

Ethics Bowl Canada

High School Regional Cases 2021-2022

Table of Contents

Note: The Committee recommends each case to be paired with the subsequent one during the competition (i.e., 1-2 together, 3-4 together, and so on).

Partiality and Special Obligations — 1
Should you Shop Online? — 2
Giving Money to the Homeless — 3
Is Tourism Immoral? — 4
Child Marriage in Canada — 5
To be(get) or not to be(get): Reproducing in a Populated World — 6
Restricting Job Applications — 7
Worker Shortages and CERB — 8
Extending Medical Assistance in Dying (MAiD) to Chronic Sufferers — 9
Think Twice Before Asking This Question at the English-Language Leaders' Debate — 10

Note to the Organizers

The cases presented here are the collective work of the 2021-2022 Case Development committee. We hope that in sharing our work with the coaches and teams participating at the event, you host many critical conversations in the true Ethics Bowl spirit.

Please direct any questions about this set of cases to Emily Muller (emily@beinglifewise.ca) and Cem Erkli (cerkli@sfu.ca).

Note to the Coaches and Students

We are excited to present you with these cases. This set of cases represents many hours of collective work and research on our part, and we hope they will provide you with engaging avenues for self-directed research, varied arguments, and critical discussion.

In your preparations for the Ethics Bowl competition in your region, do note that there will be a specific question about each case you will need to answer during the competition. This question will often be different from the Discussion Questions listed, whose main purpose is to help you explore directions in your research and discussion.

We welcome feedback about the cases. Please direct any feedback to Cem Erkli (cerkli@sfu.ca).

2020-2021 Case Development Committee
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1 | Partiality and Special Obligations

Consider the following trolley problem. There is an out-of-control train that is headed towards a collapsed bridge over a deep ravine. If the train continues along its current path, all 150 people on the train will die. You are standing beside a switch that will divert the train onto another track. However, your parents, brother, and sister are on that track. If you pull the switch, the 150 people on the train will survive, but your family will die. For the sake of argument, assume that these facts are certain and that there is no available way to escape this dilemma as described. What *should* you do? What *would* you do?

Ethicists argue over how much, and in what way, caring about particular others can make it ok to prioritize them in our ethical decision-making. On the one hand, our ethical lives are lived within relationships. We therefore rationally place a high value on particular people and also on virtues like care, loyalty, and belonging. On the other hand, ethical thought often aims to direct our attention to the claims of *each* person affected by our actions, and urges us to give each person some respect and standing in our considerations, regardless of whether they are complete strangers or we are personally attached to them.

This tension between ethical involvement with members of one's own group (of friends, family, within an ethnic or religious affiliation, or as part of local or national communities) and the wider whole of humanity can be observed when we ask questions like the one presented in the trolley problem and more general questions about preferential treatment. We might owe more to people with whom we share important projects and concerns. Perhaps personal relationships make us responsible for one another in some way that accounts for our sense of special obligations.

At its worst, though, the natural tendency to upgrade the ethical importance of our fellow in-group members can lead us to develop forms of tribalism or moral myopia in which we recognize the moral importance of those we are close to but fail to perceive our moral obligations to distant others.

Discussion Questions

1. Is it wrong to save one's family rather than the 150 strangers? Is it selfish? Does it help to ask how you would feel if you or someone you loved were in that group of strangers?

1. How do affection and belonging shape our ethical obligations? Is it forgivable to act in ways that privilege our family and friends given that our affections for them are most likely deeply in-grained and natural to us? What else might justify us in exercising partiality when we make ethically-implicated decisions?

2. What makes it right or wrong to treat people differently? For example: Is it ever okay to help a friend get away with a crime, when you would turn in someone else for doing the same thing?

3. Is it okay for a family to spend money on their son's hockey equipment and training when the same amount could provide hundreds of children in another country with safe drinking water?

Further Reading

"Brief Introduction to Trolley Problems." [Video] *BBC Radio 4*, November 18, 2014.

