

Ethics Bowl Canada 2023-2024 Regional Case Set

October 2023



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Note to the Coaches and Students

This case set is the collective work of the case development committee. 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 (sfubowl@sfu.ca).

Case Pairings

The Case Development Committee recommends the following match pairings for the cases:

Round 1: Cases 1 & 2

Too Close to Home – Bystanders in Action

Round 2: Cases 3 & 4

Confucius and Politeness Norms – Is There Really No Accounting for Taste?

Round 3: Cases 5 & 6

Imperfect Activism – (Re)Telling a Good Story

Round 4: Cases 7 & 8

Canadian Wildfires – Premium Healthcare

Round 5: Cases 9 & 10

Progressive Fines – Sharing Public Space

2023-2024 Regional Case Development Committee

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With thanks to:
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Case 1 | Too Close to Home

Should politicians and other public officials who make controversial decisions be allowed to cloister themselves away in their homes or should they be forced to face the jeering crowds?

This is not an abstract question. In the spring of 2023, demonstrators showed up at the homes of conservative US Supreme Court Justices to protest the judges' position on reproductive rights. Here in Canada, protestors have visited the homes of municipal, provincial, and federal politicians, including the Premier of Ontario and the Mayor of Ottawa, when they felt that their voices were not being heard through more traditional methods of protest.

Those who engage in such protests argue that it is unfair to allow public figures to escape the social impact of their decisions by fleeing to what is often a beautiful residence. The fact that the measures being challenged often target those who live in sub-standard housing or are themselves homeless only adds insult to injury.

Those in charge may also try to distance themselves personally from their actions by characterizing them as collective decisions resulting from the need to find savings or respond to complex situations. By visiting their homes, protestors make it clear that decision-makers cannot escape personal responsibility for their actions by blaming "the system".

Those taking an opposing view would argue that a public official has a right to privacy and should be able to shed their formal persona when they return home. Shouldn't serious issues be discussed in appropriate fora on public property, not by invading what many would consider someone's private space? And by visiting someone's home, is there not the potential to create an atmosphere of intimidation?

There is also the question of the disruption that these protests cause to innocent bystanders, including the official's family and neighbours. Knowing that your home and neighbourhood might be the target of protests might dissuade good people from entering public life.

Politicians and other public officials operate in an imperfect world with few easy answers. Decisions often involve difficult trade-offs and choosing the "least worst" option. At the same time, there has been a growing tendency for public officials to try to avoid taking responsibility for decisions that have a negative impact on people's lives, creating an accountability vacuum.

How should the public respond?

Discussion Questions

1. How much privacy do public figures give up when they put their name on the ballot or accept an important post? Can a person in power really relinquish their formal role by merely going home?
2. During COVID, many protested vaccine mandates at politician's homes. – Was this justified?
3. Beyond non-violence, should protesting have rules? Is protesting at a person's home always a step too far?

Further Exploration

"Protesting outside of Supreme Court Justices' homes is fine, actually." Kelsey Jost-Creegan. *EarthRights International*. May 19, 2022. <https://earthrights.org/protesting-outside-of-supreme-court-justices-homes-is-fine-actually/>

"The problem of protesting at people's homes." Andrew Fiala. *Blog of the APA*. May 27, 2020.

<https://blog.apaonline.org/2020/05/27/the-problem-of-protesting-at-peoples-homes/>

"Don't hold your protest outside politicians' homes." *Ottawa Sun*. November 29, 2020.

<https://ottawasun.com/opinion/editorial-dont-hold-your-protest-outside-politicians-homes>

"Manor Village tenants take fight against 'demoviction' for Barrhaven LRT to mayor's home."

<https://ottawacitizen.com/news/local-news/manor-village-tenants-take-fight-against-demoviction-for-barrhaven-lrt-to-mayors-home>

Case 2 | Bystanders in Action

There's a fight in a school hallway. A crowd gathers. In response, the principal suspends the two fighters and four other students who stood by and either filmed or cheered as a teacher broke up the fight. While no one disputes that the fighters should be disciplined in accordance with a clear school policy, some students and parents are upset about the suspension of students who were arguably mere bystanders.

