

CASE ONE - Diplomatic Reconciliation:

Canada is a signatory to the United Nations Declaration on the Rights of Indigenous Peoples, but Canada has yet to implement its recommendation to establish a free, and prior, informed consent framework. This standard guarantees that governments consult and cooperate “in good faith,” working with Indigenous communities through respectful negotiation over laws and policies that may impact Indigenous well-being and independence. The duty to consult raises issues of the government’s capacity and willingness to recognize Indigenous self-determination and self-governance.

Recognition of Indigenous autonomy is not new in Canada. Early treaties, such as the Two Row Wampum accepted by Sir William Johnston at the Treaty of Niagara (1764), depict separate and distinct nations flowing down the same river together, maintaining their autonomy while undertaking a shared journey. What does cooperation “in good faith” require for reconciliation in 21st C Canada? Can Canada’s current “duty to consult” framework be changed to address UNDRIP recommendations? What are the likely rewards and obstacles to pursuing a more robust diplomatic relationship to meet the Truth and Reconciliation’s Call for Action #45, which recommends re-establishing a respectful, nation-to-nation relationship?

Assembly of First Nations, “Implementing the United Nations Declaration on the Rights of Indigenous Peoples”: <https://www.afn.ca/wp-content/uploads/2018/02/17-11-27-Implementing-the-UN-Declaration-EN.pdf>

Government of Canada, “Learn how the Government of Canada is responding to the Truth and Reconciliation Commission's Calls to Action 45 to 47” - <https://www.rcaanc-cirnac.gc.ca/eng/1524503097736/1557513982301>

CASE TWO - Love Drugs:

There is a rapidly growing corpus of research on “love drugs”, which can reliably enhance a person’s affectivity and compassion. Much like other enhancement products, these drugs are capable of improving, hindering, or converting an individual's natural emotional abilities. This means that the drugs are able to make surly people happier, for example, or very emotional people calmer. Oxytocin is a naturally produced chemical that is key to the experience of attachment and attraction. Some drugs, like MDMA, can artificially prompt the release of these natural chemicals that promote feelings of love and connection. SSRI drugs are often used to treat anxiety and depression, but they can have side effects and may inhibit desire for connection.

It seems natural to think that more people motivated to act with "love in their hearts" would make the world a better place. What are the ethical implications of artificially inducing emotional experiences? Might feelings of love become an overpowering motivation, making us forget about other important decision-making factors? If chemicals could (without great side effects) be used to increase contentment and decrease violence, would mass distribution be ethically required?

<https://www.theatlantic.com/technology/archive/2013/01/the-case-for-using-drugs-to-enhance-our-relationships-and-our-break-ups/272615/>

<https://www.theguardian.com/lifeandstyle/2020/feb/09/love-as-a-drug-can-romance-be-medically-prescribed>

CASE THREE – Can Con and Public Sphere:

Historically, democracies have grown up alongside flourishing forms of news media – like newspapers - offering insight, argument, and information about citizens’ local, national, and international communities. Democracies may require some form of access to a public sphere in which citizens can learn about and debate issues of society, law, and governance. Roughly 50 years ago, Canada implemented the CRTC’s Can Con regulation requiring Canadian television and radio broadcasters to include a significant percentage of Canadian content. Requirements and definitions have shifted slightly over the years, but this is still a key way we support and promote Canadian arts, national culture, and public discussion.

In an age in which more and more people get their news and artistic works by streaming content from the internet, are citizens – and particularly younger Canadians - still getting enough access to Canadian content to support artists and enable informed civic participation? How important is a regulated public sphere or media production and consumption for Canadian democracy?

<https://indepth.canadianmusician.com/is-cancon-compatible-with-streaming/>

<https://www.cbc.ca/radio/frontburner/is-canadian-content-a-casualty-of-the-streaming-wars-1.5358752>

CASE FOUR - Publicity for sale:

Parents are generally able to make many life-altering decisions about their children's lives. They can also put them to work for the family. With the rise of Social Media 'Influencers', many parents have begun to profit by publicizing their children's lives, and posting cute pictures of their children wearing or using products. While this income is presumably used to support their family, this practice calls into question children's rights to privacy and personal autonomy.

When children are too young to offer their informed consent to share images and market products, their parents are able to consent on their behalf. This gives a lot of decision-making authority to parent influencers. Is it ethical for parents to pursue financial profits from posting about their children's lives publicly? Does it matter how parents choose to invest these profits? Perhaps children should be grateful to parents who work to secure their social media fame and resulting opportunities. Is there an important difference between parents who profit off of publicizing their children's lives and those who just post images and videos of cute kids for fun?

<https://www.theglobeandmail.com/life/style/article-beware-the-momager-why-parents-shouldnt-cash-in-on-cuteness/https://>

<https://www.cbc.ca/news/entertainment/mommy-blogging-2-o-business-is-booming-complete-with-perks-and-pitfalls-1.5019625>

CASE FIVE - Monument Destruction:

Since the death of George Floyd in May 2020, we have witnessed an increase in monuments of historical figures being torn down in the name of social justice and racial equality all over the world. While many political leaders (including Justin Trudeau) have condemned this practice, many argue that calling for the removal of these monuments represents the move to dismantle systems of oppression. The continued presence – and state protection - of historic figures who were architects for historic injustice, for some, illustrates just how deeply rooted these systems are in the public, foundational narratives of many countries, including Canada.

For example, protestors have defaced or called for the removal of statues of Sir John A. Macdonald due to his prominent role in establishing the Residential School system, and his racist opposition to Chinese immigration. In Prince Edward Island, Charlottetown's city council recently decided that instead of removing their Sir John A. Macdonald statue altogether, the plaque beside it will be rewritten. The new plaque will monumentalize an updated and critical account of Macdonald's role in Canada, and will feature -- rather than ignore -- the negative parts of his historical legacy. Was this decision the right one? In general, what moral principles should govern decisions to maintain, revise, or remove public monuments? Should the same moral principles apply to decisions about monuments displayed by private institutions or individuals?