"Could there be a solution to the trolley problem?" Omid Panahi. *Philosophy Now*, 2016.

"Extreme altruism: should you care for strangers over your family?" Larissa MacFarquhar. *The Guardian,* 22 September 2015

2 | Should You Shop Online?

Jeff Bezos began a retail revolution when he opened Amazon in July 1995. Amazon began as an online book seller, and its benefits for shoppers were immediately obvious. Even the largest bricks-and-mortar store stocks only a small fraction of the millions of titles in print, and although bookstores offer special order service, the process is slow. Most of us have probably experienced the convenience of e-commerce: discovering the hard-to-find title we want online, ordering it with a few key strokes, and finding it at our doorstep in a day or two. Online buying is not only more convenient, but it is often cheaper as well. Amazon's early success triggered a goldrush to e-commerce. Traditional retailers were quick to establish their own brands online, using Amazon's innovations as their model. Bezos was just as quick to expand Amazon's reach across the entire range of consumer products, and the others followed. This sector of the retail industry proved its value during the COVID pandemic. When governments ordered the closure of malls and other retail spaces, e-commerce became a lifeline delivering everything from groceries to jigsaw puzzles.

All revolutions have their casualties. The first to fall were many independent bookstores, laying off their skilled staff in the process. In place of a recommendation tailored to their interests by a salesperson who knew books, readers learned to make do with a machine-generated list of what 'customers who bought this book also bought.' Next to be challenged by the disruption were local specialty shops and then large department stores – often the anchor tenants in malls. As some of these were shuttered the reduction in foot traffic weakened neighbouring cafes and other gathering places. Costs extend beyond effects on retail competitors. Satisfying buyers' desires requires the development of massive next-day delivery networks, keeping environmentally unfriendly old airplanes in the sky and clogging urban streets with thousands of vehicles. It's not unusual to see three or four vans on an otherwise quiet residential street, each delivering a single heavily packaged item to sometimes the same address. Low prices are maintained by strict labour practices throughout the e-commerce supply chain – practices that relentlessly drive workers to ever higher efficiency. Customers seldom appreciate the mountains of personal information being collected as they browse and buy, nor do they understand how their information is stored, shared and used.

Discussion Questions

1. Do individual consumers have any responsibility for the effects of their online shopping, or are price and their convenience the only factors that matter?

2. Or should we simply celebrate online shopping for its ability to improve the quality of life for ordinary people?

3. Are there measures that our government should adopt to ameliorate one or more of the unfortunate effects of this retail revolution?

Further Reading

"Don't Support Your Local Bookseller." Farhad Manjoo. *Slate,* December 13, 2011.

"Independent Bookstores: How to Compete with Amazon." Janaka Stucky. *HuffPost*, January 14, 2012.

'Working Conditions are Hell': Amazon Employees Not Surprised Its Warehouses Have Seen Hundreds of COVID Cases." Tom Blackwell. *The National,* December 23, 2020.

"How People Who Work for Amazon Really Feel." Susan Adams. *Forbes*, August 18, 2015.

3 | Giving Money to the Homeless

In 2017 Pope Francis sparked an international debate when he said that people should always give money to someone begging on the street even if they suspected it might be spent on alcohol. The pope criticized those who find excuses not to share their money arguing that unconditional giving in the name of compassion "is always right".

Opponents of the Pope's position argue that although it might make the giver feel good, it is not right to give someone money if that money might harm the recipient by supporting an addiction. Furthermore, although one could argue that people in need may be in a crisis situation, they need to take responsibility for their condition; denying them a handout may prompt the motivation needed to find addiction treatment or seek employment. Others claim that those asking for money are often lazy, undeserving, or even fraudsters engaged in an insincere request for help: we work hard for our money, they argue, and we have no obligation to share it and potentially support someone's laziness or addiction.

