

The Canadian Charter of Rights and Freedoms continues a strong Canadian tradition of protecting civil liberties. Prior to the Charter, federal legislation was reviewable by the 1960 Canadian Bill of Rights. And, prior to that, many civil liberties were protected by other means, most notably by the "implied bill of rights" jurisprudence.

The number of internet sites on civil liberties is staggering. However, they are mostly American, and the Canadian constitutional scholar should be cautious of importing American concepts to Canadian practice. Some debates, such as the debate by Westen et al. concerning "The Empty Idea of Equality" [pp. 678-686 of the text] make considerable sense when reviewed in its American context. However, the drafters of the Canadian Charter of Rights and Freedoms used different words in our equality provisions, notably referring to equality "without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability." Therefore, Westen's concerns about the circularity and lack of content to words such as "people who are alike should be treated alike" are not that applicable, except to feed one's intellectual appetite. Nonetheless, this website attempts to provide a general overview for the constitutional scholar on the Canadian Charter of Rights and Freedoms with a Canadian outlook. In particular, the following pages may be of interest to the constitutional scholar:

- [Syllabus](#)
- [Topics](#)