

Ethics Bowl Canada
High School National Case Set
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).

Do We Need Billionaires?	1
Moral Complicity: No Harm, No Foul?	2
Raining on the Parade: Pride and Rainbow Capitalism	3
Between Mother and Cub: Lessons in Tiger Parenting	4
No Laughing Matter	5
The Science of Tolerating Dissent	6
Advance Directives and Medical Assistance in Dying	7
Prenatal Testing & Screening	8
Food Distribution and Global Health	9
Child and Family Services Reform	10
Endnotes	Appendix 1

Note to the Coaches and Students

This case set is the collective work of the case development committee. The committee congratulates the teams advancing to the 2022 National Finals. We hope that this case set will provide you with engaging avenues for research, and fruitful critical discussion.

In your preparations for the Ethics Bowl Canada National Finals, please note that there will be a moderator's question for each case. This question will often be different from the Discussion Questions listed.

We welcome feedback about the cases, as well as new case ideas from our participants! Please direct any feedback to Cem Erkli (cerkli@sfu.ca).

2020-2021 Case Development Committee

Anastasia Anderson, Michael Bodnar, Cem Erkli, Glenn Griener, Bruno Guindon, Marc Kruse, Helen Han Wei Luo, John Milloy, Emily Muller, Debra Radi, Nicolas Tanchuk, Sophia Whicher



1 | Do We Need Billionaires?

Imagine you are a part of a small group of officers on a lost spaceship with only enough fuel to land on one of two earth-like planets inhabited by humans. An argument has broken out about which of the two planets you should steer your ship towards - Planet Atlas or Planet Brecht about which only you, the officers, have some knowledge.

On Planet Atlas, depending on how the locals react to you, you and the crew will have a very slim chance¹ of becoming multimillionaires and an extremely slim chance² of becoming billionaires one day and living lives of luxury. The extremely wealthy people on this planet have unique opportunities for investment, innovation, and philanthropy and it is expected that they distribute their wealth as they see fit. Life on Planet Atlas, however, comes with the 9% chance that you and the crew will experience extreme poverty, living on less than \$2 a day and a 62% chance that you will live on less than \$10 a day³. The odds of being extremely rich is not the same for everyone on this planet, since certain kinds of people have easier access to resources to amass wealth, and face less adversity in general. On Planet Atlas, therefore, there is a good chance that you will struggle to meet your basic needs such as housing, and that you and the crew will depend on the charity and influence of the small minority of extremely wealthy people.

In the other direction, on Planet Brecht there are no billionaires or even millionaires. You would be joining a planet where wealth is generated by individuals but then much of that wealth is redistributed by democratically elected governments to help to support those who are not able to generate such wealth. Your hard work and good fortune on this planet will end up benefiting those around you as much as yourselves. The result is a society on Planet Brecht where all of your basic needs will be met, but no matter how hard you work, you will never get to amass a lot of wealth to buy yachts or palatial homes or give large sums of money away as charity.

As members of the small group of officers on this spaceship you have the final say in the future of your large crew. You cannot tell for sure how the locals will react to you on either planet: so you don't know where you will end up in the social hierarchy, but you can be sure that there are two different economic structures on the two planets. Will you argue to head towards Planet Atlas where you and the crew *could* become millionaires but run a high risk of living in poverty? Or will you try to influence your fellow officers to steer toward Planet Brecht where you will never get to earn a lot of money but you and the crew will always have food, shelter, and healthcare?

Discussion Questions

1. Is it ethically responsible to live as we do on planet Earth where billionaires are allowed to exist alongside billions of people experiencing poverty?
2. Would it be acceptable to live on a planet that restricts how much money you can keep even if you think you have earned it by working twice as hard as your neighbour?
3. Is it acceptable that Earth's wealthy individuals get to decide what to do with their money? Are there any ethical factors that should be imposed on their decision-making?
4. Do billionaires deserve their wealth? Do they also deserve the social influence and power that is afforded to them by their wealth? On the flipside, do impoverished people deserve their poverty?

Further Reading

["The urgent need to tax billionaires out of existence"](https://canadiandimension.com/articles/view/the-urgent-need-to-tax-billionaires-out-of-existence) McQuaig, Linda and Brooks, Neil. *Canadian Dimension*. August 23, 2021. <https://canadiandimension.com/articles/view/the-urgent-need-to-tax-billionaires-out-of-existence>

["The case against billionaire philanthropy."](https://www.vox.com/future-perfect/2018/12/17/18141181/foundation-charity-deduction-democracy-rob-reich) Matthews, Dylan. *Vox*. December 17, 2018. <https://www.vox.com/future-perfect/2018/12/17/18141181/foundation-charity-deduction-democracy-rob-reich>

["Bill Gates: People are questioning if billionaires should exist."](https://www.cnn.com/2019/03/05/bill-gates-people-are-questioning-if-billionaires-should-exist.html) Clifford, Catherine. *CNN*. March 5, 2019. <https://www.cnn.com/2019/03/05/bill-gates-people-are-questioning-if-billionaires-should-exist.html>

["The super rich push back against calls for a wealth tax."](https://www.npr.org/2021/11/10/1054175407/the-super-rich-push-back-against-calls-for-a-wealth-tax) Gura, David. *NPR*. November 10, 2021.