As outlined in a new mission statement at the start of the year, students who can are encouraged to constructively intervene in a serious peer conflict, such as this fight. Students could do this by engaging the fighters, getting a teacher, or by using their voices to discourage the combatants. Through this mission statement, school administrators say they are working to create better citizenship and a safer school environment. According to the administrators, bystanders play a key role in this mission. Cheering on fights enhances the violence and recording conflicts documents events without the consent of those involved, and could potentially be used to worsen or extend negative impacts.

Some parents of the bystanders argue that in requiring their children to intervene in conflict, the school's policy is risking their safety. Furthermore, they point out that we generally have rights to film events in public, so why not in school? By recording the fight on their phones, their children have provided the principal and possibly the police with better records of the incident.

One could argue that the inclusive community and educational space of a school creates strong reasons for administrators to foster more rigorous bystander practice and expectations in an event such as a fight. There is no objection, after all, to very clear expectations for fire evacuations and lockdowns, when the school organizes individuals' conduct for group safety. However, when one leaves the school property, there are no general bystander obligations in Canada: no one is required to help in any situation. Furthermore, Canadians have a right to record anything that takes place in public. A bystander might not only do nothing to help, but also could record and post images of another person's tragedy, without running afoul of Canadian law. This can result in some unsettling situations. In at least two different incidents that took place in Vancouver in 2023, the final moments of dying men were filmed and subsequently posted online. Many observers were upset at the action or inaction of those who witnessed these tragedies.

Discussion Questions

1. Is everything bystanders do to help in a conflict above and beyond the call of duty, or can we be required to help mediate and resolve issues that do not directly involve us?
2. Are those who film and post about dramatic events generally making the situations they observe better or worse? Is their participation ever neutral?
3. Journalists win awards for their work, but bystanders might be shamed for filming. How do the actions of a bystander using their cellphone to film an event differ from a professional photojournalist who covers a war or a natural disaster?

Further Exploration

"A freeze response of shock': Expert weighs in on bystanders not stepping in during fatal Vancouver stabbing." Alissa Thibault. *CTV News*. March 29, 2023. <https://bc.ctvnews.ca/a-freeze-response-of-shock-expert-weighs-in-on-bystanders-not-stepping-in-during-fatal-vancouver-stabbing-1.6335145>

"Witness appalled by bystanders who videotaped aftermath of fatal crash in East Vancouver." Cheryl Chan. *Vancouver Sun*. August 4, 2023. <https://vancouver.sun.com/news/local-news/witness-appalled-by-bystanders-who-videotaped-aftermath-of-fatal-crash-in-east-vancouver>

"Do crime apps and viral videos stop bystanders from helping?" Bernd Debusmann Jr and Anamaria Silic. *BBC News*. 19 February 2022. <https://www.bbc.com/news/world-us-canada-60091787>



Case 3 | Confucius and Politeness Norms

Is it morally bad to be rude? Etiquette manuals tell us that it is wrong to chew with our mouth open, to neglect to say “please” or “thank you”, and to dress inappropriately for certain occasions, such as wearing white at someone else’s wedding. Yet, these norms of ordinary social interaction seem peripheral to contemporary ethics, whose focus is often on the moral status of actions like murder, lying, assault and thievery. Ever since ancient times, great thinkers of the Western canon have been concerned about the cultivation of virtues like courage, wisdom, and justice. From this standpoint, the moral status of actions like using the wrong fork for our entrée, or refusing to shake someone’s hand, seem either trivial or outside the scope of ethics altogether. After all, these minor violations do not cause any serious harms, nor do they suggest any character vice.

