

CHARTER RIGHTS ACTIVITY - Elleanna and Yael

With a partner,

1. Read the article which outlines a significant case involving *Charter* rights.
2. Complete the following organizer :

LIST THE FACTS

*Make a list of the **RELEVANT** facts. Summarize the facts details of the case:*

- Only a tiny fraction of Muslim women go about veiled.
- Some Muslim women display beliefs that run counter to ideals about equality between men and women.
- It reflects a view of women that we as Canadians don't accept.
- We want women to be full and equal members of society, and they go against it.
- Where does the conservative get off denying otherwise qualified people citizenship without the benefit of debate in parliament and appropriate legislation?
- Supreme Court is weighing the case of a Muslim woman who wants to wear a niqab in court as she testifies against relatives, who she says sexually assaulted her.
- In a courtroom, a woman's right to cover her face must be weighed against the accused's right to fair trial.
- High court is giving consideration to cultural accommodation, even when the immigration ministry brushes it aside, in a situation where no one else's rights are at stake.
- The Harper government has never seen a Muslim veil it doesn't want to ban.
- Kennedy thinks it is reasonable that Muslim women should be forced to show their own faces when they vote.

IDENTIFY THE SPECIFIC LAWS from the CHARTER OF RIGHTS AND FREEDOMS APPLICABLE TO THE CASE

*Right of Religion
Equality rights*

ARGUMENTS/FACTS IN SUPPORT OF THE INDIVIDUAL WHOSE RIGHTS HAVE BEEN VIOLATED	ARGUMENTS/FACTS IN SUPPORT OF THE ALLEGED VIOLATORS OF RIGHTS
<ul style="list-style-type: none"> - Only a fraction of Muslim women go about veiled. - A woman has a right to cover their face. - Have the right to swear the oath, unveiled before a woman judge before approaching the man. - Right of belief that differs from others. 	<ul style="list-style-type: none"> - Reflects ideas that we don't believe in. - Unrecognizable with veil. - The accused has the right to a fair trial. - Unveils for usual things (to obtain passports), but will not unveil for the oath. - We believe in equality in men and woman, and the idea of a veil is controversial in itself.
FINAL DECISION OF THE COURTS – What do you think it should be? Why?	
<p>A woman who chooses to be veiled should unveil herself for the short time that it takes to say the oath. If she is against this, she has the right to unveil herself before women judges, in private, or before a male judge if they are willing. There are no cases in Canada where women have refused to show their faces to obtain passports, driver's licences, etc., So they should be able to remove it for a short time for the judges in the way they choose.</p>	

WHAT DID THE COURTS ACTUALLY DECIDE?
WHAT PRECEDENT DID THE COURTS SET?

In 2011, the courts banned the niqab. Women would have to take off their veil while taking the citizenship oath, and through the ceremony. Two women decided not to go through with the oath under these conditions. Since then, it has become controversial, and critics say it's unlawful. In a later decision, they usually have to take off their veils for judges, but through the ceremony they are allowed to keep them on.

Drivers Licence?

3. Present your findings to the class