

# EDITORS' NOTE

This is a special issue of *CJCA* in honour of a great Canadian and a towering figure in international arbitration: the Honourable Marc Lalonde PC OC KC (1929-2023). Lalonde's career seems to have been enough to fill three lives. He made important contributions to Canadian government and society, legal practice in Canada, and to the development of international investment law and arbitration. This issue is our respectful and loving tribute to him.

Marc Lalonde was born in L'Île-Perrot, Québec, on July 26, 1929. He came from a longstanding Québec family, the fourth of five children of Joseph Albert Lalonde, a farmer, shopkeeper, and local village mayor, and Laura (née St-Aubin).

After earning degrees from the Université de Montréal, Oxford University, and the University of Ottawa, Lalonde had stints in the Department of Justice during the Diefenbaker government, at the Université de Montréal, and in private practice in Montreal. He then re-joined government, setting off a long tenure in the highest ranks of the Liberal Party of Canada. He was a policy advisor in Lester Pearson's Prime Minister's Office, headed a task force on securities regulation and corporate disclosure, and served as Chief of Staff to Prime Minister Pierre Trudeau, of whom he was for decades one of the closest confidants. In 1972, he ran for office and was elected Member of Parliament for the Montreal riding of Outremont. He was rapidly named to the cabinet, holding several key portfolios: Minister of National Health and Welfare, Minister of State for Federal-Provincial Relations, Minister responsible for the Status of Women; Minister of Justice; Minister of Energy, Mines, and Resources; and Minister of Finance. A staunch federalist, he was the preeminent Québec minister in the Liberal governments of Pierre Trudeau and John Turner.

In 1985, Lalonde retired from politics and joined Stikeman Elliott in Montreal. There, he helped the firm expand its international presence and was first appointed as an arbitrator

in an investor-state dispute. He went on to become one of the world's most in-demand investment treaty arbitrators, as well as a Judge Ad Hoc of the International Court of Justice in two cases: Fisheries Jurisdiction (*Spain v Canada*) and Legality of the Use of Force (*Serbia and Montenegro v Canada*). He retired from Stikeman Elliott in 2006, at the age of 77, but continued to be active as an arbitrator, declining new appointments only after he turned 90.

Lalonde passed away on May 6, 2023, aged 93, healthy and vital until nearly the end. He and Claire, his wife of 67 years, had four children (including Paul, who contributed to this special issue) and nine grandchildren.

This special issue publishes personal remembrances of Marc Lalonde from some of the most prominent figures in international arbitration and from some who learned (proverbially or literally) at his feet, which we present as a tribute to Marc Lalonde and his family. We express our gratitude to the many contributors, a mark of Lalonde's prominence in our field and the numerous friends and colleagues on whom he made an indelible impression. In addition to Paul Lalonde, they are (in alphabetical order): Barry Appleton, Louise Barrington, Jonathan Brosseau, Mariel Dimsey, Zachary Douglas, Yves Fortier, Fabien Gélinas, David Haigh, Gabrielle Kaufmann-Kohler, Barton Legum, Barry Leon, Jan Paulsson, Stephen Schwebel, Brigitte Stern, Pierre Tercier, and Janet Walker.

Thanks to the good offices of Barry Leon, I had the chance to visit with Marc and his wife Claire in Autumn of 2022, in the historic Lalonde home in L'Île-Perrot (built in 1753 and inhabited continuously by Lalondes since then). I remember his warm hospitality, his penetrating gaze, and his ready smile. The story of our visit is recounted by Barry in his remembrance for this issue, so I will not belabour it here, except to say that I came away with the impression of brilliance but also wit, ambition but also pragmatism, formidableness but also kindness, and this conviction: *Marc Lalonde était non seulement un grand arbitre, mais aussi un grand québécois et un grand Canadien.*

To round out the issue, we include two pieces of “regular” content. The first is a review by *CJCA* Editor Anthony Daimsis of a new book by Doug Jones AO and *CJCA* Editor Janet Walker CM, *Commercial Arbitration in Australia Under the Model Law, 2nd Edition*. Australia exemplifies a common law jurisdiction that has wholeheartedly adopted the UNCITRAL Model Law; in addition to its intrinsic interest, the book will be of great practical utility in other Model Law jurisdictions, very much including Canada. The second is my case comment on the Court of Appeal for Ontario’s long-awaited decision in *Aroma Franchise v Aroma Canada*, a judgment that was released just as this issue was (belatedly) about to go to print.

Please consider submitting your own writing to *CJCA*, (see <https://cjca.queenslaw.ca/submission>) and do not hesitate to contact us with article ideas, feedback, or suggestions.

*Joshua Karton, Managing Editor*  
joshua.karton@queensu.ca

on behalf of the senior editors:  
*Barry Leon, Executive Editor*  
*Gerald W. Ghikas, Executive Editor*  
*Janet Walker, Executive Editor*  
*Anthony Daimsis, Case Comments and Developments Editor*