<https://www.npr.org/2021/11/10/1054175407/the-super-rich-push-back-against-calls-for-a-wealth-tax>



2 | Moral Complicity: No Harm, No Foul?

We often find ourselves caught in the middle of ethically complex relations and transactions. For example, many of the goods and products that we consume on a regular basis are produced in morally problematic ways. Clothes and shoes from our favorite brands are often produced under extremely exploitative labour conditions. Various cosmetic products and pharmaceutical drugs are frequently tested on animals. Most of the meat and dairy products purchased from supermarkets come from intensive livestock operations (i.e., factory farms), where, annually in Canada alone, over 700 million animals experience psychological and physical harm and death. Industrial animal agriculture also has negative effects on the environment. As forests and other lands are turned into farmlands, the loss of carbon sinks leads to a growing inability to sequester greenhouse gasses.

One possible position we could take as ethically aware people is that we are each ethically responsible for our shares of complexly produced harms because our activity as individual consumers can drive the wrongdoing at the level of production. That line of reasoning, however, faces a significant objection. Because of various factors in the systems of production, one's individual consumption—or abstention from consuming—has virtually *no* effect on the amount of goods produced or the wrongs thereby committed. Another approach argues that by consuming such goods, even when one's individual consumption has no measurable negative impact, one is nonetheless *complicit* in moral wrongdoing in a way that is itself morally wrong.

The idea that we can do wrong by being morally complicit in other people's unethical actions might have far-reaching consequences. If you see a stranger being bullied, are you somehow complicit in the harm you witness if you merely stand by? Suppose you learn that an inherited family heirloom was made by slaves. You cannot undo the harms associated with its production, but should you nevertheless value it less or refuse the benefits of owning it? Are you only allowed to enjoy it if you do not know of its history?

Discussion Questions

1. How pervasive—and how avoidable—is moral complicity in our daily lives?
2. Is indirect wrongdoing and complicity with others' unethical actions as bad, ethically speaking, as more direct harm?
3. Do we have a moral obligation to become informed about the origins and impacts of the goods we consume? How could knowing such things matter, ethically speaking?

Further Reading

["Why I am a vegan"](https://philpapers.org/archive/MCPWIA-3.pdf) McPherson, Tristram. *Philosophy Comes to Dinner*. 2015. <https://philpapers.org/archive/MCPWIA-3.pdf>

["Shein is the future of fast fashion. Is that a good thing?"](https://www.vox.com/the-goods/22573682/shein-future-of-fast-fashion-explained) Nguyen, Terry. *Vox*. August 10, 2021. <https://www.vox.com/the-goods/22573682/shein-future-of-fast-fashion-explained>

["Are You a Bad Person for Watching the Olympics?"](https://www.nytimes.com/2021/07/28/opinion/tokyo-olympics-tv-ethics.html) Mudd, Sasha. *The New York Times*. July 28, 2021. <https://www.nytimes.com/2021/07/28/opinion/tokyo-olympics-tv-ethics.html>



3 | Raining on the Parade: Pride and Rainbow Capitalism

As 2SLGBTQ+ rights movements gain more traction within the popular consciousness, it is now routine for companies to participate publicly in events celebrating 2SLGBTQ+ communities and identities. Yet, the most prominent manner of demonstrating support, such as displaying logos and merchandise branded with the signature rainbow during Pride Month, has been criticized as merely symbolic. Much of this virtue-signaling (public declaration of support) is accompanied by little to no concrete action. Corporations who participate in Pride often donate little of the profits made by marketing queer products to associated activist groups. Some corporations even continue to fund anti-2SLGBTQ+ politicians while showing the rainbow flag. This is called 'rainbow-washing': using the rainbow as a signifier for 2SLGBTQ+-allyship without providing any substantial support to 2SLGBTQ+ communities.

Critics also worry that rainbow-washing promotes exclusionary perspectives of white, affluent, cis and able-bodied queer individuals, while neglecting the important contributions and needs of racialized, disabled, and disadvantaged minorities within the queer community. They argue that by allowing companies to hide behind a marketing ploy, private businesses profit from purchasers' beliefs that their monetary support is in some way promoting an important social cause. This permits public acclaim all while issues like Disney's cancellation of its first 2SLGBTQ+-led animated film or Paypal's refusal to permit transgender users to change their birth name and gender go underreported. These companies have prolific public Pride profiles.

