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Legal System | The Canada Guide

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The judicial structure - About Canada's System of Justice

His research and teaching focuses on the legal and institutional dimensions of Canadian and comparative politics, especially the judiciary's organization and impact on public policy, the Canadian government's legal bureaucracy, rights litigation, and constitutional politics.

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law and is made up of many courts differing in levels of legal superiority and separated by jurisdiction. Some of the courts are federal in nature, while others are provincial or territorial.

Court system of Canada - Wikipedia

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Politics of Canada - Wikipedia

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His research and teaching focuses on the legal and institutional dimensions of Canadian and comparative politics, especially the judiciary's organization and impact on public policy, the Canadian government's legal bureaucracy, rights litigation, and constitutional politics. Troy Riddell is an associate professor in the Department of Political Science at the University of Guelph.

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Understanding approaches to liberalism through the study of the politics of gay and

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lesbian rights.

Since 1875, Canadian courts have been permitted to act as advisors alongside their ordinary, adjudicative role. This book offers the first detailed examination of that role from a legal perspective. When one thinks of courts, it is most often in the context of deciding cases: live disputes involving spirited, adversarial debate between opposing parties. Sometimes, though, a court is granted the power to answer questions in the absence of such disputes through advisory opinions (also called references). These

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proceedings raise many questions: about the judicial role, about the relationship between courts and those who seek their 'advice', and about the nature of law. Tracking their use in Canada since the country's Confederation and looking to the experience of other legal systems, the book considers how advisory opinions draw courts into the complex relationship between law and politics. With attention to key themes such as the separation of powers, federalism, rights and precedent, this book provides an important and timely study of a fascinating phenomenon.

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"Can Parliament legalize same-sex marriage? Can Quebec unilaterally secede from Canada? Can the federal government create a national firearms registry? Each of these questions is contentious and deeply political, and each was addressed by a court in a reference case, not by elected policy makers. Reference cases allow governments to obtain an advisory opinion from a court without a live dispute and opposing litigants. There are few, if any, parameters on what governments can ask courts in these cases, and governments often wield this power strategically. Through a reference case, elected officials can insert

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the courts and the judiciary into political debates that can be both contentious and normative. With novel insight and analysis, Kate Puddister argues that judicial review can help elected policy makers achieve political ends, beyond the legal clarification provided by a reference decision. *Seeking the Court's Advice* is the first in-depth study of the reference power, drawing on a comprehensive assessment of over two hundred reference cases from 1875 to 2017. Puddister demonstrates that the actual outcome of a reference case - win or lose - is often secondary to the political benefits

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that can be attained from relying on courts through the reference power." --

This comprehensive book compares the intersection of political forces and legal practices in five industrial nations--the United States, England, France, Germany, and Japan. The authors, eminent political scientists and legal scholars, investigate how constitutional courts function in each country, how the adjudication of criminal justice and the processing of civil disputes connect legal systems to politics, and how both ordinary citizens and large corporations

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use the courts. For each of the five countries, the authors discuss the structure of courts and access to them, the manner in which politics and law are differentiated or amalgamated, whether judicial posts are political prizes or bureaucratic positions, the ways in which courts are perceived as legitimate forms for addressing political conflicts, the degree of legal consciousness among citizens, the kinds of work lawyers do, and the manner in which law and courts are used as social control mechanisms. The authors find that although the extent to which courts participate in policymaking

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varies dramatically from country to country, judicial responsiveness to perceived public problems is not a uniquely American phenomenon.

This special issue of Studies in Law, Politics, and Society examines how law understands the past. Topics covered include the use of legal language to dehumanize slaves in the eighteenth century, the use of history by lawyers and judges to justify existing law or make changes to the law

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during the nineteenth and twentieth centuries

Scholars have generally assumed that courts in authoritarian states are pawns of their regimes, upholding the interests of governing elites and frustrating the efforts of their opponents. As a result, nearly all studies in comparative judicial politics have focused on democratic and democratizing countries. This volume brings together leading scholars in comparative judicial politics to consider the causes and consequences of judicial empowerment in authoritarian states. It demonstrates the wide range of governance

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tasks that courts perform, as well as the way in which courts can serve as critical sites of contention both among the ruling elite and between regimes and their citizens. Drawing on empirical and theoretical insights from every major region of the world, this volume advances our understanding of judicial politics in authoritarian regimes.

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