Confucianism, however, considers the virtue of politeness as the core of ethical life. According to the Confucians, ritual propriety (li) encodes the totality of morally acceptable action. On this view, fundamental moral virtues are developed through adherence to etiquette in our interpersonal interactions – failures to observe ritual are serious moral faults. Even our humanity is constituted by etiquette in some way: we begin our lives by studying ritual through observation of others around us, and only become moral agents through adherence to the rules of civil interaction. Respecting the demands of ritual, then, is tantamount to respecting each other as human beings.

Insisting on politeness, however, can seem superficial, and perhaps even restrictive of human agency. The Confucians were famously strict on behaviour relating to posture, attire, and ceremony – and were criticized on grounds of inauthenticity. The Daoists, for example, thought Confucian rituals inhibited authenticity and reduced human beings to their social roles. While the Confucians argued that ideal action within ritual propriety was both spontaneous and harmonious with the natural order (much like the improvisation of a skilled musician), they also generally valued conformity to a hierarchically organized social system. Giving a central place to etiquette in ethics, then, is broadly at odds with western conceptions of ethics, where values like liberty and autonomy are at the core of moral life. Yet, politeness norms seem to saturate our ordinary experiences. We morally judge those who treat us rudely, such as by interrupting us when we speak, addressing us by the wrong names, or routinely showing up late to meetings – in short, we take rudeness to be an expression of moral disrespect.

Discussion Questions

1. Do rules of etiquette infringe on moral agents’ autonomy?
2. Is it possible to be a good person without being polite?
3. Is there something snobby or exclusionary about politeness as a virtue? Does etiquette intrinsically codify certain social differences, such as class or gender differences?
4. Is it morally justified to judge a person (especially their character) for their violations of politeness norms?
5. Is it possible to think about the ethics of politeness without reference to arbitrary cultural differences?

Further Exploration

“How to set yourself free with ritual.” Alan Jay Levinovitz. *Psyche*. 8 June 2022. <https://psyche.co/guides/how-to-live-free-and-in-harmonious-ease-with-confucian-ritual>

“We need highly formal rituals in order to make life more democratic.” Antone Martinho-Truswell. *Aeon*. 29 April 2020. <https://aeon.co/ideas/we-need-highly-formal-rituals-in-order-to-make-life-more-democratic>

“Why I never want to dress up in black tie again.” Julian Baggini. *Aeon*. 23 December 2015. <https://aeon.co/ideas/why-i-never-want-to-dress-up-in-black-tie-again>

Case 4 | Is There Really No Accounting for Taste?

We live in a complicated world where our aesthetic preferences may have ethical consequences. For example, your neighbour might prefer to keep a vibrant green lawn throughout the summer, but gardening with plants native to your area and using less water is surely better, all else being equal. Or maybe you really like the taste of this rare delicacy—which happens to be the meat of an endangered turtle.

We might also think that some aesthetic preferences reveal something about the kind of person one is: if someone is only interested in dressing in designer outfits, they might be superficial and shallow. A friend who enjoys crass comedies could also be a vulgar person. These assessments of character all relate aesthetic preferences to moral character.

We also know our aesthetic preferences can change, at least in some instances. A lot of us now like different kinds of food than we did several years ago, and people frequently take classes to learn to appreciate modern art or classical music or hip hop. Given that our preferences might sometimes be morally charged, and we can, at least in some cases, change our preferences, do we have an ethical responsibility to examine and maybe try to change what we like?

Deliberately seeking to cultivate or broaden our tastes might make us better people. We often talk about cultivating open-mindedness, for example, because it is a generally positive trait. We could also try to change our preferences in order to develop authenticity. Many of our aesthetic preferences are inherited and reflect the prevailing impressions and injustices dominant in our society, including views about what makes a person attractive. Beauty companies contribute to these social standards and may exploit resulting insecurities for commercial interests. In such cases, it may be liberating to think about why we find certain things aesthetically pleasing, and potentially cultivating different aesthetic preferences. Even when we cannot easily change our tastes, should we nonetheless try to encourage some tastes while we discourage others as we develop our own preferences?

