

RESTRAINING EQUALITY
Human Rights Commissions in Canada

R. BRIAN HOWE AND DAVID JOHNSON

Restraining Equality Human Rights Commissions In Canada

Sonia Cardenas



Restraining Equality Human Rights Commissions In Canada:

Restraining Equality Robert Brian Howe, David Johnson, 2000-01-01 The authors blend public policy analysis historical research and legal analysis as they address the contemporary financial social legal and policy pressures currently experienced by human rights commissions across Canada

Human Rights in Canada Dominique Clément, 2016-03-31 This book shows how human rights became the primary language for social change in Canada and how a single decade became the locus for that emergence The author argues that the 1970s was a critical moment in human rights history one that transformed political culture social movements law and foreign policy Human Rights in Canada is one of the first sociological studies of human rights in Canada It explains that human rights are a distinct social practice and it documents those social conditions that made human rights significant at a particular historical moment A central theme in this book is that human rights derive from society rather than abstract legal principles Therefore we can identify the boundaries and limits of Canada's rights culture at different moments in our history Until the 1970s Canadians framed their grievances with reference to Christianity or British justice rather than human rights A historical sociological approach to human rights reveals how rights are historically contingent and how new rights claims are built upon past claims This book explores governments tendency to suppress rights in periods of perceived emergency how Canada's rights culture was shaped by state formation how social movements have advanced new rights claims the changing discourse of rights in debates surrounding the constitution how the international human rights movement shaped domestic politics and foreign policy and much more In addition to drawing on secondary literature in law history sociology and political science this study looked to published government documents litigation and case law archival research newspapers opinion polls and materials produced by non governmental organizations

Ombuds Institutions, Good Governance and the International Human Rights System Linda C. Reif, 2020-07-27 This book uses comparative law and comparative international law approaches to explore the role of human rights ombuds classic based ombuds and other types of ombuds institutions in human rights protection and promotion their methods of application of international and domestic human rights law and their roles in strengthening good governance It highlights the increasing importance of national human rights ombuds institutions globally and their roles as national human rights institutions NHRIs Chapters address ombuds institutions as mechanisms to strengthen democratic horizontal and vertical accountability the rule of law and good governance national human rights ombuds institutions as NHRIs the investigatory litigation promotional and other powers of human rights and classic based ombuds and their methods for applying international and domestic human rights law ombuds institutions and the protection and promotion of international children's rights national human rights ombuds additional mandates as OPCAT national preventive mechanisms UN Convention on the Rights of Persons with Disabilities Article 33 2 framework mechanisms and EU national equality bodies human rights ombuds and business and human rights ombuds institutions gender and women's rights the European

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The Ombudsman, Good Governance and the International Human Rights System Linda C. Reif, 2013-12-19 This book uses comparative law and comparative international law approaches to explore the role of human rights ombuds classic based ombuds and other types of ombuds institutions in human rights protection and promotion their methods of application of international and domestic human rights law and their roles in strengthening good governance It highlights the increasing importance of national human rights ombuds institutions globally and their roles as national human rights institutions NHRIs Chapters address ombuds institutions as mechanisms to strengthen democratic horizontal and vertical accountability the rule of law and good governance national human rights ombuds institutions as NHRIs the investigatory litigation promotional and other powers of human rights and classic based ombuds and their methods for applying international and domestic human rights law ombuds institutions and the protection and promotion of international children s rights national human rights ombuds additional mandates as OPCAT national preventive mechanisms UN Convention on the Rights of Persons with Disabilities Article 33 2 framework mechanisms and EU national equality bodies human rights ombuds and business and human rights ombuds institutions gender and women s rights the European Ombudsman and human rights national human rights ombuds and other ombuds models by region accompanied by case studies on national human rights ombuds and the legal and extra legal factors affecting ombuds institutional effectiveness

Inclusive Equality Colleen Sheppard, 2010-09-22 Inclusive Equality explores the legal meaning of equality examining both the substantive conditions of inequality and the dynamic institutional and structural processes that reproduce it It provides a critical review of evolving conceptions of equality and systemic discrimination in Canada tracing developments in both the legislative and constitutional domains