Supporters of rainbow capitalism argue that queer people need accessible places to buy their pride merchandise. They point out that being selective about which companies are genuinely committed to 2SLGBTQ+ activism leaves queer customers with few viable purchasing options, and puts an undue burden of researching which companies to support on them. Moreover, the incremental cultural shift that takes place with corporate symbolic gestures can be significant. The popularization of Pride brought forward by powerful international corporations can help mobilize cultural shifts and empower smaller local movements. After all, only 29 countries in our world today legally recognize gay marriage.

Discussion Questions

1. Should the commodification of Pride by the private sector be encouraged?
2. What is the role of private business in LGBTQ+ activism? Can market forces be employed to improve LGBTQ+ welfare?
3. What accountability measures should be enforced during Pride celebrations? Do corporations participating in Pride celebrations have any obligations towards 2SLGBTQ+ communities?
4. What does the ideal celebration of marginalized identities look like?

Further Reading

"How LGBTQ Pride Month Became a Branded Holiday." Abad-Santos, Alex. *Vox*. June 25, 2018.
<https://www.vox.com/2018/6/25/17476850/pride-month-lgbtq-corporate-explained>.

"'Rainbow capitalism' is pandering, pure and simple, but it can still help drive social change." Langer, Aimee. *CBC*. June 1, 2021. <https://www.cbc.ca/news/opinion/opinion-rainbow-capitalism-pride-month-1.6042417>

"Before you Rain on Rainbow Capitalism." Pisuttisarun, Fresh. *Harvard Political Review*. August 12, 2021.
<https://harvardpolitics.com/rainbow-capitalism/>



4 | Between Mother and Cub: Lessons in Tiger Parenting

Published in 2011, *Battle Hymn of the Tiger Mother*, Yale law professor Amy Chua's parenting memoir explains her use of tough-love parenting techniques. For example, her daughters were never allowed to do things like have a playdate, watch TV, or get any grade less than an A. On one occasion, Chua tore up birthday cards made for her by her daughters and demanded that better-crafted ones be made. Chua attributes her distinctive parenting choices to her Chinese heritage and argues that her strict disciplinary control over her children's lives is what has made them so successful in school and in their musical studies. Can domineering parenting methods that demand excellence from children in competitive arenas like school, sports, or music go too far?

Achieving excellence in these pursuits might open important opportunities for children. It is possible that many children who are coerced by their parents into high-achievement are later grateful. One of Chua's daughters performed at Carnegie Hall, graduated from Yale law school and is currently a Captain working in the legal arm of the U.S. Army. Chua's other daughter excelled at the violin and is currently a teaching fellow at Harvard University. Both of Chua's children plan to be Tiger Mothers to their own children someday.⁴ However, achieving excellence often involves hard work and discipline. What responsibilities do parents have to ensure their future success? How should parents balance this responsibility with a child's current emotional wellbeing? Are there ethical limits regarding parents' caregiving to balance these responsibilities? In practice, parents exercise a lot of unchecked authority at home. Inevitably their choices, investments, and modelling will shape their children's immediate wellbeing and future prospects.

Filled with anticipation, high-expectations, and optimism about the future, many parents labour tirelessly to provide opportunities for their children. In return, they may expect their children to do their very best to excel academically and professionally. Parents who worry that their child will encounter and need to overcome racism may feel additional pressure to push their children to develop highly valued academic and professional skills. In our competitive economy, in which families often struggle for economic security, many parents may worry that if their children are not the very best at what they do, they will not thrive. Driving students toward success may train them to be narrowly focused on the uncreative aspects of learning and performance, such as performing well in exams and assessments. Relentless focus on excellence could restrict their autonomy and chances for self-realization in learning. Does rigorously pursuing academic success, or other forms of winning, truly prepare children for social and professional settings in which success is far less easily measured?

Discussion Questions

1. Does very restrictive, authoritarian parenting, such as that described in Chua's memoir about Tiger Parenting, potentially cross any ethical lines? Are parents free to do their utmost to shape their children's skills and future chances?
2. What is the scope of rights that children hold, especially with regard to their parents? Inversely, what obligations do children owe their parents?
3. How can we determine if a person's later success in life is really worth its costs in lost freedoms experienced during childhood? How should parenting success be measured?
4. Is there a link between how Asian Americans are perceived as a "Model Minority" and Tiger Parenting?

