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### History of Human Rights in Canada

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*Sheridan College*

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# HISTORY OF HUMAN RIGHTS IN CANADA

Inclusive Communities Lunch and Learn Series

**April 20, 2022**







# Land Acknowledgment

We would like to acknowledge that the land on which we gather has been and still is the traditional territory of several Indigenous nations, including the Anishinaabe, the Haudenosaunee Confederacy, the Wendat, the Métis, and the Mississaugas of the Credit First Nation. Since time immemorial, numerous Indigenous nations and Indigenous peoples have lived and passed through this territory. We recognize this territory is covered by the Dish with One Spoon treaty and the Two Row Wampum treaty which emphasizes the importance of joint stewardship, peace, and respectful relationships. Sheridan College affirms it is our collective responsibility to honour and respect those who have gone before us, those who are here, and those who have yet to come. We are grateful for the opportunity to be working and living on this land.



# Trigger Warning



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Topics discussed will include colonization including the residential school system and the trans-Atlantic slave trade.

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Message hosts privately if you require support or a break during the session.

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Email [equity@sheridancollege.ca](mailto:equity@sheridancollege.ca) should you wish to connect with one of our team members for additional resources.

# Agenda

1. Context setting of Human Rights
2. Attendee's Poll
3. Audience Q&A
4. Poll and Wrap-up



# Introduction

**Jasmine Chatha (she/her)**

- Manager, Equity and Inclusion

# Context Setting



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Pre-contact

Early colonization: who is welcome?

Canadian law & policy

Change makers

The future of human rights in Canada



# Pre-Contact



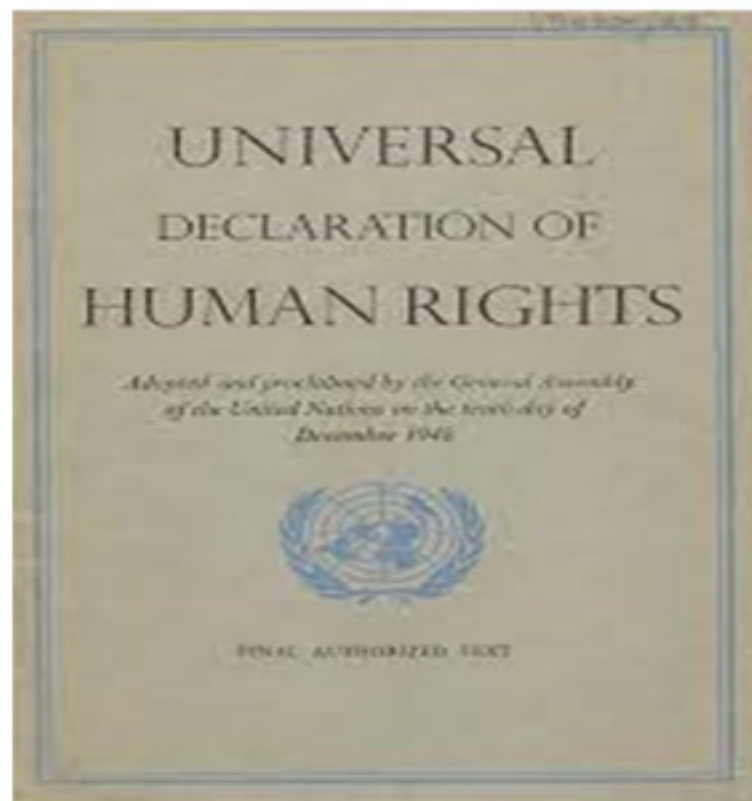
# Pre-Contact

INDIGENOUS WORLDVIEW	EUROPEAN WORLDVIEW
<p>All people and their environment are interconnected.</p>	<p>The world is hierarchical, with humans at the top.</p>
<p>Law, kinship, and spirituality reinforce the interconnectedness of people and the environment.</p>	<p>Aspects of society such as law and spirituality reinforce the hierarchy.</p>
<p>Each person has a role in society, and responsibilities to each other, their community, and the environment. No one has more or less value than others.</p>	<p>The hierarchy reinforces unequal participation in society, lack of shared responsibility and care between people, to the communities, and to the environment. Some people are more valued than others.</p>
<p>The natural environment is sacred and people are its caretakers for future generations.</p>	<p>The natural environment is to be 'conquered', is for human use, and can be owned.</p>





# Human Rights



They are the universal human rights we, as citizens of this world, have agreed we are all entitled to. They include the right to live free from torture, the right to live free from slavery, the right to own property, and the right to equality and dignity, and to live free from all forms of discrimination.

