewish Heritage Centre in Winnipeg, Manitoba. The speakers agreed to allow us to publish their words, which had not previously been done.² As noted in Dr. Schwartz’s introductory comments in the current volume, his remarks included a reflection that Sam Freedman’s life and story merited being told in full, in the form of a full-length biography. He was unaware that such an effort was already underway. Several years later Dr. Schwartz told our colleague, Dr. DeLloyd J. Guth, of our plans with respect to profiling Chief Justice Freedman as part of the Five Decades volume. Dr.

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¹ (2012) 36:SI Man LJ.

² Jack London, Bryan Schwartz, Arnold Naimark & The Honourable Martin Freedman, “Stories of Samuel Freedman: Speeches from the Exhibition” (2012) 36:SI Man LJ 141.

Guth indicated that there was in fact a full-length autobiographical manuscript about Chief Justice Freedman (weaving together various interviews and speeches) that had been worked on years earlier by another historian, Robert Clarke. Without this casual conversation, the manuscript might never have seen the light of day. We are grateful to Dr. Guth for his advice and assistance in ensuring that the manuscript has not only been rescued, but is now finalized and made widely available.

When the Editors-in-Chief saw the manuscript, we made the decision that this deserved to be published under the umbrella of the MLJ, as a Special Issue. Dr. Schwartz begins with a comment on Chief Justice Freedman's extraordinary literary style. Following this, Mr. Clarke introduces the content of the volume. Mr. Clarke was the original compiler of the manuscript, and through his commentary, gives context to explain that content. While we at the MLJ are proud to have played a role in the publication that follows, the reality is that Mr. Clarke was the driving force behind the volume, along with those whom he credits, including members of the Freedman family.

One small word is offered here about the content. There is some degree of overlap between some the speeches reproduced in the Five Decades volume with respect to Chief Justice Freedman, and the speeches selected for reproduction in this volume. We decided to leave the original intention of Mr. Clarke and Chief Justice Freedman intact, even if the same words or thoughts may find expression in the two different volumes.

Chief Justice Freedman was deeply connected to Manitoba's legal community. He wrote some of the most important and original judgments of the Manitoba Court of Appeal. He was a leader in philanthropy in Winnipeg. He was the Chancellor of the University of Manitoba. He was a sought-after speaker on a variety of topics, with a unique perspective to be shared. Through this publication, the Editors-in-Chief sincerely hope that the next generations of any and all of these communities will be reminded of, and learn from, the remarkable personal story and public achievements of this outstanding public servant. We at the MLJ agree that The Honourable Chief Justice Samuel Freedman was indeed, and remains, a *judge of valour*, and we are pleased to be able to help to preserve his legacy.