Constitutional Law

DATABASES

Canadian Human Rights Reporter
The Canadian Human Rights Reporter Inc. (CHRR) is a not-for-profit organization established to promote access to human rights law in Canada. Since 1980, CHRR has published decisions of tribunals, boards of inquiry and courts from all jurisdictions, as well as the appeals which flow from them. Many of the decisions published by CHRR are not available from any other source. CHRR also publishes human rights legislation from all jurisdictions. CHRR Online provides access to Human Rights Digest (2000-), Current Law Notes (decisions not yet published in the CHRR), E-Volumes (pdf versions of report volumes) Available online via CHRR Online.

LexisNexis Quicklaw
LNQ has Constitutional Law folders [under Source Directory – Area of Law] - Constitutional Law. Resources include citators and digests, cases, commentary, legal journals, legal news, and legislation. Other sources within LNQ include Halsbury’s Laws of Canada - Constitutional Law (Charter of Rights) (Newman), and Constitutional Law (Division of Powers) (Mason, Régimbald)

Access is restricted to Law faculty, staff and students, who receive a personal password as part of an educational agreement between the Law School and LexisNexis Canada. Western Libraries also subscribes to LexisNexis Academic for non-law users (content may differ).

WestlawNext Canada
LawSource provides access to material useful for research in Constitutional law. The Canadian Abridgment Case Digests for Constitutional Law (CNL) are reproduced online, are fully searchable and link to the full-text decisions. The Canadian Encyclopedic Digest (Constitutional Law) is also reproduced electronically and can be browsed or searched.

Access is restricted for use within Western Libraries locations (and affiliates). Law faculty, staff and students receive a personal password as part of an educational agreement between the Law School and Thomson Reuters.

TREATISES

Law Reports

Canadian Rights Reporter
KE4381 .A45 C358 (1982-)
This unique series reports cases decided under the Canadian Charter of Rights and Freedoms. It contains cases selected and edited by a distinguished board of editors and reproduces key Charter decisions in full text. Cases are preceded by headnotes outlining key issues and listing cases and statutes considered. Editors: Clayton C. Ruby and Marlys Edwardh.

Canadian Human Rights Rights Reporter
The Canadian Human Rights Report Inc. (CHRR) is a not-for-profit organization established to promote access to human rights law in Canada. Since 1980, CHRR has published decisions of tribunals, boards of inquiry and courts from all jurisdictions, as well as the appeals which flow from them. Many of the decisions published by CHRR are not available from any other source. CHRR Online provides access to Human Rights Digest (2000-), Current Law Notes (decisions not yet published in the CHRR), E-Volumes (pdf versions of report volumes) Available online via CHRR Online.

Constitutional Law Texts

The law library has an extensive collection of Constitutional law texts and treatises which are generally found in the KF4483 section of the law library. The more heavily utilized resources are found in the law reserves collection, a listing of which can be searched from the library catalogue.

Canadian Constitutional Law
KF4482 .C3685 2010
In its 4th edition, Canadian Constitutional Law continues to offer a truly national perspective — drawing on an editorial team that is rich with regional, linguistic, and scholarly diversity. This edition remains true to the structure and purposes of previous editions, especially with regard to the editors’ commitment to the idea that understanding constitutional history is critical to comprehending the present and future of Canadian constitutional law.
Constitutional Law
KF4482. M66 2013
This "essential series" text aims to provide both lawyers and students with a general introduction to, and overview of, the basic elements of the Canadian constitution. It should also interest lawyers who encounter constitutional issues and problems in their daily practice. By Patrick J. Monahan. Print and e-book versions available.

Constitutional Law of Canada
KF4482 .H6453 2007
The definitive work on Canadian constitutional law, written by Peter W. Hogg, Q.C. analyzes 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, 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. Student editions also available. Supplemented Looseleaf

The Court and the Charter: Leading Cases
KF4483 .C5 C69 2008
This volume features 31 edited Charter decisions accompanied by commentary and analysis. Discussion questions are provided for each of these landmark cases to help facilitate classroom debate and further study, and an introductory essay examines the significance of the Charter over the last quarter century, and its role in Canadian politics and law.