Further Reading

"The verdict on tiger-parenting? Studies point to poor mental health." Anwar, Yasmin. *Berkeley News*. June 18, 2013. Accessed September 2, 2021. <https://news.berkeley.edu/2013/06/18/chinese-parenting/>

"Authoritarian parenting: what happens to the kids?" Dewar, Gwen. *Parenting Science* 2017. <https://parentingscience.com/authoritarian-parenting/>

"From tiger to free range parents – what research says about pros and cons of popular parenting styles." English, Rebecca. *The Conversation*. May 26, 2016. <https://theconversation.com/from-tiger-to-free-range-parents-what-research-says-about-pros-and-cons-of-popular-parenting-styles-60065>



5 | No Laughing Matter

In October 2021, the Supreme Court of Canada issued a ruling defending Quebecois comedian Mike Ward and his right to mock 15-year old Jeremy Gabriel, a well-known singer with a disability. Gabriel's family had taken legal action against Ward, with the matter ultimately ending up before the Supreme Court which ruled that the comedian's comments "exploited, rightly or wrongly, a feeling of discomfort in order to entertain, but did little more than that." The American comedian Dave Chappelle, meanwhile, created controversy with a recent Netflix Special in which he made jokes that many in the 2SLGBTQ+ community found offensive. In response there have been calls for a boycott of the streaming service.

Supporters of Ward and Chapelle defend the comedians on the grounds that they have a right to say what they want in public. Some people might argue that this kind of 'raw' comedy allows us to laugh at society's foibles or sensitivities. It can also create a kind of space where we can talk about awkward, difficult, and uncomfortable social issues. Then there are those who simply argue that sometimes a joke is simply a joke, and there are no ethical restrictions on the things that should elicit laughter.

Opponents of this kind of comedy point out that what Mike Ward did in his shows in Quebec was tantamount to bullying a disabled boy. Words can be very powerful, and they hurt individuals and communities, especially when uttered on a stage in public or on TV. They claim that humour should hit up at the powerful and prominent and not down on those marginalized in a society. By supporting comedians like Ward and Chapelle you are not only encouraging the denigration of others, but you are reinforcing ableist, heterosexist and cis-sexist premises of such jokes.

Discussion Questions

1. Is it ever okay to laugh at jokes that make fun of another's disability, race, or sexual orientation? How should we judge others who might laugh at something we find offensive? What if they say they "couldn't help themselves"?
2. At what point do jokes move from "exploiting discomfort", making exaggerated observations or simply "poking fun" to an attack on the basic dignity of another human being or specific group?
3. Does the ethical permissibility of a joke depend on who is making it and whether they share the experience or identity they are making fun of?

Further Reading

"Comedian who mocked disabled child singer did not breach limits of free speech: Supreme Court." Zimonjic, Peter. *CBC News*. October 29, 2021. <https://www.cbc.ca/news/politics/mike-ward-scc-j%C3%A9my-gabriel-1.6229032>

"Mike Ward: Understanding discrimination and freedom of expression." *Éducaloi*. November 11, 2021. <https://educaloi.qc.ca/en/legal-news/mike-ward-understanding-discrimination-freedom-expression/>



6 | The Science of Tolerating Dissent

In both social and political life, we often give credit to those who try to find common ground with their adversaries or at least demonstrate respect for differing opinions. The idea of “agreeing to disagree” is an important ingredient in building a free yet cohesive society. The last few years have seen growing mistrust about the validity of scientific research and science-based recommendations in areas like COVID-19 vaccination and society’s response to climate change. This mistrust creates serious obstacles to ensuring public health and undermines our collective abilities to respond to growing threats of climate disaster. Given such high stakes issues, should we extend social and political tolerance to arguments challenging the validity of scientific research?

Science works through collaboration, systematic research, revision, and study. While it is always reasonable to question and test the available evidence, some go farther and question the entire exercise and its findings, creating and spreading misinformation and distrust. When the community’s safety is at stake, should we find ways to limit public scientific debate on the grounds that “everyone is entitled to their own opinions but not to their own facts”?

Conversely, could attempts to suppress anti-scientific ideas actually backfire, fueling conspiracy theories? Whether restrictions could work or not, any attempt to silence some voices for the sake of building consensus and ensuring general compliance raises serious concerns about some individuals’ freedoms of conscience and speech.

Science is far from perfect. It can overreach and underdeliver and can become corrupted by vested interests.⁵ Whole groups have been systematically misrepresented or underserved by it, creating barriers for trust.⁶ Often asked to respond to emerging situations with incomplete information, scientists sometimes offer insights that turn out to be erroneous. In other instances, a lack of consensus within the scientific community can leave the public confused and distrustful.

Trying to negotiate a common life between those who trust, and those who mistrust science presents unique challenges. Our inability to find mutually acceptable terms for discussion can create deep public disagreements that are difficult to navigate. Given the recent outcry and protests about vaccines and mandates in some communities, how should we aim to collectively manage public distrust in science?

Discussion Questions

1. Do non-experts have a right to question scientific findings and urge others to follow suit? Does the answer to the question depend on whether public health or safety is involved?
2. Is society at risk of falling into the trap of “scientism”, where we believe that science is the only source of truth about our world?
3. If you and a friend strongly disagree about how much to trust and follow scientific advice, how can you bring reason and compassion to those discussions? Do these strategies for tolerating others' views change depending on the stakes?