Others opposed to giving cash handouts argue that it makes more sense to give the person food or support a charity that works with needy people. And still others point out that giving someone your spare change is a band-aid solution and our energies and resources should be directed towards bringing about systemic change.

Those who support the idea of sharing money unconditionally point to our basic responsibility to look out for the welfare of our fellow human beings. Instead of judging a fellow human being, we should be showing compassion. They argue that what the needy do with that money is not anyone's business. Just as one's employer has no right to question how one spends a paycheque, one has no right to restrict the recipient of charity from using it to buy whatever they want. In fact, the act of dictating how a marginalized individual spends their financial handout could be characterized is a form of oppression exercised by those with financial means against the marginalized.

Discussion Questions

1. What responsibility do we have for those in our community living in need? What do we owe the most vulnerable in our society?

2. Is there such a thing as the "deserving" and "undeserving poor". In considering whether to give a financial handout is it proper to discriminate against those we suspect are lazy or going to misspend the money?

3. Under what circumstances is it okay to dictate how a financial gift is to be spent?

4. Most, if not all of the money provided in Canada's federal and provincial social assistance programs comes without conditions. Recipients may spend that money in whatever way they like. Does the act of giving money in a personal interaction differ from the act of providing financial assistance through government programs?

Further Reading

"The Pope on Panhandling: Give Without Worry." Editorial. *The New York Times*, March. 3 2017.

"Should You Give Money to Homeless People?" Derek Thompson. *The Atlantic*, March 22, 2011.

"Maple Rigde becomes the latest B.C. community to crack down on panhandlers." Justin McElroy. *CBC News*, November 12, 2019

"'Nobody panhandles by choice': How panhandling bans affect the homeless." Duncan McCue. *CBC Radio,* December 15, 2019.

4 | Is Tourism Immoral?

Foreign travel has long been touted as a way of expanding one's horizons, learning about history and experiencing other cultures or ways of life. Canadians love to escape the depths of winter and recharge their batteries through a brief respite in a warm locale. Some head for their favourite theme park in the south. Others look forward to being pampered at an all-inclusive resort in Cuba or visiting an ecotourism reserve in Costa Rica. The travel industry which meets this demand is huge. Its global market size in 2019 was estimated to be nearly 1.7 trillion US dollars[1], and the World Economic Forum estimates that one in ten jobs is in tourism. This generates important economic benefits. At Parks Canada, some of the money that tourists spend goes towards important ecological upkeep and monitoring.[2] One industry insider describes tourism as "the largest voluntary transfer of cash from the rich to the poor, the 'haves' to 'have nots', in history."[3]

However, these pleasures and economic benefits come with costs, both global and local, which tourists can easily overlook. Hundreds of airplanes crisscross the skies on a daily basis pouring tonnes of greenhouse gases into the upper atmosphere. Sunscreens from snorkelers may cause bleaching of the Virgin Islands' coral reefs. Hordes of careless hikers can inflict lasting damage on fragile alpine vegetation in national parks. Temporary residents threaten to overburden Maui's water supply.[4] The same crowds of tourists who provide jobs for many Venetians may also diminish the quality of life for the neighbours. Rising property costs may even push life-long residents out of their neighbourhood. Tourist spending that provides steady employment for the citizens of numerous countries may at the same time provide stability for regimes that oppress those people.

A little bit of reflection makes clear that different vacations have significantly different consequences.

Discussions Questions

1. Do individuals have an ethical responsibility to mitigate the harmful effects of their travels?
2. Is it ethical for foreign visitors to interfere in the social and political matters of their host country?
3. Are there vacation destinations that ethical tourists should avoid?

Further Reading

"How Canadian Tourism Sustains Cuba's Army and One-Party State." Evan Dyer. *CBC News, August 2, 2021.*

"What Is Ecotourism? Definition, Examples, and Pros and Con." Katherine Gallagher. *Treehugger,* April 30, 2021.

