

LEGAL INSIGHTS: FROM TARIFF WARS AND ENERGY CRISES TO AI BATTLES AND INTERNATIONAL LAW



Caddick, Charlie. "Pre-Law Executives." March 2025.

The StFX Pre-Law Society: What's What and What's Next?

Written by Cameron Preyra

From larger events, to new opportunities, and over double last year's membership, it is clear that great things are on the horizon for the StFX Pre-Law Society.

The Pre-Law Society, a staple in the StFX community, has long prided itself on providing students with

a unique opportunity to connect, collaborate, and expand their legal competence, alongside peers who share a passion for the law.

Since 2021, the Pre-Law Society has accomplished this by hosting various events throughout the year. Historically, these events have mainly consisted of law school information panels, which have given many law school hopefuls a chance to expand their networks and connect with skilled alumni.

After four years of membership, Co-president, Emma Proudfoot, now in her graduating year, recalled her experience in the Pre-Law society.

"[The Pre-Law Society] has been a great way for me to understand more about law school, not just to prepare for it, but to see if a career in law was meant for me. It's also been a great opportunity to network with a lot of inspiring, like-minded, people who I probably wouldn't have known had it not been for Pre-Law".

Additionally, society executives have not held back regarding their ambition for future developments. In a recent interview with Co-President, Kaleb Boates, the stalwart second-year student offered further insight into the Pre-Law society's aspirations.

"[Next] year is about building off of what we've already done... the society has grown to include over 50 members so, naturally, we are aiming for bigger and better events... We want to hold new events that specifically help members develop their oral advocacy and interpretation skills..."

Some of the more major developments planned include a series of LSAT workshops which, among other things,

will help members understand both how, and what, to study for the LSAT when applying to the Law School of their choice.

Furthermore, the society hopes to create a more competitive atmosphere for those interested by enabling members to participate in regional Moot Court (Mock trial) competitions throughout the year.

The society's Director of Communications, Brayden Abbott, elaborated on additional efforts to scale up the society.

Beyond improving the quality and frequency of panels and workshops, the executive plans to release high-quality Pre-Law merchandise. Lastly, a website is currently in development that will host the brand new Bar-Brief Newsletter, among other exciting features.

Law school can be intimidating, but the Pre-law society aims to continue enhancing students' capability and confidence toward the pursuit of their future aspirations.

Even if a career in law isn't your path, joining the Pre-law Society and taking part in skill-building opportunities will not only enhance your readiness for any future career, but also allow you to connect with some incredible people along the way.

As the Society enters its renaissance and the Executives continue their work, we can only wait in anticipation for all that September 2025 has in store. Stay tuned!

“Drill Baby Drill”: Trump’s Energy Emergency and the Legal Erosion of Climate Protection

Written by Claire Thatcher



Pixabay. “Donald Trump.”

During Trump's inauguration speech, he made a promise to Americans that the United States would “Drill, baby, drill,”¹ referring to the exploitation of the unused oil and gas reserves that exist in America.² On his first day in office, Trump declared a National Energy Emergency, the first of its kind to be declared in the United States.³ This National Energy Emergency will help stakeholders extract gas and oil resources, worsening the climate crisis.⁴ The National Energy Emergency will jeopardize global climate work and increase the amount of fossil fuels released, which will exacerbate the impacts of climate change across the world.

One of Trump's first actions as President of the United States was to withdraw from the Paris Agreement. The Paris Agreement is a

legally binding treaty which includes nearly every country in the United Nations.⁶ The goal of the agreement is international cooperation to lower the rate of global warming, lower fossil fuel emissions and create a long-term framework to address the climate crisis.⁷ By withdrawing from the Paris Agreement, Trump bypasses international climate laws that target clean energy development and aim to reduce greenhouse gas emissions.⁸ Trump's actions will threaten the many years of global efforts to fight the climate crisis.

The United States currently ranks as the largest producer of fossil fuels due to its major extraction of crude oil and burning of coal and natural gas.⁹ The release of fossil fuels causes increased global warming, air pollution, water pollution and many other negative environmental impacts.¹⁰ Over the past decades the United States has made direct efforts to reduce their greenhouse gas emissions.¹¹ However, with Trump's new Energy Emergency, those measures can be expected to disappear.