There are many reasons to think we are generally not responsible for our desires and preferences. We do not usually experience our own tastes as choices. Judging someone on the basis of preferences can also be dangerous. Negative characterizations of others rooted in criticism of differences in taste have often been used to justify prejudice based on class, gender identity or expression, race, and sexual orientation.

How do we navigate our aesthetic preferences when there might be ethical obstacles or consequences to what we like? Is there really no arguing over matters of taste? What, if any, standards can we apply to others and ourselves when making such judgments?

Discussion Questions

1. Do we have a responsibility to understand where our tastes and desires come from? Do we have a responsibility to challenge them?
2. Do you judge people for their taste in music, food, or art? How does the malleability of preference affect whether or not we should engage in judging one another for them?
3. If you had radically different preferences than you do now, would you still be you?

Further Exploration

“Review: *Everyday Aesthetics* by Yuriko Saito” Tom Leddy. Notre Dame Philosophical Review. February 15, 2009.

<https://ndpr.nd.edu/reviews/everyday-aesthetics/>

“The Invalidation of the Interests of Teenage Girls and Young Women.” Anushka Mankodi. *The Teen Mag*. January 31, 2021. <https://www.theteenmagazine.com/the-invalidation-of-the-interests-of-teenage-girls-and-young-women>

“Judgment of peoples’ moral behaviour varies with their wealth, social status: study.” Randy Shore. *Vancouver Sun*. March 7, 2016. <https://vancouver.sun.com/news/metro/judgment-of-peoples-moral-behaviour-varies-with-their-wealth-social-status-study>

Case 5 | From Talking the Talk to Walking the Walk

Consider a paradigmatic case of ‘virtue signaling’: a politician calls himself a ‘feminist’ during an election period, but when he gets elected, he votes against bills that would narrow the wage gap, promote reproductive justice, and decrease gender-based violence. Generally, we think there is something deeply morally problematic with using labels merely to gain social capital (or, in this case, votes). This moral wrong can be cashed out in terms of hypocrisy: in this case, the politician proclaims to be a feminist, but his actions do not reflect any sort of commitment to gender equality. Hypocrisy is morally wrong because it is dishonest and misleading. Not only is hypocrisy a character flaw, but it can have significant moral consequences. Here, the politician’s hypocrisy risks emptying the label ‘feminist’ of its important moral weight: if a prominent political figure can get away with this kind of virtue signaling, so can all of us! Furthermore, the politician’s failure to follow through on his promise might result in anti-feminist legislation, and he may have also taken a seat in office from a true feminist. And seeing that one can call themselves a feminist without living according to feminist values makes those curious about feminism less likely to take it seriously.

Is hypocrisy always this morally objectionable? Climate activist Greta Thunberg refuses to travel on airplanes because of the high levels of fossil fuels they emit. Some might argue that this consistent refusal makes her a better activist-- better than someone like, say, actor Emma Thompson, who flew from LA to London to participate in a climate protest. Though Thompson might have better motives than the politician discussed above, she is still acting hypocritically by advocating for climate justice while also contributing to fossil fuel emissions. As a result, many take Thunberg’s call for action more seriously than Thompson’s, because through sticking to her principles despite the inconvenience, she demonstrates that we should take these principles seriously. Moreover, Thunberg’s activism can be inspiring, giving people an ideal to work towards. Finally, it can be thought-provoking: for instance, people might begin to wonder why there isn’t a greener way of traveling between continents quickly. This, in turn, might inspire collective action.

But things get messy when we consider that we cannot remove ourselves entirely from participation in problematic systems. In fact, sometimes, we need to make use of those systems to maximize our effectiveness in eradicating them. For instance, if Thunberg is asked to give several different in-person speeches, in different parts of the world, on three consecutive days, it is conceivable that she might make more of a positive contribution to climate justice by boarding an airplane than by avoiding charges of hypocrisy. Furthermore, to demand that someone ‘practice what they preach’ all the time, at all costs makes activism inaccessible. If the only acceptable way to partake in activism is to partake in it perfectly, a lot fewer people will be willing and able to partake. Moreover, holding ourselves to morally perfect standards can be taxing, hindering our individual well-being. All in all, demanding perfection from anyone who identifies with labels like ‘climate activist’ or ‘feminist’ will result in fewer people being willing to speak out for a cause.

