



Canada's Constitutional Documents

An essay using the *Canada in the Making* site

Teacher Guide

The history of the written Canadian Constitution is a process that could be described as an evolution. Sometimes dramatic events have spurred changes in legislation, which have in turn shaped future events. Ultimately, this led to the Constitution that Canadians enjoy today. This activity will give students the opportunity to analyze one major constitutional document and the events surrounding it. In doing so, they will examine primary sources (historical documents) and draw conclusions from evidence. They will write an essay and may prepare a presentation of their findings.

Subject/Grade

Social Studies (History) and Language Arts
Ages 15 and up

Overview

This is an essay requiring that students become familiar with one document in Canada's constitutional history. It is an independent activity and should take between three and four hour-long sessions for research.

Note that the sources used in ECO can be printed from the browser and then photocopied.

Outcomes (WCP, APEF) Expectations (ON) Objectives (QC)

See the [table and the summaries](#) for each province.

Materials/Resources Required

Computers with Internet access
(Extension) Materials for a presentation:

- Traditional print materials (card, paper, markers) **or**
- Multimedia tools (PowerPoint, overheads)

Student Work Sheet
Suggested Assessment Criteria

Links

Early Canadiana Online: *Canada in the Making*
<http://www.canadiana.org/>
Essay writing resources can be found in the *Writing An Essay* unit on ECO:
URL: http://www.canadiana.org/eco/lesson_plans/topictoconc.htm
Other links can be found in the Student Work Sheet.

Previous Knowledge

Students will need

- An understanding of Web navigation symbols, tools and terminology, particularly the tools used in ECO.
- Familiarity with research and essay writing skills.
- A basic understanding of the basic shape of Canadian history, especially from the 18th century on.

Lesson Opener

Ask students what is the biggest issue in governing Canada today. Possibilities include: separatism, regionalism, division of powers between levels of government, etc. Discuss:

- How long do they think it has existed?
- How did this problem come about?

Draw them to the conclusion that the issues we face today have deep roots that can be traced back in history.

Procedure

Step 1

Hand out Student Work Sheets and introduce students to the *ECO Canada In the Making* Web site. Read the assignment and discuss.

Step 2

Each student picks a particular document to examine. They may look at background material on the ECO site or other sites.

Step 3

Students search for the required information for each document. They should discuss answers and try to make balanced comments about the documents. It may be efficient for groups working on the same document to conduct research together. Extra credit could be given for comments about the documents not specifically identified on the Student Work Sheet.

Summary

Review consensus: Considering the shape of Canada and its politics today, which document has the greatest impact on:

- The status of Quebec?
- Provincial-federal relations?
- Individual rights and freedoms?

Evaluation

See the Suggested Rubric.

Homework/Extension

When all information has been gathered, drafted, reviewed and printed as a final draft, groups could make short presentations to the class using various presentation media (e.g.: posters, PowerPoint, role playing, interviews, etc.)



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You will need to choose one of the documents below and conduct research using the following documents available through the *Canada in the Making* site or other sites:

1. The **Articles of Capitulation**, Montreal, 1760
URL: http://www.canadiana.org/citm/themes/constitution/constitution5_e.html
2. The **Royal Proclamation, 1763**:
URL: http://www.canadiana.org/citm/themes/constitution/constitution6_e.html
3. The **Quebec Act, 1774**:
URL: http://www.canadiana.org/citm/themes/constitution/constitution7_e.html
4. The **Constitutional Act, 1791**:
URL: http://www.canadiana.org/citm/themes/constitution/constitution8_e.html
5. The **Union Act, 1840**:
URL: http://www.canadiana.org/citm/themes/constitution/constitution11_e.html
6. The **British North America Act, 1867**:
URL: http://www.canadiana.org/citm/themes/constitution/constitution13_e.html
7. The **Statute of Westminster, 1931**:
URL: http://www.canadiana.org/citm/themes/constitution/constitution15_e.html
8. The **Constitution Act, 1982**:
URL: http://www.canadiana.org/citm/themes/constitution/constitution16_e.html
9. The **Meech Lake Accord** of 1987 and the **Charlottetown Accord** of 1992:
URL: http://www.canadiana.org/citm/themes/constitution/constitution16_e.html

For each of these documents, you will need to research and present information all of the following, as applicable:

- **The major issue or events addressed by the document.**
What events led to this document? Briefly describe them. (For example, did the drafters intend to establish the rule of law over a captured territory Or did they seek to unify the British North American provinces into one nation?)

