

TALKING TO STRANGERS: MAKING DISTINCTIONS

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In June of 2005, an eleven-year-old Boy Scout on a camping trip became separated from his troop. The police were called and a search party was formed. For three days, people searched the woods for the boy. At last, fortunately, the boy was found safe. During the three days he was missing, the boy heard and saw the searchers as they combed the woods looking for him. They failed to find him because he hid from them. When the police asked him why he had not approached any of those adults, he informed them that in his family there was a rule: Don't talk to strangers.

In 2004, Gurbaj Singh Multani, a religiously observant twelve-year old public school student of the Sikh faith, petitioned the Supreme Court of Canada for the right, under certain conditions, to wear his kirpan to school. His faith requires the kirpan, a dagger-like object of religious devotion, to be on his person at all times. The conditions his family offered included securing it into a wooden sheath stitched into a fabric envelope, and worn secured to a strap fastened under his clothing. If the kirpan were ever taken out in school, the right to wear it in class would be lost permanently. These conditions were insufficient for his school board, which had a zero tolerance policy: No "weapons" allowed.

We have all seen justice and liberty symbolized by the two-pan balance: The Scales of Justice. Try using one and you find that the device only works when weighing one thing against another. You cannot simply weigh one object in isolation (this is why you will never see the image of a digital scale on the cover of a law book). While the user adjusts and readjusts the contents of the pans, the scale is continually in motion. It is nearly impossible to bring about a state of motionless equilibrium. In this fashion, our sense of justice, of fairness, is also in continual motion.

What if we teach students to place values into that balance? We then teach them to think critically – to consider and to ask questions, not merely to obey and to agree. Some have said that, in fact, all education is in aid of teaching people to make distinctions – to tell good from bad and bad from worse.

Most children can tell you that talking to strangers is dangerous because strangers might want to hurt them, or as the lost Boy Scout said, "steal" them. This is not an unreal fear. There are malevolent strangers in our midst. But what do we mean when we describe someone as a stranger? Can children distinguish between a friend they have not yet met, and a paedophile? As

adults, we fear that they cannot. So we give them an absolute rule: NEVER talk to strangers. We hope to err on the side of safety, even while we acknowledge that our children may miss out on meeting kind or helpful strangers. But what about the lost Boy Scout? How safe was he? Not many children could survive unassisted for three days in the wilderness. He was either well-prepared or very lucky.

In its 2006 unanimous decision in the Multani case, the Supreme Court of Canada has charged educators with a special role. "... it is incumbent on the schools to discharge their obligation to instil in their students this value that is at the very foundation of our democracy. A total prohibition against wearing a kirpan to school undermines the value of this religious symbol ... allowing him to wear his kirpan under certain conditions demonstrates the importance that our society attaches to protecting freedom of religion and showing respect for its minorities." The Court placed the necessity of a school to create a safe place for those in it on one side of the scale and Mr. Multani's right to practice his faith on the other. In the balance, the Court arrived at an accommodation that cannot alleviate *all* risk, but can substantially reduce it.

In a democracy, we are required to obey the law, but never to believe that all laws are fair. We may agree or disagree with a court's decision. We may find that a rule or law no longer suits our purposes. But we must use both pans of the balance. When we stop requiring our students to simply agree, to merely obey, to reach consensus, and require them to think, to disagree and to consider all of the values in the balance, we engage them in the democratic process.