One Friday night, Eric attended a dinner and information evening at a local church. The event was hosted by two refugees that the church had sponsored, along with their sponsorship committee. The two refugees — a mother and daughter — came to Canada with a change of clothes, a couple of photographs and nothing else. Their home country was involved in a long on-going war. The father and boys in the family had been killed and the two women had barely escaped with their lives.

Before coming to Canada, they spent three years living in a refugee camp. When they arrived in Canada, the Canadian government provided money for basic necessities for the two women. The church helped get them established, providing friendship and support. Four years later, they had both learned English and the mother had a job. After dinner, the daughter spoke of the difficult conditions in her home country, and the rights and freedoms she now had in her new country, Canada.

Chapter Focus Questions

• What is the Canadian Charter of Rights and Freedoms?
• How is the Canadian Charter of Rights and Freedoms rooted in the past?
• How does the Charter protect Canadians, now and in the future?

Many activities and events reflect the rights and freedoms Canadians have. In Eric’s community, people got together for a church dinner and presentation. What rights and freedoms make events like this possible?
The daughter talked about how happy she felt to be allowed to go to school in Canada for the very first time. In her country, school was forbidden to girls. She also said she no longer feared for her life or safety because she was of a different ethnic background. She finished by saying how grateful she was for all the other freedoms she had here in Canada.

Eric realized that he had never really thought about the idea of Canadian freedoms before. Nor had he thought about how other people might value these freedoms, which were part of being a Canadian.

In Eric’s class a couple of days later, the discussion in Social Studies was about being a Canadian citizen, and the rights and the responsibilities that meant. The students were asked to write their citizen rights on maple leaves as the start of a group project. As Eric cut the leaves, he kept thinking about the two refugee women, and how grateful they were to have rights and freedoms now that they lived in Canada. “I’ve taken so much for granted,” he thought. “I need to know what all our rights and freedoms are, so I can really appreciate being a Canadian.”

Like Eric, you have the right to be safe. What responsibilities come with this right? Do all rights come with responsibilities?
What are we learning in this chapter?

In this chapter, we will learn about the rights and freedoms Canadians have. These are written down in Canada’s Charter of Rights and Freedoms. They include individual rights, such as the right of each of us to express our own opinions, and group rights, such as the right of official language minorities to run their own schools. Following this, the chapter looks at the roots of the Charter in history. The chapter concludes with a look at what protects the rights and freedoms of Canadians, now and in the future.
Why are we learning this?

The rights and freedoms we have here in Canada are precious. There are countries whose citizens do not have the same rights. In other parts of the world, children as young as 10 can be taken into army service, can be denied opportunities to go to school, and can be persecuted because of their religion, ethnic background or race. Like Eric discovered, we need to know what privileges we have as Canadians so that we can appreciate what being Canadian truly means.

What do you appreciate about living in Canada?

How many of these things are connected to rights and freedoms in Canada?

-I have the right to think what I want.
-I have the right to be respected.
-I have the right to live wherever I want.
-I have the right to speak to anyone I want to.
A Charter by Consensus for Mr. Grundy’s Class

Mr. Grundy addressed his class. “Since the beginning of the year, we’ve been exploring some of the principles of democracy. We are now going to put your learning to work and in this collective group — our class. We are going to create a democratic charter. It will be a written list of rights and freedoms for our class. We’ll need to consider freedoms such as being able to express our own opinions.”

Toba shot his hand up. “Does that mean I have the freedom to say whatever I want, whenever I want?” Mr. Grundy smiled and said, “Yes and no, Toba. You have the freedom to have your own thoughts and ideas, to express them, and have them heard. Everybody else has those same freedoms. However, if you say things that are false or damaging to others, it takes away their right to feel free and safe. Nobody can interfere with the rights of others.”