Discussion Questions

1. What kind of virtues should guide you as an activist, and how should you balance them?
2. How do we encourage people to participate in activist work while making sure to weed out harmful ‘bad faith’ actors, like the politician described above?
3. What kind of weight should the criticism of hypocrisy have in activist circles? Does the importance of hypocrisy depend on what the cause is?

Further Exploration

“Are you a climate change hypocrite? Here’s why you shouldn’t worry.” Bennet Francis. *The Conversation*. May 5, 2021.

<https://theconversation.com/are-you-a-climate-change-hypocrite-heres-why-you-shouldnt-worry-159615>

“The Dangers of Performative Activism, And How To Avoid It.” *Youth Friendly*. August 12, 2021.

<https://www.youthfriendly.com/blog/slacktivism>

“Empty gestures: The harmful impact of hypocritical leadership on society’s progress.” Toye Sobande. *Business Day*. May 19, 2023. <https://businessday.ng/columnist/article/empty-gestures-the-harmful-impact-of-hypocritical-leadership-on-societys-progress/>

<https://businessday.ng/columnist/article/empty-gestures-the-harmful-impact-of-hypocritical-leadership-on-societys-progress/>

Case 6 | (Re)Telling a Good Story

Good stories – Grimm fairytales, Shakespearean tragedies, Indigenous folklore and Chinese mythologies – are told and retold, and with each new generation they may take on new meaning and significance. Adapting classic tales for contemporary audiences, however, is challenging: through fiction, storytellers express the social values of their times, often creating moral dissonance for modern audiences. At the extreme, stories embodying racist, sexist, or otherwise prejudicial politics can be the subject of scrutiny when uncritically adapted and translated into the modern day.

Take for example the evolving canon of Disney princesses: from the 1930s to the 1950s, classical princesses like Snow White, Cinderella, and Sleeping Beauty closely followed their European folklore roots by being primarily passive and temperate, with dramatic arcs centering around their rescue by a prince. Disney's Renaissance era (1989-1999) moved past this static characterization to a generally more rebellious spirit, with characters like Mulan, Pocahontas, Jasmine, and Ariel, who have goals of self-realization in addition to finding love. New-age princesses (2009-present) such as Merida, Moana and Elsa, however, eschew romance altogether in favor of independence and adventure, with story arcs often involving an explicit feminist critique of the patriarchal expectations on young women. Disney's recent attempts to remake its own classical stories into live-action films, however, has been met with antipathy: some critics argue that canonical characters like Belle (in *Beauty and the Beast*) are defined by their passivity and helplessness in romantic storylines, and therefore cannot be straightforwardly repackaged as feminist heroines. Furthermore, audiences seem skeptical of the authenticity of Disney feminism, seeing it as no more than a profitable corporate decision.

The recontextualization of media is also a concern for educators, who are caught between teaching classical but morally questionable literary works, and newer, lesser-known pieces that resonate better with modern audiences. The role of interpretation adds a further complication: the extent to which a story taking place within an unjust society can be understood as an endorsement of that society's values is in part a matter of subjective judgment. Moreover, it is an open question which, if any, moral standards fiction should be evaluated against. Educators, audiences, and creators alike must grapple with choices about storytelling in changing moral contexts: whether a story should be excised from the cultural consciousness entirely, whether it should be left unaltered but presented with context, or whether the general sentiment and appeal of a story can be preserved while modifying elements that offend modern sensibilities.