"The Growth Paradox: Can Tourism Ever Be Sustainable?" Brian Mullis. *World Economic Forum,* August 10 2017.

"When, if Ever, Is It Unethical to Visit a Country?" Aatish Taseer, Noo Saro-Wiwa, Pico Iyer, et al. *The New York Times*,May 16, 2019.

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[1]Is Tourism Immoral?
Market size of the tourism sector worldwide from 2011 to 2020, with a forecast for 2021
https://www.statista.com/statistics/1220218/tourism-industry-market-size-global/

[2] https://www.pc.gc.ca/en/voyage-travel/tarifs-fees

[3] Christopher de Bellaigue, "The End of Tourism?"
https://www.theguardian.com/travel/2020/jun/18/end-of-tourism-coronavirus-pandemic-travel-industry

[4] Maui residents rail against spike in tourism during water shortage: 'Stop coming' to Hawaii.
https://www.washingtonpost.com/nation/2021/08/03/maui-hawaii-water-shortage/

5 | Child Marriage in Canada

According to the United Nations, "child marriage refers to any formal marriage or informal union between a child under the age of 18 and an adult or another child." International concern has been raised about this practice. Studies have demonstrated that young mothers are more at risk of health complications, child brides are at higher risk of contracting HIV/AIDS, children who marry are less likely to finish their education, and young wives have few options for work.

The Canadian government has joined with other nations to condemn child marriages and has committed significant funding to stop the practice, particularly in the developing world. Ironically child marriage is still legal in Canada and between 2000 and 2018 marriage licenses were granted for over 3500 children. (This number does not capture the many children who are in common-law marriages.) In Canada, depending on the province, one is legally entitled to marry at either 18 or 19 years of age. However, in most provinces, 16- and 17-year-olds can also legally marry with the permission of parents, guardians, or the court. Before 2015, children as young as 14 were legally entitled to be married under some circumstances.

Is Canada being hypocritical in allowing these young people to marry? Critics argue that the law allows people to marry before they can legally vote or drink alcohol. They point out that child marriages often involve girls marrying much older men. The incidence of child marriage is also much higher in Canadian Indigenous communities for reasons that have not yet been fully explored.

Advocates for retaining the current law might argue that some 16-year-old children are more capable of making wise choices in marriage than some 35-year-old adults. Moreover, Canadian children who are under the age of 18 can be deemed capable of making life altering medical decisions. There is no stipulated age of consent to medical treatment in any province (or territory) other than Quebec. In most of Canada, any child who is deemed capable of consent may accept or refuse medical care. If children can have the capacity to consent to medical care, why should we assume that they do not have the capacity to consent to marriage? Defenders of the status quo also point to the need for parental consent in the current laws and how this provides a safeguard to protect children. Critics point to cases where parents have coerced a child into an early marriage.

Discussion Questions

1. Is there a moral difference between child- marriage in the Canadian context and child-marriage in other countries?

2. How might we assess capacity to consent with regards to marriage? Is age a sufficient marker of the capacity to consent?

3. If we do use age is 18 too arbitrary? Might it be too young or too old? There are numerous examples of young people under the age of 18 who have successfully taken on great responsibility.

4. What role should the state play in policing children's choices, particularly if parental consent has been granted?

Further Reading

"Child, early and forced marriage." Government of Canada. Last updated: August 20, 2020.

"Canada must amend its marriage laws to end child marriage." Daphne Barmham. *Vancouver Sun*, January 13, 2021.

"Child marriage is 'a hidden crime,' and it's happening in western nations, says survivor and advocate." Editorial. *CBC Radio*, May 22, 2021.

