



Written by [Selwyn Duke](#) on October 13, 2009

Six-year-old Suspended for Bringing Cub Scout Tool to School

Our authorities may not be able to track down Osama bin laden, but never fear, they're keeping us safe from budding little terrorists such as first grader Zachary Christie. Caught red-handed, the Newark, Delaware, six-year-old was suspended from his school and may face 45 days in reform school for violating the Christina School District's "zero tolerance" policy on weapons. His offense?

Bringing a camping utensil set to school.

The "weapon" in question is a "hobo tool" the first grader had received after recently joining the Cub Scouts; it contains a fork, spoon, and knife. Zachary was so excited about his new acquisition — as any normal boy would be — that he brought it to school to use during lunch period. School officials then suspended him, saying they have no choice because the district's code of conduct prohibits the possession of knives "regardless of the possessor's intent."

Unfortunately, little Zachary's story is a common one today, with well-meaning students being subjected to disproportionate punishment across the nation in the name of zero tolerance. Writing about Zachary's case in the *New York Times*, Ian Urbina [provides](#) one of these other examples, that of a third-grade girl who "was expelled for a year because her grandmother had sent a birthday cake to school, along with a knife to cut it. The teacher called the principal — but not before using the knife to cut and serve the cake."

I wonder what punishment was visited on the teacher, who actually used this dangerous weapon — hence becoming the "trigger man" — before fingering the little lass who simply provided it.

Yet, if this doesn't push your outrage button, try the following on for size: a 12-year-old named Bruce Cruz was once suspended from school for fashioning a gun out of paper. Then there was a nine-year-old named Mark Polansky who was [suspended](#) for simply having a *paper cutout* of a pistol. And Polansky must have been a good kid, too. He didn't even try to jump bail.

If that's not enough for you, 13-year-old Paul Mosteller was [suspended](#) for simply drawing a gun on a piece of paper. It's a good thing it wasn't a knife — those paper cuts can be murder.

Yet it's not only imaginary weapons that can bring punishment, but also imaginary sex. For instance, there was the case of six-year-old Johnathan Prevet, who was [suspended](#) for "sexual harassment" for





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giving a classmate a little peck on the cheek. Unluckily for him, I suppose, the classmate was a girl. Otherwise he could have claimed minority status and complained of intolerance.

So what motivates such insanity? There are many factors, and Urbina discusses one of them in his piece:

Education experts say that zero-tolerance policies initially allowed authorities more leeway in punishing students, but were applied in a discriminatory fashion. Many studies indicate that African-Americans were several times more likely to be suspended or expelled than other students for the same offenses.

“The result of those studies is that more school districts have removed discretion in applying the disciplinary policies to avoid criticism of being biased,” said Ronnie Casella, an associate professor of education at [Central Connecticut State University](#).

So, just as employers alter their policies (instituting racial quotas) in deference to the politically correct thought police, so do schools. It’s the same mentality that is leading to actual racial quotas in the meting out of punishment in school, something I wrote about [here](#).

So, based on the claim that some teachers are practicing discrimination (I don’t believe what the studies imply, by the way), school districts are in essence saying that there will be zero tolerance for reality. And reality is that punishment is all about discrimination — in that you single out certain people from among many based on the belief that they’ve violated a rule — and just punishment requires that you discriminate rightly. Thus, how does it make sense to institute a policy that renders this impossible?

And this is what has happened. There was the allegation that certain students were punished differently for the same actions (I suspect that the difference was attributable to intent), but now it’s a fact that certain students are punished the same for very different actions — and despite having very different intent. We’re lumping six-year-olds with camping tools in with troubled teens with military knives.

I would also ask: What is a weapon? Does a hobo tool qualify? Remember, hammers, screwdrivers, bats, golf clubs, and sharpened pencils can be — and have been — used as weapons. But they also have legitimate uses as tools. Can the same, however, not also be said of knives? We all use them that way — upwards of 99.9 percent of the time. (Despite this, there are those who would extend knife prohibitions beyond the schoolhouse doors. For example, some in Britain have [called for a ban](#) on sharp kitchen knives.)

Yet the mindless enforcement of mind-boggling rules already extends beyond the schoolhouse doors. Just consider the case of 66-year-old George Norris, who was *imprisoned* for two years for legally importing orchids simply because some companies he obtained them from failed to fill out paperwork correctly. Consider the hapless Krister Evertson, an inventor working on clean-energy fuel cells, who also was sent away for almost two years. What was his crime?

He forgot to place a federally mandated sticker on a UPS package containing some of his supplies.

Then there’s Indianan Sally Harpold, a grandmother who was handcuffed and arrested for buying cold medicine. Yes, you read that right. Harpold bought Zyrtec-D and Mucinex-D for two different family members within a seven-day period, not realizing that she was exceeding a legal limit Indiana had placed on the purchase of such medication in an effort to combat methamphetamine producers. And although she is not in that business, this didn’t matter to Prosecutor Nina Alexander. Echoing the Christina School District’s rules, the prosecutor said that, under the drug law, intent doesn’t matter.



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Alexander also used the old cliché “Ignorance of the law is no excuse.” Yet what excuse does the law have for being ignorant of morality? Ignorance of the law is unavoidable when laws become so legion and labyrinthine that only a cross between Perry Mason and Rain Man could know them all. Remember, the tax code is so expansive now that even I.R.S. agents don’t fully understand it. And even simpler codes aren’t so simple anymore. The Christina School District’s code of conduct, which I mentioned earlier, is *80 pages long*.

I would also point out that there’s the letter of the law, and then there’s the spirit of the law. And if teachers, judges, and the Nina Alexanders of the world would become sanctimonious about adherence to the former, I’d ask them a couple of questions. Do you always drive no more than 30 mph in a 30 zone and come to full stops at stop signs? Do you follow all the thousands of laws that have metastasized in our nation like cancer cells?

Of course, we do have to be governed by the rule of law, but law has to be governed by the rule of morality. And there’s nothing just about micromanaging lives and turning man into marionette.

Just as a picture is worth a thousand words, common sense is worth a thousand laws. Unfortunately, today we have too many laws and too little common sense.



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