The Energy Emergency and withdrawal from the Paris Agreement allow Trump to disregard pieces of legislation targeting the climate crisis. It is expected that due to the Energy Emergency, greenhouse gas emissions in the United States will increase by 36 percent in the next 10 years.¹² Trump's Energy Emergency will weaken climate laws and significantly worsen the climate crisis by allowing for more greenhouse gas emissions. The start of the National Energy Emergency should be considered a significant threat to the climate crisis.

The National Energy Emergency allows the government to bypass laws that have been put in place in order to protect the planet.¹³ The Energy Emergency will benefit gas and oil stakeholders by allowing them to pocket more money; however, the emergency will have adverse effects on the rest of the United States and, furthermore, the planet.¹⁴ The United States can expect to see an increase in climate-related disasters such as hurricanes, wildfires and heat waves because of the government's outright dismissal of the climate crisis.¹⁵ Trump's Energy Emergency represents an environmental setback, not just for the U.S but also the rest of the world.

Legal Field Spotlight: Criminal Law

Written by Morgan Gallagher

Criminal law is one of the oldest forms of law, with evidence of criminal justice systems and codes dating back to ancient civilizations. At its core, criminal law is the body of law that defines offences against the community, regulates how suspects are investigated, charged, and tried, and establishes punishments for individuals who have committed a crime; “any act or omission in violation of a law prohibiting said action or omission”.¹⁶ Criminal law serves as a foundation for maintaining social order and protecting individuals and property by punishing wrongful conduct.¹⁷ Modern criminal law is characterized by principles such as the presumption of innocence, proof of the prosecution, and the right

to a fair trial.¹⁸ Legal systems worldwide define crimes and penalties differently, but most recognize fundamental categories of offences, including crimes against persons, crimes against property, and crimes against the public.

Every country establishes its own criminal code based on what it considers to be criminal behaviour. In Canada, the Criminal Code is a piece of legislation that effectively codifies most criminal law under a single, unified statute. The Parliament of Canada holds exclusive legislative authority over criminal law, as outlined in section 91(27) of the Constitution Act, 1867.



Global News, 2016

This codification of criminal law ensures that offences, procedures, and penalties are clearly defined, providing a comprehensive and accessible legal framework for the country.

A crime may be divided into two elements: the prohibited conduct or act (*actus reus*) and the required mental element (*mens rea*).¹⁹ *Mens rea* is a complex concept; it is not explicitly defined in the Criminal Code.²⁰ In Canada, depending on the offence, the prosecution

may need to prove the individual's mental state at the time of the crime to establish criminal liability.²¹ The mental state required to prove liability can vary but generally includes the following key concepts: intention: the deliberate aim to commit the crime; advertent negligence: awareness of the risk while proceeding anyway; knowledge means being aware of certain facts; recklessness: disregard for a known risk; and willful blindness: a person chooses to remain ignorant of a fact that one ought to know.²²

Conversely, *actus reus* refers to the physical element of a crime, encompassing the actions or negligence that constitute the offence.²³ However, when *actus reus* results in harm, the prosecution must demonstrate a causal link between the defendant's actions and the harm caused. This requires the prosecution to establish that the defendant's conduct was a necessary cause of the harm and that the harm was not too disconnected from the defendant's actions.²⁴ The Crown must also prove the accused's guilt beyond a reasonable doubt—a fundamental principle that protects individuals from wrongful conviction.²⁵ The presumption of innocence is enshrined in Section 11(d) of the Canadian Charter of Rights and Freedoms, ensuring that no person is considered guilty until proven so in a fair trial.²⁶ *Actus reus* and *mens rea* are essential for establishing criminal liability; a crime cannot be proven unless both the guilty act and the guilty mind are present.²⁷

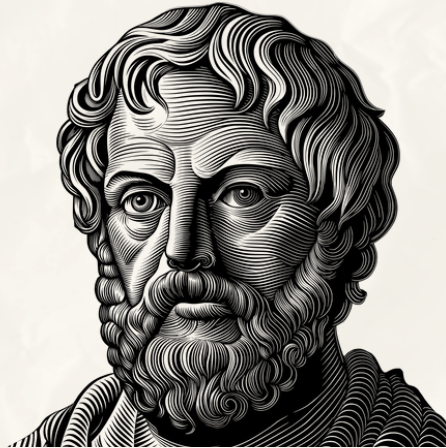
In Canada, offences are categorized into three main groups: indictable offences, which are serious crimes carrying severe penalties and often requiring a trial by jury; summary conviction offences, which are less serious, handled more quickly in provincial courts, and have lesser penalties; and hybrid offences, which can be prosecuted as either indictable or summary offences depending on the circumstances and the discretion of the prosecutor.²⁸

