

The Department of Political Studies and the Centre for the Study of
Democracy and Diversity Present:

Minority rights and the judiciary: The case of language rights in the Supreme Court of Canada

Stéphanie Chouinard

Wednesday, January 10, 2018

2:30 pm – 4:00 pm

Dunning Hall, Room 27

About the Lecture: Minorities' relationship with the judiciary, in any given democratic country, is a complex one. On one hand, the judiciary is often portrayed as the counter-majoritarian branch, one where the law levels minorities' lack of political power. On the other hand, the judiciary system, and especially the laws it interprets, continues to be orientated by the values and the norms of the broader society. Is it possible, then, for minorities to be granted the recognition they are seeking from society through judicial mobilization? The talk will present this issue through the case of the Supreme Court of Canada's interpretation of official-language rights since the adoption of the Canadian Charter of Rights and Freedoms, and the aftermath of the Supreme Court decisions for policy change. It will show that the justices' interpretation of language rights has led to partial responses to minority groups' claims, but that these responses have not always opened the door to the necessary governmental action in order to breathe life into positive rights.



About the Speaker: Stéphanie Chouinard is Assistant Professor in the Department of Political Sciences at Royal Military College (Kingston). She earned her Ph.D. in Political Science at the University of Ottawa, for which she was awarded a Vanier Scholarship and a fellowship from the Baxter & Alma Ricard Foundation. Her research interests focus on the relationship between courts and minorities in democratic systems, and particularly the Supreme Court of Canada's impact on the evolution of official-language rights and Aboriginal self-determination rights. She is also interested in territorial and non-territorial autonomy arrangements for linguistic minorities in the world. She has published in *Ethnopolitics*, the *Language Rights Review*, *Language Minorities and Society*, and the *International Journal of Canadian Studies*, among others.