



One Charter Two Languages A Thousand and One Voices

Teaching guide for secondary school teachers

“Since 1982, building on a conversation on language that began with the Royal Commission on Bilingualism and Biculturalism, the Canadian Charter of Rights and Freedoms has set off a chain of events that have started a process of restoring language rights, changing the behaviour of governments, and creating a new dynamic for linguistic minorities in Canada. English and French are Canadian languages that belong to all Canadians; the Charter has accelerated a process to make this claim a reality.”

Graham Fraser, Commissioner of Official Languages of Canada
Speech entitled *Canadian Rights and Freedoms: 25 Years Under the Charter*
given at a conference of the Association for Canadian Studies on April 16, 2007

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1. The Charter: A reflection of Canadian values

April 17, 1982 was a milestone in our country's history: the day the *Canadian Charter of Rights and Freedoms* came into effect. It was a rainy and windy day that forever left its mark on Canadians. Pierre Elliott Trudeau, who was Prime Minister at the time, saw his dream come true: a charter that reinforced the fundamental rights and freedoms of Canadians.

The Charter represents the legacy of generations of Canadians who fought for the recognition of their fellow citizens' most fundamental rights. The *Canadian Charter of Rights and Freedoms* has served as a model for the development of human rights declarations in a number of countries, including Israel, New Zealand and South Africa. It is therefore fair to say that Canadian values play an influential role on the international stage.

The importance of the Charter is undeniable: it promotes our two official languages and acknowledges the contributions made by Canada's English- and French-speaking communities.



Her Majesty Queen Elizabeth II and the Prime Minister, the Rt. Hon. Pierre Elliott Trudeau signing the Constitution. Photographed by Robert Cooper April 17, 1982. Library and Archives Canada, accession number: PA-141503

1.1 The Charter: An important part of the Canadian Constitution

The Constitution is the supreme law of our country: it contains the country's basic rules of operation and defines the powers of the federal, provincial and territorial governments. With the *Constitution Act, 1982*, Canada took charge of its own destiny. The Act allowed for major additions to be made to the Canadian Constitution, including the *Canadian Charter of Rights and Freedoms*.

The Charter protects important freedoms and rights by limiting the ability of governments to pass laws or take measures that are discriminatory or could adversely affect human rights. This means that everyone is treated equally regardless of race, national or ethnic origin, colour, religion, sex, age, or mental or physical disability. Canadian courts are responsible for interpreting the Charter.

The fact that our rights and freedoms are part of the Charter means they are protected like the gold bars in the vaults of the Bank of Canada. Parliament cannot easily override the rights and freedoms guaranteed by the Charter. Laws, both federal and provincial, must comply with the principles set out in the Constitution.

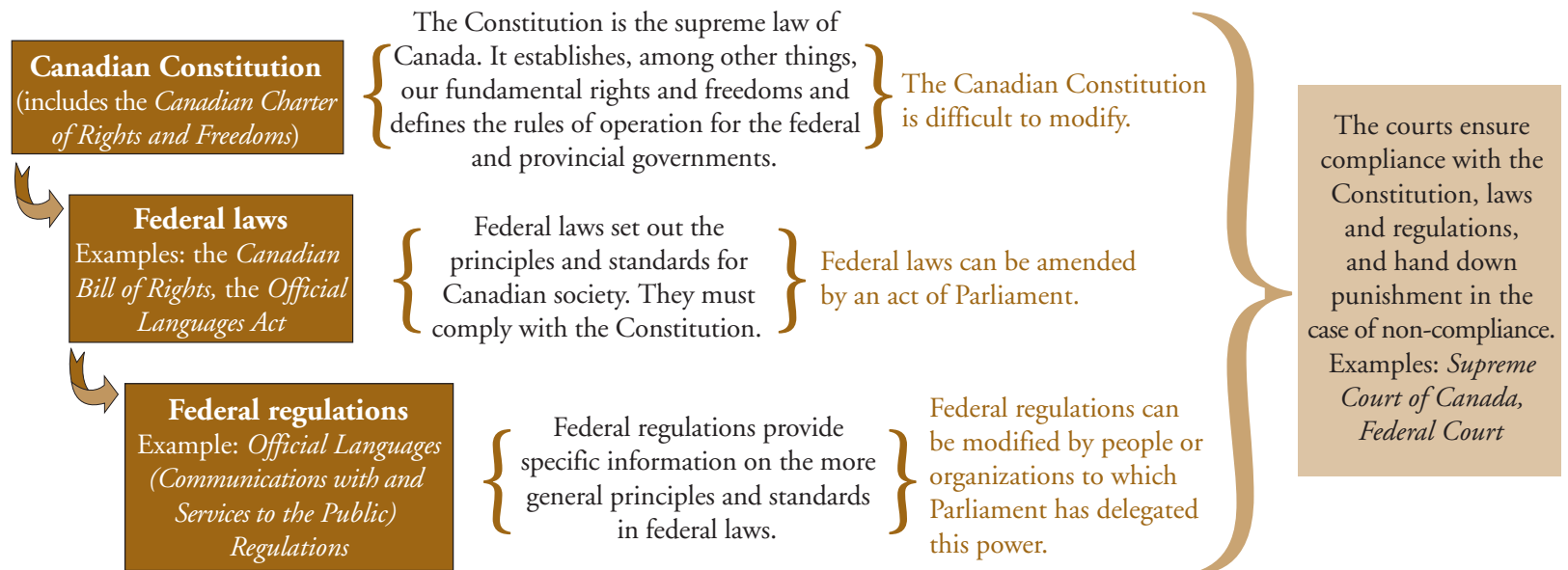
The main sections of the Charter are as follows:

Guarantee of Rights and Freedoms	Fundamental Freedoms	Democratic Rights
Mobility Rights	Legal Rights	Equality Rights
Official Languages of Canada	Minority Language Educational Rights	

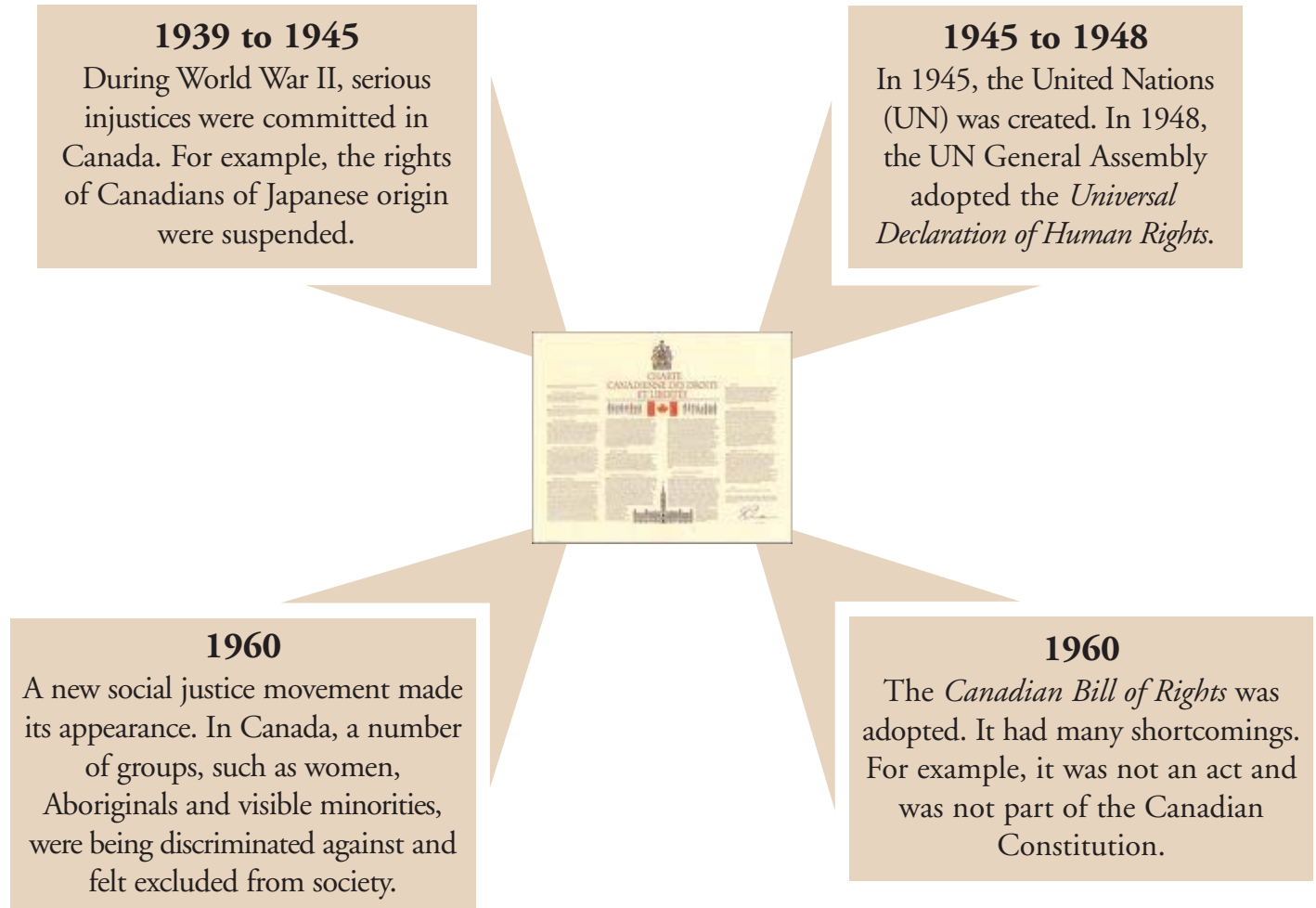
1.2 The Charter: Etched in our history

How did we come to adopt the *Canadian Charter of Rights and Freedoms*? Under the *Constitution Act, 1867*, the guaranteed rights of Canadian citizens were quite limited. However, Canadians inherited a strong tradition of rights and freedoms from the British Parliament.

In 1960, the Conservative government of John Diefenbaker adopted the *Canadian Bill of Rights*. The Prime Minister based it on the *Universal Declaration of Human Rights*, which was adopted in 1948. The *Canadian Bill of Rights* of 1960 had no more force than a simple law. Moreover, it applied solely to federal legislation and contained no provisions on official languages. That is why Prime Minister Pierre Elliott Trudeau felt that a constitutional declaration was needed to recognize the rights and the fact that Canada was founded on two distinct language groups.



1.3 Factors and events that led to the adoption of the Charter



2. Language rights under close scrutiny

The *Canadian Charter of Rights and Freedoms* protects our linguistic duality, or, in other words, the language rights of Canadians.

Highlights of the history of language rights in Canada

- 1867 The *Constitution Act, 1867* permits the use of English and French in Parliament and in the courts. The laws of Parliament and the legislature of Quebec are published in both official languages.
- 1927 Stamps become bilingual.
- 1936 Bank notes become bilingual.
- 1959 Simultaneous interpretation in Parliament begins.
- 1963 The Royal Commission on Bilingualism and Biculturalism begins.