Discussion Questions

1. What makes a story, or a work of fiction, morally bad?
2. If you were designing a syllabus for a class, would you teach the classics that you find aesthetically good but morally bad?
3. Is it possible for all stories to be adapted for modern moral sensibilities, or are some stories just unsalvageable? Think about the *Beauty and the Beast* example: is it possible to make Belle a feminist heroine without writing a new story altogether?
4. Is gender-bending or race-bending (the practice of changing the gender or race of a character within a pre-existing story, but generally without changing other elements of narrative structure) a legitimate means of addressing concerns about the values of the stories' original authors?

Further Exploration

"Martha Nussbaum, empathy, and the moral imagination." Heather McRobie. *openDemocracy*. March 7, 2014.

<https://www.opendemocracy.net/en/5050/martha-nussbaum-empathy-and-moral-imagination/>

"The fraught cultural politics of Disney's new *Aladdin* remake." Aja Romano. *Vox*. May 28, 2019.

<https://www.vox.com/2019/5/24/18635896/disney-live-action-aladdin-controversy-history>

"Roald Dahl: The fierce debate over rewriting children's classics." Neil Armstrong. *BBC*. May 30, 2023.

<https://www.bbc.com/culture/article/20230530-roald-dahl-the-fierce-debate-over-rewriting-childrens-classics>

Case 7 | Canadian Wildfires

Almost half of Canada is covered in forest. This vast wilderness often lacks the basic infrastructure, like road access, to make firefighting easy. Locally, wildfires often have disproportionate impacts on remote and Indigenous communities, because it can be challenging to serve and support them in crises. Canadian forests store roughly 200 billion tonnes of carbon each year. Wildfires destroy trees that would naturally store carbon in ways that protect our environment. Fires also release vast amounts of new carbon into the air, producing a feedback loop that increases the risk of extreme climate events globally.

Currently, Canada doesn't have a dedicated national wildfire-fighting force and relies on provincial responses. The Canadian Forest Service trains and coordinates provincial firefighters. It also funds and conducts research into wildfire mitigation and control. When needed, like in August 2023, the Canadian Armed Forces assist provincial firefighters. Outside help from international firefighters has also proven essential. Should we begin preparing to quickly recruit a potential army of firefighters to address growing risks of wildfire emergencies moving forward? Provincial emergency responses to wildfire are limited and reactive; they generally focus on human safety and property. Can our current approach to "putting out fires" meet our ethical responsibilities for emergency preparation, disaster prevention, and custodial management?

Some ecologists highlight the potential positive impacts of local oversight, Indigenous practices and fire stewardship in managing Canadian wildfires. Deliberate fire stewardship is sometimes called "cultural burning", and is conducted by Indigenous communities according to knowledge and tradition. (Provincial governments sometimes use a similar technique called "prescribed burning", aimed at specifically reducing forest fuels.) In responding to wildfire threats, should we aim to coordinate national and provincial forces with local efforts to provide ongoing, sustainable wilderness management where it is most needed?

Given that wildfire risk is increasing due to global warming and that the smoke and carbon emissions from fires have impacts far beyond national borders, does Canada have an obligation to re-think its investments and responsibilities when it comes to forest management and firefighting? Would the most ethical approach to managing this increasing environmental risk require any shifts in our priorities or policies?

Discussion Questions

1. Does Canada have a particular custodial responsibility to manage the global environmental impact of fire, in addition to its direct impacts on Canadian citizens and property?
2. By mid-August 2023, 4,990 firefighters from 12 countries had assisted in managing Canadian wildfires. Should Canada try to reduce reliance on international support in fire management, or are Canadian wildfires a global challenge that requires international coordination?
3. How does taking a centralized, national approach to wildfire management differ from taking a more decentralized, local approach? How should we go about reallocating prevention, mitigation, and firefighting responsibilities while trying to address the diverse needs of local and global populations?