Governing with the Charter James B. Kelly, 2011-11-01 Since the introduction of the Canadian Charter of Rights and Freedoms in 1982 the question of judicial power and its relationship to parliamentary democracy has been an important one in Canadian politics Some critics suspicious of what they perceive as the activism of unelected and unaccountable judges view the increased power of the Supreme Court as a direct challenge to parliament But has parliamentary democracy been weakened by judicial responses to the Charter In *Governing with the Charter* James Kelly clearly demonstrates that our current democratic deficit is not the result of the Supreme Court s judicial activism On the contrary an activist framers intent surrounds the Charter and the Supreme Court has simply and appropriately responded to this new constitutional environment While the Supreme Court is admittedly a political actor it is not the sole interpreter of the Charter as the court the cabinet and bureaucracy all respond to the document which has ensured the proper functioning of constitutional supremacy in Canada Kelly analyzes the parliamentary hearings on the Charter and also draws from interviews with public servants senators and members of parliament actively involved in appraising legislation to ensure that it is consistent with

the Charter He concludes that the principal institutional outcome of the Charter has been a marginalization of Parliament and that this is due to the Prime Minister's decision on how to govern with the Charter A significant contribution to law and society studies Governing with the Charter will be widely read by political scientists legal scholars parliamentarians public servants and students of the machinery of government

Multiculturalism in Canada Hugh Donald Forbes, 2019-10-12 Multiculturalism is often thought to be defined by its commitment to diversity inclusivity sensitivity and tolerance but these established values sometimes require contrary practices of homogenization exclusion insensitivity and intolerance Multiculturalism in Canada clarifies what multiculturalism is by relating it to more basic principles of equality freedom recognition authenticity and openness Forbes places both official Canadian multiculturalism and Quebec's semi official interculturalism in their historical and constitutional setting examines their relations to liberal democratic core values and outlines a variety of practical measures that would make Canada a more open country and a better illustration of what a commitment to egalitarian cultural pluralism now means Consisting of a series of connected essays including careful considerations of the works of Will Kymlicka and Charles Taylor this book provides the first comprehensive account of multiculturalism in Canada

Resisting Rights Jennifer Tunncliffe, 2019-02-15 From 1948 to 1966 the United Nations worked to create a common legal standard for human rights protection around the globe Resisting Rights traces the Canadian government's changing policy toward this endeavour from initial opposition to a more supportive approach Jennifer Tunncliffe takes both international and domestic developments into account to explain how shifting cultural understandings of rights influenced policy and to underline the key role of Canadian rights activists in this process In light of Canada's waning reputation as a traditional leader in developing human rights standards at the United Nations this is a timely study Tunncliffe situates policies within their historical context to reveal that Canadian reluctance to be bound by international human rights law is not a recent trend and asks why governments have found it important to foster the myth that Canada has been at the forefront of international human rights policy

Compassionate Canadians Rhoda E. Howard-Hassmann, Canada Research Chair in International Human Rights Rhoda E Howard-Hassmann, 2003-01-01 Based on interviews with 78 civic leaders from the Hamilton Ontario region in 1996 1997

Human Rights in the Americas James T. Lawrence, 2004 The existence of human rights helps secure the peace deter aggression promote the rule of law combat crime and corruption and prevent humanitarian crises These human rights include freedom from torture freedom of expression press freedom women's rights children's rights and the protection of minorities This book surveys the countries of the Americas and is augmented by a current bibliography and useful indexes by subject title and author

Human Rights, State Compliance, and Social Change Ryan Goodman, Thomas Pegrum, 2011-11-14 National Human Rights Institutions NHRIs human rights commissions and ombudsmen have gained recognition as a possible missing link in the transmission and implementation of international human rights norms at the domestic level They are also increasingly accepted as important participants in global and

regional forums where international norms are produced By collecting innovative work from experts spanning international law political science sociology and human rights practice this book critically examines the significance of this relatively new class of organizations It focuses in particular on the prospects of these institutions to effectuate state compliance and social change Consideration is given to the role of NHRIs in delegitimizing though sometimes legitimizing governments poor human rights records and in mobilizing though sometimes demobilizing civil society actors The volume underscores the broader implications of such cross cutting research for scholarship and practice in the fields of human rights and global affairs in general

