

BIG IDEAS

Understanding legal rights and responsibilities allows citizens to participate more fully in society.

Laws can maintain the status quo and can also be a force for change.

A society's laws and legal framework affect many aspects of people's daily lives.

Laws are interpreted, and these interpretations may evolve over time as a society's values and worldviews change.

Learning Standards

Curricular Competencies	Content
<p><i>Students are expected to be able to do the following:</i></p> <ul style="list-style-type: none"> • Use Social Studies inquiry processes and skills to ask questions; gather, interpret, and analyze legal concepts, issues, and procedures; and communicate findings and decisions • Assess and compare the significance and impact of legal systems or codes (significance) • Assess the justification for differing legal perspectives after investigating points of contention, reliability of sources, and adequacy of evidence (evidence) • Analyze continuities and changes in legal systems or codes across jurisdictions (continuity and change) • Assess the development and impact of legal systems or codes (cause and consequence) • Explain and infer multiple perspectives on legal systems or codes (perspective) • Make reasoned ethical judgments about legal systems or codes (ethical judgment) • Make reasoned ethical judgments about controversial decisions, legislation, or policy (ethical judgment) 	<p><i>Students are expected to know the following:</i></p> <ul style="list-style-type: none"> • the Constitution of Canada and the Canadian Charter of Rights and Freedoms • structures and powers of the federal and provincial courts and administrative tribunals • key areas of law such as criminal law, civil law, and family, children's, and youth law • Canadian legislation concerning First Peoples • indigenous legal orders and traditional laws in Canada and other global jurisdictions • Canada's correctional system and principles of rehabilitation, punishment, and restoration • structures and roles of global dispute resolution agencies and courts

Curricular Competencies – Elaborations

- **Use Social Studies inquiry processes and skills to ask questions; gather, interpret, and analyze legal concepts, issues, and procedures; and communicate findings and decisions:**

Sample activities:

- Examine and explain how to resolve a legal issue in an area of civil law, such as rental agreements, employment, or separation.
- Investigate which legal resources are available in the community to help people deal with a selected legal issue, including how to represent themselves in court or in front of a tribunal.
- Research alternative methods and strategies to resolve conflicts before they become legal problems.
- Assess different types of evidence and how to determine bias, reliability, and relevance in a source of evidence.
- Conduct a mock trial or debate to judge a legal case or issue.

- **Assess and compare the significance and impact of legal systems or codes (significance):**

Sample activities:

- Assess the significance of the Constitution Act, 1982, and the Canadian Charter of Rights and Freedoms to human rights in Canada.
- Analyze the role of global dispute resolution institutions and agencies in international human rights and economic development issues.
- Assess the role of the judiciary as a constitutional check on legislative power.
- Analyze the role of the International Court of Justice (the World Court) at The Hague in cases involving human rights abuses.
- Determine the importance of key legal principles, cases, social forces, and events in the evolution of law.
- Assess the impact that a law, court decision, or legal principle has on legal structures and/or the lives of citizens.
- Assess the impact of social and/or political forces on the development of law.

- **Analyze continuities and changes in legal systems or codes across jurisdictions (continuity and change):**

Sample activities:

- Compare and contrast different views on the role of the correctional system in Canada.
- Analyze how and why laws, justice system structures and practices, legal precedents, and legislative agendas change over time.
- Analyze forces that reinforce continuity and factors that have both short-term and long-term effects on legal systems and the administration of justice.

- **Explain and infer multiple perspectives on legal systems or codes (perspective):**

Sample activities:

- Analyze whether Canadian laws regarding the rights of minority groups evolved because of, or in spite of, popular support for change.
- Analyze legal principles such as fairness, justice, equality, the presumption of innocence, and the rule of law by examining a variety of legal issues, controversies, and cases.

- **Make reasoned ethical judgments about legal systems or codes (ethical judgment):**

Sample activity:

- Investigate ways the legal system has been used in the past to maintain inequalities.

Curricular Competencies – Elaborations

- **Make reasoned ethical judgments about controversial decisions, legislation, or policy (ethical judgment):**

Sample activities:

- Assess cases in which the legal system has made rulings on human rights, and evaluate the extent to which these decisions advanced or infringed on the rights of those affected.
- Consider how laws affect society and how society affects laws.
- Examine the roles of the different branches of government in the development of law in Canada and how laws affect or accommodate different groups.
- Consider the interactions between various sides in trials and other legal disputes.

Content – Elaborations

- **structures and powers of the federal and provincial courts and administrative tribunals:**

Sample topics:

- discriminatory laws and reform processes
- importance of independence of the judiciary and lawyers
- case and common law
- role of deterrence and denunciation in the correctional system
- victims’ rights and the Canadian Victims Bill of Rights
- rights of the accused
- appeals process
- small claims

- **key areas of law such as criminal law, civil law, and family, children’s, and youth law:**

Sample topics:

- Criminal Code
- burden of proof (reasonable doubt versus balance of probability)
- the importance of checks and balances to prevent wrongful convictions
- Young Offenders Act
- Youth Criminal Justice Act

- **Canadian legislation concerning First Peoples:**

Sample topics:

- treaty processes
- 1763 Royal Proclamation
- Indian Act
- Truth and Reconciliation Commission
- Constitution Act, 1982
- right to self-determination/self-government

- **indigenous legal orders and traditional laws in Canada and other global jurisdictions:**

Sample topics:

- Tlicho Nation laws in place names
- Gitksan oral histories and traditions
- Gitksan decentralized decision making
- alternative dispute resolution processes, including restorative justice

Content – Elaborations

- historical relationships between peoples as a basis to negotiate treaty boundaries
- Cree reciprocal legal responsibilities and obligations within kinship networks
- Tsimshian injury law and patriarchal resolution
- matrilineal and patrilineal kinship networks
- **Canada’s correctional system and principles of rehabilitation, punishment, and restoration:**
 - Sample topics:*
 - provincial and federal correctional institutions
 - educational opportunities in correctional institutions
 - career training opportunities in correctional institutions
 - funding structures and financial costs of incarceration
 - correctional institutions for youth
 - levels and types of incarceration between and within correctional institutions
 - community responses to crime
 - supportive reintegration of paroled offenders into society, risk assessment, and monitoring options
- **structures and roles of global dispute resolution agencies and courts:**
 - Sample topics:*
 - International Court of Justice
 - World Trade Organization
 - United Nations
 - trade disputes and agreements
 - global initiatives on climate change