In Canada there are various forms of defence and individuals accused of crimes have the right to present a defence that may justify their actions.²⁹ Defendants may use legal defences, such as self-defence, which justifies the use of force to protect oneself from harm, and duress, which applies when the accused committed an offence due to an immediate threat of harm or death, leaving them with no reasonable alternative.³⁰ Mental disorder applies if an individual is suffering from a mental disorder that renders them incapable of understanding their actions or knowing they acted unlawfully; they may not be held criminally responsible.³¹ Lastly, automatism is a rare defence where the accused claims they committed an act involuntarily.

Criminal law in Canada is constantly changing, influenced by public decisions, supreme court decisions, and the evolving needs of society as evidenced by amendments to the criminal code and the evolution of legal principles that adapt to emerging challenges and societal changes.

Understanding Reasonable Doubt Through an Aristotelian Lens

Written by Connor N. Sutherland



Pixabay. "Aristotle."

Reasonable doubt is one of the fundamental principles of the Canadian justice system, but I have found that what kind of doubt can be considered *reasonable* has not been well communicated in simple language writing. Especially in today's climate, questions like, *how can I be sure if something happened if I did not see it happen?* and *how do I know who to trust when there are two contradictory versions of events?* have become much more pressing.

I believe that returning to Aristotle's description of the law of non-contradiction (LNC) helps to clear up this confusion.

In book IV of his *Metaphysics*, Aristotle confronts Protagoras's idea that "all opinions or appearances are true."³² If, Aristotle says, all opinions are true, then it must also be true at the same time that all opinions are false.³³

He continues with this line of thought by saying, "The man who says that everything is true makes the view opposed to his own true, and thus he makes his own view not true."³⁴ This describes the LNC, whereby a statement cannot be both true and false at the same time.

This shows that a statement about objective reality cannot be true for one person but false for another. According to Aristotle, engaging in extreme acts of skepticism in the vein of Protagoras is an abuse of thought, as you would be asserting that the statement you believe to be true is false.³⁵ It would, therefore, be *unreasonable* to believe in such extreme skepticism, because it would be self-refuting.

Here is an elucidating example: a mother wants to eat some cookies, but when she goes to the cookie jar, there are no cookies there. So she asks her son where the cookies went. He says a chimpanzee swung in, stole the cookies, and swung back out without leaving any evidence of its presence.

If Protagoras' understanding of truth is true, then the chimpanzee story is just as likely to have occurred as the son having eaten the cookies, even if the son had crumbs on his shirt. This is because *both* stories would be considered both true and false, which would make both stories equally plausible. This is absurd, but until we accept the LNC, it would be impossible to prove either story was the true version of events, as both versions of events would be equally plausible.

However, when we do accept the LNC, the physical evidence can be taken for its true worth, and the chimpanzee story is shown to be ludicrous, due to its lack of supporting evidence. This highlights the importance of accepting the LNC when determining the true version of events in a given case, because without it, neither testimony nor evidence would matter, and we could just pick and choose the “truth” we prefer.

The Limits of International Law

Written by Christie MacNeil



NVVN, 2013

In an increasingly interconnected world, international law plays a crucial role in shaping relationships between states, governing everything from trade agreements to human rights protections. However, unlike domestic law, which operates within a specific country and is enforced through courts, a constitution, and a legislature, international law lacks a centralized enforcement mechanism. This means the international system relies on the cooperation and consent of sovereign states.

This structure raises many legal questions: How are global legal principles upheld when states are often unwilling to submit to external authority? And what happens when a nation chooses to disregard international obligations?

Article 38 of the Statute of the International Court of Justice (ICJ) outlines the primary sources of international law.³⁶ These include treaties, customary law, general principles, court decisions, and legal writings. Treaties, like the United Nations Charter and the Geneva Conventions, are binding agreements between states that impose legal obligations. Customary international law develops from consistent state practices and the belief that these practices are legally required, covering areas like diplomatic immunity and the prohibition of genocide.

A significant legal challenge in international law is enforcement. Unlike domestic legal systems, where courts have authority and police forces to ensure compliance, international law relies on mechanisms such as diplomatic pressure, economic sanctions, and international tribunals.