Further Reading

“Canadians are enjoying firing the unvaccinated far too much.” Selley, Chris. *National Post*. October 23, 2021. <https://nationalpost.com/opinion/chris-selley-canadians-are-enjoying-firing-the-unvaccinated-far-too-much>

“Anthony Fauci's dangerous narcissism.” Rosenfield, Kat. *Unherd*. December 3, 2021. <https://unherd.com/2021/12/anthony-faucis-dangerous-narcissism/>

“Dissent in science is essential—up to a point.” Nolan, Matthew. *Scientific American*. March 15, 2017. <https://blogs.scientificamerican.com/guest-blog/dissent-in-science-is-essential-up-to-a-point/>

“Science isn’t always perfect— but we should still trust it” Oreskes, Naomi. *Time*. October 24, 2019. <https://time.com/5709691/why-trust-science/>



7 | Advance Directives and Medical Assistance in Dying

People with the legal capacity are entitled to make decisions about their health care; they can request, accept or reject treatment based on their own values. But it is not uncommon for individuals within our medical system to become incapacitated and unable to speak for themselves. Advance Directives allow someone to outline the medical care that they would want to receive if they were in this situation.

Medical Assistance in Dying (MAiD) is currently legal in Canada only if the person has the capacity to request it at the time they wish to receive it. As a result, individuals are not currently allowed to list MAiD as part of an Advance Directive. Even if someone has been diagnosed with a debilitating disease that will predictably lead to a loss of decision-making capacity, like Alzheimer's, they cannot indicate that when their condition deteriorates to a predetermined point MAiD should be administered.

Imagine the following case.⁷ Margo is a woman with advanced Alzheimer's. Despite her severe limitations and inability to engage in meaningful activity, she appears happy and content. While she was still competent, Margo regularly commented to family and friends that having dementia would mean a loss of her personal dignity and that she didn't wish to live in that state. If it had been permitted, there is a good chance that Margo might have requested MAiD as soon as her Alzheimer's progressed to an advanced stage. If that was the case, should Margo's caregivers abide by her previous wishes? Should they take her life when she appears happy and content?

Some argue that fully autonomous individuals should have control of all stages of their lives. The legal ban on Advance Directives for MAiD violates individual autonomy. Those opposed to making MAiD part of Advance Directives argue that we have no way of knowing whether the "current" Margo would still desire MAiD.

We might also question the message that Advanced Directives involving MAiD send to others (and their families) who may be suffering from a similar debilitating disease. Some disability-rights advocates argue that legalizing MAiD imposes an ableist view of dignity, and amounts to telling those with physical or psychological limitations that their lives are not as valuable. If someone can't feed themselves, is incontinent or unable to engage fully with others, does that necessarily mean that they do not have dignity?

Discussion Questions

1. Should Margo's caregivers abide by her previous wishes? Should "past-Margo" be able to make decisions for "current-Margo"?
2. Caregivers described Margo as being happy and content. Who decides whether another person is "happy and content"? If past-Margo were to see her current diminished condition, she might still wish for MAiD to be administered.
3. Are we placing too much of a burden on healthcare providers to ask them to euthanize someone whose consent was given in the past under different circumstances?

Further Reading

"Advance directives 'crucial' missing element in medical assistance in dying laws: senator." Elizabeth Raymer. *Canadian Lawyer*. June 10, 2021. <https://www.canadianlawyermag.com/practice-areas/criminal/advance-directives-crucial-missing-element-in-medical-assistance-in-dying-laws-senator/357040>

"Advanced directives for assisted-dying a dangerous step." Harvey Chochinov. *Evidence Network*. March 28, 2016. <https://www.canadianlawyermag.com/practice-areas/criminal/advance-directives-crucial-missing-element-in-medical-assistance-in-dying-laws-senator/357040>



8 | Prenatal Testing & Screening

Prenatal testing and screening have become a common part of prospective parents' experience throughout the developed world within a couple generations. As the technologies are continually modified and the practices of their use are altered, society must face a number of difficult ethical challenges and prospective parents must confront serious moral questions.

Prenatal testing and screening have the ability to identify an ever-increasing range of conditions. No effective treatments are known for many diagnosable conditions. While some of these, such as Tay-Sachs disease, invariably lead to early death, others are compatible with a long life with very serious physical and mental disabilities. Terminating pregnancy is often undertaken when the medical options to treat a serious condition are very limited. Adding to the problem of decision making is the fact that some common targets for prenatal testing and screening are conditions for which it is difficult if not impossible to accurately predict how seriously they will affect any given individual's life. To take another example, people with Down syndrome (Trisomy 21) have a wide range of abilities, and some of this variability depends on the support and services society provides.