Mr. Grundy continued. “We know that in our class we have a wonderful diversity of students. We also know that under the Canadian Charter of Rights and Freedoms, everyone has the right to hold different ideas and viewpoints, even if they’re opposite. Everyone must have an equal opportunity to express those ideas or opinions. You can see that the idea of rights and freedoms has greater meaning than just a list of rules.” The class nodded. They were seeing that there were responsibilities that went along with rights and freedoms.
Mr. Grundy went on. “Let’s talk about your inquiry task now. In groups, you will be discussing our class rules and coming to consensus about what you think our classroom charter should include. Each group will need to have as many points as there are students in the group. Each of you will choose an item, or point in your charter. In a short speech, you will present your point and explain how it connects to one of the principles of democracy — freedoms, representation, equity or justice. After the presentations are done, and discussions have taken place, there will be a class vote about which charter to adopt. Any questions?”

Ivan raised his hand. “I’m thinking of the speech. How short is short?” he asked. Mr. Grundy laughed. “For you Ivan, sixty seconds. For everyone else, a minute.”

“That’s not fair!” exclaimed Ivan. “Why can’t I have a minute just like...” His voice trailed off. “Oh — I get it now,” he said with a laugh.

What skills for great groups that you learned in Chapter 1 could help you arrive at a decision by consensus?
Developing and Adopting a Class Charter

Introduction
Creating a charter is not as easy as you might think. It took countless hours of debates and negotiation to create the Canadian Charter of Rights and Freedoms. Society’s values change over time. Just as classroom guidelines can be revisited and improved, the Canadian Charter can be challenged and changed. Making changes to the way the Charter is interpreted needs Supreme Court rulings. However, this is the way that the Charter will continue to be improved.

The task
Step 1 Starting Small: Create a classroom charter in a small group

• Brainstorm ideas about what you think are essential rights and responsibilities of students in your classroom. For example:

We believe everyone has the right to be treated with respect. This right needs to be balanced by the following responsibility:

We believe everyone has the responsibility to be kind and considerate.

• Reach consensus in your small group about what rights and responsibilities a classroom charter should contain.

• Compare your group’s charter to your classroom rules. Do the rights and responsibilities your group has identified echo your classroom rules?

• Chart your group’s ideas in point form.
• Each person in the group will take a point and construct a 60 second (or less) speech on that point. You must
  • Explain your group’s reason for including the point, and the rights and responsibilities involved.
  • Explain how this point is supported by the principles of democracy.
  • Practise the presentations in your small group.

**Step 2 Going Big: Negotiating a classroom charter as a class**

• Review “Speeches” under section 7 of the Skills Centre. Think about your responsibilities both giving and listening to speeches.
• Each group will present their charter suggestions and answer any questions.
• As a class, determine the similarities between the different group charters.
• Discuss and negotiate to reach consensus on which points the class wants in the class charter.

**Things to think about before starting the task**

As you learning about the Canadian Charter of Rights and Freedoms, think about what is applicable to your task. Consider what would make an effective and supported oral presentation in the limited time that is available. Don’t forget to consider your audience. Capture their interest!

**freedoms**
Students have the freedom to organize student council meetings.

**representation**
All class members can stand for a class representative position.

**equity**
Students struggling with tasks will get extra support.

**justice**
Students who interfere with the rights of others will be accountable.
What is the Canadian Charter of Rights and Freedoms?

**What’s important?**
Understand that the Charter of Rights and Freedoms describes the rights and freedoms of Canadian citizens. These are organized in the Charter under different categories as seen here and on the following pages. Rights are about things you are specifically allowed to do. Freedoms are about things the government and others are not allowed to stop you from doing.

Freedoms, in a democracy, mean that people can act without interference from others or the government. Rights, in a democracy, are things specifically allowed, and they provide protection to the people of a country by their government.

**Fundamental Freedoms**
- to have and express your opinion
- to belong to any group
- to organize peaceful meetings and demonstrations
- to practise your religion

This peace march of about 800 people took place in Kelowna, BC in 2003. What are some other ways to express your opinions about events and issues?

This boy is lighting the menorah candles as an expression of his Jewish faith.

Raquelle Castilloperrott, Carolann Learmonth and Kaitlin Lem are offering Girl Guide cookies for sale. What youth groups do you know about? How do they reflect a freedom Canadians have?
Democratic Rights

- to vote for candidates in elections
- to participate in an election
- to run for election
- to have legislatures and Parliament meet at least once a year
- to have elections at least every five years

In Canada, election officials help make sure voting is fair. Here, they record each person who comes to vote, so everyone votes only once.

