

A National Pharmacare Plan Requires Cooperative Federalism

Introduction: Proposed Pharmacare Canada is the only OECD country with universal health coverage that does not include prescription drugs. Canadian provinces have different regulations for prescription coverage - offering a mix of programs that subsidize drug costs, often depending on factors

Wrangling with the Law: Can Federalism Save Rodeo Animals?

Introduction The Calgary Stampede is an annual rodeo and festival held every July in Calgary, Alberta. The event hosts one of the world's largest rodeos in which people from all over the world come to compete. However, each year a

The 'Carbon Tax'. Wait, can the feds do that?

The highest provincial courts of Saskatchewan and Ontario both found the Greenhouse Gas Pollution Pricing Act ("the Act"), better known as the 'carbon tax', constitutional. But not everyone agrees. Debating the constitutionality of the 'carbon tax' appears to be the new national pastime.

Back to the basics - Pipeline dispute sees use of traditional constitutional doctrines

Introduction The Trans Mountain (“TMX”) pipeline expansion was reapproved in June 2019. While awaiting the decision, the province of British Columbia considered introducing environmental legislation that would allow them to regulate the transport of hazardous substances, including heavy oil, within

Delay in Alberta Public Sector Arbitration: Responsible Measure or Illegal Attack?

Introduction: Public Sector Wage Arbitration Deferral Act On June 28, 2019, the Public Sector Wage Arbitration Deferral Act became law in Alberta. The Act suspends and delays binding wage arbitrations between various public sector unions and their members’ employer - the provincial government. The

Is it Time to Dust-Off Section 28 of the Charter?

Introduction Quebec has passed Bill 21, An Act Respecting the Laicity of the State (“the Act”) which bans some public sector workers from wearing religious symbols while on the job. The Act uses the notwithstanding clause of the Charter which means the Act remains

A Long and Uncertain Road to Alberta Independence

Alienation Accelerated Premier Jason Kenney has suggested that Canada is facing a “crisis of national unity” because Albertans, and other western Canadians, are feeling disrespected by the rest of the country. Premier Kenney has cited a poll from the Angus Reid Institute where

Can the Federal Government Disallow Québec's 'Anti-Religious Symbols' Act?

Introduction: The Call to Disallow Québec's Bill 21 On June 17, 2019, the government of Québec passed Bill 21 into law - the Act bans some public sector workers from wearing religious symbols while on the job. Further, the law requires

Climate Emergency vs Emergency Powers

The Constitution sets out the Powers of Parliament and grants Parliament the ability “to make laws for the Peace, Order, and good Government of Canada.” This power is known as POGG power and embedded within it are Parliament's emergency powers.

The Role of the Senate: Robust Regionalism or Diligent Deference?

The Senate was designed to provide “sober second thought” to bills that have passed the House of Commons. A key component of “sober second thought” is the consideration of regional interests in national policy discussions. The Founders of Confederation intended the