Canadian Charter of Rights Annotated
KF4483 .C5 C356
Edited by Eddie Greenspan, John B. Laskin, B.A., LL.B., LL.M., Melanie Dunn , this looseleaf set offers a thorough examination of Charter case law developed over the past twenty-five years. Within each section you will find the provisions of the Charter; the legislative history of the section, comparable provisions of the Canadian Bill of Rights (with applicable case digests), the American Constitution, the International Covenant and the European Convention; and practical and helpful annotations. Supplemented Looseleaf

The Canadian Charter of Rights: The Prosecution and Defence of Criminal and Other Statutory Offences
Law
KF4483 .C5 C4
This text deals with the ever expanding effect of the Charter on the issues arising in criminal proceedings and the prosecution of statutory offences. Organized conceptually rather than in chronological order of sections of the Charter, this work pulls together the reported and unreported case law determining the impact of the Charter on the legislative provisions, the substantive law and the practice in this area. Supplemented Looseleaf

The Charter of Rights in Litigation: Direction from The Supreme Court of Canada
KF4483 .C519 S77 1990
This resource offers immediate and insightful reference to Charter issues and arguments and brief yet comprehensive summaries of the Supreme Court of Canada Charter decisions. It includes analysis of what the Supreme Court has said on key issues; principles of interpretation; jurisdictional issues; digests of Charter cases decided by the Supreme Court of Canada. Supplemented Looseleaf with updates via Canada Law Book online.

The Charter of Rights and Freedoms
KF4483 .C519 S535 2013
Written by two of Canada's leading constitutional scholars, this "essential series” book surveys the manner in which Canadian courts have come to terms with a constitutionally entrenched bill of rights, focusing on the decisions of the Supreme Court of Canada. The purpose is to explain the Charter, its interpretation by the courts, and its practical application. New to this edition are significant changes to the way the Supreme Court has approached the interpretation of equality rights, constitutional remedies, and most recently the rights of the criminally accused. Print and e-book versions available.

Fundamental Justice : Section 7 of the Canadian Charter of Rights and Freedoms
KF4483 .C519 S74 2012
Section 7 of the Canadian Charter of Rights and Freedoms provides that "[e]veryone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.” This “essential series” book sets out what these principles are and outlines the place of section 7 in the constitutional order; how courts decide whether a particular legal principle is so fundamental that it merits recognition under section 7; the conditions under which section 7 will apply to a legal dispute; the legal norms that have been recognized, or rejected, as principles of fundamental justice under section 7; and the very limited circumstances in which an infringement of section 7 will be justified under section 1. The book is underlined by the view that the principles of fundamental justice are important to the legal order of a free and democratic society. Print and e-book versions available.

The Law of Human Rights in Canada: Practice and Procedure
KF4483 .C5 Z55
This looseleaf service covers human rights law and procedure in every Canadian jurisdiction. Includes a review of the legislation and its application; in-depth analysis, expert commentary and decisions; policies and guidelines on various Human Rights Commissions; and detailed direction on initiating, defending against and preventing human rights complaints. Supplemented Looseleaf
Constitutionalism in the Charter Era  
KF4480 .C66 2004  
This collection of essays provides a fresh look at the impact of the Canadian Charter of Rights and Freedoms on the constitutional order and debates a range of topics including dialogue theory, the notwithstanding clause, the roles of courts and legislatures, and constitutional interpretation.  
Grant Huscroft, Ian Brodie, editors.

Halsbury's Laws of Canada  
For over 100 years, Halsbury's has been recognized as the premier legal reference in the world of common law. Halsbury's Laws of Canada continues in the tradition, delivering an authoritative, reliable and elegant statement of Canadian law.

Halsbury's Laws of Canada - Constitutional Law - Charter of Rights - contributed by Dwight Newman  
KE180 .H346 C65 2014  
This volume discusses the scope and application of the Canadian Charter of Rights and Freedoms, and its interpretation by Canadian courts. Topics covered include: principles of interpretation, limitation of rights, section 33 constitutional override, enforcement of Charter rights and remedies.

Halsbury's Laws of Canada - Constitutional Law - Division of Powers - contributed by Martin William Mason, Guy Régimbald  
KE180 .H346 C657 2011  
This volume illuminates the complex interaction between the written and unwritten elements of the constitution, together with the common law and practices, customs and conventions that have shaped our modern legal system. Topics covered include: sources of constitutional law and institutions; constitutional conventions and unwritten principles of the constitution; courts, independence of judiciary and judicial review; constitutional interpretation; peace, order and good government; criminal law -- federal and provincial jurisdiction; the regulation of trade and commerce; the raising of revenue, the spending power and federal authority in relation to financial matters; works and undertakings, communications and transportation and labour relations; property and civil rights and provincial authority in relation to local and private matters.

National Journal of Constitutional Law  
The National Journal of Constitutional Law is Canada's forum for the discussion and analysis of constitutional law issues that affect practitioners. Each issue includes insightful analysis and discussion of human rights issues, Charter issues and division of power issues.

General Full-Text and Periodical Indexes

HeinOnline  
Contains more than 1,620 law and law-related periodicals. Coverage is from the first issue published for all periodicals and goes through the most-currently published issues allowed based on contracts with publishers. Search by article title, author, subject, state or country published, full text, and narrow by date.

