

Planet Beebonk and the *Charter of Rights and Freedoms*

All About Beebonk

Beebonk is a small planet near the Azi Star. Proud of their advanced technology, Beebonkians are known to zoom quickly throughout the galaxies on their ‘state of the art’ space crafts. Beebonkian spies often wander through galaxies, spying on schools, businesses, and governments. Beebonk has one large country that is divided into five provinces. Similar to Earth, there are many different races in Beebonk, and hair and skin color differs from area to area throughout the planet.



Physically, Beebonkians are small creatures with large odd-shaped heads. These aliens’ brains, however, have become very small over time because for several centuries Beebonkian aliens have relied on tiny chips implanted into their antennas. These chips hold a tremendous amount of information, but because of the heavy reliance on the chip, Beebonkian ‘brain power’ has deteriorated.

Although the Beebonk aliens are very advanced in science, they have had a history of being cruel and unjust. Realizing the damage done by cruel dictators, spies returning to Beebonk from other planets believed that change was necessary and convinced the rulers to become governed by a democratic parliamentary system. However, citizens felt that something was missing! It seemed to ordinary Beebonkians that rules or laws were being made that appeared to pick on or to be unfair to some citizens. Something needed to be done!

Members of the Beebonk’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 searched through seven galaxies, but they couldn’t find what the people from Beebonk needed. Then the members of the task force from Beebonk found the country Canada – with 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 Beebonk.

Story Two: Aqua Skyseeker and Equality Rights

Aqua Skyseeker



Funded by Alberta Justice.

©2008 This is part of the *Charter Challenge for Grade Six LawPac Series*.

For more information, go to www.abclawnet.ca.

ABC
LAWPAC

Aqua Skyseeker's Story

Aqua was the only girl in the Skyseeker family. She attended school in the town of New Orion in the province of Zinning on the planet Beebonk. When there were no organized games, Aqua loved playing sky hockey on the frozen meteorite near their planet.

She and her brothers and their friends often jumped into their individual mini sport ships right after school to participate in a pick up game. Sky hockey is similar to ice hockey, but rather than skating from end to end, sky hockey players skillfully manoeuvre individual sport ships as they chase the puck trying to score. Only the puck is allowed to touch the ice surface, sport ships are allowed to hit each other, and rather than stick handling, players control the puck through remote control 'beamer's'. Aqua was an excellent player! She was talented and had been selected to play on the best boys' teams every year through elementary and junior high school. Now Aqua was sixteen and in grade ten.

Aqua knew that there was going to be a new high school girls' team, but most of the team would be beginners and they wouldn't be able to play at the level she was used to. She knew that if she joined that team she would spend most of her time helping others get better rather than improving herself. She decided that instead of joining the girls' team, she would try out for the high school boys' team!

Just before recess there was an announcement on the school's P.A. system. "Would Aqua Skyseeker please come to the office!"



Problem

The problem occurred when Aqua nervously entered the principal's office and found the principal waiting for her along with Mr. Galaxia, the head coach of the New Orion High School boys' sky hockey team.

"Aqua," began Mr. Galaxia, "I know that you have played hockey for many years and are a top line player. However, the Zinning Provincial Athletic Association has ruled that in high school if there is a girls' team, you are not allowed to try out for the boys' team. You will have to play with the girls this year."

"But I want to play in a competitive league!" exclaimed Aqua. "This team is new this year. Most girls are just beginners."

"I know that and understand how you feel," said the principal. "However, the league feels that if there is a girls' team, it is unfair for a boy to be cut to make room for you. The boy might have nowhere to play."

"But what if I am better than a boy player? Shouldn't I be on the team? I want to be prepared to play at North Terrestrial University after high school. Many players from that league get picked to go to the interplanetary Olympics!"

"I am sorry, Aqua," said Mr. Galaxia slowly. "I am sure you would have made my team. However, I guess rules are rules."

What Do You Think?

If Beebonk were to adopt the *Canadian Charter of Rights and Freedoms*, do you think that Aqua could successfully challenge the Athletic Association's rule disallowing her from playing on the boys' hockey team?

- Yes – the Athletic Association's rule could be successfully challenged if the rule prevented a qualified girl from playing on a boys' team.
- No – the Athletic Association's rule could not be successfully challenged if the rule prevented a qualified girl from playing on a boys' team.

Your Explanation

I think the Athletic Association'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.

Equality Rights: What does this mean?

This section of the *Charter* makes it clear that every individual in Canada – regardless of race, religion, national or ethnic origin, colour, sex, age or physical or mental disability – is to be considered equal.

This means that governments, which can include school boards, must not discriminate on any of these grounds in its laws or programs.

Section 15 of the *Charter* also protects persons who suffer disadvantages because of personal characteristics and may be denied opportunities available to other members of society.

A True Case Similar to Aqua Skyseeker

Identical twin girls Amy and Jesse Pasternak lived in Manitoba and had played hockey since they were four years old. They were very skilled players and had learned many of their skills playing on boys' teams. When Jesse and Amy were 17 years old they decided to try out for the high school boys' team, even though there was a girls' team in the school. Amy and Jesse knew that if they were to play on the girls' team they would spend most of their time teaching other girls how to play better rather than becoming better themselves.

The Manitoba Athletics Association refused to let the girls play on the team. They explained their rule that girls could try out for a boys' team only if there was no girls' team available.

Dr. Sandi Kirby, a former Olympic athlete, agreed with Amy and Jesse and said that boys were almost always put on teams that allowed them to play to the best of their ability. She argued that it was gender discrimination to force the girls to be on a team that primarily "developed" players, and that they should be allowed to play on a team that helped them improve their own skills.

This case was decided by the Manitoba Human Rights Association who decided that if the girls made the boys team because of their skill, they should be allowed to play. In January 2008, the decision in this case was upheld by the Manitoba Court of Queen's Bench. Although this case was decided by a Human Rights Association, the solution reflects a decision that does not violate the *Charter*.

See the judge's ruling after the case

Manitoba High Schools Athletic Assn. Inc. v. Pasternak et al, 2008 MBQB 24.
www.canlii.org/en/mb/mbqb/doc/2008/2008mbqb24/2008mbqb24.pdf

Further Activities

1. Find examples of situations in history before the *Charter* was adopted where you think people were not treated equally.
 - Write a story or play depicting how the people who were treated unfairly felt, and describe how the *Charter* protects individual rights of equality.
2. Discrimination occurs where, for example, a person, because of a personal characteristic, suffers disadvantages or is denied opportunities available to other members of society.
 - Role play a situation where a person is discriminated against and explains that the discrimination violates his or her rights under the *Charter of Rights and Freedoms*.