- 1969 Parliament enacts the *Official Languages Act*. The same year, New Brunswick officially becomes a bilingual province.
- 1970 The Office of the Commissioner of Official Languages is created.
- 1982 The *Constitution Act, 1982*, which incorporates the *Canadian Charter of Rights and Freedoms*, is adopted. Language rights are strengthened.
- 1988 Canada's new *Official Languages Act* is adopted.
- 2005 The *Official Languages Act* is amended.

2.1 Is Canada officially bilingual? What does the Charter say about this?

The following provision of the *Canadian Charter of Rights and Freedoms* confirms the importance of linguistic duality and the equal status of Canada's two official languages.

English and French are the official languages of Canada and have equality of status and equal rights and privileges as to their use in all institutions of the Parliament and government of Canada. [subsection 16(1)]

Sections 16 to 20 guarantee the right of every individual to use the official language of his or her choice in Parliament, in some communications with the federal public service and in federal courts. Archives, legislation, reports and minutes of meetings are printed in both official languages and each version has equal force of law. The public also has the right to use English or French to communicate with the federal government in some situations.

Briefly put, sections 16 to 20 of the Charter officially establish the bilingual nature of institutions. That right existed prior to the adoption of the *Canadian Charter of Rights and Freedoms*, but since it did not have the force of law, Parliament could amend it more easily.

2.2 What Canadian provinces are officially bilingual?

The Charter recognizes the bilingual nature of only one province: New Brunswick.