Index to Canadian Legal Literature  
KE173 .C664  
The Index to Canadian Legal Literature is a bibliographic index to Canadian law journals, books, articles, government publications, audio-visual materials, continuing legal education materials, and case comments. Published in association with the Canadian Association of Law Libraries, ICLL receives contributions from law libraries across Canada.

The print set is kept in the law library and electronic versions are found in LexisNexis Academic and WestlawNext Canada and, for Law Faculty and students, LexisNexis Quicklaw. 1985-current

Scott Index to Canadian Legal Periodical Literature  
KF8 .I52  
Named after Marianne Scott (first woman to be appointed as National Librarian of Canada). The index is available electronically through the library catalogue of CAIJ (Centre d’accès à l’information juridique), an organization related to the Barreau du Québec. Search interface is in French only but English search terms can be used. The Law Library holds print copies of the index from 1961-2006.

LegalTrac  
LegalTrac on InfoTrac Web provides indexing for more than 1,500 major law reviews, legal newspapers, specialty publications, Bar Association journals and international legal journals, including more than 250 titles in full text. Search results link to available multimedia — images, video and podcasts. 1980-present.

Index to Legal Periodicals & Books  
The ILP&B is available through EbscoHost and indexes some 1,400 monographs as well as citing articles from more than 850 legal periodicals. Periodical coverage includes law reviews, bar association journals, university publications, yearbooks, institutes, and government publications. Index to Legal Periodicals & Books covers all areas of jurisprudence, including recent court decisions, new legislation, and original scholarship. The periodicals indexed, which regularly publish legal

**JOURNAL ARTICLES**

Charter of Rights Newsletter  
K3 .H375 (1988-)  
This newsletter allows you to familiarize yourself quickly with the most important recent Charter developments handed down by the various courts from across Canada. It contains guidelines for the interpretation of individual Charter provisions and signals new judicial trends in the application of the Charter. Decisions with significant value as precedents are thoroughly analyzed to bring you right up to date on Charter issues and trends.
articles of high quality and permanent reference value, include law reviews, bar association journals, and university and government publications from the United States, Puerto Rico, Canada, Great Britain, Ireland, Australia, and New Zealand. Online updated daily. 1981-; full-text 1994-present

Earlier coverage is found in the Index to Legal Periodicals & Books: Retrospective (1908-2007)

Index to Foreign Legal Periodicals
K33.I53
Available through HeinOnline, the Index to Foreign Legal Periodicals (IFLP) is produced by the American Association of Law Libraries and indexes articles and book reviews appearing in over 500 legal journals published worldwide. It provides in-depth coverage of public and private international law, comparative and foreign law, and the law of all jurisdictions other than the United States, the U.K., Canada, and Australia. IFLP also analyzes the contents of approximately eighty individually published collections of legal essays, Festschriften, Mélanges, and congress reports each year. Check under the Subjects tab to see constitutional law topics. 1985 to date. Print covers the period 1960-2007

STATUTORY LAW

Constitution Act
Cite as: Constitution Act, 1982, being Schedule B to the Canada Act 1982 (UK), 1982, c 11.

Canadian Human Rights Act
Cite as: Canadian Human Rights Act, RSC 1985, c H-6. The Canadian Human Rights Act is the central federal legislation that protects the right of individuals to freely participate without unlawful discrimination in all key aspects of society including employment.

Ontario Human Rights Code
Cite as: Human Rights Code, RSO 1990, c H-19. The Ontario Human Rights Code is a provincial law that gives everybody equal rights and opportunities without discrimination in the social areas of: employment, accommodation, goods, services and facilities, and membership in vocational associations and trade unions.

WEB SITES

Centre for Constitutional Studies
http://www.law.ualberta.ca/centres/ccs/

The object of the Centre's program of research activities has been to stimulate thinking about subjects of constitutional concern from a variety of perspectives and disciplines. Centre research projects have ranged from studies of Canadian constitutional reform to the powers of the police; from Charter rights and social rights to aboriginal self-government.

The Centre's active publication program is interdisciplinary in scope and covers a wide range of constitutional subjects. Centre projects and conferences have culminated in a series of books, such as those on freedom of expression, language rights, and Aboriginal rights, which have been published in association with legal publishers and university presses. The Centre also regularly publishes two periodicals, Constitutional Forum constitutionnel and the Review of Constitutional Studies / Revue d'études constitutionnelles. These periodicals include timely commentaries and scholarly essays on constitutional subjects with contributions from both established and newly emerging scholars.

Need Research Help?

Contact us at lawref@uwo.ca

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