

# A LARGE JAW IN MOOSE JAW

The Right to Participate and be Included

Written by Dustin Milligan • Illustrated by Cory Tibbits



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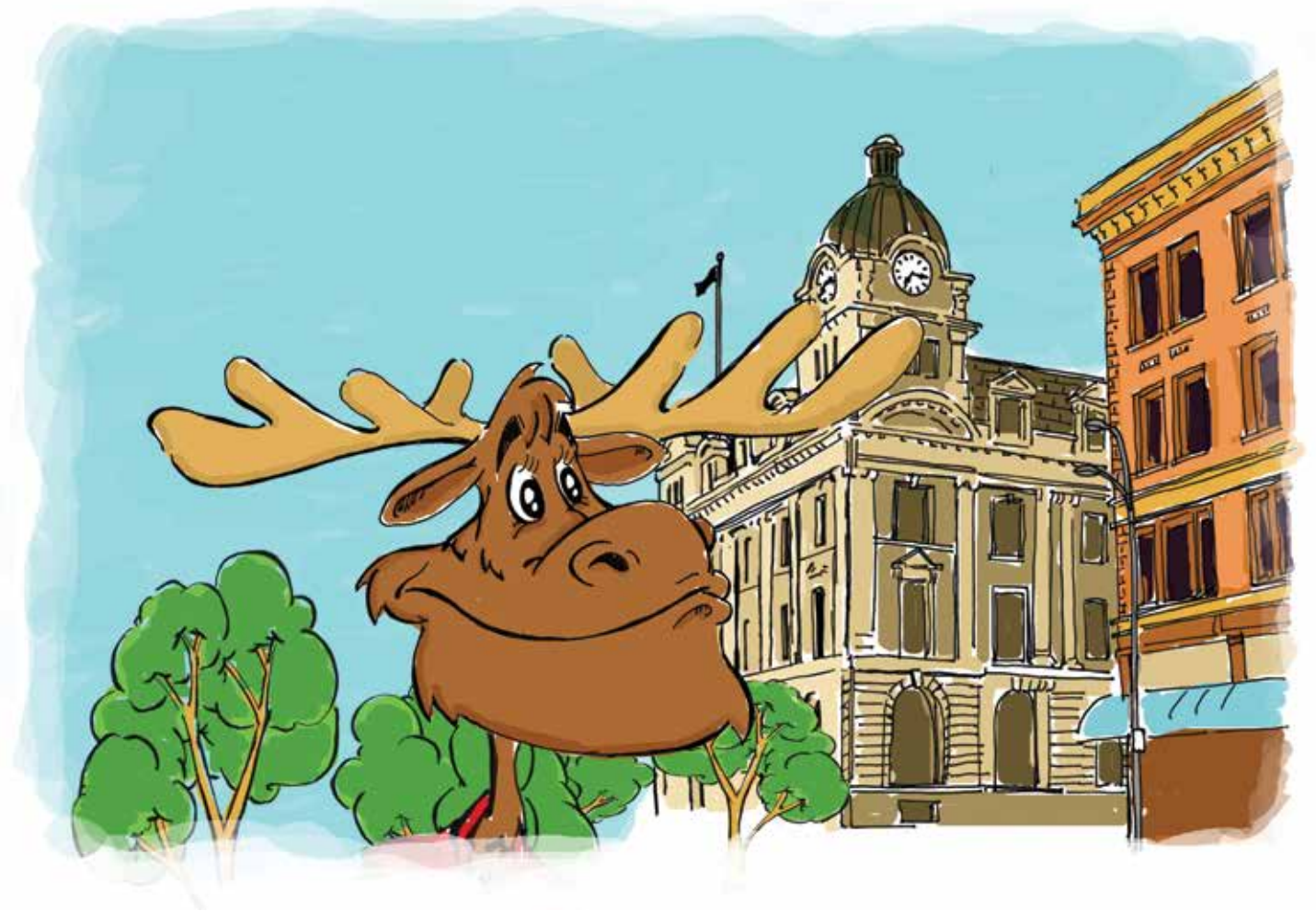
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**I**n a time not so long ago, in Moose Jaw, Saskatchewan, there lived a moose named Noah.



