B.C. Lower Mainland Ethics Bowl
Ethics in the Professions and the Sciences

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CASE 1 | Keeping Mosquitos in Check
Case by: Geneskool – Genome British Columbia

Diseases like Zika, dengue, and malaria use mosquitos as a vector to spread, and these diseases can have deadly effects on a global scale. Malaria alone kills more than 400,000 per year. One way to stop the spread of these diseases is to eradicate the vector that carries these diseases: mosquitos.

A relatively recent method of keeping the mosquito population in check is called gene drive. First, some mosquitos are genetically altered to limit their reproductive ability within a few generations. Then, these mosquitos are released and interbreed with wild mosquitos, which produce offspring that cannot reproduce, resulting in a reduced number of mosquitos. Reducing or eradicating mosquito populations is predicted to reduce the spread of disease, but some worry that we still have research to do about how a smaller mosquito population might impact the wider ecosystem. How do we make decisions like this one while the science is still evolving?

Some commentators oppose in principle to the eradication of an entire species. According to these opponents of mosquito eradication, even if there were conclusive proof that mosquito eradication would benefit humans and would not have adverse effects on the environment, it is morally objectionable to eradicate an entire species for human benefit. Some common reasons in support for this reasoning is the inherent value of biodiversity and life. Other commentators draw attention to the fact that mosquitos are only vectors, whereas the real harm comes from the disease they carry, so we should focus our efforts on diseases like Zika, dengue and malaria directly, instead of mosquitos.

Yet proponents point out the positive public health and economic impact mosquito control would have on the affected population. Given the toll diseases like malaria have on various communities, especially in Africa, not pursuing mosquito eradication could be irresponsible.

Discussion Questions

1. How certain would we have to be of the impacts of mosquito eradication on the environment before we might go ahead with eradicating them? In general, how do we make decisions based on evolving scientific consensus, when human lives are at stake?

2. Is there anything you can think of that is ethically problematic with putting human interests at the centre of the mosquito eradication question?

3. Given that it might be hard to contain modified mosquitos within a national border, should communities be able to unilaterally decide for themselves whether they would like to use genetically modified mosquitos or not?

4. What are scientists’ responsibilities to the impacted communities when developing and employing tools for use in a particular community?

Further Exploration


CASE 2 | DNA Crime Databases in Canada
Case by: Geneskool – Genome British Columbia

The National DNA Data Bank (NDDB) of Canada has been in use since 2000 by the RCMP, primarily for forensic investigations. The NDDB is composed of four indices: Crime Scene Index (CSI), which contains genetic data collected from crime scenes; Convicted Offender’s Index (COI), which contains genetic data from persons who are convicted of specific crimes, including assault and robbery; and the Missing Persons and Relatives of Missing Persons indices, which contain genetic data from missing persons or consensually taken from their relatives.

The use of NDDB can be helpful in providing new leads in criminal cases or identifying repeat offenders. For example, the COI is regularly run against the CSI to rule out or identify suspects in crime scenes. CSI is also used to link up unsolved cases together, potentially opening up new avenues of investigation.

There have been recent developments in the use of DNA Crime Databases that might shape future legislation. In 2018, authorities identified and caught a murderer by matching DNA collected from several crime scenes to those from consumer DNA testing companies and identifying the suspect through the DNA sample of his relatives—genealogically. Canadian Parliament is now considering a new bill (Bill S-231) that seeks to authorize genealogical DNA comparisons and expand the range of offences that can authorize the order of a DNA sample from a convicted offender.

There are concerns about privacy when using genetic data. While the data stored in the NDDB is highly anonymized and is specifically from the parts of the DNA that does not code for any known traits, the samples themselves retain identifiable genetic information about offenders. In response to privacy concerns, some feel that committing a crime justifies the lowered privacy that comes with a DNA sample.

Canada’s DNA Data Bank is relatively small compared to similar data banks in other countries, due to restrictive legislation. Some argue that the small size of the data bank makes it less effective in criminal investigations, and therefore the NDDB should be expanded. Critics of this proposition note that DNA records aren’t foolproof (for example, they can be contaminated either at the scene or at facilities where they are processed), and that expanding the NDDB will reinforce existing systemic biases in Canada’s criminal justice system, such as increased surveillance and criminalization of Indigenous people.