~The Canadian Human Rights Commission



# Who is Welcome?

PERIOD	MAIN EVENTS	KEY CONSIDERATIONS
1867-1913	Securing farmers and labourers to populate and settle western Canada	Open to: Great Britain, United States, northwestern Europe
1919-1929	More restrictive/selective procedures based on “absorptive capacity” or who could be absorbed into Canadian society	Open to: Great Britain, United States, Irish Free State, Newfoundland, Australia, New Zealand
1930-1945	The Great Depression, World War II	Door closed to most newcomers except from Great Britain and USA
1946-1962	Large influx of displaced persons from Europe	“War brides” and their children.

# Who is Welcome



<https://picryl.com/media/sikhs-aboard-komagata-maru-ae8596>

Indian passengers aboard the  
Komagata Maru, April 1914



<https://www.flickr.com/photos/rdb466/51391412688/in/photostream/>

Jewish passengers aboard the  
SS St. Louis, June 1939

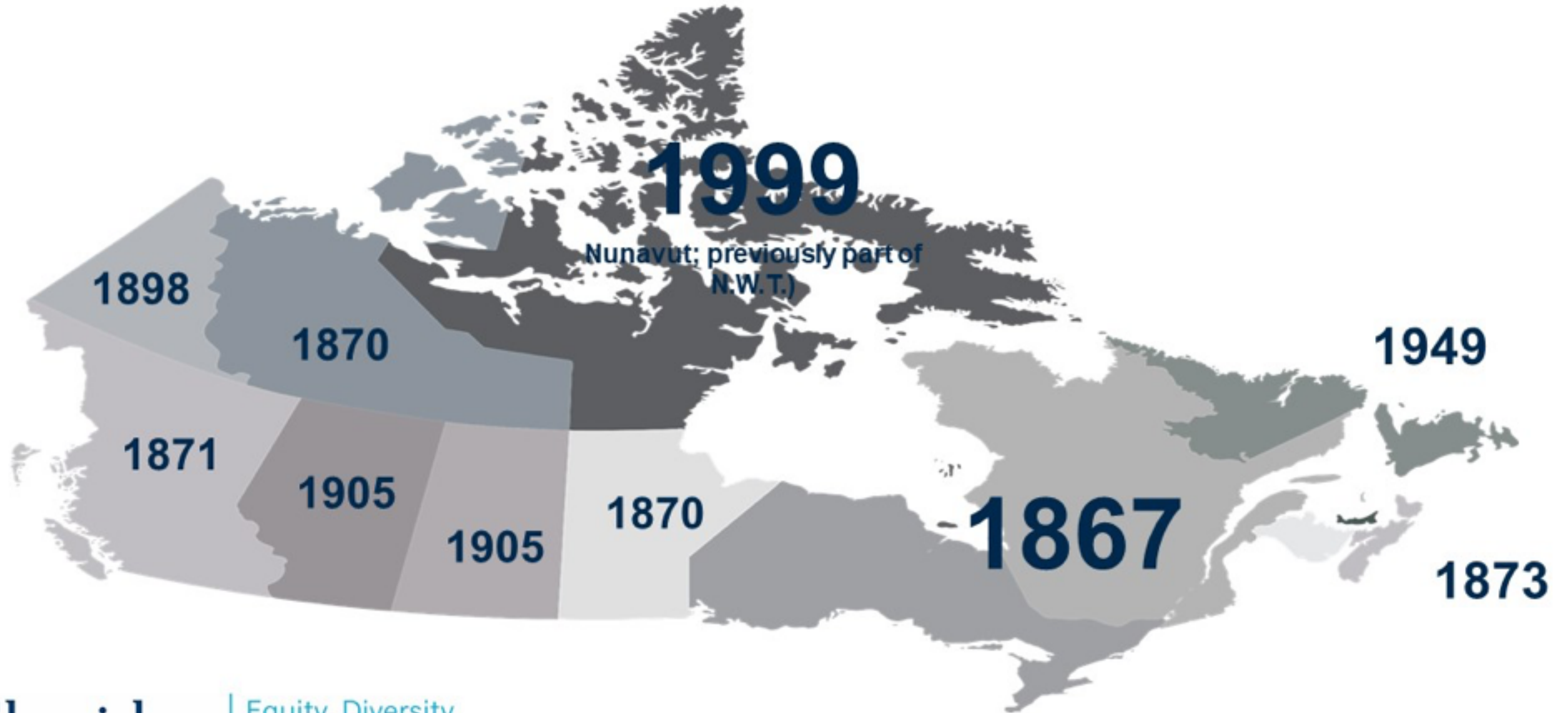


# Who is Welcome?

PERIOD	MAIN EVENTS	KEY CONSIDERATIONS
1962-1973	Government eliminated overt racial discrimination in Canadian immigration policy	Un-sponsored immigrants who had requisite education, skill, or other qualifications are suitable
1974-1984	Period of new Immigration Act (1976)	3 objectives: family reunification, humanitarian concerns, promotion of Canadian goals
1985-1993	Landmark SCC decision changed the refugee determination system	Creation of the Immigration and Refugee Board
1993-2010	Immigration and Refugee Protection Act of 2002	Increase skilled workers, definition of refugee further explained