6 | To be(get) or not to be(get): Reproducing in a populated world

There are roughly 7.8 billion people on Earth. Some studies project that number to reach close to 10 billion by 2050, and over 11 billion by the end of the century. Some people think that human overpopulation is the most pressing problem for the health and integrity of our planet. They argue that as the number of people on Earth rises, more carbon monoxide and other greenhouse gases get put into the atmosphere, and more global resources get depleted. Other potential environmental impacts caused by human overpopulation might include global degradation, the extinction of other species, and an increase in habitat loss. Overpopulation also seems to have a more direct impact on human wellbeing: the more people there are, the more crowded places become, and the scarcity caused by environmental depletion and degradation has the potential to exacerbate personal and political conflicts. Some studies suggest that with human overpopulation comes a rise in unemployment, higher costs of living, and a higher risk of disasters and pandemics.

Independently of what the world's governments might do to mitigate the putative effects of human overpopulation, there is a growing number of people—sometimes called 'anti-natalists'—who think that, in light of the kind of considerations raised above, individuals have a moral obligation to refrain from reproducing. Others think that there cannot be a moral obligation to refrain from reproducing because human beings have a fundamental right to procreate. Any moral duty not to reproduce would violate that right. Some people are skeptical that the growing human population poses any real threat to the health and integrity of our planet. Others, still, argue that the overpopulation narrative is grounded in racist and oppressive ideologies, disproportionally and unjustly affecting some segments of the global population.

Discussion Questions

1. Do people living today have an individual moral obligation to help mitigate against the putative effects of human overpopulation by refraining from reproducing?

2. Do people have a fundamental right to reproduce, and if so, does that right override any negative impact human overpopulation might have on other people's wellbeing or the environment?

3. Does the growing human population pose a genuine threat to the health and integrity of our planet?

4. Would a moral obligation to refrain from reproducing affect different segments of the global population differently? Explain.

Further Reading

"Why we should be wary of blaming overpopulation for the climate crisis." Heather Alberro. *The Conversation*, January 28, 2020.

"Is population control the answer to fixing the climate change?" Nicole Mortillaro. *CBC News*, Oct 25, 2019.

The Environmental Impact of Overpopulation: The Ethics of Procreation. Hedberg, Trevor. London: Routledge. 2020. (E-copies available here.)

7 | Restricting Job Applications

With the goal of increasing the number of underrepresented groups holding key posts, some employers have begun limiting who can apply for certain positions. Dalhousie University, for example, sparked a media debate when they recently advertised for an assistant professor in Agronomy and indicated that non-minority white men would not be considered.

Although less exclusionary, other employers have made it clear that in filling positions they will give "preference" to qualified applicants from traditionally excluded and underrepresented groups. The Governments of Nunavut and the Northwest Territories, for example, prioritize Indigenous applicants over all others.

Supporters of this 'preferential' approach to hiring see targeted hires as a means of fostering diversity in their institution, company, or organization. They point out that systemic discrimination often inhibits the success of candidates from underrepresented groups. They also argue that preferential hiring is important to ensuring certain perspectives (such as those of racialized or Indigenous people) are present in their decision-making structure. Proponents acknowledge that efforts to merely encourage diverse applicants have not been overly successful in the past and it is time to take action by directly recruiting those who are underrepresented.

Those concerned about this targeted approach to hiring argue that it is never right to discriminate / make hiring or recruiting decisions in favour of certain races, genders, or persons with disabilities even if the goal is to enhance diversity or address systemic discrimination. They argue in favour of "meritocratic" hiring practices where the job simply goes to the most qualified candidate with no regard to any other factor. They argue that narrowing the pool of applicants means you may be excluding top talent. Critics further point out that those who are successful in the job search may feel stigmatized and open to the criticism that they only got the position because of their membership in an underrepresented group.

Each candidate for a particular job is an individual, with unique strengths and weaknesses. Some contend that discriminatory hiring policies rob applicants of this individuality and make them first a member of a certain "group", implying that every member of that group has had the same experience.

Discussion Questions

1. Is it ever right to exclude a job candidate from consideration because of their race, gender, ability etc.?

2. Are so-called "meritocratic" hiring processes possible in our contemporary society and if so, are they fairer than diversity-based ones? Does fairness ever dictate that particular groups should be evaluated differently?