Testing technologies also exhibit significant differences. They may be more or less invasive. Some are very safe while others may pose significant risk, including the risk of miscarriage.⁸ Because of this potential for harm, the first generation of prenatal test (e.g., amniocentesis) requires the skills of a physician to collect samples for testing. Therefore, these methods are offered only within the controlled confines of the clinic. More recently, methods for gaining genetic information about the fetus using a blood sample drawn from the mother's bloodstream —called "non-invasive prenatal testing" [NIPT]—have been developed and marketed. Another important difference among tests is how early in pregnancy they can yield accurate information. This difference can greatly affect decisions about possible termination of pregnancy.

Critics of prenatal testing and genetic counseling often argue that they are but the latest version of eugenics; that the aim is to eliminate from society those deemed to be unfit or inferior according to an arbitrary standard. Proponents, including medical geneticists and genetic counselors, defend their practices as important contributions to reproductive freedom. Providing information about the fetus to prospective parents in a non-directive fashion enhances the parents' ability to make autonomous decisions. Many of these same proponents argue that society should ensure that such autonomy is enjoyed by all citizens, and not just the well off. Social justice demands that a wide range of prenatal testing options be made available through publicly funded health care plans. People living with disabilities often have a different perspective on justice. They note that the prenatal testing programs, perhaps unintentionally, convey the message that lives with disabling conditions are not to be valued.

Discussion Questions

1. Should limits be placed on which prenatal tests are available?
2. If so, how and by whom should these limits be established?
3. Who should pay for prenatal genetic testing? Should a comprehensive package of tests be offered to all through provincial health care plans, or should certain tests be available only on the basis of ability to pay?

Further Reading

"A Guide to Understanding Prenatal Screening Tests", *Genetics Education Canada – Knowledge Organization*.
<https://geneticseducation.ca/uploads/Prenatal%20screening%20-%20Public%20Brochure%20-%20Final%20-%20Jan2019.pdf>

"Is Prenatal Testing Discriminatory?" Kaposy, Chris. *Impact Ethics*. April 23, 2019.
<https://impactethics.ca/2019/04/23/is-prenatal-testing-discriminatory/>

Parens, Erik and Asch, Adrienne (eds.) *Prenatal Testing and Disability rights* (Washington, D.C.: Georgetown University Press, 2000).

"The Last Children of Down Syndrome" Zhang, Sarah. *The Atlantic*. December 2020.
<https://www.theatlantic.com/magazine/archive/2020/12/the-last-children-of-down-syndrome/616928/>



9 | Food Distribution and Global Health

Food production and distribution is not simply about meeting our nutritional needs. It is also a big business, a source of employment, and often involves traditional, cultural and communal practices.

What we eat and how it is produced has come under increasing scrutiny. The overuse of antibiotics in the agricultural industry contributes to drug resistance, with potentially widespread ramifications for public health.⁹ Industrial farming generates animal waste which can contaminate air and water supplies and contributes to climate change.¹⁰ Globally, the average per capita consumption of meat is rising rapidly. This is widely expected to have devastating impacts.¹¹ During the COVID-19 pandemic, fears raised by the possibility of zoonotic spillovers— ‘jumps’ of a virus from animals to humans— in Chinese wet markets, led to an international outcry for intervention and change.¹² American chief immunologist Dr. Anthony Fauci said of wet markets: “It boggles my mind...that we don’t just shut [them] down.” Similarly, the UN biodiversity chief Elizabeth Maruma Mrema remarked on the concern of zoonotic spillovers by saying that “If we don’t take care of nature, it will take care of us.”

The wet-market outcry, and criticism of how it was handled, suggest the need to examine whether there is a case based on global safety for revising our food distribution systems. Such revision might radically change how consumers access to food, disrupting existent practices.. Meanwhile, our global population is expanding, while also shifting to a more resource-intensive diet, fueled by a powerful international food distribution system. According to Tim Lang, a food-policy researcher, “It is possible to feed 10 billion people healthily, without destroying ecosystems further,” but any such possibility depends on reversing current trends in the risks and impacts of consumption. It requires some radical shift in human diets.

Becoming clearer on how and when food distribution practices evince significant threats to public health, safety, and well-being is a pressing ethical assignment. Who will decide what is significant here? How do we avoid resting our case on fears or oversimplifications of unfamiliar food practices, for example? How can we weigh the potential nutritional, economic, and cultural interests of a community’s food practices against potential threats to global health? Even if there are many sound reasons for collectively pursuing food systems with dramatically lower health risks and ecological footprints, how can we undertake such a shift fairly? What will those conversations sound like? What ethical principles or tools could facilitate discussion or action on these complex issues?

Discussion Questions

1. Should cultural food practices be interfered with if they conflict with global health interests?
2. Do humans need to rethink their relationship with animals and meat consumption?
3. Is it more productive to promote a cultural shift in how we value and consume foods in our communities and families, or to opt for legal and regulatory frameworks that attend to the complex risks associated with food systems?