- **Where does it fit in the movement toward the democracy we have now?**

The general evolution of Canadian democracy has gone as follows:

- Conquest, military rule
- Government by governor and select few
- Elected assemblies created
- Development of the “Family Compact” and “Château Clique”
- Responsible government won
- Confederation; division of power into federal and provincial spheres
- Gradual movement to autonomy from Britain
- Patriation of the Canadian Constitution and the creation of the *Canadian Charter of Rights*

- In addition, there have been two forces acting in the Canadian federal system:

- A push to greater power for central government
- A push for greater power in the provinces

For documents that were written in 1867 and after, **comment on whether the document and events leading to it favoured provincial power, federal power, or neither.**

- **How did this document affect the status of Lower Canada/Canada East/Quebec and the rights of French Canadians in Canada?**

- **Was there anything that might offend certain parts of the country in this document?**

Note what they are, and why they would be offensive.

- **What do you think was the effect of the document for**

- Canadian unity?
- Aboriginal rights?
- Individual rights?

Essay Requirements

The paper should be _____ words long. It should contain:

- A title page with a title, your name, the course name, your teacher’s name and the date submitted.
- A clear introduction with a thesis statement.
- Proper citation (footnotes/endnotes or APA/MLA style, as determined by your teacher).
- A bibliography.

Make an effort to use primary sources to support your arguments. These can be found on the *Canada in the Making* Web site.

Note on Sources

Primary sources

Primary sources represent the most authentic resources that historians can draw upon. The documents that you will be using below may be digitized, but are still considered primary sources. Try to use the sources available on the “Canada’s Constitutional History” portion of the *Canada in the Making* Web site to strengthen your arguments.

For tips on how to use primary sources, go to the “Using Primary Sources in Your Work” page.

URL: http://www.canadian.org/citm/guide/essay_e.html

Secondary sources

Secondary sources are works that interpret or analyze an historical event or phenomenon. Generally the author is at least one step removed from the event. Although not as authentic as primary sources, secondary sources are still valuable.

Possible Sources of Information Online

Note: It is important to choose sources that are produced by reputable institutions or individuals. Such information is more likely to give you a balanced, neutral view and be prepared or reviewed by experts.

The Written and Unwritten Constitution

Canada in the Making: The Written and Unwritten Constitution

URL: http://www.canadiana.org/citm/specifique/written/written_e.html

Representative Government

Canada in the Making: Representative Government

URL: http://www.canadiana.org/citm/specifique/representatif/representatif_e.html

Responsible Government

Canada in the Making: Responsible Government

URL: http://www.canadiana.org/citm/specifique/responsable/responsable_e.html

General

Canada in the Making: Canada’s Constitutional History

URL: http://www.canadiana.org/citm/themes/constitution1_e.html

The Canadian Encyclopedia

URL: <http://www.thecanadianencyclopedia.com>

National Archives of Canada: *Canada's Constitutional Evolution*

URL: http://www.archives.ca/05/051103_f.html (French)

URL: http://www.archives.ca/05/051103_e.html (English)

Solon Law Archives: *Canadian Constitutional Documents*

URL: <http://www.solon.org/Constitutions/Canada/>



Canada's Constitutional Documents Suggested Rubric

Application of Conventions (Mechanics) (Language Arts)

| | | | | | | | | |
|--|---|---|---|---|---|---|---|---|
| Uses correct spelling, grammar and punctuation | 0 | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| Follows format of a formal essay (title page, double-spaced, etc.) | 0 | 1 | 2 | 3 | 4 | 5 | | |

Organization of Ideas (Language Arts)

| | | | | | | | | |
|--|---|---|---|---|---|---|--|--|
| Has a clear and captivating introduction with a thesis statement | 0 | 1 | 2 | 3 | | | | |
| Logical organization | 0 | 1 | 2 | 3 | 4 | 5 | | |
| Has proper annotation and bibliography | 0 | 1 | 2 | 3 | 4 | 5 | | |

Communication of Knowledge (Social Studies/History) Communication (Language Arts)

| | | | | | | | | | | | |
|--|---|---|---|---|---|---|---|---|---|---|----|
| Examines topic from perspective chosen, and stays on topic | 0 | 1 | 2 | 3 | 4 | 5 | | | | | |
| Supports argument well using different sources | 0 | 1 | 2 | 3 | 4 | 5 | | | | | |
| Demonstrates an understanding of the issues | 0 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |

Understanding of Concepts (Social Studies/History) Reasoning (Language Arts)

| | | | | | | | | | |
|--|---|---|---|---|---|---|--|--|--|
| Has a clear and logical conclusion that makes a reasoned statement about the topic | 0 | 1 | 2 | 3 | 4 | 5 | | | |
|--|---|---|---|---|---|---|--|--|--|

Essay Total: /50