



Chapter 2

Values in Canada's Democracy

Democratic Values

Canadians share a basic set of values.

Canada is respected throughout the world as a truly democratic society. Unlike in some countries that claim to be democratic, Canadian citizens can participate in the governing of our country.

These values provide the foundation for our rights and responsibilities as citizens. They are the basis of our laws and government programs.

These shared values are also an important part of Canada's *political culture*. Our political culture includes the attitudes and customs we share as citizens in democracy.

Basic Canadian values include:

- equality
- respect for democratic decision making and the “rule of law”
- privacy
- co-operation and consultation
- non-violence

- due process
- respect for individual rights
- freedom of expression
- accountability

These democratic values are equally important in our private lives. They are the basis of our relationships with other people in our work, with our families and friends, and with other citizens who may be complete strangers.

In a successful democracy, these values are as important to citizens' relationships with each other as they are to our relationship with the government.

On the following pages we discuss the meaning of each of these values in greater detail.

Equality

Equality is one of the most important values in Canada.

All individuals in Canada are equal before the law, and must be treated equally by the law.

This means that you cannot be discriminated against, or treated unfairly because of your:

- gender**
- race**
- age**
- religious belief**
- ethnic or national origin**
- disability**
- sexual orientation**
- marital or family status**

We have a right to equal and fair treatment when we deal with government, with businesses, and with other individuals.

Our laws protect you against unfair discrimination when you:

- use public services**
- buy or rent a home**
- deal with any government agency**

Equality means that you deserve to be treated with the same respect and consideration as any other person, regardless of your natural talents or disadvantages.

Sadly, this does not mean that unfair discrimination does not happen in Canada. Democratic societies are not perfect.

Racism Many new Canadians will encounter racist attitudes or other forms of prejudice. But they will also find that Canadian society strongly disapproves of such negative attitudes and actions.

Canada has many agencies to help people who are victims of discrimination.

For example, if you believe that you are denied housing because of your ethnic origin, you can complain to a human rights commission or tribunal in your province or the Canadian Human Rights Commission. These agencies were created to protect citizens against unfair discrimination.

*If we are treated unfairly,
or if we see others treated
unfairly, it is our
responsibility as citizens
to speak out.*

Respect for Democratic Decisions and the Rule of Law

We obey laws even when we disagree with them.

Canadian citizens respect democratic decisions, laws and policies even if they disagree with them. This is known as the *rule of law*.

The authority of government comes from citizens' consent. We give our consent as citizens by voting in elections and participating in the democratic process to determine laws and government programs.

Naturally, in a democracy as large as Canada, there are many different ideas about what our laws should be. Often these ideas cause disagreement. When the government creates a new law or program, you may not like it.

Even so, it is your responsibility to obey the new law. This is true even when you may disagree with it.

We have an obligation as citizens to respect the law for three reasons:

Democratic consent As a society, we have given our consent to a particular government to create laws. You may not have voted for the current government, but the majority of the citizens have elected the government.

Democratic process We are obliged to obey the law if the democratic process was fair.

A fair democratic process gives you and others a meaningful opportunity to participate in public debate about the creation of the law or government program. Laws and programs are often the product of compromises between citizens' different visions and interests.

Though you may not be successful in achieving your vision of the law or government program, you should at least have had a chance to influence the result.

There is also a practical reason why we agree to follow the law. When the government creates laws or programs that you do agree with, you want all other citizens to follow these laws, even if they don't agree with them. If we only agreed to follow laws that we liked, our society would always be in chaos.

Of course, if you don't like a particular law or government program, you have the democratic right and responsibility to work to change it. **Citizens work to change laws they don't like through the democratic process,** rather than refusing to obey the law.

Many laws and programs are changed after citizens' groups successfully persuade the government to include their interests.

The *rule of law* has other meanings as well. All citizens, regardless of their status in society, must follow the same laws as everyone else. Police officers, judges and politicians must obey the law like everyone else.

The rule of law also means that the law must be made according to well-established procedures. Finally, the rule of law means that citizens with authority, like the police, must respect the law when they deal with citizens.

The “Rule of Law” Means the Police Must Also Obey the Law

Society has given police officers many special powers so that they can properly do their job. But there are legal limits to those powers.

For example, when police officers make an arrest, they can only use as much physical force as needed in the circumstances.

In addition, when not at work, police officers must obey the law like every citizen.

For example, when police officers on duty respond to an emergency call, they are allowed to drive through stop signs and red lights (provided their signal light is flashing and their siren sounding to warn other motorists). But a police officer driving home from work must obey traffic laws like any other driver.

Due Process

Due process is closely connected to the idea of the rule of law.

Due process refers to the procedures that are followed by courts, administrative tribunals (such as human rights tribunals) and government decision makers.