Erin Selby helps Gary Doer put an election sign on her lawn. Putting a sign on your lawn in support of someone running in an election is one way to participate. Can you think of others?

The Alberta legislature is made up of people who are elected to represent Albertans in provincial decision making. The opening ceremony of the Alberta legislature is an important event each year.
**Mobility Rights**
- to enter, stay in, or leave Canada as you wish, if you are a Canadian citizen or a permanent resident of Canada (these rights can be taken away if you are convicted of a crime)
- to move to and earn a living in any province

People line up in their cars at the Peace Arch border crossing near Vancouver, B.C. They are coming back into Canada after visiting in the United States. Has anyone in your family ever travelled to other countries?

This family is packing a truck to move to another place. Why do people move to other cities and provinces?

**Equality Rights**
- to live free of discrimination or prejudice (everyone is equal, no matter their race, national or ethnic origin, colour, religion, gender, age, or mental or physical challenges)

Our Grade 6 advisory group enjoy their differences and respect each other.

Choose a right on this page. In what way is it fair and equitable? How does it compare to the rights of slaves and metics in ancient Athens?
Legal Rights

- to feel free and safe
- to have a fair and quick public trial
- in a trial to be assumed innocent until proven guilty

A courtroom like this is where trials take place. There are seats for judges, lawyers, juries and court-case participants, and for people to observe.

Official Languages of Canada Rights

- to communicate with and receive services from the federal government in French and English

Canada Post has offices across Canada and provides service in French and English.

Minority Language Education Rights

- to have publicly funded schools for Francophones in provinces where most people speak English, and for Anglophones in provinces (Québec) where most people speak French

École Publique Gabrielle-Roy is a Francophone school in Edmonton.

Pause

Francophones established the first permanent European settlements in what is today Canada, and developed important relationships with First Nations peoples. At Confederation in 1867, they helped establish Canada as a country that recognized the two official language groups: Francophones and Anglophones. Given that background, how do the language rights in the Charter reflect fairness and equity?
General Rights

• to uphold existing Aboriginal and treaty rights
• to uphold the multicultural heritage of Canadians

This sign marks the boundary of the lands of Bigstone Cree Nation in Alberta. Treaty 8 established these lands. It is one of several agreements that First Nations peoples and Canada’s government negotiated in the 1800s.

These dancers celebrate the traditions of Peru at Edmonton’s Heritage Days in 2003.

Pause

1. Aboriginal peoples include First Nations, Métis and Inuit peoples. They are the First Peoples of what is now Canada. Their place in Canada is unique and important. How do the rights of Aboriginal peoples in the Charter reflect equity and fairness?

   How does the Charter establish fairness and equity for other groups in Canada?

2. Most rights in the Canada’s Charter of Rights and Freedoms apply to individuals in Canada. Some rights are “collective rights” and apply to specific groups of Canadian citizens. Which rights in the Charter are collective rights?
Enforcement Rights

• to go to court if any of these rights are denied

This is the Supreme Court of Canada building in Ottawa where many cases concerning Charter rights are heard.

These are Canada’s Supreme Court judges. If someone feels they have not been treated fairly by the courts in the provinces, they can take their case to the Supreme Court for a final decision.

Pause

Justice is fairness in doing what is right, correct and lawful. Canadians rely on the justice system to protect rights. Why do Canadians need a way to enforce rights?

SKILLS at Work

1. In Canada’s Charter of Rights and Freedoms, which rights and freedoms are most important to you, your family and your community? Compare your choices with a classmate’s. What is the same and different about your conclusions? Why?
   • critically evaluate ideas, information and positions

2. Take one of the rights described in the Charter and explore whether people had a similar right in ancient Athens and in the Iroquois Confederacy. In what ways has this right stayed the same or changed over time?
   • use examples of events to describe cause and effect and change over time

SKILLS CENTRE

1. Critical Thinking

2. Historical Thinking
How is the Canadian Charter of Rights and Freedoms rooted in the past?

What’s important?
The Canadian Charter of Rights and Freedoms is rooted in many laws stretching back across time. Achieving fairness and equity for all the people of Canada developed over a long time and is still a work in progress.