Discussion Questions
1. Can you articulate the link between privacy and criminal offence? Do you agree that committing a criminal offense justifies reduced privacy?
2. Should law enforcement be allowed to use genetic data from relatives of suspects to assist in identifying criminals?
3. Who should have access to and oversight over the NDDB, and under what circumstances?
4. What are some of the ethical concerns with increased surveillance that comes with collecting DNA samples from crime scenes?

Further Exploration


CASE 3 | Urban planning in an auto-dependent city
Case by: Renewable Cities – a program at the SFU Morris J. Wosk Centre for Dialogue

The transportation sector is one of the leading causes of rising greenhouse gas emissions (GHG) in BC, and low-density, car-dependent cities (where private vehicles are the primary mode of transportation) are the culprit. Renewable Cities forecasts that due to current transportation planning and policy, GHG emissions will rise through 2030 and beyond. Despite sales of electric vehicles, there will be more gas-powered vehicles in 2030 than in 2007; traffic congestion will increase; and household affordability will worsen (transportation costs are 20% of household spending, second to housing).

Creating more compact cities and planning for diversified modes of transportation (e.g., active transportation, ride-sharing, or public transportation) can create safer cities, reduce pressure on property taxes, increase climate resilience and reduce climate vulnerabilities. On the contrary, proponents of auto-centered cities argue that driving is the easiest and most convenient form of transportation. Shifting from the current auto-centered infrastructure will require a large capital investment. Many suburbs are planned exclusively around the use of cars, and many do not have enough capacity for a transit system. North American cities are spaced out and built for cars, and so it can be challenging to commute via modes of active transportation (e.g., walking, biking) or public transportation.

Planning our cities around cars or public transportation affects many different stakeholder groups: from local communities (e.g., car drivers, public transit users, bike riders, pedestrians) to government policymakers and transit authorities (e.g., Translink), and businesses and corporations (e.g., car manufacturers, real estate developers, ride-hailing services). Given such wide-scale impact, how should we proceed with our urban planning decision?

Discussion Questions
1. How should city planners address the potentially disparate needs of vehicle users and active transit users?
2. Whose transportation needs should city planners prioritize?
3. To what extent, if at all, should an individual’s freedom to choose their mode of transportation be a priority in city planning?

Further Exploration


CASE 4 | Is urban planning an objective science or is it a political pursuit?
Case by: CityHive

Cities are quickly becoming more populated and diverse, with wide-ranging needs and interests arising from various demographic, economic, environmental, and cultural forces that are each competing for the attention of politicians and planners. What might the order of priorities look like for cities that are simultaneously tackling the climate crisis, housing unaffordability, a toxic drug crisis, increasing income inequality, and increasing populations? What happens when every 4 years newly-elected officials set new political agendas?

Toronto-based placemaker and author, Jay Pitter, said that “urban design can perpetuate urban inequities or it can actually resolve urban inequities.” Every urban planning decision, such as deciding to use a plot of land as a park or to develop a high-rise, reflects the relationships and values of whoever is making those decisions. Yet urban planners make efforts to distill their practice down to a science and try to make unbiased and evidence-based decisions.

On the one hand, urban planners uphold a professional code of conduct that “respects the diversity, needs, values, and aspirations of the public, as well as acknowledges the inter-related nature of planning decisions and the consequences for natural and human environments.” On the other hand, they make decisions according to the priorities of the elected Mayor and Council, whose policies are based on political agendas. Putting a policy into action can also look very different, depending on whose interests urban planners protect, and what a ‘vibrant’ neighborhood that supports ‘well-being’ looks like in their eyes. How should urban planners navigate the tension between their professional code of conduct, and the political agendas of their employers?

As a technical profession, we might want urban planners to be primarily accountable to their code of conduct, ensuring their decisions are impartial. This could also allow urban planners to pursue long-term projects, regardless of the political leanings of the time. But as they make decisions that impact the well-being of many citizens, we might want urban planners to be accountable to democratically elected leaders. Furthermore, as our cities reflect our societal values and structure, it might be impossible to pursue urban planning as an “objective science”: a “better city” might mean one that is planned by people who understand the experiences and values of diverse populations who live in cities.

Discussion Questions

1. How has city planning reinforced social inequities, and how might cities be planned to resolve them?
2. Whose needs do you think were urban planners trying to meet when they designed your neighbourhood? What problems for residents did they solve through design? What problems resulted from these design decisions?
3. Cities require long-term planning to address issues such as climate change and housing unaffordability, but municipal government priorities change each time someone new takes office. Should cities be planned by planners who work under municipal government decision-makers? How do we work around the shorter-term priorities of politicians in efforts to deal with major threats to well-being that require longer term planning?