Further Reading:

“Why shutting down Chinese 'wet markets' could be a terrible mistake.” Fearnley, Lyle, and Lynteris, Christos. *The Conversation*. January 31, 2020. <https://theconversation.com/why-shutting-down-chinese-wet-markets-could-be-a-terrible-mistake-130625>

The EAT-Lancet Commission on Food, Planet, Health. <https://eatforum.org/eat-lancet-commission>



10 | Child and Family Services Reform

In Canada, Indigenous youth are overrepresented in Child and Family Services (CFS) care. Many argue that our current CFS system echoes the Residential School mandate of separating Indigenous children from their families, harming communities, and disrupting the passing of traditional knowledge and languages.¹³ In 2016, the Canadian Human Rights Tribunal (CHRT) agreed, ruling that Canada failed to meet its responsibilities while recklessly underfunding Indigenous children relative to non-Indigenous children.¹⁴ In 2021, Canada agreed to pay compensation of \$40,000 to each child negatively impacted by the on-reserve CFS system, starting from at least 2006. Substantial investments are also promised to restructure CFS in sincere cooperation with affected communities. This 2021 Agreement-in-Principle (AIP) is non-binding but lays a path for bringing CFS into line with key national and international rules and recommendations:

1. The United Nations Declaration on the Rights of Indigenous Peoples Act's recommendation to cooperate and reform these systems;¹⁵
2. Jordan's Principle, guaranteeing timely and equitable access to services;¹⁶ and
3. Bill C-92: Act Respecting First Nations, Inuit and Métis children, youth and families, affirming Indigenous authority over child welfare issues affecting communities¹⁷

Ongoing systemic discrimination in Canada's CFS system is the result of a complex set of historical and current practices, policies, and biases. The Ontario Human Rights Commission noted that authorities sometimes confuse unfamiliar practices with poor parenting, or misinterpret cultural differences as neglect, and thus disproportionately refer families that are Black, Indigenous or other People of Color (BIPOC) to child welfare. Risk assessment tools may reflect White, Western, Christian values and norms.¹⁸ In looking at risks to well-being, those posed by family separation and community disruption may be routinely underestimated. This AIP is expected to become legally binding in late 2022. Anne Levesque, an advocate on behalf of First Nations children, urges solidarity with this process, even though it took a 15-year legal battle against Canada to achieve. She writes that "these legal victories would not have been possible without the support of Canadians." She adds that this year "public support will be needed more than ever to ensure that the spirit of the agreement is respected and translated into meaningful change for First Nations children."¹⁹ What could this support require or look like?

Cindy Woodhouse, Assembly of First Nations regional chief for Manitoba, says of the 2021 agreement's potential to change the conversation: "This wasn't and isn't about parenting, it's in fact about poverty, and First Nations children being removed from their families and communities instead of being provided help with food, clothing, or shelter."²⁰ Can we use these recent rulings, discussions, acts, recommendations and agreements to fix this broken system of care? Will we?

Discussion Questions

1. What role does compensation for past harms play in creating better systems?
2. What would be required to reform the Child and Family Services (CFS) in a way that does not replicate colonial harms?
3. As of 2019, 47% of Indigenous children live in poverty, compared to only 12% of non-BIPOC children. What part does tackling and reforming this underlying socio-economic situation play in Canada's attempts to improve child welfare?

Further Reading

"Reducing the number of Indigenous children in care." *Indigenous Services Canada*. <https://www.sac-isc.gc.ca/eng/1541187352297/1541187392851>

"Bill C-92: An Act respecting First Nations, Inuit, and Métis Children, Youth and Families." *Yellowhead Institute*. <https://yellowheadinstitute.org/bill-c-92-analysis/>

"The Millennium Scoop: Indigenous youth say care system repeats horrors of the past." *CBC Radio*. January 30, 2018. <https://www.cbc.ca/radio/thecurrent/a-special-edition-of-the-current-for-january-25-2018-1.4503172/the-millennium-scoop-indigenous-youth-say-care-system-repeats-horrors-of-the-past-1.4503179>



