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Faculty of Law    Faculté de Droit



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Peter MacKell Chair  
in Federalism

Chaire Peter MacKell  
sur le fédéralisme

## Baxter Family Competition on Federalism

McGill University's Faculty of Law and the Peter MacKell Chair in Federalism are proud to announce the creation of the **Baxter Family Competition on Federalism**, which has been made possible through the generous support of **Rachel Baxter**, BSc'84, BCL'88 and **Colin Baxter**, BCL'90, LLB'90, who both practice law in Ottawa, as corporate and litigation counsel respectively.

The overarching goal of this prestigious bi-annual essay competition is to advance research and foster informed debate on federalism by law students, as well as law PhD candidates, junior legal scholars and junior lawyers from around the world.

Competition finalists will be given an opportunity to present their papers at a Symposium organized by the McGill Faculty of Law, in Montreal in the spring of 2017.

Prizes will be awarded by an International Jury. First-, second- and third-place winners will receive prizes of **\$5,000**, **\$3,000** and **\$1,000** respectively.

Participants are invited to submit an original essay related to an aspect of federal theory or practice by **September 30, 2016**. Given that the Baxter Family Competition on Federalism is being launched to coincide with the 150th anniversary of the Canadian Confederation of 1867, submissions that examine the past, present and future of Canadian federalism from comparative angles are particularly encouraged.

While essays can discuss any one of a wide range of topics related to federalism, the organizers of the Baxter Family Competition on Federalism are particularly interested in submissions centered on two particular aspects of the "federal phenomenon":

- 1. The potential and challenges of federal constitutional design for complex multi-lingual, multi-cultural and multinational societies, including those with mixed legal systems and/or those seeking post-conflict reconciliation.**

In this context, essays may address questions such as:

- Does federalism meet its promise of promoting tolerance and mutual respect between diverse groups: If so, why and how? If not, why not?

- Are certain types of federal arrangements more conducive to promote peaceful co-existence of diverse groups? By contrast, are some federal systems more prone to consolidate and entrench conflict? Why?
- What federal principles and institutions are most likely to enable constructive dialogue between distinct legal cultures and nations?
- How should minority rights be guaranteed in a federation?
- Is federalism a viable model of governance for aboriginal peoples?
- What is the role of law, both in the sense of institutional architecture and judicial interpretation, in fostering – or eroding – effective and inclusive federal systems?

**2. The institutions, mechanisms and constitutional principles that may enhance – or undermine – “good government” in federal systems.**

Here, authors should consider the impact of “cooperative federalism” (or lack thereof) on policy development and implementation, as well as on democratic accountability. Essays could investigate:

- The role of courts in promoting – or undermining – “cooperative federalism” or the “federal spirit”.
- The adequacy of parliamentary control of decisions and acts taken in collaboration by the executive branches of several orders of government, or by agencies created on a collaborative basis.
- The role of intergovernmental agreements in federal practice.
- The impact of federalism on specific policy domains (e.g.: health care, violence against women, environmental protection, etc.).
- The design, interpretation and revision of the distribution of legislative and administrative powers in federations.

## **SUBMISSION GUIDELINES**

**Eligibility:** The Competition is open to all law students, as well as law PhD candidates, junior legal scholars and junior lawyers with five years of experience or less, from around the world.

To be eligible, authors:

- must be currently enrolled in a B.C.L, LL.B., J.D., LL.M., D.C.L., or Ph.D. program in law (or their local equivalents), OR
- have obtained their most recent degree prior to September 30, 2011, OR
- have been admitted to the Bar (or the local equivalent) at the latest on September 30th, 2011

**Prize:** First place: Can \$ 5,000; Second place: Can \$3,000; Third place: Can \$1,000.

**Deadline for Submission of Essays:** September 30, 2016, at 13h00, Eastern Standard Time (Montreal time).

**Announcements** to be made in January 2017. Winners will be invited to present at a Symposium to be held at McGill University in the spring of 2017.

**Criteria for submission:**

The essay should be:

- written in English or in French
- a maximum of 8,000 words (including footnotes) for texts in English; 8,800 words for texts in French (including footnotes)
- unpublished (not yet accepted for publication) as of September 30, 2016
- written in 12 point font, double-spaced, with a 2.5 cm margins on all sides
- numbered ( in the upper right corner)
- submitted in MS Word format
- introduced by a distinct document including the title, author and contacts, notably email, and a statement affirming the author's eligibility for the competition (eg: dates of graduation) and the unpublished status of the paper

The essay should include:

- an ABSTRACT (maximum 200 words) which summarizes the main question as well as the essay's main conclusions
- full references, following the *Canadian Guide to Legal Citation*  
<http://lawjournal.mcgill.ca/en/text/22>

Submissions are to be emailed to Professor Johanne Poirier, holder of the Peter MacKell Chair in Federalism at [johanne.poirier3@mcgill.ca](mailto:johanne.poirier3@mcgill.ca), by September 30, 2016, at 13h00, Eastern Standard Time (Montreal time).