Further Exploration


CASE 5 | Removing Barriers to Entry in Legal Education

Law school is expensive. Tuition for the 2023-2024 academic year at the University of Toronto is over 30 thousand dollars, and over 60 thousand is charged per year to international students. Outside Ontario, prices may seem reasonable by comparison. A year’s tuition for the J.D. program at UBC for the same period is less than 14 thousand dollars, with international students paying nearly 40 thousand per year. One study conducted in 2022 by German bank N26 found that Canada is the third costliest country in which to train as a lawyer, following the United States and the United Arab Emirates. And law tuition fees continue to rise: according to Statistics Canada, between the 1995-1996 and 2001-2002 school years, average law school tuition in Canada increased 61 per cent, accounting for inflation.

Some say that the high cost of law school is reasonable because lawyers can obtain a high income that will allow them to repay any loans taken out in support of their studies: if some students have trouble affording the initial cost of tuition, then financial aid is available to those who cannot bear that initial cost, and these programs can be expanded This will allow a more diverse range of students to enter law school than have the opportunity to do so presently.

If qualified students who need it receive financial assistance for their tuition fees, then there still remains the students who did not receive financial assistance and who often graduate in debt ranging five-to-six figures. Historically, law graduates have repaid loans by preferring to take high-paying jobs in corporate environments.

To encourage lawyers to work for those who have the most need in society, rather than the most money, some argue that financial assistance after law school should be expanded as well. After graduation, a lawyer who chooses a life of service, rather than of financial reward, can be provided loan forgiveness from government. Just as doctors who choose to work in remote areas in BC are offered financial incentives, lawyers who choose to work for disadvantaged people after law school can be offered loan forgiveness from government to ensure they are not over-burdened with debt.

However, lowering tuition fees generally and non-discriminately for everyone would obviate the need for the patchwork of financial assistance described above. If the average cost of legal education was lowered, then a wider range of people could apply and be accepted using the normal application process, without the need for any financial assistance program. If average debt upon graduation was lower, then students would feel more freedom to take lower-paying jobs that they feel will make a positive contribution to society.

Discussion Questions

1. Given that a lawyer may earn a significant income in Canada, is the average cost of law school a fair one?
2. If the goal is to increase the diversity of law student populations, which solution is more effective: more financial aid to some law students or lowering the average cost of law school? How do you think the impact to the two strategies might differ?
3. What factors do you think should be used by schools and governments when deciding what to charge as tuition? Future earnings of alumni, enrollment demand, being able to attract high-profile faculty, accessibility?

Further Exploration


CASE 6 | Legal Pluralism and Indigenous Law in Canada

“Legal Pluralism” is when two or more legal systems are acknowledged to have force in the same country, and the jurisprudence (rules, procedure, and precedents) from each system applies in that country/territory. In Canada we draw on both the English tradition of common law and French civil law. Canadian citizens can refer to and rely on either when they engage with the Canadian legal system. Both law systems are recognized in the Canadian Constitution.

In some recent cases, courts have also considered and deferred to Indigenous law, in matters like elections held for First Nations’ leadership, or family law. However, the recent conflict between the Wet’suwet’en Nation and the government of B.C. around the Coastal Gaslink pipeline project has raised questions about the scope of legal pluralism in Canada. In 2021, development of the Coastal Gaslink Pipeline started in Wet’suwet’en territory. Wet’suwet’en Elders and Hereditary Chiefs opposed the construction, and protectors set up blockades along the proposed pipeline route. A B.C. court issued an Injunction (a common law legal order where the Court orders someone to stop a particular activity) against the protectors, and the RCMP was brought in to break up the blockade. The Wet’suwet’en Peoples claimed they were upholding Indigenous Legal Orders by protecting their unceded territory. The Canadian Court upheld that while it gave consideration to Indigenous Legal Orders, they do not automatically outweigh applications of Canadian common law.

The Wet’suwet’en Chiefs and Elders contend that they were not consulted or accommodated in the lead-up to the pipeline being approved. Under Indigenous Legal Orders, decisions that impact the community and its territory would be decided in the “Feasthouse,” a gathering place for those who want to discuss any legal issue. Legal dispute resolution in the Feasthouse would start with a ceremony, food would be served, the house would be arranged in a traditional manner, and anyone outside the community would also be invited to bring their legal issue before the community.