Further Exploration

"World on Fire: 2023 is Canada's worst wildfire season on record — and it's not over yet." Magan Carty. *CBC Radio*. September 3, 2023. <https://www.cbc.ca/radio/ideas/world-on-fire-canada-s-worst-wildfire-season-on-record-1.6946472>

"Why doesn't Canada have a national wildfire-fighting force?" David P. Ball. *CBC News*. August 12, 2023. <https://www.cbc.ca/news/canada/british-columbia/national-wildfire-fighting-force-canada-1.6925785>

"Canada needs Indigenous-led fire stewardship, new research finds" Lou Corpuz-Bosshart. *UBC News*. April 26, 2022. <https://news.ubc.ca/2022/04/26/canada-needs-indigenous-led-fire-stewardship/>

"Put out wildfires before they begin with Indigenous fire stewardship" James Michael Collie, Hannah Verrips. *Policy Options*. October 4, 2022. <https://policyoptions.irpp.org/magazines/september-2022/put-out-wildfires-before-they-begin-with-indigenous-fire-stewardship/>

Case 8 | Premium Healthcare

Some clinics in Canada offer private services to patients. A clinic in Calgary is now charging membership fees for enhanced levels of service: shorter wait times and longer appointments. Health Canada officials have expressed concern about how this trend may contribute to ongoing healthcare shortages, as professionals and patients experiment with more privatized economic models for accessing and providing medical care.

Some might argue that people should be able to do almost whatever they want with their money—including purchasing private healthcare. Doing so does not seem to directly harm or infringe upon the rights of others. If a Canadian citizen would have to wait over a year for a knee surgery, why shouldn't she opt to spend her hard-earned money to get it done sooner? Must she sacrifice her time and wellbeing in order to wait for her turn? If she can pay privately for other services she wants, like cosmetic surgery, just to enhance her quality of our life somehow, why not include timely surgery, if she is able and willing to pay for it?

Others will point out that Canadians are rightfully proud of their public healthcare system, and willing to undertake responsibilities to work together - and even maybe suffer - to support and defend it. These critics fear that privatization could compromise our public system, threaten social equity, and ultimately even reduce the quality of medical care for those left without easy access to alternatives and enhancements. . Privatization could draw talent and resources away from what is available in the public system due to increased competition for professionals. This shortage could add pressure to an already stressed medical system, increasing the risk of labor shortages. If enough citizens become accustomed to opting out of public systems (or at least upgrading their care), would they continue to be sufficiently invested in making sure this system works well enough for all?

Can innovative, privatized forms of health care work to take pressure off the public system? Or do they add stress to its very foundations, potentially causing more burdens for many of us? Canada's publicly-funded health care system is certainly facing challenges, and both patients and professionals confront ethically complicated choices in the current landscape. Does the fate of socialized healthcare depend on the ethical and personal decisions of professionals and patients facing hard choices?

Discussion Questions

1. Under what circumstances is it ethically justifiable to opt out of the public line-up and pay for private health care?
2. Medical care can involve life-and-death situations or more ordinary choices about who to see for primary care. How do these distinctions matter to our case for either opting out or staying within the public system when seeking medical treatment?
3. What can Canada learn from the way other nations design, fund, and defend public medicine and socialized medical systems?

Further Exploration

"Understanding public and private health care." *Canadian Medical Association*. 2023. <https://www.cma.ca/our-focus/public-and-private-health-care/understanding-public-and-private-health-care>

"Converting doctor's offices to premium clinics could spawn a new health-care crisis." Jason Markusoff. *CBC News*. July 26, 2023. <https://www.cbc.ca/news/canada/calgary/boutique-doctor-clinics-calgary-public-private-analysis-1.6917832>

"Myth: "Privatization" can help everyone access health care." *Canadian Doctors for Medicare*. https://www.canadiandoctorsformedicare.ca/myth_privatization

Case 9 | Progressive Fines

Finland has found a creative way of trying to curb speeding. Instead of imposing a set fine, authorities base the penalty for speeding on the driver's disposable income. A record of annual income is used to determine a "fair" fine for the speeder – the richer you are, the more you pay. This system aims to equalize the punishment associated with violating the speed limit and make sure that everyone feels a similar amount of financial "pain".