These procedures are created to make sure that people directly affected by their decisions are treated fairly and reasonably.

For example, if you are accused of wrongdoing, due process requires that you have the right to know the rule you are accused of breaking and what evidence there is against you.

Due process also requires that you have a meaningful opportunity to argue that you are innocent.

Privacy

Democratic citizens have a right to privacy over most parts of our lives.

Privacy means that as citizens, we are free to do and think what we want to, without others knowing. Privacy lets us all be who we want to be. It also lets us express important emotions like love. Privacy does not mean that we can do whatever we want, when we want. There are always some limits on our freedoms, including privacy.

Privacy means that we control information about ourselves. Privacy lets us decide who will know what about ourselves. Privacy is a key value in our democratic society because it is important to our freedom from state interference. It is an important value for our freedom as self-governing citizens.

Privacy does not mean that the government must always get our consent to gather information about our private lives.

For example, every five years Statistics Canada collects detailed information about our private lives for the national Census. We are required by law to give this information. The Census is a collection of important information such as how many people live in Canada, where they live, what languages they speak, how old they are, and other characteristics of the population.

In chapter 4 we discuss laws protecting citizens' privacy.

Co-operation and Consultation

Co-operation and shared experience are essential to democratic decision-making.

We value these methods because they produce the best laws and government programs for our society. We make better decisions when everyone who will be affected participates in the decision making.

Decisions made after co-operation and consultation are more likely to receive support from citizens, rather than decisions made by just a few people.

Citizens should take the time to participate in democracy when there is an opportunity to do so.

Sometimes the government sponsors public meetings. At other times it will be up to you to pick the best time to make the government listen to you.

In a democracy, you benefit by taking advantage of your opportunities to participate in democratic life.



Non-violence

Peaceful change is best.

Canadians reject violence as a way of dealing with social or political change and conflict.

We use debate and discussion instead—even though these methods may take more time to make changes in society or to resolve conflict.

We believe that cooperation and peaceful methods are the best way to resolve conflict. We reject violence as a way to resolve our disputes.

These methods encourage Canadians to work together. They reduce divisions among us and promote unity.

Respect For Individual Rights

A fundamental value in Canada's democracy is respect for individual rights.

Democracy does not mean that a majority of the population can always impose its wishes on the minority. In a democracy, we also protect certain individual and minority rights. The *Canadian Charter of Rights and Freedoms* guarantees certain fundamental freedoms and rights to every individual.

These include:

- freedom of expression**
- freedom of religion**
- freedom of association (the freedom of people to join a group for a common goal).**

Prayers in Schools

Most public schools in British Columbia once required children to repeat the Christian “Lord’s Prayer” together every morning before classes.

A group of parents complained that this violated the *Charter*. The B.C. Supreme Court agreed with them.

The Court ruled that this requirement violated the freedom of religion of children and parents who do not practice the Christian faith.

Public schools in British Columbia no longer impose public prayers of any kind. This reflects Canada’s commitment to freedom of religion and equality.

The *Charter* also protects democratic rights such as:

- ✓ **the right to vote**
- ✓ **mobility rights**
- ✓ **legal rights**
- ✓ **equality rights**

We rely on our courts of law to interpret *Charter* rights for us.

Individual rights are not absolute.

If the government creates a law that violates individual rights protected in the *Charter*, government can convince the courts that the law is needed for fundamentally important goals for society.

For example, student counselors in high schools can't counsel students that homosexuality is wrong even if they believe so because of their religious beliefs. Public schools have a responsibility to teach tolerance and respect for diversity of our fellow citizens.

The *Charter* allows some laws to violate individual rights for the benefit of society in general.

Mandatory Retirement

Until recently, many employers in Canada required their employees to retire, often at the age of 65, through mandatory retirement.

Our *Charter of Rights and Freedoms* protects citizens against discrimination on the basis of age.

The Supreme Court of Canada has considered cases in which individuals were forced to retire. These individuals argued that their employers had discriminated against them because of their age, in violation of their *Charter* rights to equality.

The Supreme Court agreed. But the Court then considered whether this discrimination could be justified in a “free and democratic” society.

According to the Court, some mandatory retirement policies can be justified because they help to create job openings for younger people.

The Court decided that this objective is very important for the benefit of the rest of society.

More recently however, in response to public pressure, provincial governments are changing the laws to make mandatory retirement illegal. This is a good example of the power of citizens to change laws.

Freedom of Expression

All citizens must be able to speak freely.

In Canada, we allow and encourage all people—women and men, young and old, poor and rich—to voice their opinions, even if they are unpopular opinions. For democracy to exist and flourish, ***all citizens must be able to speak freely***, without fear of punishment for what they say. Freedom of expression is a very important freedom for democracy for many reasons.