English and French are the official languages of New Brunswick and have equality of status and equal rights and privileges as to their use in all institutions of the legislature and government of New Brunswick. [subsection 16(2)]

The Canadian Constitution protects the language rights of New Brunswickers. As a result, every resident of that province has the right to use English or French in the province's legislative assembly. New Brunswickers also have the right to receive services from the provincial government in the official language of their choice.

2.3 **Are language rights protected in the other provinces?**

Language rights vary greatly from one province and territory to the next. At the time of Confederation, Quebec and Manitoba recognized some language rights. New Brunswick was the first province to encourage linguistic duality by passing the very first *Official Languages Act* in 1969.

In 1977, the Quebec government enacted the *Charter of the French Language* (often referred to as Bill 101). This legislation makes French the official language of the province; however, it also recognizes some rights of the Anglophone minority, such as the right to use either English or French before the courts of Quebec, and obligates the province to print and publish its laws in both official languages.

Today, all provinces except British Columbia and Newfoundland and Labrador have passed legislation or adopted language policies that promote the recognition of official languages or the provision of services in French.

The following Web pages contain more information on provincial policies:

- www.parl.gc.ca/information/library/PRBpubs/prb0638-e.htm#appendix
- www.canada.justice.gc.ca/en/ps/franc/enviro/chapter1.html

2.4 **Do the language rights in the Charter have an impact on Canadian society?**

The *Canadian Charter of Rights and Freedoms* has reinforced language rights in Canada and created a new dynamic with regard to respecting the language rights of Canada's Anglophones and Francophones. Bilingualism is making headway and young Canadians benefit from this linguistic duality in their day-to-day lives. A sense of pride has spread across the country. Learning both official languages helps to break down cultural barriers and fosters openness to others, understanding and mutual respect.

2.5 What is the role of the Office of the Commissioner of Official Languages?

The Office of the Commissioner of Official Languages was created in 1969 with the adoption of the first *Official Languages Act*. Its mission is to protect the language rights of Canadians. The Act proclaims that English and French have equality of status and equal rights and privileges as to their use in all institutions of the Parliament and government of Canada. A new *Official Languages Act* was passed in 1988, and the Act was amended in 2005 to remind federal institutions of their duty to take positive measures to ensure the development of official language communities and to foster full recognition and use of both English and French.

In 2006, the Prime Minister of Canada, Stephen Harper, nominated Graham Fraser for the position of Commissioner of Official Languages. He has been appointed for a seven-year term and reports directly to Parliament. Graham Fraser has been interested in linguistic duality all of his life. Before becoming Commissioner, he worked as a journalist for the *Toronto Star*, *Maclean's*, the *Montreal Gazette* and the *Globe and Mail*. He has often been asked to speak on various matters related to official languages across the country.

The Commissioner's mandate is to enforce the *Official Languages Act*. This law confers on him two major roles: protection and promotion.

In his protection role, the Commissioner investigates complaints filed by citizens who feel their language rights have been violated. He also works preventively by monitoring the extent to which federal institutions are complying with the *Official Languages Act*. In addition, he occasionally intervenes before the courts in cases that deal with the status and use of English or French.

In his promotion role, the Commissioner works to forge links between federal institutions, official language communities and the different levels of government in order to help them better understand the needs of official language communities, emphasize the importance of bilingualism and highlight the value of respecting Canada's linguistic duality. In concrete terms, the Commissioner fulfills his promotion role by conducting research, studies and public awareness activities as well as by intervening with senior officials to ensure that their decisions have a positive effect in the area of official languages.

The Web site of the Office of the Commissioner of Official Languages, at www.officiallanguages.gc.ca, contains more information on the role of the Commissioner.

2.6 Do students have the right to attend school in either official language anywhere in Canada?

The question of the language of instruction of children, whether in English or in French, has always been a matter of concern in Canada. Section 23 of the *Canadian Charter of Rights and Freedoms* obligates the provincial governments to provide instruction in the minority language of that province where numbers warrant.

In all provinces (except Quebec) and territories, parents can have their children educated in French if they meet any of the following criteria:

- Their mother tongue of one of the parents is French;
- One of the parents received his or her own primary school instruction in Canada in French;
- One of the parents has a child who has received or is receiving his or her instruction in Canada in French.

