Constitutional Law of Canada, 5th Edition

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Description

The definitive work on Canadian constitutional law, written by a respected constitutional law scholar. All aspects of the subject are thoroughly analyzed, including:

- Basic constitutional concepts such as: financial arrangements, the courts, the Crown, treaties, parliamentary sovereignty and delegation
- Distribution of powers including: criminal law, property and civil rights, transportation and communication, the family, aboriginals, natural resources, taxation, and in the 5th edition three new chapters dealing with citizenship and immigration, health, and social security.
- Civil liberties: Charter application, limitation of rights, overriding rights, enforcement of rights, expression of rights, fundamental justice, search and seizure, and detention and arrest
- Practice-related issues: unconstitutional effect, standing and procedure, and evidence and proof.

The new edition of Constitutional Law of Canada includes three new chapters which provide more extensive treatment to issues that were covered only interstitially in the fourth edition. Chapter 26, Citizenship, covers immigration and citizenship, among other things. Chapter 32, Health, brings together the many constitutional issues that have arisen in the field of health care, including the constitutionality of the Canada Health Act and the issues of access by deaf people (Eldridge), coverage of autism therapy (Auton) and the problem of excessive waiting times in the public system (Chaoulli). Chapter 33, Social Security, covers unemployment insurance, old age pensions, workers’ compensation and social assistance, all topics that have accumulated interesting constitutional decisions.

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Comments

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Canadian constitutional law (French: droit constitutionnel du Canada) is the area of Canadian law relating to the interpretation and application of the Constitution of Canada by the courts. All laws of Canada, both provincial and federal, must conform to the Constitution and any laws inconsistent with the Constitution have no force or effect. In Reference re Secession of Quebec, the Supreme Court characterized four fundamental and organizing principles of the Constitution (though not exhaustive)