

Forum 33.4: Horizontal Effect and the Charter

We're delighted to announce the publication of a new special issue of the *Constitutional Forum* (Issue 33.4). This issue is predominantly comprised of papers by participants in a CCS workshop on the horizontal effect of *Charter* rights, held at UBC 's Allard School of Law in January 2024, and co-organized by professors at Allard. The workshop addressed some of the key issues surrounding the case of *Cool World v Twitter*, which involves a PR firm contesting Twitter's refusal to run paid ads for a documentary (*The New Corporation*) by arguing that Twitter's common law rights should be interpreted in a way that's consistent with the *Charter* value of free expression. Some of the papers address *Cool World* directly, while others address the surrounding legal framework derived from *RWDSU v Dolphin Delivery* and *Hill v Church of Scientology*. All engage with questions about the manner in which the *Charter* applies and should apply to private legal relations.

[Editors' Introduction: Beyond Dolphin Delivery](#)

Margot Young, Richard Mailey, Anthony Sangiuliano

i-ix

[The Hidden Promise of Dolphin Delivery: Shields, Swords and Horizontal Application of the Canadian Charter of Rights and Freedoms](#)

Joel Bakan, Sujit Choudhry

1-16

[Towards a Less Woolly Conception of Horizontal Effect](#)

Johan van der Walt

17-30

[A Kick in the Caboose: Recovering the Judicial Horizontality of Constitutional Equality Rights](#)

Anthony Sangiuliano

31-48

[Charter Horizontality, the Public/Private Divide, and Responding to Injustice](#)

Sina Akbari

49-66

[“We do not really know why this approach was taken”: Explaining and Modifying the Supreme Court’s Approach to the Indirect Horizontal Effect of Charter Rights](#)

Richard Mailey

67-80