1215 Magna Carta
This was an English charter. Its ideas of protecting the rights of the people, especially regarding unlawful imprisonment, are still in place in Canada.

1701 The Treaty of La Grande Paix de Montréal
This treaty established peace and respect among peoples in what is now eastern Canada.

1763: The Royal Proclamation
Britain made this proclamation after the Seven Years’ War and during the time that it was establishing control over territory in North America formerly claimed by France. The proclamation recognized the right of First Nations to their lands.

1834 Slavery Abolition Act
Slavery was abolished throughout the British Empire.

1871–1921 The Numbered Treaties
The Numbered Treaties recognized the rights of First Nations.

1215 Magna Carta
Treaties between First Nations and European peoples
1701 La Grande Paix de Montréal
1871–1921 The Numbered Treaties
Royal Proclamation of 1763
1834 Slavery Abolition Act
1871 Treaties 1 & 2
1916 Suffrage Bills
Bills were passed in Alberta, Manitoba and Saskatchewan allowing women to vote in provincial elections.

1929 Persons Act
This act entitled women to become members of the Senate.

1947 Repeal of the Chinese Exclusion Act
This ended the exclusion of Chinese people because of a head tax.

1960 Canada Elections Act
All Aboriginal adults were given the right to vote.
In what way was the Treaty of La Grande Paix de Montréal of 1701 one of the roots of the Charter?

What’s important?
Understand that the Treaty of La Grande Paix de Montréal (the Great Peace of Montréal) is an important event in Canadian history. It established principles of fairness and equity that Canada’s Charter of Rights and Freedoms reflects today.

La Grande Paix de Montréal
July 21, 1701: Preparing for the Great Peace

Even if he lived to be a hundred years old, Antoine knew he would always remember the days to come — days of great importance for the town of Montréal!

Antoine’s mind was busy as he worked, hauling branches outside the wooden palisade surrounding the town. The branches were to build shelters for the many delegates expected at the peace conference, to protect them from the sun and weather. As he put down his last load, Antoine was thinking about what his father had told him.

Antoine’s father was a merchant, skilled in speaking several First Nations languages. For that reason, Papa had been asked by the Governor himself, Louis-Hector de Callière, to act as a translator at the conference, between the French and the First Nations delegates. Although this was an honour, it would be a hardship for the family. Maman would have to take care of their shop, which sold all manner of metal goods. Antoine would not be able to help her because he would be busy with Monsieur Tremblay, a carpenter in the town. Last year, when he was eleven, Antoine had become an apprentice to M. Tremblay. That’s why Antoine was hauling these loads of branches by handcart to the site by the great St. Lawrence River.

About this Story
Papa had explained that the peace conference would mark the end of nearly a century of war between the French and their First Nations allies on one side, and the Iroquois Confederacy on the other. In the days ahead, a treaty would be drawn up and signed by First Nations delegates and the French. Then there would be a great celebration and feast.

Papa believed that the peace was necessary for the success of New France, the colony France had established in North America in 1604. Montréal was the colony’s western fur-trade centre, and had experienced firsthand the devastation of the war. Papa said peace would be a “blessing” for everyone: for First Nations peoples and French colonists, from Acadia in the east to the Great Lakes in the west. It would allow peaceful fur trading and provide a firm basis for the development of New France.

**New France around 1700**

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**SKILLS at Work**

Use the information on the map on the left to answer this question.

Between 1674 and 1701, the Iroquois Confederacy was allied with the British against the French. Under the Treaty of La Grande Paix de Montréal, the Confederacy agreed to remain neutral in conflicts between France and Britain. Why was this important to the colony of New France and to the Iroquois nations?

- construct and interpret maps to broaden understanding of topics being studied
Perhaps it was a slight movement that drew Antoine’s attention. He looked upriver and watched as tiny specks gradually became distinguishable as canoes. “Vite, vite,” he cried, dropping an armload of branches and running to the soldiers standing at the gates to the town. “Ils arrivent! Ils arrivent!”