Noah dreamed about playing at the Moose Jaw Theatre with thousands of deer watching him perform. As he looked in the mirror, he imagined that he was rocking out on his guitar just like his favourite band The Tragically Hoof.

Noah strummed his guitar and sang their hit song:

*Saskatoon is sinking moose  
And I don't want to swim...*

Becoming a famous musician is never easy. It takes a lot of hard work and dedication.

And for Noah, the odds were stacked against him.

The only theatre in town had a strict rule: large-jawed moose weren't allowed to sing at the Moose Jaw Theatre.

And Noah had a large jaw.



Moostachio was the director of the Moose Jaw Theatre. The City Council had hired him many years ago. He had no sympathy for Noah.

He told him:

*See right here, it's the theatre's law,  
That moose can't sing with such a large jaw!  
Look at the size of this microphone,  
It's much too small for your jawbone!*

Noah's large jaw gave his voice a smooth, deep tone. The small microphone couldn't pick up Noah's deep voice.





In early September, Moostachio began preparing for the next season of *Moose Jaw Idol*.

It was being held at the Moose Jaw Theatre.

The poster said:

*Whether you're a doe, an elk, or a reindeer,  
A buck, a fawn, or a deer with no fear,  
Audition! Try out for Idol this year.  
Give it a shot! We may like what we hear.*



Even though he knew he couldn't, Noah wanted to audition for *Moose Jaw Idol*.

And so he practised day and night.

Not wanting to waste a minute, he even sang during his morning shower.



The other moose giggled and whispered when they saw Noah singing. He didn't sound like the other moose in town. His smooth, deep tone was unusual.

Even as his classmates smirked, Noah held his antlers high.

He sang:

*A small town moose out on the prairie,  
A guitar in hand, a voice I carry,  
I'll sing my songs across this land!  
If only they could understand.*



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## *Note for Parents and Teachers:*

This story seeks to teach children about the right to equal treatment and freedom from discrimination on the basis of disability, which is guaranteed by section 15(1) of the *Canadian Charter of Rights and Freedoms*. This section provides that:

*Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on... mental or physical disability.<sup>1</sup>*

A violation of the section 15(1) right to equality occurs when a law has the *effect* of treating persons with disabilities differently than persons without disabilities. In assessing whether the effect of a law is discriminatory, the courts will consider the ways in which the law impacts the dignity, self-worth, and self-respect of persons with disabilities.<sup>2</sup>

In this story, Moostachio argued that all moose were being treated equally because they were all provided with the same (small) microphone. However, he eventually came to realize that even though the small microphone rule applied equally to all moose, its effect was discriminatory because it prevented large-jawed moose like Noah from participating in *Moose Jaw Idol*. This infringed upon Noah's human dignity and hurt his sense of self-worth.

By focusing on the effect of laws, the right to equality under section 15(1) embodies the substantive approach to equality. This approach challenges society's dominant structures, norms, and stereotypes to ensure that the attributes of all persons in society are taken into account by lawmakers. In this story, the town theatre provided only a small microphone because that was the size that most moose required. However, by the end of the story, the town realized that it was better to provide both large and small microphones so that all moose could audition.

Beyond the *Charter of Rights and Freedoms*, this story also teaches that all children have something equal to contribute, regardless of their differences, and that they should not be stereotyped or judged based on their differences.

In this story, the moose initially laughed at Noah's singing because his deep voice did not coincide with mainstream opinion of charm, beauty, and grace. By the end of the story, however, the moose overcame their initial stereotypes and recognized a certain beauty in Noah's voice even though it was different.

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## *Questions for children:*

- 1.** What was the rule at the Moose Jaw Theatre? Why did Moostachio need to buy a larger microphone?
- 2.** Why was it necessary to make the movie? Why was the community upset after seeing the movie?
- 3.** Why did it take the audience a little longer to realize how beautiful Noah's voice really was? If his voice wasn't beautiful, would he still have deserved the same respect?

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<sup>1</sup> *Canadian Charter of Rights and Freedoms*, s 15(1), Part I of the *Constitution Act, 1982*, being Schedule B to the *Canada Act 1982 (UK)*, 1982, c 11.

<sup>2</sup> *Law v Canada (Minister of Employment and Immigration)*, [1999] 1 SCR 497, 170 DLR (4th) 1.