



LES CHARTES

By Anne-Gaëlle Weber

Quebec has its own distinct approach and Charter.

“Quebec finds itself all alone.” That’s what Quebec Premier René Lévesque said to the media on November 5, 1981, the day after the “night of the long knives” when the rest of Canada signed the new Constitution without him. This memory, which is still painful for some Quebecers, partly explains why Quebec has never signed on to the Canadian Charter of Rights and Freedoms.

The Charter still applies to Quebec, but the province had already passed its own Charter of Human Rights and Freedoms in 1975. It dealt with many of the same things, while including some unique items. For instance, it mentions children, specifying that “Every child has the right to the protection, security and attention that his parents or the persons acting in their stead are capable of providing.”

The Canadian Charter of Rights and Freedoms has already been challenged in its application in Quebec. For example, some consider that Bill 21 in Quebec (*An Act Respecting the Laicity of the State*) is contrary to the Canadian Charter, which guarantees religious freedom. “Laicity” means something is not under religious control or direction. Quebec has defended itself by using the notwithstanding clause of the Canadian Charter.

Despite these controversies, most Quebecers view the Canadian Charter positively, as it protects values, rights and freedoms that are important to them.