**Alan Cairns predicted that the adoption of the *Charter of Rights and Freedoms* would have a transformative effect on Canadian political culture and governing. To what extent have such predictions been borne out?**

Cairns predicted 1992 that the adoption of the *Charter of Rights and Freedoms* would have two primary outcomes. First, it would weaken federal and provincial relationships through the recognition of equality of the provinces, as seen in the amending formula and through the rhetoric of provincial ideologists of a federalism of principle. Second, through its norm of individualism the Charter would undermine a pan-Canadian identity through the increased ability of groups to build and legitimize group rights through the courts. The main thrust of his prediction was that the Charter would weaken provincial-federal relationship and favour non-territorial identities.

Cairn’s prediction on political culture falls in line with what is seen as Trudeau’s intent with the adoption of the Charter. Its implementation championed individual rights, in a way that would largely destabilize or undercut Quebec nationalism. By focusing on the equality of the individual as Canadian citizen, the Charter attempted to move Canada away from regionally-based identities, and strengthen the relationship between citizen and federal government. Ironically, the Charter has had – what some view to be – the opposite of the intended effect, galvanizing new pan-Canadian groups that (while not regionally based, and thus not as closely linked to identities of federalism) have, as Morton and Knopff would argue, taken hold of this new institution to push their agenda through courts.

On political culture

* Trudeau had a specific liberalist vision in mind for the Charter – as championing individual rights (largely an attempt to undercut Quebec nationalism)
* Has developed into a different conceptualization of Canadian-ism: charter Canadians
* What effect has this had on the conceptualizations of group rights? (women, aboriginal, LGBTQ, Quebec)?

Segue into Governing with Morton and Knopff’s – the Court Party (fits in with above considerations)

* Towards juristocracy?
* Has moved policy into the judicial sphere.
  + This has influence policy making in a number of ways – not only do judicial decisions on policy (whether they are constitutional or not/in line with the Charter, or not) play out, but increasingly, questions of whether new policies will be challenged on the basis of the Charter are being brought into the strategic policy framework
* Discuss Hogg and Bushell’s thesis on the charter dialogue between the courts and the legislatures

Dissenting views

* Difficult to say that these things have truly been a product of the introduction of the Charter (difficult to have a counterfactual). Group rights – women’s movement, Aboriginal rights following the 1969 White Paper, changing face of Canadian multiculturalism – would likely have emerged regardless, though perhaps their influence has been *accelerated* through the Charter, it would be remiss to suggest that these rights would not have been realized in a different fashion or in a different timeline.