

Charter: A Course

A podcast about Canadian Constitutional Law & Litigation

Season 3, Episode 2: Language Rights

About the Series

Charter: A Course is a podcast created by the David Asper Centre for Constitutional Rights (the Asper Centre) and hosted by the Asper Centre's Executive Director [Cheryl Milne](#).

Charter: A Course focuses on leading Canadian constitutional cases and current constitutional law issues, highlighting strategic aspects of constitutional litigation and exploring what it's like to practice in this area of law in our *Practice Corner* segment.

Whether you are a law student, a lawyer, or just an interested person, we hope that you learn about an aspect of constitutional law and litigation that interests you in our podcast.

Show Notes

With the help of [Professor François Larocque](#), in this episode we explore how the *Charter* interacts with and protects minority language rights.

Sections 16 to 22 of the *Charter* provide that the settler languages of English and French are the official languages of Canada. They also explain how various public institutions are required to communicate with Canadians in the official language of their choice. Section 23 of the *Charter* provides that Canadian citizens and their children have the right to be educated in either English or French. In addition, sections 2(b) and 15 of the *Charter* may also protect language rights more broadly by guaranteeing freedom of expression and equality.

In this episode's *Practice Corner*, we speak with lawyer [Aria Laskin](#), who will provide an overview of how Indigenous minority languages interact with the *Charter* and Section 35 of our Constitution.

Find a FULL transcript of this episode [HERE](#).

Case Links and other Resources

In this episode, the following cases and laws were discussed:

[Société des Acadiens v. Association of Parents, \[1986\] 1 S.C.R. 549](#)

[Conseil Scolaire francophone de la Colombie-Britannique v. British Columbia, 2020 SCC 13, \[2020\] 1 S.C.R. 678](#)

[Mahe v. Alberta, \[1990\] 1 S.C.R. 342](#)

[Doucet-Boudreau v. Nova Scotia \(Minister of Education\), \[2003\] 3 S.C.R. 3, 2003 SCC 62](#)

[Arsenault-Cameron v. Prince Edward Island, \[2000\] 1 S.C.R. 3](#)

[Newfoundland \(Treasury Board\) v. N.A.P.E., \[2004\] 3 S.C.R. 381, 2004 SCC 66](#)

[Bill C-13: An Act to amend the Official Languages Act, to enact the Use of French in Federally Regulated Private Businesses Act and to make related amendments to other Acts](#)

[Lalonde v. Health Restructuring \(2001\), 153 O.A.C. 1 \(CA\)](#) (the “Montfort Hospital case”)

[Mazraani v. Industrial Alliance Insurance and Financial Services Inc., 2018 SCC 50, \[2018\] 3 S.C.R. 261](#)

[Indigenous Languages Act S.C. 2019, c. 23](#)

[The Nunavut Agreement](#)

Nunavut Tungavik, Inc., v. the Commissioner of Nunavut >> Read the public notice of this case here:
<https://www.tunngavik.com/news/nti-files-lawsuit-against-gn-for-violating-equality-rights-of-inuit-children-and-youth/>

[Eldridge v. British Columbia \(Attorney General\), \[1997\] 3 S.C.R. 624](#)

About the Asper Centre

The [Asper Centre](#), a part of the [University of Toronto’s Faculty of Law](#) since 2008, is devoted to realizing constitutional rights through advocacy, research and education. The Centre aims to play a vital role in articulating Canada’s constitutional vision to the broader world. The cornerstone of the Centre is a legal clinic that brings together students, faculty and members of the bar to work on significant constitutional cases and advocacy initiatives. The Centre was established through a generous gift from U of T law alumnus David Asper (LLM ’07).

Thank You’s

Thank you to our wonderful guests on this episode, Professor Francois Larocque and Ara Laskin!

Thank you to University of Toronto Faculty of Law JD student Emma Davies who helped with the production of this episode.

Thank you to our audio editor Liam Morrison of [Bell Room Media Solutions](#).

Thank you to the creators of our theme music, Charter: A Course! Constitutional law professor Howie Kislowicz and law professor Rob Currie gave us the licence to use their constitutional law shanty in exchange for a donation to the Calgary Food Bank. The song's performers are Vanessa Carroll, Rob Currie, Howie Kislowicz, Avinash Kowshik, Anna Lund, Patricia Paradis, Elin Sigurdson, Lyle Skinner, and Dave Wright. You can listen to the entire shanty here: [Charter a Course](#). Please consider contributing to your local food bank.

Thank you to our dedicated listeners!