In Quebec, parents have the right to have their children educated in English:

- if one of the parents received his or her own primary school instruction in Canada in English;
- if one of the parents has a child who has received or is receiving his or her instruction in Canada in English.

2.7 **Is bilingualism spreading?**

In this era of globalization, Canada is giving bilingualism a new face. English and French are anchored in the Canadian identity, an identity that is further enhanced by Canadian multiculturalism. Canadian society is becoming more diverse, which is fostering openness. New Canadians can therefore become members of our bilingual society while sharing their own cultures.

“Today, we have two official languages that are spoken, taught and learned from coast to coast to coast. Canadian society is increasingly diverse as both official language communities welcome among their midst new Canadians who choose to become members of one or both of these communities.”

Graham Fraser, Commissioner of Official Languages
Speech delivered on August 14, 2007, at the Canadian
Bar Association’s Canadian Legal Conference

3. Teaching activities

3.1 Discussion on the video

Use the following statements to have a discussion on the meaning of bilingualism in Canada. The statements have been taken from the video *One Charter, Two Languages, A Thousand and One Voices*.

Bilingualism is relative to wherever you're from. There's by no means one uniform definition of bilingualism.
[Kate Stokes, 20 years old, Sidney, British Columbia]

If Canada didn't recognize these two languages, I wouldn't have the privileges I have.
[Brigitte Noël, 22 years old, Sturgeon Falls, Ontario]

I would like my kids to learn all the languages that I learned because I believe having more than one language is a huge asset and it's something that should not be lost.
[Ramy Sonbl, 19 years old, Alexandria, Egypt]

Speaking English opens doors for me. It allows me to see things differently. [Myriam Castonguay, 19 years old, Gatineau, Quebec]

I'm so proud to be Acadian, it's a big part of my identity. When I just spoke English and did everything in English, I felt like a part of me was missing.
[Amy Morris, 27 years old, Yarmouth, Nova Scotia]

It's important to protect language rights because there will always be a language in a minority situation.
[François Picard, 22 years old, Alma, Quebec]

You can make connections with other Canadians based on things such as music, cinema, art, and always get along with these people and learn so many different things from so many different people.
[Joel Guénette, 23 years old, Saint-Boniface, Manitoba]

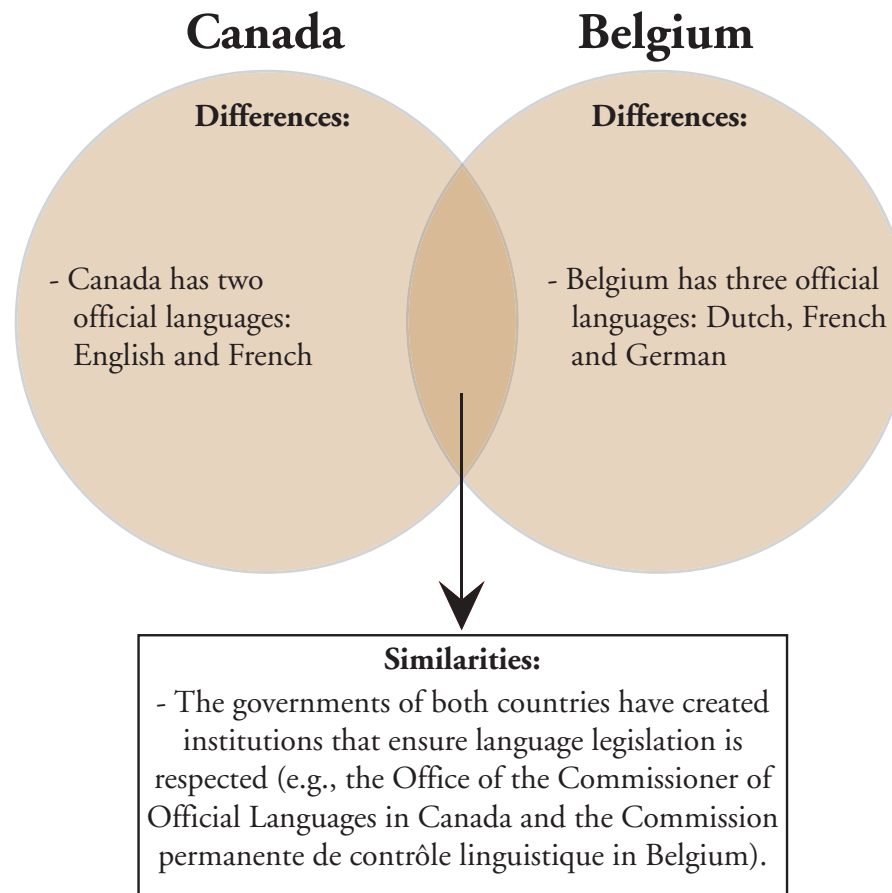
I've learned the French language, but I've always kept my English culture.
[Marcie Maclean-McKay, 19 years old, Magdalen Islands, Quebec]