# Confederation



# Canadian Human Rights Law

## CHARTER OF RIGHTS AND FREEDOMS (1982)

- Fundamental freedoms
- Democratic rights
- Mobility rights
- Legal rights
- Equality rights
- Language rights
- (and more)

## HUMAN RIGHTS ACT (1977)

Guarantees equal opportunity in federally regulated activities and First Nations governments, to people who may experience discrimination based on a protected ground:

- Race
- National or ethnic origin
- Colour
- Religion
- Sex
- Age
- Sexual orientation
- Gender identity, expression
- Marital status
- Family status
- Mental, physical disability
- Genetic characteristics
- Conviction for pardoned offence

## PROVINCIAL & TERRITORIAL LAWS

Protection from discrimination on protected grounds in activities regulated by provinces and territories

# Provincial & Territorial Protected Grounds



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- AGE
- ANCESTRY, COLOUR, RACE
- CITIZENSHIP
- ETHNIC ORIGIN
- PLACE OF ORIGIN
- CREED
- DISABILITY
- FAMILY STATUS
- MARITAL STATUS
- GENDER IDENTITY, EXPRESSION
- RECEIPT OF PUBLIC ASSISTANCE
- RECORD OF OFFENCES
- SEX
- SEXUAL ORIENTATION, IDENTITY
- POLITICAL BELIEF
- SOCIAL CONDITION
- ASSOCIATION
- LANGUAGE
- POLITICAL ASSOCIATION
- POLITICAL ACTIVITY



# Poll

Which of the following do you think should be a protected human right in Canada?

- Housing
- Potable water (drinking water)
- Freedom from discrimination on basis of economic class
- Freedom from discrimination on basis of size/weight
- None of the above

