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## Lesson Plans - Law

### Thinking About our Rights and Freedoms

#### Rajiv's Story

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Updated June 15, 1998

November always seemed like the worst month of the year to Jay. The first excitement of being back at school was over. Mid-term exams were making everybody grumpy. The weather was cold and dark, but it wasn't ski season yet.

This November was worse than most. Added to the usual November blahs, there was tension everywhere in the school. It had started with Harvey telling his "paki" jokes. Harvey said he wasn't prejudiced against anybody; he just liked a good laugh. But Rajiv, one of Jay's best friends, said Harvey was a racist.

People were beginning to divide in groups with the Arab and Indian kids on one side, the white kids who followed Harvey on the other.

Then, one Thursday afternoon, there was a fight.

Harvey had told another joke and when Rajiv got angry, Harvey called him a dumb raghead. Rajiv jumped Harvey and caught him with three hard punches before the teachers broke up the fight.

Both Harvey and Rajiv got suspended for three days and that could have been the end of it. But Harvey's father went to the principal and complained that he was afraid for his son's life. Rajiv was a Sikh and wore a kirpan, the curved knife that was part of the Sikh dress.

The principal decided that tensions were too high in the school anyway. She knew that the province's *Education Act* made her responsible, in law, for maintaining order and discipline in the school. In order to reduce the tensions, she had a search done on lockers where she suspected there might be weapons, alcohol or drugs. Then, the principal phoned Rajiv's home and told his parents that he could not come back to school wearing his kirpan. She told them she was relying on a government regulation which allows school officials to prohibit students from wearing kirpans on school grounds.

In Social Studies, the class had been studying the *Charter of Rights*. Now everyone started talking

about whether their *Charter* rights were being denied.

The students whose lockers had been searched claimed that it denied their right to be "secure against unreasonable search or seizure."

Rajiv claimed that he was being discriminated against because of his religion. He also claimed that Harvey's jokes were deliberately promoting hatred which, said Rajiv, was a crime.

When teachers suggested that Harvey should stop telling his jokes, Harvey complained that his right to freedom of expression was being denied.

The Social Studies teacher decided that there should be a debate on all these rights and arranged to have all of his classes meet together for the debate. He invited a local lawyer to judge the debate and a journalist to report on it.

Then, the principal cancelled the debate. She said her job was to ensure the safety and education of her students and that with tensions running as high as they were, it could be like lighting a match to dynamite.

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