3. Would it be better to put energy into creating a system that better protects job applicants from racial and other forms of discrimination instead of excluding certain applicants from the process?

4. Are restrictions on hiring practices compatible with practices and policies aimed at encouraging members of underrepresented groups to pursue education and training in fields where there is little diversity? What role do each of these approaches play in ensuring a fair hiring process?

Further Reading

"Diversity, equity, and inclusion initiative do not belong in academia." Debra Soh. *The Globe and Mail,* May 4, 2021.

"Priority Hiring." The Government of Nunavut. *Human Resource Manual.*

"The hiring preference." The Government of Yukon.

"The truth behind 'reverse racism', it's not racism." Tina Changoor. *Canadian Centre for Diversity and Inclusion Blog*. July 8, 2020.

8 | Worker Shortages and CERB

During the pandemic, several countries including Canada and the United States offered direct support to workers unable or unwilling to return to work. Existing income support programs like E.I. were enhanced and new programs introduced like CERB (Canada Emergency Response Benefit) and CRB (Canada Recovery Benefit). Although these programs provided financial relief to workers, as the economy reopens employers are claiming that it is more difficult to hire employees, especially in minimum wage jobs.

Critics argue that these programs are hurting businesses by forcing them to artificially increase wages to attract employees and making these businesses suffer financially as a result – an unnecessary intrusion by government into the market. Some argue that the debt the government has built up during the pandemic, a lot of it due to financial-aid programs like CRB, is unfair to future generations[5].

Others argue that heavy government subsidies are making recipients dependent on government and providing a disincentive to work. Although some recipients may be avoiding work due to legitimate health and safety concerns, others may simply see staying at home as a more comfortable option. Opponents of these types of programs question why the tax dollars of working Canadians are being used to subsidize individuals for staying home instead of working.

Supporters argue that the government should continue programs like CRB until the pandemic is over to allow workers to protect themselves and their loved ones from Covid-19. Some go as far as to argue that these temporary programs should remain after the pandemic ends. They would like to see a Universal Basic Income where the government guarantees a minimum income level whether you are working or not. Advocates of a Basic Income claim that workers at the bottom of the economic ladder have had to cope with poor wages and poor working conditions for far too long. Not only would a basic income assist those struggling financially but it could allow them the freedom to pursue a better career path through education, training or even a more comprehensive job search. Time off could also help address mental health issues and allow parents to devote more time to their children or elderly parents.

Discussion Questions

1. In a wealthy country like Canada, what level of financial support should we realistically expect the government to provide individual Canadians?

2. How much should an individual be expected to compromise their own mental and physical well being to contribute to society by joining the workforce?

3. Why should a working Canadian's taxes be used to subsidize someone unwilling to work? Is this fair?

4. What are sound reasons for people to collect government-provided income, both during and after the pandemic?

Further Reading

"As a server, hearing others blame CERB for restaurant staff shoratges is dehumanizing. If an industry is harmful, why blame low-wage workers?" Jaby Dayle. *Toronto Star,* August 5, 2021.

"Canada's forgotten universal basic income experiment." David Cox. *BBC,* June 24, 2020.

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[5]Worker Shortages and CERB

Beswick, A. (2020, December 17). *The grandkids will pay for our CERB*. SaltWire. Retrieved from https://www.saltwire.com/halifax/news/local/the-grandkids-will-pay-for-our-cerb-532417/.

Extending MAiD to Chronic Sufferers

"Employers are having trouble hiring — and some blame CERB and other government programs for spoiling workers." Rosa Saba. *Toronto Star,* July 29, 2021.