The ICJ adjudicates legal disputes between states and provides advisory opinions, whereas the International Criminal Court (ICC) investigates and prosecutes crimes of genocide, war crimes, and crimes against humanity. However, enforcement remains problematic. This is seen in cases where powerful states refuse to recognize international rulings or withdraw from legal agreements. The absence of a centralized enforcement

mechanism means that international law relies on the cooperation of sovereign states. This is evident in trade relations, such as the tariffs that the Trump administration imposed on Canada and Mexico.

These tariffs raise key questions about the enforcement of international legal norms, specifically when a powerful state like the United States is unwilling to comply with or respect international agreements.

While international law provides frameworks for trade through treaties like the United States-Mexico-Canada Agreement (USMCA), there is no overarching global authority that can compel a nation to uphold these agreements.³⁷ In this sense, international law operates as a system of diplomatic pressure rather than a system of hard enforcement, with states voluntarily agreeing to comply with norms and treaties yet still asserting their sovereign right to act unilaterally when necessary.

Ultimately, the lack of a centralized enforcement mechanism in international law means that compliance depends on states' willingness to cooperate, creating a system vulnerable to disregard by powerful nations. In such a framework, larger and more influential countries can often evade accountability for violations, thereby weakening the overall credibility and authority of international law.

From Courts to Campuses: The Ripple Effects of the Canada–U.S. Trade War.

Written by Kenzie Boyd



Pixabay. “US-Canada Flag.”

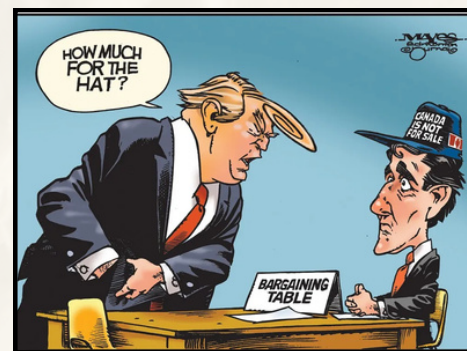
The Canada–US trade dispute is upending economic relations, with billions of dollars in tariffs changing the way we do business. In response to US tariffs on Canadian imports, Ottawa hit back with a 25% tariff on several American goods worth about \$30 billion.³⁸ These countermeasures are backed by the *Customs Tariff Act* and the *Export and Import Permits Act* to pressure the US while keeping Canada in line with trade agreements like CUSMA and WTO rules.³⁹ These economic and legal responses mark a critical moment for Canadians, demanding awareness, engagement, and adaptability from policymakers and citizens alike. However, Ottawa’s tariffs are just one part of Canada’s strategy to protect its economy. Politicians are also leveraging Canada’s abundance of critical minerals in trade talks.⁴⁰ Meanwhile, the failure of Bill C-282, which sought to protect Canada’s

supply-managed agricultural sectors, illustrates the ongoing tension between supporting domestic industries while simultaneously honouring international trade commitments.⁴¹ The trade dispute has also reignited debates over interprovincial trade barriers and whether they should be removed. This emphasizes the difficulties Canada faces in navigating both domestic and international issues. In *R v Comeau*, the Supreme Court ruled that interprovincial trade restrictions can be reviewed, but courts are still hesitant to enforce full free trade within Canada. This decision highlights the challenge of maintaining economic unity while managing external trade pressures.⁴²

It’s not just businesses and politicians who are feeling the pressure—university students are too. Higher tariffs on imported goods, including electronics, food, and other essentials, are adding to the already heavy burden of tuition and living expenses.⁴³ On top of that, students studying business, trade, and law will graduate into an increasingly unpredictable and competitive economic climate. Trade restrictions also affect higher education and research. Many Canadian universities rely on international partnerships and funding from US companies, but ongoing political and economic tensions could strain these relationships.⁴⁴ Should the trade war continue, schools may face budget cuts that reduce research opportunities and limit support for students in fields like tech and science.⁴⁵ While trade policy is primarily in the hands of the government, Canadians can still

make a difference. Buying Canadian-made products reduces our reliance on imports. Canadians can also contribute by staying informed and advocating for fair trade policies, whether that’s by contacting politicians, signing petitions, or engaging in public discussions. Students in business, law, or economics can get involved by researching trade issues, joining advocacy groups, or participating in campus debates on economic policy. By acting, we can build a stronger and more self-sufficient Canada regardless of what’s happening with our neighbours.