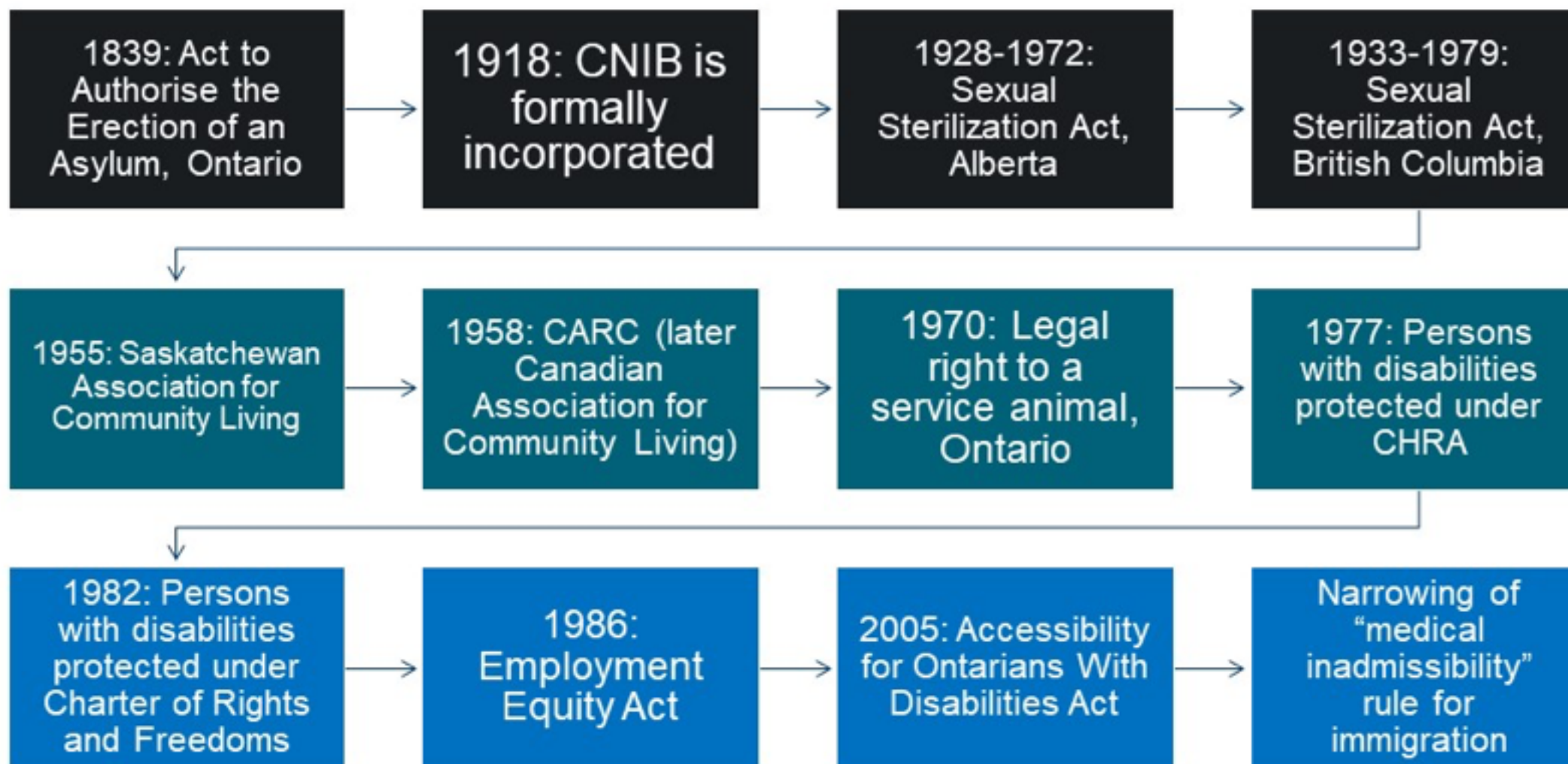
# Delwin Vriend



Image:  
[https://commons.wikimedia.org/wiki/File:02019\\_0245\\_\(2\)\\_KatowicePride-Parade.jpg](https://commons.wikimedia.org/wiki/File:02019_0245_(2)_KatowicePride-Parade.jpg)

- Criminalization of homosexuality
- Discrimination and harassment
- Quebec Charter of Rights and Freedoms
- Canada Immigration Act
- Same sex marriage

# C. Eaton & C. Eaton





# 'The Famous Five'



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## Women's Suffrage Movement

1851: Women are excluded from all elections in British North America

1918: Women gained the right to vote in federal elections

1929: "The Persons Case" recognized women as persons under the law, making women eligible to be appointed to the Senate.

Most racialized Canadian women, including Chinese women, Japanese women, and Indian (referred to as "Hindu") women didn't have the right to vote in provincial and federal elections until the 1940s.

Indigenous women under the Indian Act didn't have the right to vote for Band Councils until 1951 and in federal elections until 1960.

# Mary Ann Shadd Cary



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- Lawyer
- First female African American newspaper editor in present day North America, of the Provincial Freeman
- Founder of racially integrated school for Black refugees in Windsor, Ontario
- Abolition of slavery and women's rights



# The Future of Human Rights in Canada







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# Resources

- The Canadian Human Rights Commission
  - <https://www.chrc-ccdp.gc.ca/en>
- Ontario Human Rights Commission
  - <https://www.ohrc.on.ca/en>
- Ontario Human Rights Commission eLearning
  - <https://www.ohrc.on.ca/en/learning/learning>
- United Nations Declaration on the Rights of Indigenous Peoples
  - [https://www.un.org/esa/socdev/unpfii/documents/DRIPS\\_en.pdf](https://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf)

