

Highlights from the *Canadian Charter of Rights and Freedoms*

	Highlights	Examples
<b>Fundamental Rights</b>	Fundamental rights include the freedom of conscience and religion*; freedom of thought, belief, opinion and expression including freedom of the press and other media**; freedom of peaceful assembly***; and freedom of association****.	You cannot be punished for your religious beliefs.
<b>Democratic Rights</b>	Democratic rights include the right for every Canadian, 18 years of age or older, to vote in an election, to be a candidate in an election and the requirement that governments hold elections at least every five years and that the elected representatives comprising them meet at least once per year.	You can run for political office and vote when you turn 18.
<b>Mobility Rights</b>	Mobility rights include the right of every Canadian to choose to live and work in any province or territory in Canada. Canadians also have the right to live in, leave, or re-enter Canada whenever they choose.	You can visit another country and come back when you choose.
<b>Legal Rights</b>	Legal rights include the guarantee that Canadians, when arrested, must be told of their right to see a lawyer and must be tried within a reasonable amount of time. Canadians are also guaranteed the right to be presumed innocent until proven guilty.	You will receive a fair trial if you are accused of a crime.
<b>Equality Rights</b>	Equality rights include the right of any Canadian not to be discriminated against on the basis of race, national or ethnic origin, colour, religion, sex, age, or mental or physical ability.	You cannot be excluded from an activity because of a disability.
<b>Official Languages of Canada</b>	This includes the right of all Canadians to use either English or French in communications with Canada's federal government and some of Canada's provincial governments.	You can send a letter to your Member of Parliament in English or French.
<b>Minority Language Education Rights</b>	This includes the right of French or English minorities in every province and territory to be educated in their own language.	You can attend an English or French school based on your language anywhere in the country (with some exceptions, depending on the province or territory).

\* Canadians are free to worship in the religion of their choice or to not worship at all.

\*\* Unless the media report something that is untrue, the media cannot be prevented from reporting anything that happens inside Canada.

\*\*\* Canadians can meet as a group in private or public provided that the meeting is non-violent and peaceful.

\*\*\*\* Canadians have the right to associate or befriend anyone they choose and the government does not have the right to limit these associations.

## History of Voting Rights in Canada

The following provides some important events regarding the history of voting rights in Canada.

### British North America — Only Affluent Men May Vote (1758-1866)

In the beginning, only wealthy men could vote. To be able to vote, you had to own property or other expensive belongings. You could also vote if you paid a certain amount in yearly taxes or rent. Only a small number of people met these requirements. Women and many religious and ethnic groups were not allowed to vote.



*Nellie McClung, activist for women's suffrage and one of Canada's first female elected politicians.*

### Extending the Right to Vote to Women (1867-1919)

Starting in the 1870s, women campaigned with petitions, speeches and public protests for the right to vote. Even though politicians were uncooperative and many people disagreed, these women received the support of powerful organizations and managed to have bills introduced in provincial legislatures. When the bills were defeated, they persisted and had them reintroduced over and over until they were successful. Manitoba was the first province to extend the vote to women in 1916 and other provinces followed in the coming years. By 1918, women had the same right as men to vote in federal elections.

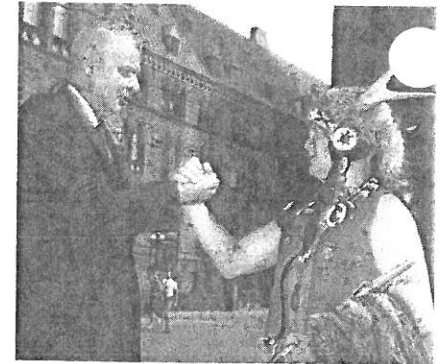
### Making the Vote Universal (1920-1960)

The right to vote became widespread with the 1920 *Dominion Elections Act*, but unfairness remained. Aboriginal People and people of Chinese origin were still unable to vote. Canadian citizens of Japanese origin were at one time denied the right to vote, even if they had served in the Canadian military during the war. Aboriginal People could only vote if they gave up their treaty rights and registered Indian status. Various religious groups were also treated unfairly. The last restrictions were removed in 1960 after much political debate.

### Accessibility for All (1961-1997)

A variety of steps were taken to make voting even more available and easy for all voters, including people with disabilities and those unable to go to their polling place on voting day.

- Employers were required to provide their staff with enough time off during the work day to vote.
- Voting hours were extended.
- Advance voting and voting by mail were introduced, at first on a limited basis but ultimately made available to any voter. Voting by mail is used by students living away from home, travelling vacationers, business people, incarcerated electors, and those temporarily living outside the country including members of the Canadian Forces and public servants.
- Level access for people in wheelchairs was provided at polling places, and accessibility criteria were developed to help choose polling places.
- Mobile polls were introduced to visit various institutions to collect the vote.
- Voter information was made available in both official languages and in some Aboriginal and other ethnocultural languages. Additionally, information programs were put in place to make the referendum and election process better known to citizens, particularly those persons and groups most likely to experience difficulty in exercising their democratic rights.
- New voting tools and services were offered to meet the diverse needs of Canadians, including magnifiers to help read ballots, tactile and braille voting templates, large-print lists of candidates, braille lists of candidates, and sign-language interpretation.



*Prime Minister John Diefenbaker oversaw the extension of the right to vote to Aboriginal People in 1960.*

### Charter Challenges (1982 to 2004)

Following the adoption of the *Canadian Charter of Rights and Freedoms*, several groups challenged the *Canada Elections Act* to receive the right to vote.

- About 500 federally selected judges became eligible to cast ballots in federal elections in 1988 after a court determined that the related election law was in conflict with the Charter's guarantee of the right to vote.
- In 1988, the Canadian Disability Rights Council argued in a Charter challenge that election laws should not disqualify people who have a mental illness. In 1993, Parliament removed this disqualification.
- Since 1982, inmates of several penal institutions have relied on the Charter to establish through the courts that they should be able to vote. In 1993, Parliament removed the disqualification for prisoners serving sentences of less than two years. Although the legislation has not been amended for prisoners serving more than two years, the Supreme Court of Canada in 2002 ruled that prisoners serving terms of more than two years could not be disqualified from voting. Therefore they have been able to cast ballots since 2004.

Source: *History of the Vote*