A trade dispute of this scale isn’t just about economics and law—it’s about resilience, adaptation, and the choices we make as a country. While governments negotiate and industries adjust, everyday Canadians also have a role to play in shaping the future of our economy. Whether through informed consumer choices, advocacy, or innovation, individuals can help push Canada toward long-term economic stability. Uncertainty may be unavoidable, but how we respond to it will define the strength of our national and economic identity in the years to come.



Malcolm Mayes, 2025

The Battle for AI: Nvidia, DeepSeekAI, and the Laws That Shape Competition

Written by William Ellis

Artificial intelligence (AI) is a transformative force in almost every sector: from healthcare to finance to entertainment—everyone has felt the effects of the recent industry disruption. As AI companies continue to grow in power, governments around the world must ensure that no single company gains an unfair advantage over their market. This is where antitrust laws, referred to as competition laws in Canada, are essential. These laws are designed to prevent companies from becoming so powerful that they can eliminate competitors, gain control over prices, or even limit further innovation. As companies like Nvidia and DeepSeek push the limits of AI, antitrust laws will be crucial in creating a market where rising companies can emerge, driving advancements that will enhance the industries we work in, shop from, and participate in. Regulatory practices like competition laws ensure that innovation thrives and prices remain fair in our society's most dominant markets.



Image Credits: Canva

Two companies currently making significant headway in the AI space are Nvidia and DeepSeek. Nvidia is an American technology company best known for its production of computer chips, specifically graphics processing units (GPUs). These chips play an essential role in the training of some of the world's most powerful AI models. DeepSeek is an emerging competitor in the AI space. They have recently developed a model that competes on a similar level to Nvidia's products—but for a fraction of the cost. The competition between these two companies highlights the complex legal and business challenges associated with the AI industry.

As Nvidia has grown, governments have raised concerns about whether it has gained too much control over the AI market. In 2021, Nvidia attempted to buy ARM Holdings, a company that designs computer chips for almost every smartphone in the world. Regulators in many of the major markets, including the US, the UK, and the European Union, all pushed back against the potential deal. The U.S. Federal Trade Commission (FTC) sued to block the merger, arguing that it would allow Nvidia to “unfairly undermine” competitors.⁴⁶ In the end, Nvidia abandoned the acquisition. This is an example of how antitrust laws can be used by regulating bodies to prevent companies in the AI industry from becoming too powerful. In Canada, similar regulations apply under the Competition Act, which allows the government to block mergers that reduce competition.⁴⁷

While Nvidia has been busy facing legal battles, a new competitor has swiftly entered the AI industry, causing investors to reevaluate their loyalties in the space. DeepSeek is a Chinese AI company that recently developed a competitive AI model called DeepSeek-R1. This model is comparable to some of the industry's most advanced and expensive models but at a much lower cost. The rise of DeepSeek suggests that the regulatory practices of the bodies mentioned above were effective in creating a market that remains competitive, innovative, and never stagnant, even against dominant forces like Nvidia.

So why does this matter for Canadians? AI competition isn't just a corporate battle. It affects consumers, students, and future professionals alike. Regulatory practices like competition laws ensure that innovation thrives and prices remain fair in our society's most dominant markets. As companies like Nvidia and DeepSeek advance AI technology, these laws provide a fair market where new competitors can emerge, fostering innovation that benefits the industries we engage with every day. Whether through cheaper AI tools, evolving regulations, or career opportunities, these developments will continue to shape Canada's economy, as well as Canadians' future and daily life.

A NOTE FROM THE EDITOR

Dear Pre-Law Society Members,

As we conclude another exciting semester here at StFX, I am thrilled to bring you the first edition of The Bar Brief. As we begin the newest chapter of the StFX Pre-Law Society, The Bar Brief hopes to provide a moment of release from this busy time to read and learn about the ever-changing legal industry.

I want to highlight the effort and creativity the Bar Brief team has poured into this issue. The work that the content writers have put into their articles is admirable and something to be very proud of. It has been an absolute pleasure getting to know and work alongside a dedicated and truly talented team.

With the commencement of the Bar Brief journey, I am excited to see how this newsletter grows and look forward to creating new and engaging content for its readers. If you have any ideas or topics you'd like to see covered, feel free to reach out—I'd love to hear from you!

Wishing you all the best,

Charlie Nault
Editor-In-Chief



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