3.2 Learning activities

1. Ask students to write an article for the school newspaper or Web site emphasizing the importance of both official languages in their day-to-day lives.
2. Invent a Charter path featuring people who have worked to protect language rights in Canada. The students can create plaques to commemorate Canadians and events that marked the protection of language rights.
3. Ask students to develop a public service announcement promoting language rights. It should make young Canadians aware of their language rights.
4. Create an “Historica Minute” about an important moment in history related to language rights (e.g., the adoption of the *Official Languages Act*, the Royal Commission on Bilingualism and Biculturalism, the creation of the Office of the Commissioner of Official Languages). Students can watch a few Historica Minutes at the following Web site for ideas:
www.histori.ca/minutes/default.do?page=.index.
5. A *vox populi* or *vox pop* is one way of getting people’s opinions on a given topic. Ask students to create a *vox pop* on bilingualism in Canada. They can use the video *One Charter, Two Languages, A Thousand and One Voices* for ideas on questions to ask the school’s students. Present the *vox pop* during the Semaine de la Francophonie.

6. Present students with the following situation: “HistoriCanada’s publishing director offers you the position of editor-in-chief for a special edition on the *Canadian Charter of Rights and Freedoms*. You agree to take up the challenge. The director of the magazine gives you a list of topics to be included in the publication.” Form teams of three to four people and ask the students to write:
 - a biography of the father of the *Canadian Charter of Rights and Freedoms*, Pierre Elliott Trudeau;
 - a biography of a public figure who contributed to language rights in Canada (André Laurendeau, David Dunton, F. R. Scott, Jean-Robert Gauthier, Keith Spicer, Graham Fraser);
 - an opinion piece or editorial on the protection of language rights in Canada (e.g., the importance of language rights in Canada, the consequences of not protecting those rights in the Charter).
7. Ask students to invent a board game on the Charter and, more specifically, language rights (e.g., Reach for the Top, Jeopardy).
8. Ask students to create an illustrated timeline that shows the important events in the history of bilingualism in Canada or language rights in their province.
9. Hold a class debate. Here are some suggested topics:
 - All Canadian students should go to bilingual schools.
 - A democratic country has no need for a charter of rights and freedoms.
 - Canada should be a unilingual country.
 - Jobs in the federal government should be filled by bilingual people.

10. Give students an opportunity to research another country that grants legal and constitutional protection to more than one language (e.g., Ireland, Belgium, Rwanda, Haiti). Then ask the students to compare the language rights of the people of those countries with those of Canadians, using a Venn diagram (see below).



11. Ask students to draw or decode a caricature depicting a major struggle related to language rights in Canada. For more information on decoding political caricatures, visit the following Web sites:

- www.collectionscanada.ca/education/008-3050-e.html
- www.actualiteenclasse.com/fiches/103.html (French only)

12. Throughout their history, minority language communities have obtained recognition of their rights after many struggles, but there are still challenges to overcome. Get the students to work in teams and list what has been gained and, the challenges that remain. Ask them to find an original way of presenting their work to the group.

Rights Gained	Remaining Challenges
<p>Example: Canadians can address federal courts in the official language of their choice.</p>	<p>Example: There is a shortage of workers in some legal areas that can provide services in the language of the minority.</p>

13. Invite students to prepare a photo essay using illustrations or photos, and data pertaining to the adoption of the *Canadian Charter of Rights and Freedoms* and the recognition of language rights. Students should find at least four illustrations or photos recalling important events and write a paragraph describing each one. The students could present the illustrations or photos and their descriptions in an album with a catchy title.

