

## Module 2: Canadian Charter of Rights and Freedoms

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### Enduring Understanding

In Canada, all branches and levels of government, regardless of political ideology, must recognize and respect the fundamental rights of its citizens, including language and Aboriginal rights. Our rights and freedoms, outlined in the *Canadian Charter of Rights and Freedoms*, are guaranteed and entrenched within our Constitution. The Supreme Court of Canada plays a vital role in interpreting the Charter, thereby making the Charter a “living tree,” an evolving document.

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### Learning Experiences

- 2.1 Outline the history and evolution of rights in Canada leading to the creation of the *Canadian Charter of Rights and Freedoms*, such as the “Persons Case” (Edwards v. A.G. of Canada, 1930) and the *Canadian Bill of Rights* (1960).
  - 2.2 Describe and assess each section of the Charter, its jurisdiction and enforcement, as well as its general impact on Canadian society.
  - 2.3 Examine the ongoing debate around limitations to our rights and freedoms, as outlined in the reasonable limits clause and the notwithstanding clause, as well as the role of the Supreme Court as the “guardian of the Constitution.”
  - 2.4 Explore the impact of the Charter and other documents, such as the Royal Proclamation of 1763, land claim agreements, treaties, and the *Indian Act*, on Aboriginal rights.
  - 2.5 Analyze to what extent the democratic and mobility rights of Canadians are guaranteed and protected under the Charter.
  - 2.6 Outline how the Charter protects your legal and procedural rights and establishes limits on representatives of the criminal justice system, such as the police and the Crown.
  - 2.7 Compare and contrast the concepts of equality and equity in relation to Section 15 of the Charter.
  - 2.8 Describe how minority language rights are protected in the Charter.
  - 2.9 Examine how issues such as women’s rights, gender identity, medically assisted death, and other current events have had an impact on current interpretations of the Charter, making the Charter a living document.
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