

NATIONAL JOURNAL OF ♦♦ REVUE NATIONALE DE
CONSTITUTIONAL ♦♦ DROIT
LAW ♦♦ CONSTITUTIONNEL

2001-2002

THOMSON
—★—
CARSWELL

Table of Contents

<i>Editorial Board</i>	iii
<i>Contributors</i>	vii
<i>Table of Cases</i>	ix

ARTICLES

The Theoretical Foundation for Protecting Freedom of Expression — <i>Keith Dubick</i>	1
Warrantless Techniques of Compelling Evidence: The Unique Rules of the Regulatory Universe — <i>Ivan Bloom, et al.</i>	79
Refléxions sur la portée véritable des principes constitutionnels dans l'inter- prétation et l'application de la Consitution du Canada — <i>Warren Newman</i>	117
Fidelity to Fundamental Justice: An Originalist Construction of Section 7 of the <i>Canadian Charter of Rights and Freedoms</i> — <i>K. Michael Stephens</i>	183
'Speaking for Themselves' — Historical Determinism and Cultural Relativity in <i>Sui Generis</i> Aboriginal and Treaty Rights Litigation — <i>Russell Binch</i>	245
Criminalization by Regulation: The Outer Limits of Section 91(27) of the <i>Constitution Act, 1867</i> — <i>Morris Manning</i>	309
Federalism, Social Policy and Competing Visions of the Canadian Social Union — <i>Johanne Poirier</i>	355
The Federal Spending Power in Canada, Australia and the United States — <i>David Yudin</i>	437

CASE COMMENT / COMMENTAIRES D'ARRET

Little Sisters v. Canada

— *Carissima Mathen*

The Political Jurisprudence of Hot Potatoes: A Comparison of the *Secessi*
Reference and *Bush v. Gore*

— *Peter McCormick*

L'Affaire Montfort: Confirmation de la Valeur des Principes Fondamenta
de la Constitution

— *Marc Cousineau*