- 14.** Read Pierre Elliott Trudeau’s speech given during the patriation of the Constitution and the coming into effect of the *Canadian Charter of Rights and Freedoms* with the students. See the following Web site: www.collectionscanada.ca/primeministers/h4-4024-e.html.

Ask students to write a new conclusion to the speech or a new speech that Pierre Elliott Trudeau would have given to students of their age.

- 15.** Ask students to write a letter to the Commissioner of Official Languages sharing their views on the protection of language rights in Canada in the 21st century.
- 16.** Invite a senior citizen to come speak about his or her experience of linguistic duality and the challenges associated with it.
- 17.** Get students to interview someone who has immigrated to Canada and ask him or her to talk about becoming a member of Canadian society and the language communities.
- 18.** Organize a virtual rally related to the important events in the development of language rights in Canada. Prepare questions using the following Web sites:
- www.pch.gc.ca/progs/lo-ol/biling/hist_e.cfm
 - www.radio-canada.ca/actualite/desautels/2007/02/01/002-bilinguisme-accueil.asp (French only)
- 19.** Hold a conference entitled *The future of language rights—Where are we now?* Assign a province, territory or organization (Francophone or Anglophone) to each student. Specify that they will have to represent that province, territory or organization during the conference. Each student should be entitled to take the floor at least once and express his or her views (e.g., observations, successes, challenges, resolutions) to the group. Rearrange the classroom for the conference and encourage dialogue, respect and the exchange of ideas throughout the activity.

- 20.** Read the following scenario: “Your school has chosen you to meet with the Commissioner of Official Languages. Prepare a list that you will present to him of at least five recommendations to help promote linguistic duality in Canada”.
- 21.** Linguistic duality is one of the cornerstones of Canadian identity. Ask the students to prepare a chart showing which language rights are guaranteed in the Constitution and give examples of their usefulness in everyday life (e.g., I can present a petition in my first language to my member of Parliament).

3.3 Case studies

- a) Your friend François is visiting you from Belgium. He’s very interested in Canada and would like to learn more about linguistic duality. He wants to know how language rights are guaranteed in Canada. What would you tell him?
- b) As a member of your school’s parliamentarian club, you are keenly interested in political life and the various Canadian bills. You have something to say about a particular bill, so you decide to make a submission to the appropriate parliamentary committee. Do you have the right to testify in French? What section of the Charter deals with your rights?
- c) John Smith of Québec City has to appear in provincial court. His official language is English. Is he entitled to be heard by a judge who understands his language? Why?

3.4 Discussion topics

- What questions would you have asked Pierre Elliott Trudeau if you had had an opportunity to meet him in 1982?
- What young people's comments in the video entitled *One Charter, Two Languages, A Thousand and One Voices* struck you the most? Do you share any of the opinions expressed by those young people? If so, which ones?
- Why is it important to respect both official languages?
- What activities can we organize at school or in the community to promote and enforce our linguistic duality?
- Throughout their history, minority language communities have obtained recognition of their rights after many struggles, but there are still challenges to overcome. What are the policies and legal bases that allow Anglophones in Quebec to receive services in English today? Talk about the contributions of institutions that provide services to the Anglophone minority in Quebec.

3.5 Theme-based projects

1. Tell students that they will take part in a conference entitled *Language Rights in Canada: Successes and Challenges*. Divide the class into 13 teams and assign a province or territory to each team. At each stage of the activity, ask the students to choose a secretary and spokesperson.

Step A

Ask the teams to discuss language rights in the province or territory that has been assigned to them. The teams will be required to search the Internet for information on:

- laws that have been adopted
- organizations
- success stories
- cultural activities
- education

Ask each team to share their research with the class.

Discuss the similarities and differences between the provinces and territories.

Step B

Ask the teams to discuss the challenges that minority-language groups have had to overcome or must now overcome in order to make a place for themselves in the province. Ask each team to present their ideas to the class. Discuss as a group and encourage dialogue and respect for other's opinions during the course of the conference.

