

Mr. Aldunate

Review

Fill in the blanks.

An example of a constitutional convention would be the _____

The Constitution Act (1867) was formerly known as the _____

The 1931 Statute of Westminster granted Canada full authority over its _____.

The term _____ refers to bringing home the constitution. Canada had hard time doing so because the provinces could not agree on an amending formula

Trudeau was able to force the provinces to negotiate an agreement on constitutional reform by threatening to do it alone without the consent of the _____.

Such an act by Trudeau would be against constitutional conventions and therefore the courts _____ (could/could not) force Trudeau to follow the convention

The original four provinces that united under the terms of the BNA act were _____, _____, _____, _____.

Canada's Constitution is a " _____ " document.

The responsibilities and powers of government institutions such as the executive branch can be found in nation's _____.

One of the problems of the BNA ACT, 1867 was that it didn't guarantee _____. That is one of the reason why the _____ was added in 1982.

Sections _____, _____, _____ of the Constitution Act(1867) outline the distribution of _____ powers of the _____ and _____ governments.

One way the federal and provincial governments avoided arguing their case in the British Parliament was through the use of _____ agreements.

The question of who had legislative power over _____ was another weak point of the BNA Act, 1867

The federal government is responsible for _____, _____, _____ (list three)

Section 93 of the BNA act gives the provinces power over _____.

Certain matters of authority not specifically mentioned in the BNA Act (1867) are assigned to the general categories that deal with similar matters. This is called _____

The Canadian Constitution grants the federal government powers not specifically given to a particular level of government. This is called _____

The principle of _____ allowed equal access to essential services for all Canadians.

The following freedoms are all part of section _____ of the Charter and are known as our _____ freedoms (freedom of conscience and religion thought, belief, opinion, and expression, peaceful assembly, association)

The Charter deals with discrimination practiced by _____ and its agencies.

The right to life, liberty and security of the person can be found in section _____ other which is part of our _____ rights

According to s.1 of the Charter our rights and freedoms can be limited by other laws if those limits can be shown to be reasonable in a _____ and _____ society

The Bill of Rights (1960) was _____ law and therefore considered weak because it could be easily _____ by any governing power. Also it only applied to laws at the _____ level. In addition it did not take _____ over other statute laws.

The BNA Act 1867 and the Charter of Rights and Freedoms are part of the _____

- How is the constitution “unwritten” and “written”. Give some examples
- The BNA Act
 - Division of powers
 - Implicit Powers
 - Residual powers
- The story of the patriation of the Constitution
- The amending formula
- How the constitution can be seen as a “living” document
- Importance of the Statute of Westminster
- Outline the limitations and criticisms of the Bill of Rights, 1960

Charter:

- Be able briefly discuss some of the rights and freedoms
- explain the key sections of Canadian Charter of Rights and Freedoms, including:
 - fundamental freedoms;
 - democratic rights;
 - legal rights;
 - equality rights
- understand and be able to defend the effectiveness of the Charter of Rights and Freedoms;
- understand and explain the need for various limitations placed on the rights and freedoms provided under the charter, including:
 - the "reasonable limits" clause (and the associated proportionality test - Section #1);
 - qualified rights
 - the "notwithstanding" clause (Section #33).
- understand the role which the Supreme Court of Canada plays in enforcing the Charter of Rights and Freedoms.
- Parliament supremacy
- Judicial activism

Know these cases!

- Oakes
- Zylberberg v. Director of Sudbury Board of Education
- Big “M” Drug Mart
- Keegstra case
- R. V Morgentaler
- The Vriend Case
- M v H
- Plessy V Ferguson case
- Brown v. Board of Education of Topeka