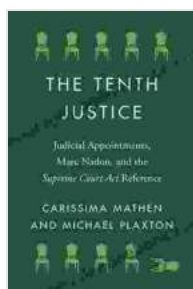


# Judicial Appointments: Marc Nadon and the Supreme Court Act Reference - A Landmark Case

The appointment of judges to the Supreme Court of Canada is a critical issue for the Canadian legal system. The Court is the highest court in the country and its decisions have a profound impact on the lives of all Canadians. As such, it is essential that the appointment process be fair, transparent, and merit-based.



## The Tenth Justice: Judicial Appointments, Marc Nadon, and the Supreme Court Act Reference (Landmark Cases in Canadian Law) by Keel Hunt

★★★★★ 5 out of 5

Language	: English
File size	: 1485 KB
Text-to-Speech	: Enabled
Screen Reader	: Supported
Enhanced typesetting	: Enabled
Word Wise	: Enabled
Print length	: 279 pages
Lending	: Enabled



In 2013, the Supreme Court of Canada heard a landmark case that challenged the constitutionality of the appointment process for Supreme Court justices. The case, known as the Marc Nadon Reference, was brought by a group of legal experts who argued that the process was unconstitutional because it gave too much power to the Prime Minister.

The Supreme Court's decision in the Nadon Reference was a major victory for judicial independence. The Court ruled that the appointment process was unconstitutional and that it must be reformed. The decision has had a significant impact on the way that Supreme Court justices are appointed in Canada.

## **The Nadon Case**

The Nadon case began in 2013 when Prime Minister Stephen Harper appointed Marc Nadon to the Supreme Court of Canada. Nadon was a well-respected judge, but he was not on the list of candidates that had been recommended by the Independent Judicial Appointments Committee (IJAC). The IJAC is a body of legal experts that is responsible for recommending candidates for Supreme Court appointments.

A group of legal experts challenged Nadon's appointment, arguing that it was unconstitutional. They argued that the Prime Minister did not have the power to appoint judges to the Supreme Court without the recommendation of the IJAC. The Supreme Court agreed to hear the case.

## **The Supreme Court's Decision**

In a 6-3 decision, the Supreme Court ruled that the appointment process for Supreme Court justices was unconstitutional. The Court held that the Prime Minister did not have the power to appoint judges to the Court without the recommendation of the IJAC. The Court also ruled that the IJAC must be independent from the government.

The Supreme Court's decision was a major victory for judicial independence. The decision ensures that the appointment of Supreme

Court justices is based on merit, not on political considerations. The decision also strengthens the role of the IJAC in the appointment process.

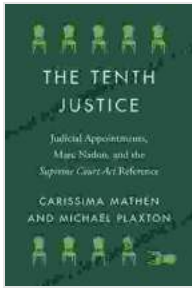
## **The Impact of the Nadon Decision**

The Nadon decision has had a significant impact on the way that Supreme Court justices are appointed in Canada. The decision has made the appointment process more transparent and merit-based. The decision has also strengthened the role of the IJAC in the process.

The Nadon decision is a landmark case that has strengthened the independence of the judiciary in Canada. The decision ensures that Supreme Court justices are appointed based on merit, not on political considerations. The decision also strengthens the role of the IJAC in the appointment process.

The appointment of judges to the Supreme Court of Canada is a critical issue for the Canadian legal system. The Nadon Reference was a landmark case that challenged the constitutionality of the appointment process. The Supreme Court's decision in the Nadon Reference was a major victory for judicial independence. The decision has had a significant impact on the way that Supreme Court justices are appointed in Canada.

The Nadon decision is a reminder of the importance of judicial independence. The judiciary must be independent from the government in order to ensure that the rule of law is upheld. The Nadon decision has strengthened the independence of the judiciary in Canada and has ensured that the appointment of Supreme Court justices is based on merit, not on political considerations.



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