

Notwithstanding Clause Case Study

The notwithstanding clause has a controversial history, with some seeing it as the “villain” of Canadian politics and others seeing as the “hero.” There have been several cases in Canadian history when the notwithstanding clause has been invoked. Pick one of them and conduct supplementary research in order to discuss it in detail. Why was it used and what were the effects? Who saw it as a villain or hero, and why? Where do you position yourself in the debate?