Freedom of expression is necessary for:

Government Accountability: citizens must be able to express their concerns to and about public officials, without fear;

Democratic Participation: citizens must be able to read and talk about as many ideas as possible; better decisions come from full debate; and

Personal liberty: citizens need the chance to listen to, read and speak

out about different ideas for personal development and freedom.

Free Speech vs. Speech That Promotes Hatred

Freedom of expression can be controversial because it includes the right to express ideas that offend others.

Some individuals and groups express hateful opinions about others in society. In fact, in Canada we have criminal and human rights laws against expressions that promote hatred. These laws have been created to protect minority groups and promote the value of equality and respect for human dignity.

Some Canadians believe that these are bad laws because they *censor* citizens' rights to express ideas, which is critical to democracy. In a democracy, citizens must decide for themselves what are good and bad ideas. Government must not decide that for us.

Canadian society generally discourages *ensorship* in democracy because it takes away citizens' right to debate and discuss all ideas. Open debate is necessary for self-government in democracy.

We also discourage censorship because it is *counter-productive*—it does not eliminate the offensive ideas. Rather, it makes people who express these ideas go underground. Then the rest of society loses its opportunity to publicly reject these ideas.

Even worse, censorship often gives bad ideas and the people who express them much more public exposure because the media often report about controversial cases that go to the courts.

Citizens do have an important responsibility to respond to and reject ideas that they find offensive or hateful.

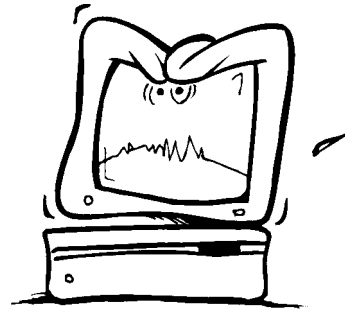
Competing rights Like other freedoms, freedom of expression is not an *absolute* value or right in democracy. Sometimes there are legitimate reasons for limiting a citizen's right to free speech expression.

Hate on the Internet

Many people are very concerned that the Internet is being used to promote hate and violence against minority groups.

Rather than censoring such speech from the Internet, some people use the Internet to respond to and argue against these ideas.

Democracy is healthier if citizens actively debate, accept or reject ideas, rather than letting government do this work.



Bubble Zones

There has been much controversy about the right of people who oppose abortion to demonstrate outside of abortion clinics.

In British Columbia, the government created a law that limited, but did not prohibit, the right to demonstrate around abortion clinics. Citizens could demonstrate against abortion but not within 50 metres from a clinic (creating a “bubble zone”).

In this example, two important values need protection:

- The first value is freedom of expression.
- The second value is the right to privacy for employees who work at the clinics and for women who want abortions.
- The third is the legal right to abortion in Canada.

By limiting the freedom of expression of abortion protesters, the government attempts to balance the right to protest with a woman’s right to privacy and to choose to have an abortion.

Democratic Accountability

*Our elected representatives
are accountable to us.*

We give our elected representatives the direct power to make laws for our society. Unlike in some other societies, our politicians always remain accountable to citizens.

Democratic accountability has two meanings.

Our elected officials are answerable to us for their actions. During election campaigns, our elected representatives must explain their actions when they seek our support to represent us again.

Second, accountability also means that citizens have the right to participate in democracy by working to influence the creation of laws and government programs in a meaningful way.

Citizens have to do much more than simply vote in an election every four years.

Democratic accountability also means that all citizens have the opportunity and responsibility, every day, to influence the rules we live by in our society.

Your Role in Our Democracy

As a citizen, you are a part of Canada's unique democracy.

Without you and other citizens like you, and without your full participation in democratic life, a small number of elected officials and bureaucrats (employees of the government) would govern us.

New citizens of Canada are encouraged to adopt the values discussed in this chapter.

In democracy, citizens should not and cannot rely only on government, the law or our courts to guarantee and protect all our important values and traditions. It is the responsibility of all citizens to care for these values and to protect them.

There are many opportunities for you to do this everyday. Canada's democracy will be stronger if we remember to respect these values and encourage other citizens to do so.



These values are complex

Though all citizens may agree on their importance, we may disagree on how they should be translated into laws and government programs.

The advantage of living in a democracy like Canada is that there are many ways citizens can contribute to the process of translating these values into real laws and government programs.

We can contribute by:

- participating at public meetings
- working with political parties
- joining citizen groups that reflect our own personal philosophy.

As you begin to participate, you will realize that Canadians are deeply committed to the values discussed in this Chapter. We work hard to make sure that our society respects and protects these values.

As a citizen of Canada, you share this commitment to democracy.