

# Charting the Consequences

The Impact of Charter Rights on  
Canadian Law and Politics

Edited by  
David Schneiderman  
& Kate Sutherland

# Charting The Consequences The Impact Of Charter Rights On Law And Politics In Canada

**Institute for Research on Public Policy**



## **Charting The Consequences The Impact Of Charter Rights On Law And Politics In Canada:**

*Constitutional Politics in Canada and the United States* Stephen L. Newman, 2012-02-01 The Canadian constitutional reforms of 1982 which included a Charter of Rights and Freedoms analogous to the American Bill of Rights brought about a convergence with American constitutional law As in the U S Canadian courts have shown themselves highly protective of individual rights and they have not been shy about assuming a leading and sometimes controversial political role in striking down legislation In clear and easy to understand language the contributors not only chart but also explore the reasons for areas of similarity and difference in the constitutional politics of Canada and the United States **Canadian Politics,**

**Seventh Edition** James Bickerton, Alain-G. Gagnon, 2020-08-31 For this new edition James Bickerton and Alain G Gagnon have organized the book into six parts Part I covers the origins and foundation of Canada as a political entity while Part II focuses on government parliament and the courts Part III examines matters pertaining to federalism and the Canadian Charter of Rights and Freedoms Part IV casts some new light on electoral politics and political communications and Part V examines citizenship diversity and social movements Part VI the final section of the book concentrates on a number of political issues that merit special attention on the part of political actors and decision makers namely the evolving relationship between Canada and Indigenous peoples immigration and refugees environment and climate change and relations between Canada and the United States This seventh edition of Canadian Politics includes 12 new chapters with ten new contributing authors and coverage of six new subjects and is essential reading for students and specialists studying Canadian politics Canadian Politics James Bickerton, Alain Gagnon, 2009-01-01 The new fifth edition of Canadian Politics continues the work of earlier editions in offering a comprehensive introduction to Canadian government and politics by a widely recognized and highly respected group of political scientists writing about subjects on which they are acknowledged experts For this edition the editors have organized the book into four sections Part I Citizenship Identities and Values Part II Institutions Part III Democracy and Representation and Part IV Canada in the World The fourth section develops a focus on the diverse and increasingly important influences of globalization on the Canadian polity the environment and the role of Canada in the world Of the eighteen chapters nine are completely new and six new authors appear including Martin Papillon on Aboriginal governments Peter J Stoett on Canadian international environmental policy and Andrew F Cooper on Afghanistan and Canadian foreign policy The remaining chapters have been thoroughly revised and updated **Canadian**

**Books in Print. Author and Title Index** ,1975 Human Rights and Scots Law Alan Boyle, 2002-11-04 This book by a team of academics judges and distinguished practitioners discusses the implications of the incorporation of the ECHR into Scots law **Women & Public Policy in Canada** Alexandra Zorianna Dobrowolsky, 2009 Women and Public Policy in Canada offers a theoretical and topical approach to studying the public policy issues that specifically affect Canadian women Written by policy experts from across Canada this contributed text exposes students to various perspectives and a wealth of

expertise Topics such as the environment healthcare Aboriginal women economic policy anti violence policy immigration and multiculturalism are covered giving students insight into the most prevalent issues regarding women and public policy in Canada *The Canadian Historical Review* ,1997 **Indigenous Difference and the Constitution of Canada** Patrick Macklem,2001-12-15 There is a unique constitutional relationship between Aboriginal people and the Canadian state a relationship that does not exist between other Canadians and the state It s from this central premise that Patrick Macklem builds his argument in this outstanding and significant work Why does this special relationship exist What does it entail in terms of Canadian constitutional order There are Macklem argues four complex social facts that lie at the heart of the relationship First Aboriginal people belong to distinctive cultures that were and continue to be threatened by non Aboriginal beliefs philosophies and ways of life Second prior to European contact Aboriginal people lived in and occupied North America Third prior to European contact Aboriginal people not only occupied North America they exercised sovereign authority over persons and territory Fourth Aboriginal people participated in and continue to participate in a treaty process with the Crown Together these four social conditions are exclusive to the Aboriginal people of North America and constitute what Macklem refers to as indigenous difference Exploring the constitutional significance of indigenous difference in light of the challenges it poses to the ideal of equal citizenship Macklem engages an interdisciplinary methodology that treats constitutional law as an enterprise that actively distributes power primarily in the form of rights and jurisdiction among a variety of legal actors including individuals groups institutions and governments On this account constitutional law refers to an ongoing project of aspiring to distributive justice disciplined but not determined by text structure or precedent Far from threatening equality constitutional protection of indigenous difference promotes equal and therefore just distributions of constitutional power The book details constitutional rights to Aboriginal people that protect interests associated with culture territory sovereignty and the treaty process and explores the circumstances in which these rights can be interfered with by the Canadian state It also examines the relation between these rights and the Canadian Charter of Rights and Freedoms and proposes extensive reform of existing treaty processes in order to protect and promote their exercise Macklem s book offers a challenge to traditional understandings of the constitutional status of indigenous peoples relevant not only to Canadian debates but also to those in other parts of the world where indigenous peoples are asserting greater autonomy over their collective futures **The Supreme Court Law Review** ,2003 **Beyond the Impasse** Institute for Research on Public Policy,1998 Efforts to reform the Canadian constitution have only resulted in a serious impasse fostered by demands for change from Quebec and reticence from English Canada This book looks at the potential for achieving reconciliation through a new partnership between Quebec and Canada in a series of papers that examine the stakes for both Canada and Quebec in opting for a modified relationship that is neither the status quo nor complete separation Two papers in part 1 lay the conceptual groundwork concerning the constituent elements of partnership Papers in part 2 deal with the economic union in the context

of a renewed partnership Four papers in part 3 examine issues concerning rights recognition and citizenship in a Quebec Canada partnership Part 5 broadens the discussion to the international arena and includes a comparative international scan of partnership models The final part distils the two editors separate conclusions on how to move beyond the impasse based on the studies presented *House of Commons Debates, Official Report* Canada. Parliament. House of Commons,1901

**Charting the Consequences** David Schneiderman,University of Alberta. Centre for Constitutional Studies,1997 Other works have focused on the jurisprudence of the Charter its internal coherence or its implications for the role of courts Charting the Consequences considers externalities the effect of the Charter and its jurisprudence on non constitutional aspects of the law and on the dynamics of legislative power provincial politics and social movements **Official Report of the Debates of the House of Commons** Canada. Parliament. House of Commons,1909 *Review of Constitutional Studies* ,1999 *Canadian Politics in the 21st Century* Michael S. Whittington,Glen Williams,2000 *Alberta Law Review* ,1997

**Australian Journal of Corporate Law** ,2001 *Studies in Political Economy* ,2003 *Constitutional Forum* ,1997

The Politics of Pragmatism Alexandra Zorianna Dobrowolsky,2000 This vital new work documents the constitutional struggles of leading feminist organizations in Canada It examines the complexities of women s constitutional organizing by assessing various feminist organizations strategies and tactics over time In doing so the book highlights some representation struggles of the women s movement as it crosses and recrosses representational boundaries

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