### That’s Not Fair!

**Subject(s):** Language Arts; Social Studies/Humanities  
**Grade Level:** 1 - 6

### Specific Student Learning Objectives:
- Students will develop a basic understanding of human rights principles and the Canadian Charter of Rights and Freedoms;
- Students will demonstrate an understanding of how/when/why rights might be limited;
- Students will be introduced to and will use the “Acorn Test” (a simplified version of the Oakes Test), as a method for balancing conflicting rights and freedoms;
- Students will better understand the importance of individuals’ voices in our democratic society.

### Enduring Understanding(s)/Big Idea/Essential Questions:
- What’s ‘NOT FAIR’ to you?
- How does society decide if something is fair or unfair?
- How can you take action as an individual?

### Context:
Introductory lesson. Could serve as the beginning of a unit on rights and responsibilities, and could be executed through a series of discussions or as an activity on the topic of citizenship and “fairness”.

### PREAMBLE:
In order for this lesson – or, really, any critical-thinking lesson – to be effective, students must be given clear “Permission to Disagree.” Divergent points of view must be encouraged throughout the lesson, so that the issues raised can be fully and meaningfully explored. There are no right answers to these questions, and part of the lesson is to help students understand how challenging and interesting issues of fairness, citizenship and justice can be. Quite aside from adding to the debate, encouraging diversity of opinion and point of view is vital to fostering democratic habits and active citizenship.

### Is there a Connection for Students?
The content of the lesson is entirely linked to democratic issues/concerns – rights, rules – that students confront every day. This lesson is constructed to help encourage students to become critical thinkers who are more aware and better prepared for civic engagement.

### PART 1: Minds On: Activating Prior Knowledge

#### Introduction to Rights and Freedoms:
Initially, poll students: What does it mean to have rights? What does it mean to have freedom? Can you name some rights or freedoms that you know we have in Canada? (Tell students that the Canadian Charter of Rights and Freedoms is the document that guarantees certain rights and freedoms to anyone living in Canada.) Can you think of any rights and freedoms that you think we should have that are not listed in the Charter?

### Materials (Teacher/Student)
Discussion on the need for rules and laws which are limits to our rights and freedoms:
If the Charter tells me I have freedom, does that mean I should be allowed to do whatever I want, whenever I want? Why or why not?
What if I like to flap my arms? Should I be free to do this? (demonstrate by flapping your arms like a bird)
Should I be free to flap my arms with my eyes closed while walking around the classroom? Why or why not?
Explain to students that when they say I can’t flap my arms in this potentially dangerous way, they are in fact putting a LIMIT on my freedoms. In school and at home, we follow rules which have the same purpose: to limit our freedoms, hopefully for an important goal. In society we have laws that also tell you what you can and cannot do. Limits (i.e. our laws and our rules) are very important.

Discussion on REASONABLE limits: How do we know of a rule/law is fair or if it goes too far to try to achieve a certain goal?
We know that limits to our freedoms (rules and laws) are necessary in society to keep us safe. If we are concerned about our safety, and flapping my arms could potentially be unsafe, shouldn’t we just make a rule that I am NEVER allowed to flap my arms? Why or why not?
If you were the teacher, how would you write the rule about arm flapping to make it more fair and reasonable?
Conclusion: Rules and laws (limits to our freedoms) are necessary, but they need to be FAIR and reasonable.

Application: Questioning school rules: what is a fair limit to our rights and freedoms in school?
Does your school have a peanut-free/nut-free rule? (If no rule exists in your particular school, explain to students that there are some schools that ban peanuts and peanut products because some students are extremely allergic to those products)
What is the best way to decide about whether or not we should have a peanut butter rule? Should we take a vote to see how many students like to eat peanut butter and let the majority (most number of students) have their way?
Let’s give it a try: How many of you really like peanut butter? If you could vote to have peanut butter allowed or banned, how would you vote?
What are the different perspectives that need to be considered when thinking about whether or not this rule is fair? Who is harmed by allowing peanut butter in school? (e.g. anyone with a severe peanut butter allergy). Who is harmed by banning peanut butter from school? (e.g. low-income parents who wish to feed their child a peanut butter sandwich because it is an inexpensive and healthy lunch)
How can we find a balance between those different points of view?
Taking all the different perspectives into consideration, how might you make the peanut butter rule more fair?

Teacher suggestions for this exercise: Could carry this out as a group discussion, or do a simple think-pair-share or a “stand on the line” exercise, or organize a four-corners activity around the opening concept (the four questions being, “I agree with the no-peanut rule”; “I disagree with the no-peanut rule”; “I am not sure...”; “I think there should be a rule, but it should be modified.”)
### PART 2: Action - Questioning laws: what is a fair limit to our rights and freedoms in society?

1. Show CCLET’s animated short film titled “Mayor Moe Sees Stars” (approx. 2 minutes).
2. Recall the earlier conclusion that rules and laws (limits to our freedoms) are necessary, but they need to be FAIR and reasonable. How do we know if a limit to our rights and freedoms is fair and reasonable? In Canada, judges have developed a test (the Oakes test) that helps them decide when it is fair and reasonable to limit someone’s rights or freedoms. The Acorn test (which was created by the CCLET) is a simpler version of the Oakes test.
3. Take an initial poll from the students: i.e. Raise your hand if you think the no-lights after dark regulation is reasonable/unreasonable.
4. Walk through the three questions of the “Acorn Test” (you can also view an interactive Prezi online at www.ccla.org/acorn)
   - Why? (Why was the law created? What is the purpose of the law or rule?)
   - Will it work? (Is the law effective in achieving its purpose?)
   - What else will it do? (What are the side-effects or unintended consequences of the law?)
   **Note: The Acorn Test is essentially a values-balancing exercise... (i.e.: do the consequences outweigh the benefits? What is the least bad outcome?)
5. Divide students into small groups to identify and discuss the issues presented in the DVD. Students will apply the Acorn Test to determine whether or not they think the no-lights after dark regulation was fair and reasonable. After the small group discussion, ask students to share their responses to each of the three questions with the rest of the class.

### MATERIALS
- Chalk or white board or flip chart.
- Copy of CCLET’s animated short “Mayor Moe Sees Stars” (available at http://vimeo.com/19309847 or on “That’s Not Fair” DVD).
- Prezi: CCLET presents the Acorn Test available at www.ccla.org/acorn

### PART 3: Consolidation and Debrief

- Law makers and judges (and now you!) are able to apply these questions in situations where there is a conflict of rights and freedoms. Do you think this can help you to figure out if something is unjust? What other questions could help you to decide if something is fair or unfair?
- Is there an issue or a rule in your school or elsewhere that you feel is unjust? Use your critical thinking skills and go through the Acorn Test to assess whether or not the rule/issue is unfair, and if so, see if you can come up with a more reasonable way to address the problem.
- The future of our democracy lies with you! Make it a habit to think critically about limits on our rights and freedoms. If your questioning leads you to the conclusion that something truly unfair his happening in your community or abroad, think about what you can do (legally and peacefully) to make change

### NEXT STEPS – SUGGESTIONS:
Students now know how to use the “Acorn Test” to help them think about future discussions and controversies – be they discussions about the rules that surround them, about an issue that arises in the classroom, or about a book that they might read in class. Reinforce the critical thinking skills taught by continuing to refer to this framework as issues come up in class discussions or assignments which involve conflicts of rights and freedoms.

### MORE LINKS:
- CCLET list of recommended children’s books for use in the classroom (great “openers” for rights-based discussions for all ages) – available at http://ccla.org/education-2/resources/