Systemic Discrimination in Employment and the Promotion of Ethnic Equality Ronald L. Craig, 2007 This book argues that traditional complaint based antidiscrimination laws are inherently inadequate to respond to systemic discrimination in employment It examines the mechanisms and characteristics of systemic discrimination and the shortcomings of complaint based laws Yet these characteristics can also inform employers and government authorities of the kinds of preventive action that help alleviate systemic discrimination at the workplace In its search for a rational government policy response to systemic discrimination the book evaluates selected legal regimes which impose proactive obligations on employers to promote equality at the workplace Proactive regimes are regulatory in nature rather than adjudicatory They induce employer compliance through technical assistance dialogue and regulatory pressure rather than court orders By examining the key elements of these regimes the author explains why some proactive regimes function better than others and why proactive regimes function better than complaint based laws in addressing systemic discrimination

Thinking Government David Johnson, 2022-08-31 Thinking Government examines the key roles and duties of the Canadian federal government and its public service and the policy and program debates that revolve around these roles and duties The fifth edition of this textbook provides students with a core awareness of major issues shaping federal policies and programs socio economic policy options French English relations regionalism and regional policy Canadian American relations immigration environmental policy and Indigenous relations This book takes a close look at how prime ministers and cabinet ministers interact and discusses issues in federal financial and human resources management ethics and accountability and leadership The new edition is revised and updated throughout and addresses the 2021 federal election and the resulting Trudeau minority government as well as the federal response to the COVID 19 pandemic Thinking Government helps its readers to be smart citizens and knowledgeable critics of what governments do well what they could be doing better and why they at times fail to deliver effective policies and programs

Recent Social Trends in Canada, 1960-2000 Lance W. Roberts, Rodney A. Clifton, Barry Ferguson, 2005-08-15 The introduction summarizes and locates the major waves of change The authors then document each trend in relation to eighteen thematic groups that include age community women labour management stratification social relations the state mobilizing institutions social forces ideologies households lifestyle leisure education integration and attitudes and values

Partisanship, Globalization, and Canadian Labour Market Policy Rodney S.

Haddow, Thomas Richard Klassen, 2006-01-01 Using various theoretical approaches this book examines industrial relations workers compensation occupational health employment standards training and social assistance measuring the impact of partisanship and globalization on policy making in several areas It is useful for those interested in the field of labour market policy Royal Progress D. Michael Jackson, 2020-02-08 Twelve authorities on the constitutional monarchy in Canada discuss how this historic institution inherited from the United Kingdom and shared with fourteen other countries will change after the long reign of Queen Elizabeth II comes to a close Canada's Army J. L. Granatstein, 2004-01-01 Covering the major conflicts in depth and exploring battles tactics and weapons J L Granatstein offers a rich analysis of the political context for the battles and events that shaped our understanding of the nation s army **Chains of Justice** Sonia Cardenas, 2014-04-02 Sonia Cardenas offers the most comprehensive account to date of the emergence of national human rights institutions exploring why states create these institutions and examining their impact on contemporary human rights struggles *Extending Rights' Reach* Jud Mathews, 2018-03-13 Constitutional rights protect individuals against government overreaching but that is not all they do In different ways and to different degrees constitutional rights also regulate legal relations among private parties in most legal systems Rights can have not only a vertical effect within the hierarchical relationship between citizen and state but also a horizontal one on the citizen to citizen relationships otherwise governed by private law In every constitutional system with judicially enforceable constitutional rights courts must make choices about whether when and how to give those rights horizontal effect This book is about how different courts make those choices and about the consequences that they have The doctrines that courts build to manage the horizontal effect of rights speak to the most fundamental issues that constitutional systems address about the nature of rights and of constitutionalism itself These doctrines can also entrench or enhance judicial power but in very different ways depending on the legal system This book offers three case studies of Germany the United States and Canada For each it offers a detailed account of the horizontal effect jurisprudence of its apex court not in isolation but as a central feature of a broader account of that country s constitutional development The case studies show how the choices courts make about horizontal rights reflect existing normative and political realities and over time help to shape new ones **Encyclopedia of Social Welfare History in North America** John M. Herrick, Paul H. Stuart, 2005 This encyclopedia provides readers with basic information about the history of social welfare in Canada Mexico and the United States The intent of the encyclopedia is to provide readers with information about how these three nations have dealt with social welfare issues some similar across borders others unique as well as to describe important events developments and the lives and work of some key contributors to social welfare developments

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