9 | Extending Medical Assistance in Dying (MAiD) to Chronic Sufferers

Prior to 2015, the Canadian *Criminal Code* prohibited anyone, under any circumstances, from assisting someone else to commit suicide or from killing a person at their request. In the famous *Carter v Canada* case, the Supreme Court of Canada ruled that the *Criminal Code* did not strike an appropriate balance between the "right to life, liberty, and security of person" – the autonomy rights guaranteed by the *Charter of Rights*[6] – and the Government's interest in protecting vulnerable people. Specifically, the court found that this blanket prohibition violated the autonomy rights of competent adult who "has a grievous and irremediable medical condition … that causes enduring suffering that is intolerable to the individual in the circumstances of his or her condition." Protection of the vulnerable could be achieved with something less than an absolute prohibition. Parliament attempted to meet this challenge by legislating[7] a stringent set of conditions when it would be legally permissible for a doctor to provide assistance in dying, including that for the individual seeking MAiD "natural death has become reasonably foreseeable." It did not take long for this condition to be challenged. Canadians Nicole Gladu and Jean Truchon were both afflicted with irreversible medical conditions that would cause them suffering they judged to be intolerable for the remainder of their lives. While each of them met all of the other conditions to be eligible for MAiD, neither of their deaths was reasonably foreseeable. Gladu and Truchon jointly challenged the law in the Quebec courts, arguing that the requirement that their deaths be 'reasonably foreseeable' infringed on their right to decide the course of their own lives. In September 2019 the Court ruled[8] in Gladu's and Truchon's favour. Rather than challenge this ruling, the Federal Government further amended[9] the Criminal Code and removed the requirement.

Some disability rights advocates argue that the amended law discriminates against people with disabilities by putting their right to life at risk. One worry is that the law suggests to all those who have a serious and irremediable disability that their lives are not worth living. As Dr. Leonie Herx testified before the House of Commons, there have been documented instances of "vulnerable patients being told by the healthcare team that they should consider a medically assisted death because the cost of their care is too great"[10]. Others criticize the amended law for its failure to appreciate the social aspect of disability. Whether a person with a serious disability finds their life intolerable often depends crucially on the social services they can access. The law offers MAiD as a final medical solution for what may be a social problem.

Discussion Questions

1. How does autonomy play into both the concerns of Gladu and Truchon, and into those advocating for the protection of the lives of vulnerable individuals?

2. Other than the concerns listed, are there any reasons you can think of for keeping the 'reasonably foreseeable' clause in place?

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[6] Supreme Court of Canada. *Carter v. Canada (Attorney General), 2015 SCC 5, [2015] 1 S.C.R. 331*

[7] Bill C-14 241.2(2). https://parl.ca/DocumentViewer/en/42-1/bill/C-14/royal-assent

[8] Truchon c. Procureur Général du Canada, 2019 QCCS 3792 (CanLII), https://www.canlii.org/en/qc/qccs/doc/2019/2019qccs3792/2019qccs3792.html

[9] Government of Canada, Dept. of Justice. (2021 July 7), *Canada's New Medical Assistance in Dying (MAiD) Law*. Government of Canada, Dept. of Justice, Electronic Communications. https://www.justice.gc.ca/eng/cj-jp/ad-am/bk-di.html

[10] Heidi L. Janz Adjunct Professor of Disability Ethics, & Leonie Herx Division Chair & Associate Professor of Palliative Medicine. (2021, February 8). *A dangerous path: Why expanding access to medical assistance in dying keeps us up at night*. The Conversation. https://theconversation.com/a-dangerous-path-why-expanding-access-to-medical-assistance-in-dying-keeps-us-up-at-night-153540

3. Do the new[11] safeguards in Section 241.2(3.1) of the Criminal Code[12] provide sufficient protection for those with disabilities whose death is not 'reasonably foreseeable'?

4. Mr. Truchon said he was satisfied with the care he received. He was seeking MAiD because his irremediable physical condition made his life intolerable. Can you think of a way to separate cases like Mr. Truchon's from cases where a lack of social support is driving someone to seek MAiD? Or, should the 'reasonably foreseeable' clause be retained because there is no way to make the distinction?