Endnotes

- ¹ A 0.001% chance. <https://www.capgemini.com/nl-nl/wp-content/uploads/sites/7/2020/07/World-Wealth-Report-WWR-2020.pdf>
- ² A 0.0001% chance. <https://www.ctvnews.ca/business/canada-jumps-up-list-of-billionaire-countries-in-new-report-1.5598305>
- ³ For more information about poverty rates, see: <https://ourworldindata.org/higher-poverty-global-line>
- ⁴ “Ten years on from the Tiger Mother, did Amy Chua have a point?” Selinger-Morris, Samantha. *The Sydney Morning Herald*. November 20, 2021. <https://www.smh.com.au/lifestyle/life-and-relationships/10-years-on-from-the-tiger-mother-did-amy-chua-have-a-point-20211117-p599ln.html>
- ⁵ “Canada 'altered' scientific reviews of oil spill research, court hears,” The National Observer: <https://www.nationalobserver.com/2019/12/16/news/canada-altered-scientific-reviews-oil-spill-research-court-hears>
- ⁶ McVean, Ada. “40 Years of Human Experimentation in America: The Tuskegee Study.” McGill Office for Science and Society. <https://www.mcgill.ca/oss/article/history/40-years-human-experimentation-america-tuskegee-study>
- ⁷ This case is adapted from one originally described by Andrew D. Firlík, “Margo’s Logo” [1991] JAMA v. 265, and further developed by Ronald Dworkin in his *Life’s Dominion: An Argument about Abortion, Euthanasia, and Individual Freedom* (New York: Knopf, 1993).
- ⁸ Amniocentesis and chorionic villus sampling are two tests that have some risks associated with pregnancy: <https://www.prenatalscreeningontario.ca/en/pso/results-and-next-steps/invasive-diagnostic-testing.aspx>
- ⁹ World Health Organization. 2017. WHO guidelines on use of medically important antimicrobials in food-producing animals. Geneva: World Health Organization.
- ¹⁰ Thorne, Peter S. 2007. “Environmental health impacts of concentrated animal feeding operations: Anticipating hazards—Searching for solutions.” *Environmental Health Perspectives* 115 (2): 296–297.
- ¹¹ Godfray, H., J. Charles, et al. 2018. “Meat consumption, health, and the environment”. *Science*. <https://doi.org/10.1126/science.aam5324>.
- ¹² Additional information about wet market controversy: The public call for banning wet markets is not just over concerns of viral infection risk, but also involves concern for animal welfare. A popular change.org petition titled “Ban wet markets in China” mentions that “*animals in the bottom of the cage stack are doused with various liquids from animals that are stacked above them, including urine and feces. These animals are nonetheless still eaten by the population. Let us fight the inhumanity present to animals.*” The ethical problems of keeping livestock and wildlife species in small enclosures, unhygienic spaces, and with little regulation or oversight has also been a significant point of controversy. The Hunan Seafood Wholesale Market, where the COVID virus is speculated to have originated, traded exotic species including snakes, hedgehogs, rats, bears, and peafowl.
- ¹³ See also information on the ‘Sixties Scoop’: <https://www.thecanadianencyclopedia.ca/en/article/sixties-scoop>
- ¹⁴ “First Nations schools are chronically underfunded.” Dart, Christopher. *CBC*. <https://www.cbc.ca/cbcdocspov/features/first-nations-schools-are-chronically-underfunded>
- ¹⁵ In June, 2021, *the United Nations Declaration on the Rights of Indigenous Peoples Act* came into force, providing a roadmap for the working together to on lasting reconciliation, healing, and cooperative relations. <https://www.justice.gc.ca/eng/declaration/index.html>; see also: <https://thenarwhal.ca/canada-faces-crisis-situation-indigenous-peoples-says-un-special-rapporteur/>
- ¹⁶ Jordan’s Principle: When disputes arise between branches or levels of governmental responsibility for Status Indian children, care must be given by first contact *without delay or disruption*. Technical issues of authority and jurisdiction can be resolved afterward, allowing the urgent needs of children to be prioritized even while issues in service coordination to be addressed. – See Assembly of First Nations <https://www.afn.ca/policy-sectors/social-secretariat/jordans-principle/>
- ¹⁷ The main feature of the Bill C-92 Act is to provide Indigenous communities with a mechanism to exercise their inherent jurisdiction over the care of their own children and families in accordance with their own traditional laws and values. For information, see: <https://www.canada.ca/en/indigenous-services-canada/news/2019/06/an-act-respecting-first-nations-inuit-and-metis-children-youth-and-families-receives-royal-assent.html>
- ¹⁸ “Over-representation of Indigenous (and other racialized) children in the child welfare system: human rights aspects.” McKay-Panos, Linda. *LawNow*. <https://www.lawnow.org/over-representation-of-indigenous-and-other-racialized-children-in-the-child-welfare-system-human-rights-aspects/>



¹⁹ “As a lawyer who has helped fight for the rights of First Nations Children, here’s what you need to know about the \$40 billion child welfare agreements.” Levesque, Anne. *The Conversation*. <https://theconversation.com/as-a-lawyer-whos-helped-fight-for-the-rights-of-first-nations-children-heres-what-you-need-to-know-about-the-40b-child-welfare-agreements-174442>

²⁰ “Indigenous child welfare settlement of \$40 billion announced by Ottawa”, *National Observer*
<https://www.nationalobserver.com/2022/01/05/latest-news/indigenous-child-welfare-settlement-40-billion-ottawa>