As a country with a pluralistic legal system, Canada’s communities have to negotiate between differing legal perspectives. When these perspectives come into conflict, we have to think about questions of legitimacy and the interests of different groups of people. How do we decide the correct legal framework to apply in a situation?

Discussion Questions

1. Given that Canada practices legal pluralism with French civil law and English common law, should we expect Canadian courts to also uphold Indigenous Legal Orders? Are there specific areas where courts might have a responsibility to defer to Indigenous Legal Orders?
2. Do practitioners of law, such as lawyers and judges, have particular responsibilities to inform themselves about Indigenous law in the area where they live and practice law? Is this responsibility shared by others, such as educational institutions, news reporters, or Canadian who do not practice law?
3. Injunctions are often used against Indigenous Peoples trying to assert Indigenous Legal Orders. What obligation do non-Indigenous Canadians have when the protectors are stopped by the government and its police?

Further Exploration


CASE 7 | The Business of Supporting Pride

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 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. Do these corporations have positive social responsibilities to advance 2SLGBTQ+ communities’ well-being, or is it acceptable for them to just pursue profits?

Critics 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.

Supporters of rainbow capitalism argue that queer people and allies enjoy 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.

Yet another complicating factor is how companies handle consumers’ reactions. In 2023, American retailer Target released a line of 2SLGBTQ+ Pride-themed clothing. In response to backlash from some customers who were against the inclusion of the items in stores, Target pulled some items from its shelves, this time garnering criticism from the 2SLGBTQ+ community and allies. Was the retailer right to remove the items, citing employee safety concerns? Could they have handled the situation differently?

Discussion Questions

1. Should private businesses sell Pride-themed merchandise? Are there things businesses should or should not be doing if they are selling such items?
2. What is the role of private business in 2SLGBTQ+ activism? Can market forces be employed to improve 2SLGBTQ+ welfare? In general, should businesses endeavour to support social causes?
3. How should businesses react to backlash when some customers oppose the causes they uphold (or claim to uphold)?

Further Exploration


CASE 8 | Should Graduates of Elite Business Schools Swear an Oath?

Many professionals, such as lawyers, doctors, and engineers belong to self-regulatory organizations such as college of doctors or a society of lawyers, whose role includes admitting new members, expelling members who misbehave, and otherwise maintaining standards of conduct that the public expects of them in their distinctive, professional role.

Self-regulatory organizations facilitate trust between professionals and the wider public. These organizations usually enforce high standards of ethical conduct and ensure that their members maintain a standard of education and competence. This is important because the average member of the public will not be a good position to “check the work” of a professional. Consider the task of employing a lawyer to assist in writing your last will, or an engineer to design a structure. The errors in this important work could be hard to notice, so your best bet is to trust the professional who undertook these tasks. If they are part of an organization, you can be more certain of their skills.

A common and long-honoured practice is for professionals to participate in special ceremonies as part of their certification process. In many professions, it is common to take a solemn oath setting out one’s duties to the public, to the state, and to the other members of the profession. At Ivey Business School, an elite business school in Canada, the “Ivey Pledge Ceremony” was instituted recently. Students can swear an oath and be presented with a ring to represent the occasion. The pledge includes the phrase that the candidate, “will, to the best of [their] ability, act honourably and ethically in all [their] dealings, in the belief and knowledge that doing so will lead to a greater good.”

Business professionals do not enter nor belong to formal self-regulatory organizations like doctors, lawyers, and engineers do. However, a solemn oath like the Ivey Pledge represents one step towards greater self-regulation in the field of business management. At Ivey, highly trained business students are acknowledging a special sense of ethical responsibility towards the public. If self-regulation of this kind continues to expand, business professionals could opt to form self-regulatory organizations for themselves and enforce their own standards of conduct.

Discussion Questions

1. Do business professionals occupy a special position of trust regarding any member of society, in a similar way that lawyers, doctors, and university professors are trusted by their clients or students?
2. Consider the position of executive at a Fortune 500 company. Do you consider this position to involve distinct, specialized knowledge that makes its practitioner comparable to a doctor, lawyer, or engineer?
3. How do you think society would change if businesspeople formed self-regulatory organizations? Would there be more trust between business managers and members of the public in that case?
4. If all high-level businesspeople were members of self-regulatory organizations, what rules, if any, would be practical to enforce among the members?

Further Exploration


