

Adinak and the Charter of Rights and Freedoms

All About Adinak

Adinak is a vast land consisting of five large provinces with many geographic regions. The country is unusual as it is inhabited only by animals – animals similar to those found in Canada, but, remarkably, they possess the ability to think, to communicate, and to govern!

The country of Adinak is governed by a federal parliament as well as provincial legislatures for each of the five provinces. However, citizens felt that something was missing! It seemed that rules or laws were being made that appeared to pick on or to be unfair to some animals. Something needed to be done!

Members of the Adinak’s federal House of Commons decided that they needed to add new rules to their basic laws. The members of parliament voted to send out a task force to find a country whose basic rules (or constitution) included a charter that guaranteed basic rights for all citizens.

The task force looked at seven countries, but they didn’t quite have what the people from Adinak needed. Then the members of parliament from Adinak found Canada – and its *Charter of Rights and Freedoms*.

They thought that they had found the perfect charter and that it would be great to adopt the Canadian Charter in Adinak. They needed to conduct some “tests” to see if the *Charter* would work in their country of Adinak.



Story Four: Attila Raven and the Freedom to Associate

Attila Raven



Funded by Alberta Justice.

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Attila Raven's Story

Attila Raven managed a government-owned salvaging company in the country of Adinak's biggest city, Attala. The company employed 69 workers, all of them either ravens or crows.



Problem

One night after work Guenther Crow was tremendously upset.

“Mr. Raven is really treating us unfairly,” he grumbled. “I know I was busy, but he wouldn’t even let me have a coffee break or a lunch break!”

“And you know what?” chipped in Roger, a fiery but small black raven, “Today I was working on the metal crushing machine and its conveyor belt broke! The snap almost killed me! I reported it to Mr. Raven, and he just told me to get back to work.” Other ravens and crows, hearing the complaints, gathered around and began sharing stories and concerns. They decided that they should get organized and draft some ideas about how their working conditions could be improved. They agreed to meet that night at Roger’s house.

Imagine their surprise the next morning at work when they were all given the following memo:

Company Memo

To: All workers

From: Management

Please be advised that those workers caught gathering to discuss working conditions or to plan action against the management may lose their employment here. For questions please see Attila Raven, Company President.

What Do You Think?

If Adinak were to adopt the *Canadian Charter of Rights and Freedoms*, do you think that the company workers could successfully challenge the company's rule that prevented employees from meeting outside work to discuss employment issues?

- ☐ Yes – the company's rule could be successfully challenged if the rule punished workers who met outside work to discuss employment issues.
- ☐ No – the company's rule could not be successfully challenged if the rule punished workers who met outside work to discuss employment issues.

Your Explanation

I think the company's rule _____ (could/could not)
be successfully challenged because

Not sure? Read the information below and on the next page, and then go back and complete your explanation.

Freedom of Association: What does this mean?

Section 2(d) of the *Charter* gives everyone the right to associate.

Freedom of association is the right to do business with, to hang out with, or to meet and be with others. Within schools, a good example of freedom of association might be the freedom to belong to whatever school club you wish.

Some of the rights of association that are protected by the *Charter* are those that:

- Allow individuals to form organizations for many reasons including political, religious, and social purposes.
- Allow individuals to belong to any group that is within the law.
- Allow employees to form an association to represent their interests – even if they disagree with the employer.

A Fictional Case Similar to Attila Raven

Employees vs Get it There Quick

James and Brittany had just graduated from high school and decided to form a company that supplied machinery parts to large oilfield companies in northern Alberta.

They named their company *Get it There Quick* because they were proud of how quickly they could deliver their product to the North. The company was so successful the government bought it from them, but James and Brittany continued to run the company.

The *Get it There Quick* Company hired five drivers who worked long hours and sometimes found themselves driving in bad winter road conditions.

One evening James and Brittany walked into a café near their office building and discovered all five drivers together at a table pouring over some serious looking papers.

"Hi there!" exclaimed Brittany to the group. "What's up?"

Everyone in the group smiled halfheartedly, but they all looked guilty when they saw their bosses walk in. James noticed that on a sheet of paper one employee had written, "Suggestion for improvements to our working conditions."

As James and Brittany left the café, James muttered, "We need to make some new rules around here!"

They called a staff meeting the next morning and James found his most gruff voice.

"I would like to announce," he said, "that it is now against company rules for our employees to get together outside of work to discuss their working conditions."

"If you are caught as a group discussing negative things about the job, you will be replaced."

The Complaint

The employees of *Get it There Quick* filed a complaint saying that the company's new rules violated their rights guaranteed in the *Canadian Charter of Rights and Freedoms*.

The Ruling

The judge ruled in favour of the employees. The company's rule forbidding employees to gather and talk about improvements to their working conditions contravened section 2(d) of the *Canadian Charter of Rights and Freedoms*.

Further Activities

1. Freedom of association is a fundamental principle of democracy. The *Charter* protects both individual and collective rights.
 - Brainstorm and arrive at a class definition of "collective rights."
 - Create a play, story or cartoon showing how freedom of association protects collective rights in Canada.
2. Attila Raven has an abundance of friends and family in Adinak who support his decision. Write another story that takes place in Adinak from the point of view of an Adinak business person, of an Adinak student, or of an Adinak government official who is trying to write a charter of rights for Adinak.