Dignitaries, soldiers and clergymen poured out of the gates in a scramble to welcome the canoes as they arrived. Antoine watched in amazement as some of the town’s finest men hurriedly pulled on their best jackets and buttoned them as they ran. He laughed to see their curled white wigs hastily jammed on their heads. Their wives ran behind them, trying to straighten the wigs.

Antoine’s attention turned back to the river. His eyes grew wide as he counted the canoes — well over 200. Montréal boomed a cannon salute in welcome.

The delegates to the Treaty of La Grande Paix de Montréal represented 39 First Nations and came from a huge territory. Many travelled for weeks to attend the conference.
August 4, 1701: The Signing Ceremony

It had been nearly two weeks since the delegates arrived. Antoine had been busy, helping M. Tremblay finish the arena where the treaty would be signed. It was about 43 metres long and 24 metres wide. A hall of about 100 metres square had been built at one end with tiers of seats. M. Tremblay had supervised the laying of the timbers, but it was Antoine’s job to secure the nails and brackets. Yesterday, they had worked through the moonlit night to finish, finally putting down their tools as the sun rose.

Although Antoine was bone weary, he was far too excited to rest. A crowd had begun to assemble at the arena. He watched as First Nations delegates took their seats, wearing feathered headdresses and long robes of pelts. French officers were in wigs and uniforms, and ladies wore their most elegant finery, standing alongside priests wearing their best-embroidered robes.

Governor Callière waited for the crowd to settle. He began to read a speech, which was studded with terms First Nations diplomats used. “The hatchets of war,” the Governor said, “would be buried in a pit.” Written copies of the speech had been previously given to interpreters, including Papa, who had translated it into the many languages of the delegates. The Governor then smoked the calumet, or peace pipe, and offered it to the Iroquois. Next, the French offered the delegates 31 wampum belts, which hung on a large rod at the arena’s entrance.

La Grande Paix de Montréal was the first treaty between Aboriginal and non-Aboriginal peoples. Why is this important?
After the Governor spoke, First Nations speakers took the floor, one after the other. Antoine was particularly fascinated by the bison head, which formed a headdress for one of the speakers. Another speaker wore a French wig to show courtesy to the customs of the French culture.

At last, with great dignity, the written document outlining the Great Peace of Montréal was presented. Antoine was too far away to see what happened next. Papa, however, was nearby and later told of how the delegates of the 39 First Nations put their signatures on the document. They signed with the symbols of their clans. Finally, Governor Callière signed on behalf of Louis XIV, King of France. His signature was the only European signature on the document.

A great feast was held to celebrate the signing. Three oxen had been boiled in a large cauldron and the meat was distributed to all the delegates. Earlier in the day, Antoine had helped M. Tremblay assemble a great bonfire. This was now lit, and periodically the sounds of musket and artillery fire would ring through the night air. These sounds, however, did not disturb Antoine, who was flopped over in the muddy grass fast asleep.
This painting by François Girard is called "La Grande Paix de Montréal."

SKILLS at Work

François Girard, who created the painting on this page, is an artist from Montréal. M. Girard specializes in images that recreate the lives and history of First Nations peoples in what is today Québec.

Examine the painting carefully.

1. What evidence can you find that the Treaty of La Grande Paix de Montréal involved diverse peoples?

2. Think back to what you learned about wampum belts in Chapter 4. Why do you think the artist has made sure to include them?

3. How does the painting show that the Treaty of La Grande Paix de Montréal was an important event?
   • explain the historical contexts of key events of a given time period
August 9, 1701: The Conference Ends

There were still issues about the release of prisoners of war to be settled. Some First Nations had adopted people taken as prisoners, and now considered them family members. So, discussions among the delegates and Calilère continued until the departure of the delegates.

Antoine had enjoyed the bustle of the conference, and inching his way through the town each day. The streets had seemed full of people from morning to night: the 3800 people of Montréal and the 1300 delegates. Now, Antoine would miss the excitement and the noise, just as his family would miss the extra customers and business.

