

Foreword

Jamie Cameron

Osgoode Hall Law School of York University, jcameron@osgoode.yorku.ca

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Introduction

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FOREWORD

With the publication of “The *Charter* Dialogue Between Courts and Legislatures” ten years ago, the Osgoode Hall Law Journal played a leading role in launching an important debate about the nature of review under the *Charter*. The article’s authors, Peter W. Hogg and Allison A. Bushell, focused on structural features of the *Charter* to explain what is distinctive about review in Canada. In addition, “*Charter* Dialogue” contained important research that documented the history of legislative sequels to *Charter* decisions by the Supreme Court of Canada. Though few predicted it at the time, the article prompted fierce debate in the academic community and has been cited approvingly by the Supreme Court of Canada. Not only that, the concept of a dialogue between courts and legislatures has contributed to lively discussion about the attributes and relative merits of “strong form” and “weak form” judicial review under different systems of constitutionalism.

This issue marks the tenth anniversary of “*Charter* Dialogue” with a full-length article by Peter W. Hogg, Allison A. Bushell Thornton, and Wade K. Wright. “*Charter* Dialogue Revisited” updates the research on legislative sequels and provides the authors’ response to the extensive literature that was generated by “*Charter* Dialogue.” This issue of the Journal also features a variety of commentaries on dialogue. These commentaries inaugurate the debate on “*Charter* Dialogue Revisited” by offering divergent perspectives on the vitality of a conception of review as a dialogue between the courts and legislatures.

The Osgoode Hall Law Journal was proud to publish “*Charter* Dialogue” in 1997. The Editorial Board of 45:1 is pleased to be at the forefront of the debate once again, and to offer its readers this anniversary issue of the Journal.

JAMIE CAMERON
EDITOR-IN-CHIEF