Could a progressive system for fines work in Canada? Should the rich pay more if they are caught committing any number of non-criminal activities like speeding; fishing or hunting out of season; or liquor violations? Would people be likely to accept a system in which there are different rates of pay for the very same violation? Would such a system be too complicated?

Tax collection is progressive, and those who have more pay more, but fees and fines are traditionally applied equally to anyone who violates the rules in question. Fines that are merely inconvenient for the wealthiest citizens may pose more significant punishments for those living on tight budgets. Economic constraints can easily lead those who cannot pay on time to become drawn further into debt, and potentially even into court. The spiralling costs of this struggle to comply can overwhelm household resources, derail plans, and devastate well-planned budgets.

For the most fortunate, in contrast, fines and fees are potentially so easily managed that they hardly work to deter rule-breaking. Dutch rapper Lil Klein posted on Instagram that his wealth allows him to do as he likes and 'eat fines for breakfast'. His comment implies that the rules may apply to him equally, but their application doesn't really matter to him. Should we consider alternate ways to make sure everyone is at least sufficiently deterred from being reckless and breaking rules?

While some view a progressive system of fines as a great way to create equity among those that get caught, others fear that applying progressive fines is unfair to the rich because it treats equally socially disruptive activities differently, depending on the wealth of those involved. Our justice system is predicated on individual equality. Can monetary punishments ever uphold this principle?

Discussion Questions

1. What should the purpose be of fines, or punishments in general? Would income-based fines really change behaviour?
2. Jurisdictions around North America are increasingly turning to fines as significant sources of public funding. Does this revenue generating strategy create any obligations to make the financial burdens of fines and fees more equitable? Is it even ethical to make funding for public goods dependent on people engaging in risky or inappropriate behaviour that can be fined in the first place?
3. Could inquiring into the personal wealth of someone who gets caught speeding or littering risk violating privacy?

Further Exploration

"Finland's "progressive punishment" when it comes to speeding tickets." *Euronews*. January 4, 2023.

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Case 10 | Sharing Public Space

Parks, city sidewalks, and libraries are all spaces designed for use by the general public. But how we design and share public spaces may not work well enough for everyone. How a space was intended to be used may not settle how it is actually experienced. Cities can struggle to maintain and regulate public spaces in ethical ways that meet everyone's needs. Ideally, no one feels unwelcome or unsafe in a public space, but many sometimes do. There is a specific population of people who experience public spaces in a unique way – those who live in them.

How do we respond when someone's choices about how to use public space make someone else feel unsafe or uncomfortable?

Cities across Canada confronting growing issues with homelessness have worked to develop clear policies around sleeping in public spaces. In 2015, the BC Supreme Court ruled that actively preventing unhoused people in Abbotsford from sleeping in public spaces was a violation of their rights to safety and security. This ruling prioritizes the safety and liberty of those who choose to sleep in public spaces. Across Canada, though, critics have expressed concerns. Allowing established tent camps, for example, may negatively impact the overall value, accessibility and security of public spaces. Living alongside tent camps may also create unique and challenging ways to experience public space.

Municipalities (cities and towns) create and enforce the bylaws governing who gets to use public spaces, and how and when. Cities are responsible for their design, maintenance, and public safety, and must decide whose safety to prioritize and what measures that requires. How could we build more ethical communities through the design or regulation of public spaces moving forward?

Discussion Questions

1. In designing, maintaining, and regulating public spaces, does everyone in the community have an equal say, or should particular groups – maybe regular users, affected neighbors, or those most in need – take ethical priority in negotiating conflicts over public space?
2. Should planners design for different populations and needs, or should all public spaces aim to serve everyone who enters? Is it possible to design a public space that meets urgent needs and is safe and welcoming to everyone?
3. Could we replace some (or all) public spaces with privately-funded alternatives? What sorts of spaces would be particularly good or bad candidates for privatization?

Further Exploration

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