Today, M. Tremblay had put Antoine to work pulling out nails for reuse as the arena was dismantled. As Antoine bent to his task, he thought about last night’s family discussion. His father had noted the great mutual respect shown by the French and the First Nations. When Antoine finally pulled out the last nail, he wondered how long La Grande Paix de Montréal would last — three hundred or even four hundred years? However long, he felt sure these twenty days should be remembered forever!

Pause

Collective identity is the feeling of belonging to a particular group. The Treaty of La Grande Paix de Montréal showed mutual respect for the collective identities of 40 different nations. How did this become one of the roots of our Charter of Rights and Freedoms? What parts of the Charter demonstrate respect for different collective identities?

This stamp dates from 2001. It commemorates the 300th anniversary of the Treaty of La Grande Paix de Montréal. Why do Canadians today celebrate this event in history?
How does the Charter protect Canadians, now and in the future?

What Has Value?

Mr. Grundy settled on his high stool in front of the class. “Are you ready for another one minute challenge? We need three volunteers to scribe on the board.” The students eagerly volunteered. Mr Grundy continued, “I want us to make a list of precious things, aside from our families and other people.”

This was an easy task for a change. The answers flew — diamonds, gold, cars, cruise ships, pets, forests, national parks. All too soon, the minute was up. “Now,” Mr. Grundy continued, “I want you to go into groups and come up with general rules for protecting these items.”

After a few minutes, the class reassembled. The students were able to combine and modify their ideas. They came up with two main thoughts. The first was that precious items can be protected by being placed where only those with permission can get hold of the items. Their second main idea was that items needed to be protected from damage, either accidental or deliberate.

“Well,” said Mr. Grundy, “I want you to think of something equally precious: our Charter of Rights and Freedoms. Do you think that your same two rules about protection will apply to the words of the Charter? How would that work? Think, pair and share your ideas.”
Sharn put up her hand. “Ivan and I think that words can be protected by not allowing other words to be added or any words deleted. Like a copyright. But we aren’t sure about where the Charter is put for safekeeping.”

Mr. Grundy replied, “You’re quite right about making sure that the words are protected. Actually, the Charter is in a very safe place. It’s in the first part of the Canadian Constitution. It’s been there since 1982 and changing the Constitution is very difficult.”

Mr. Grundy was getting more excited as he spoke. “Did you know that if a government makes a law and the law goes against your Charter rights, a court can refuse to let the law stand? Only a vote, with approval from a large majority of Canadians, can change the Constitution or Charter. I’m glad the Charter is carefully protected. That means that your rights and freedoms, and mine, are protected too.”

An Example of a Law the Charter Changed

Before the Charter, stores were closed on Sunday because of the Lord’s Day Act. The Lord’s Day Act was enacted in 1906 and reflected the Christian belief that no one should work on Sunday. The Supreme Court struck down the act in 1982. It said the act violated Canadians’ Charter right to freedom of religion. Today, stores are open on Sundays in Canada.

Governments can’t change even one word of the Charter of Rights and Freedoms without careful consideration. Why is that important? Why is it also important that the Charter can still change and evolve? What might the Charter include in the future that it doesn’t include today?
1. **What is the Canadian Charter of Rights and Freedoms?**
   What does the Charter mean to you personally? Write a personal response that describes how the Charter affects your life. This could take the form of a letter, poem or song.

2. **How is the Canadian Charter of Rights and Freedoms rooted in the past?**
   When you were learning about the roots of the Charter, were you making connections with events that you learned about in Grades 4 and 5?
   The Charter was a process that took many hundreds of years to be complete.
   As a class use the laws or events on pages 130 and 131 to develop a mini-documentary showing the origins and chronological development of the Charter. It is also important that you show how each event had an effect on the development of our Charter of Rights and Freedoms.

3. **Do we really need a Canadian Charter of Rights and Freedoms?**
   Is the Charter really necessary today? Support your answer with reasons.

4. **How has the Treaty of La Grande Paix de Montréal influenced Canadian legislation over time?**
   Support your answer with examples from this chapter.