<https://www.cbc.ca/news/politics/trudeau-statue-sir-john-a-macdonald-1.5706247>

<https://www.theguardian.pe.ca/news/local/process-begins-on-changing-the-story-for-controversial-statue-in-charlottetown-544027/>

CASE SIX - Sex and Gender in Sport:

Although it is becoming more and more common to identify with one's gender over one's sex, most professional sporting competitions remain strictly segregated by biological sex. There are some athletes with genetic, hormonal, or behavioural characteristics that place them "in-between" these rigid categories. Some of these athletes are transgender. There are also athletes who do not identify as either male or female. These athletes can find themselves stuck in limbo, "too manly" to compete alongside women and "too womanly" to compete with men. Some may find no official category that corresponds to their own identities, and are excluded from sports on this account.

Are there ways to move beyond the limiting binary of male and female sports? What are the advantages and disadvantages of sex-based segregation in athletics? Could challenging these conventions place Canadian athletes at odds with international norms for coordinating competition?

<https://jme.bmj.com/content/medethics/46/9/584.full.pdf>

NOTE: This link is to video content:

<https://www.cbc.ca/player/play/1575616579900>

CASE SEVEN - Polyamorous families:

Given the diversity of romantic relationships and complex family structures in practice, our understanding of what a successful and respectable family looks like it may be expanding. The laws that govern families in Canada cover issues of custody of children, and the institutional recognition of family relationships. Traditionally, family law has recognized only two-person marriages. Often, though, family and romantic relationships are more diverse, dynamic, and complicated.

Should we revise the legal definition of Canadian marriage and family to include polyamorous relationships involving more than one consenting adult? What are the most compelling reasons to favour such a redefinition? Does it matter what kind of commitments are in play? Is there a sound moral basis on which to resist allowing consenting adults to define the nature of marriage for themselves?

<https://vanierinstitute.ca/polyamory-in-canada-research-on-an-emerging-family-structure/>

<https://www.cbc.ca/news/politics/polyamorous-families-legal-challenges-1.3758621>

CASE EIGHT - Higher education and future employment:

Students and their families often pursue opportunities in higher education with the expectation of securing future employment and economic security. Yet it is difficult for both students and educators to know what programs or skills will be rewarded in the future. Students need to make educational choices thoughtfully and responsibly, with some eye to the future. Institutions of higher education may also bear some form of caretaking and moral responsibility to students (and their families) to effectively prepare them for future careers and likely opportunities for employment.

Should universities and policy makers aim to create roughly as many certifications and degrees as the Canadian or regional market can actually bear? What is the long-term, or not strictly economic, value – to the students or their society - of the widespread pursuit of higher education? Are students who are encouraged to pursue whatever interests them risking unemployment? Why might this matter?

<https://www.macleans.ca/education/which-canadian-universities-best-prepare-you-for-employment/>

http://www.workforcedev.ca/index.php/en/projects_en/news-articles/103-youth-en/316-universities-should-be-preparing-students-for-the-gig-economy-en

CASE NINE - Health or perfectionism:

Currently, in Canada, it is illegal to genetically modify the human genome in reproductive cells or early embryos, partly because it is considered too risky as genetic modification could lead to a slew of unforeseen effects. Once the science behind this kind of genetic modification is further developed - making mistakes less likely - should we then be free to choose to genetically modify our reproductive cells or early-stage embryos, thus permanently changing the genetic fate of our biological children?

For example, imagine you belong to a family of famous mathematicians, and so you decide that you want to alter your future-child's genes to give them a leg-up on their peers and ensure that your family's legacy will continue. Is this something you should be allowed to do? Might it make a difference if the genetic alteration is ensuring your future-child be as-good-as-the-average-kid at math, rather than enhancing the natural abilities of an already 'healthy' person? What if you were merely altering their genetic make-up to prevent them from inheriting a compromising disease or genetic disorder?

<https://www.cbc.ca/natureofthings/features/gene-editing-in-canada>

<https://policyoptions.irpp.org/magazines/april-2019/how-should-canadian-policy-react-to-crispr-babies/#:~:text=In%20Canada%2C%20genetic%20modification%20of,for%20research%20or%20clinical%20purposes.&text=And%20on%20this%20topic%2C%20its,in%20Quebec%20and%20in%20Canada.>

CASE TEN – Law and environmental threats:

Several lawsuits have recently been brought by young people against governments over their management of ecosystems, deemed vital for a healthy future. In Canada, *La Rose et al. vs. Her Majesty the Queen* argued that the federal government is violating young people's rights by not taking the threat of climate change more seriously. There is no explicit right to a healthy environment in Canadian law, but the students have argued that their Charter rights to life, liberty, and security of the person are infringed by the government's failure to protect essential environmental resources (see Canadian Charter, section 7). Because a future environmental crisis will be so likely to disproportionately affect those who are young now, students in the *La Rose* case also argue that the federal government's failure to prevent future harms violates youth's right to equal treatment under the law (section 15).

Youth-led cases like this one have so far met with mixed results in courts. Is using the law as a forum, and invoking the legal rights of youth and future people, a good strategy for securing environmental protection? Should ethical reasoning incorporate threats to future Canadians, like your children, who are not yet here and able to raise a complaint but whose future prospects may be adversely affected by what we do, or fail to do, to respond to environmental problems now?

<https://davidsuzuki.org/project/youth-climate-lawsuit/>

<https://www.cbc.ca/news/canada/british-columbia/canadian-teens-lawsuit-federal-government-over-climate-change-1.5335349>