Charter: A Course

A podcast about Canadian Constitutional Law & Litigation

Episode 1: What's the point of Section 1?

About the Series

Charter: A Course is a podcast created by the David Asper Centre for Constitutional Rights (the Asper Centre) and hosted by the Asper Centre's Executive Director Cheryl Milne.

Charter: A Course focuses on Canadian constitutional law and litigation. In each episode, we highlight the accomplishments of U of T Law's faculty and alumni involved in leading constitutional cases and issues. Each episode also includes a "Practice Corner," where we talk about the ins and outs of what it means to be a constitutional litigator.

Whether you are a law student, a lawyer, or just an interested person, we hope that you learn about an aspect of constitutional law and litigation that interests you in our podcast.

Show Notes

In this episode, we begin our exploration of the Canadian Charter of Rights and Freedoms with a conversation about section 1, which sets out that the rights in the Charter are subject to limits, or as the section says, "reasonable limits that are demonstrably justifiable in a free and democratic society." We are privileged to speak with scholar and U of T alumnus Professor Jacob Weinrib. During our "Practice Corner", we speak with constitutional litigator and U of T Law alumnus Padraic Ryan.

Case Links

In this episode, the following Supreme Court of Canada constitutional law decisions were discussed:
R v Oakes, 1986 CanLII 46 (SCC), [1986] 1 SCR 103
Frank v Canada (Attorney General), 2019 SCC 1
Newfoundland (Treasury Board) v N.A.P.E., 2004 SCC 66 (CanLII), [2004] 3 SCR 381

About the Asper Centre

The Asper Centre, a part of the University of Toronto's Faculty of Law since 2008, is devoted to realizing constitutional rights through advocacy, research and education. The Centre aims to play a vital role in articulating Canada's constitutional vision to the broader world. The cornerstone of the Centre is a legal clinic that brings together students, faculty and members of the bar to work on significant constitutional cases and advocacy initiatives. The Centre was established through a generous gift from U of T law alumnus David Asper (LLM '07).

Thank You's

Charter: A Course is proudly sponsored by the University of Toronto's affinity partners: MBNA and TD Insurance. We would like to thank each of our sponsors, and you can discover the benefits of affinity products at affinity.utoronto.ca.

We would like to thank the creators of our theme music for Charter: A Course. Constitutional law professor Howie Kislowicz and law professor Rob Currie gave us the licence to use their constitutional law shanty in exchange for a donation to the Calgary Food Bank. The song's performers are: Vanessa Carroll, Rob Currie, Howie Kislowicz, Avinash Kowshik, Anna Lund, Patricia Paradis, Elin Sigurdson, Lyle Skinner, and Dave Wright. You can listen to the entire song here: Charter a Course. Please consider contributing to your local food bank!

Thank you to Szymon Rodomar and Flint Patterson, JD students at the U of T Faculty of Law, for their immense contributions to the production of this episode.

Thank you to our wonderful guests on this episode, Professor Jacob Weinrib and Padraic Ryan. Thank you to our audio editor Liam Morrison of Bell Room Media Solutions.

Lastly, we are very grateful to you, our listeners, for taking the time to join us on this voyage as we charter a course into podcasting!