University of Toronto Faculty of Law Review



Revue de droit de l'Université de Toronto

NUMBER 2 SPRING 1993

VOLUME 51

NUMERO 2 PRINTEMPS 1993

EDITORS IN CHIEF: Dennis E. Mahony, Orlando V. Da Silva

MANAGING EDITOR: Salvatore Mirandola EXECUTIVE EDITOR: Michael Dunleavy

FRENCH LANGUAGE EDITOR: Anne Fleming ADVERTISING MANAGER: Timothy Brown BUSINESS MANAGER: Charlene Loui-Ying OFFICE MANAGER: Carolyn Routledge

FACULTY ADVISOR: Professor Martin L. Friedland, Q.C.

SENIOR EDITORS: Angus Gunn, Jeffrey Haar, John Hannaford, Arif Jamal, Valerie

Oosterveld, Victor V. Ramraj, Kevin Wright

ASSOCIATE EDITORS: David Baxter, Mark Bennett, Andrea Bowker, Andrea Burke, Frank Cantoni, Francis Chang, Christine Chen, Lia Chiarotto, Judy Cotte, Victoria Cowling, Kevin Davis, Jonathan Dawe, Brian Dorrian, Lianne Ecker, Katherine Evans, Sandra Evans, Bernice Fan, Lise Favreau, Scott Ferguson, Catherine Ford, Lara Friedlander, Eric Golden, Jay Heller, Krista Hill, John Hurley, David Kaufman, Suh Kim, Anne Lawson, Ian Lee, Nicola Linton, Tycho Manson, Melody Martin, Dany Mathieu, Joe McArthur, Caroline Meyer, Paul Michell, Nina Moritsugu, Brad Newby, Ira Nishisato, Jeff Piercy, Sarah Pike, Linda Plumpton, Kenneth Post, Karrin Powys-Lybbe, Abid Qureshi, Sue Riggs, Amanda Ross, Carolyn Routledge, Alias Sanders, Iain Scott, Paul Shenton, Jillian Shortt, Stephan Shoshan, Cathy Skinner, Tom Telfer, Helen Tubrett, Michelle Williams, Robert Wisner

ASSISTANT EDITORS: Carol Aultman, Ariana Birnbaum, Ari Blicker, Lockie Campbell, Isis Caulder, Lois Chang, Darren Charters, Vivien Chiang, Kathy Church, Leslie Cranston, Lisa Damiani, Gil Deutsch, Tom Ferns, Joan Fiset, JoAnne Frenschkowski, Simon Goldstein, Susan Goscoe, Neil Guthrie, Tim Hutzul, Mario Josipovic, Jasminka Kalajdzic, Jonathan Kaplan, John Kingdon, Sean Lawler, Brad Limpert, Willa Marcus, Helen Maroudas, Stefan Matiation, Maureen McGuigan, James Merkur, Jane Milburn, Lynn Mitchell, Patrick Moyer, Dimitrios Nikolakakos, Deborah Orr, Manjusha Pawagi, Andrew Pyper, Julianne Ralph, Larry Reimer, Barbara Roblin, Francine Rosenzweig, Ian Scarlett, Neil Seeman, Todd Stanley, David Tupper, Caroline Ursulak, Michael VanBodegom, John Von Kaufmann, Dov Wisebrod, Kelley Yukich

PRODUCTION ASSISTANTS: Murray DeVos, Tom Ferns, Simon Goldstein, Tycho Manson, Michael VanBodegom

ABSTRACT TRANSLATOR: Ian Lee

Copyedited by Jim Lyons of WordsWorth Communications. French language article copyedited by Debby Repka.

Designed by University of Toronto Press. Typeset by Humanities Publishing Services of the University of Toronto. Printed in Canada by the University of Toronto Press.

Copyright © 1993. University of Toronto Faculty of Law Review. All rights reserved. No part of this book may be reproduced in any form or by any electronic or mechanical means including information storage and retrieval systems, apart from short passages for use in review, without permission from the editors. Reproduction of this material without authorization, by any method of duplication whatsoever, is a violation of copyright.

Library of Congress Catalogue Card Number: 54-40057

ISSN: 0381-1638

The University of Toronto Faculty of Law Review is published by students enrolled in the Faculty of Law at the University of Toronto. The Review is devoted to criticism and comment by students on current legal issues and problems, in the interests of legal scholarship. The opinions expressed are those of the individual writers, and neither the University of Toronto Faculty of Law Review nor the editors accept responsibility for them. Although every effort has been made to ensure the accuracy of all citations, the ultimate responsibility for all citations lies with the authors. The Review uses the style of the Canadian Guide to Uniform Legal Citation.

Subscriptions

The Carswell Company Limited 2075 Kennedy Road Scarborough, Ontario, Canada M1T 3V4

Subscription Rate: \$28.50 per issue Frequency: 2 issues per academic year

Advertising Rates

Advertising Manager
Faculty of Law Review
University of Toronto
78 Queen's Park
Toronto, Ontario, Canada M5S 1A1

All Other Communications

The Editors
Faculty of Law Review
University of Toronto
78 Queen's Park
Toronto, Ontario, Canada M5S 1A1
Telephone: (416) 978–1075

Citation

(1993)51(2)U.T.Fac.L.Rev