Further Reading

"It is good that Bill C-7 extends MAiD to Chronic Sufferers." Stuart Chambers. *Impact Ethics*, April 1, 2021.

"Montrealers who challenged assisted dying laws see ne ruling as a 'ray of hope'." Benjamin Shingler. *CBC News*, September 12, 2019.

"A dangerous path: Why expanding access to medical assistance in dying keeps us up at night." Heidi L. Jans, Ramona Coelho and Leonie Herx. *The Conversation*.

[11] Government of Canada, D. of J. (2021, July 7). *Canada's new Medical Assistance in dying (maid) law*. Government of Canada, Department of Justice, Electronic Communications. https://www.justice.gc.ca/eng/cj-jp/ad-am/bk-di.html#s2.

[12] Branch, L. S. (2021, September 16). *Consolidated federal laws of canada, criminal code*. Criminal Code. https://laws-lois.justice.gc.ca/eng/acts/C-46/section-241.2.html.

10 | Think Twice Before Asking This Question at the English-Language Leaders' Debate

In June 2019, the National Assembly of Quebec passed Bill 21 which banned certain provincial employees from wearing religious symbols. The new law forbids officials in positions of authority, including teachers, police officers and judges, from wearing such apparel as hijabs, turbans, or crucifixes. Despite the general outcry from many quarters, the legislation remains popular within Quebec and other parts of Canada.

Supporters of the Bill argue that in a diverse society with people of different beliefs the state needs to be scrupulously neutral and distance itself from any religion. They argue that those in positions of authority represent the state and have a duty to express its neutrality by removing any religious garb. Police officers, judges, and prison guards, for example, are given extraordinary powers by the state to apprehend and punish individuals. It is imperative that they are neutral both in conduct and appearance.

Opponents of the bill argue that it openly undermines freedom of religion, conscience and belief and excludes people of faith from full participation in civic life. Since adopting a certain mode of dress is more common in religions often followed by racialized individuals (e.g., the Muslim and Sikh faiths), some critics of Bill 21 have described it as targeting minority groups. They further point out that as Christianity tends not to require the wearing of a certain garb, the Bill's effect will be felt more strongly by non-Christian faiths.

Although they support a neutral or secular state, opponents see the role of the state as one in which different voices are welcomed to the public sphere and no voices are excluded from that sphere. They argue that the vision of "neutrality" contained in Bill 21 favours non-believers, transforming atheism into a form of state religion.

Supporters point out that in practice the law only applies to certain classes of public servants and functions only when they are performing their duties. Adherents of any religion are free to wear religious garb when they are not working. The counter argument to this is that in many cases these religious symbols are part of an individual's identity and this identity cannot be "checked at the door" when they begin work.

Discussion Questions

1. Can someone in religious garb or wearing religious symbols effectively represent the religious neutrality of the state? Bill 21 only applies to public servants in positions of authority (judges, police, teachers, etc.). Do such roles make it more important for these people to be seen as religiously neutral?

2. Some argue that the role of the state is to create a welcoming environment where all views, including religious ones, are welcome. Many, however, find certain religious views offensive. What about their rights?

3. Since it is primarily non-Christian faiths that require adherents wear certain religious symbols, does Bill 21 truly promote state neutrality when Christianity is still the most popular religion in Quebec?

4. Is it immoral for a state committed to religious neutrality to require its representatives to dress in a religiously neutral manner?

Further Reading

"What is behind Quebec's ban on religious symbols." Jillian Kestler-D'amours. *The Atlantic,* July 16, 2019.

"Quebec cort strikes down parts of 'religious symbols' law." Jillian Kestler-D'amours. *Al Jazeera,* April 20, 2021. https://www.aljazeera.com/news/2021/4/20/bill-21-quebec-court-strikes-down-part-religious-symbols-law

"What is the true purpose of Quebec's Bill 21?" Phil Lord. *9:3 Directions 1*, March 1, 2020.

Appendix i

Endnotes