Step C

Ask teams to discuss the integration of new Canadians into Canadian linguistic duality (e.g., ways to encourage their integration, challenges to overcome, future). Ask teams to present a brief summary of their discussion to the class. Discuss as a group.

2. Tell students that they are going to research a public figure who has promoted language rights in Canada. Students should then prepare a fictional interview based on the information gathered during their research. Ask students to work in pairs.

a) Assign a different public figure to each pair of students. For example:

- William Johnson
- F. R. Scott
- Graham Fraser
- Jean Chrétien
- Michel Bastarache
- André Laurendeau
- Lester B. Pearson
- Dyane Adam
- Daniel Cœurrier
- Brent Tyler
- David Dunton
- Brian Mulroney
- Father Léger Comeau

b) Ask students to research the public figure and fill in the following chart:

Information Chart
Name of public figure:
Career highlights:
Contribution to the promotion of language rights:

- c) Ask students to write some questions and answers for an interview using the information they found during their research.

Questions	Answers
1.	
2.	
3.	
4.	
5.	

- d) Ask students to prepare their interview and use visual aids (e.g., costumes).

4. Glossary

Act or law:

A rule established by a sovereign authority (e.g., Parliament).

Assimilate:

Incorporate one group into the culture of another group.

Bilingualism:

A situation in which a country has two official languages. The ability to speak two languages. The result of learning two languages.

Bill:

A text submitted to Parliament that goes through several stages (debate, modification, adoption, etc.) before becoming a law.

Canadian Charter of Rights and Freedoms:

Part of the Constitution that sets forth the fundamental rights and freedoms of Canadians.

It protects these rights and freedoms from the actions and the laws of governments and promotes the values that underlie these rights.

Claim:

The act of demanding a right.

Constitution:

The supreme law of a country that determines, among other things, the country's form of government and its citizens' rights.

Globalization:

The liberalization of trade restrictions at the global level.

Legacy:

What one generation hands down to future generations; heritage.

Multiculturalism:

The co-existence of several cultures within a single country.

Override:

To act in contravention of a law.

Parliament:

The assembly, or set of chambers, that wields the federal legislative authority. Includes the House of Commons and the Senate.

Patriation of the Canadian Constitution:

British Parliament's relinquishment in 1982 of all constitutional and legislative ties to Canada, giving Canada full political independence.

Policy:

A general statement or statement of principle that outlines the actions of a public or private organization in a given field.

Regulation:

A text that provides specific information on the more general principles and standards contained in laws.

5. Other resources

Publications

BUCKINGHAM, Donald E., Carolyn MARCOTTE, et al. *Learning About Law*. McGraw-Hill Ryerson School, 1996, 564 p.

LANDRY, Rodrigue. *Éducation et droits collectifs : Au-delà de l'article 23 de la Charte*, Moncton, Les Éditions de la Francophonie, 2003, 208 p.

Web sites

Canadian Charter of Rights and Freedoms. Teacher Resources.
www.charterofrights.ca/en/19_00_04

Canadian Heritage. *History of Bilingualism in Canada*.
www.pch.gc.ca/progs/lo-ol/biling/hist_e.cfm

Canadian Heritage. *Your Guide to the Canadian Charter of Rights and Freedoms*.
www.canadianheritage.gc.ca/progs/pdp-hrp/canada/guide/index_e.cfm

Department of Justice Canada. *Canadian Charter of Rights and Freedoms*.
http://laws.justice.gc.ca/en/charter/const_en.html

Éducaloi. *Language rights in Canada*.
<http://www.educaloi.qc.ca/en/loi/citizens/318/>

Historica – *The Canadian Encyclopedia*.
www.thecanadianencyclopedia.com

La Constitution canadienne : dispositions linguistiques.
www.tlfq.ulaval.ca/AXL/amnord/cndconst.htm (French only)

Library and Archives Canada. *First Among Equals: The Prime Minister in Canadian Life and Politics*.
www.collectionscanada.ca/2/4/index-e.html

Société Radio-Canada. *Les Canadiens et le bilinguisme*.
www.radio-canada.ca/actualite/desautels/2007/02/01/002-bilinguisme-accueil.asp (French only)

The Great Names of the French Canadian Community.
<http://franco.ca/edimage/grandspersonnages/en/index.html>