Bernard Chernos Annual Essay Competition Questions

2013-2014:

1. A college student in Canada on a visa from Haiti hopes to get a basketball scholarship. To qualify, she has to play on her college basketball team. After the try-outs, the coach tells her that she would have made the team, if there weren’t already two international students on it. The College Athletic Association has a rule that limits each college sports team to two international students. The purpose of this rule is to prevent colleges from recruiting internationally instead of choosing local students. Is this rule fair? Why or why not? What rights and freedoms are at issue?

2. A transgendered student, who was born male but now identifies as female, wants to use the girls’ washroom at her high school. The parents of a grade 10 girl learn that this student is using the restroom and demand the principal ban the student from the girls’ washroom. As an alternative, the principal tells the transgendered student to use the teachers’ unisex washroom. The transgendered student is upset as she wants to use the girls’ washroom. Is this fair? Why or why not? Which rights and freedoms are at issue?

3. In a high school student council election, two students propose different school policies. The campaign gets heated and the candidates put up posters criticizing one another’s positions. The principal demands that they take the posters down. She tells them they may only run a positive campaign. One candidate refuses to remove her posters so the principal disqualifies her from the election. Should the principal have banned the posters and disqualified the candidate who refused to take them down? Why or why not? What rights and freedoms are at issue?

4. Jane has struggled with mental health issues and heroin addiction for several years. Having seen many friends overdose and contract HIV/AIDS from shared syringes, Jane has decided to go to Insite. Insite is a healthcare facility where addicts can use clean needles to inject drugs under medical supervision. Additional healthcare and addiction treatment services are available in the facility. Recently Jane has shown interest in entering the site’s detox program. However, the Federal government wants to close the facility. They argue that, although Insite does not provide addicts with illegal drugs, it enables and encourages drug use. Should Insite be closed? Why or why not? What rights and freedoms are at issue?

2012-2013:

1. In an effort to promote inter-group understanding and diversity, the province of Quebec instituted a secular, mandatory Ethics and Religious Culture program in grades 1 to 11 across the province. The purpose of the course, among other things, is to educate students about religions and cultures that contributed to the province’s heritage, including those that might be different from their own. A religious family objected to the their children being taught this course because they believed it interfered with their right to teach their children that their religion is the one true way to God. Should they be allowed to exempt their children from the mandatory courses? Why or why not? What rights or freedoms are at issue?

2. An important right in democracies is the right to vote. There are, however, a number of limitations to that right. For example, people under the age of eighteen cannot vote, nor can citizens who have lived outside of the country for five years or more. Two Canadian citizens claim it is unconstitutional to prohibit them from voting simply because they have chosen to live in another country. Is it fair to remove voting rights from those who have lived outside of Canada for 5+ years? Why or why not? What rights and freedoms are at issue?
3. Several years ago, an adult woman and a family member got into a serious argument. The police were called and she was charged with assault. Before the case came to trial, the charges against the woman were dropped and no further legal action was taken. Recently, the woman decided to apply for a job in a school board that required her to obtain a police check. To her surprise, the report came back revealing that she had previously been charged with assault. As a result, she discontinued the application process. Is it fair for a police report to reveal a charge that did not result in a conviction? Why or why not? What rights and freedoms are at issue?

4. At a local airport, the police have been trying to crack down on drug smugglers. The officers have been checking flight manifests for passengers who paid for their tickets in cash and who are flying from a city that is perceived as having a large drug trade. Any number of passengers could fit this description. When a match is spotted, the officers set aside the person’s baggage to be searched by a sniffer dog without the person’s knowledge or consent. Is this fair? Why or why not? What rights and freedoms are at issue?

2011-2012:

1. ABC Tanks, a Canadian company, manufactures armoured vehicles primarily for the United States Military. An international agreement between Canada and the US provides that certain nationalities are prohibited from having access to “sensitive security information” in the manufacturing of military goods. Lebanon is a country whose citizens are prohibited from having access to the information. Mr. Zahir is a dual Canadian-Lebanese citizen and has worked for ABC for 20 years. On a routine inspection of workers at the plant by a US official, it was discovered that Mr. Zahir had Lebanese citizenship. He was dismissed because his Lebanese citizenship violates the agreement. Is this fair? Why or why not? What rights and freedoms are at issue?

2. A student is caught texting in class and has his phone confiscated. School policy states that any mobile devices confiscated are sent to the office, where they can be retrieved at the end of the school day. When the student goes to pick up his phone, the principal calls him into her office. She has found “questionable photographs” on his phone, and has called the police. Is this fair? Why or why not? What rights or freedoms are at issue?

3. Because of persistent, racist graffiti in the boy’s washroom on the third floor of a high school, all washrooms have been locked. All students who need to use the facilities must now proceed to the main office, sign a “washroom” sheet, receive a key, and use one of the washrooms on the first floor, near the office. Students have been made aware that this will continue until the vandals have been identified. Is this fair? Why or why not? What rights or freedoms are at issue?

4. At a Canadian public school where 80% of students are Muslim, those who choose to do so may take part in prayer service led by an imam in the school cafeteria every Friday, during school hours. According to Islam, prayer is mandatory on Fridays. During this service, the boys sit at the front of the cafeteria, while the girls must sit at the back and enter through a separate door. These students are excused from class time during the services, but are required to make up any work missed. Recently, a complaint was made by other religious and secular groups who argue that the school should not allow any religious services to be held during school hours on school property. Is this fair? Why or why not? Which rights and freedoms are at issue?
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2010-2011:

1. At a large but peaceful protest for better education funding, two protesters throw a brick through the window of a local MP’s office. The police do not see who threw the brick in the crowd, so they arrest 10 protesters from the area they think the brick came from. The crowd gets angry and shouts, “Booo!” The police, concerned that the crowd will turn violent, surround the crowd and arrest everyone present for Breach of the Peace. This gives police the power to arrest a person for up to 24 hours, but doesn’t result in a criminal charge or a court appearance. Is this fair? Why or why not? What rights or freedoms are at issue?

2. A high-school student wears a t-shirt to school that has an image of a person draped in a burqa – a traditional Islamic garment where only the wearer’s eyes are uncovered. The words “Women are not objects!” appear above the image. The back of the shirt says “Except in Iraq, Iran, Pakistan, Somalia, Egypt, Saudi Arabia...etc.” After an Islamic student complains the shirt is offensive, the principal orders the student to go home and change. Is this fair? Why or why not? What rights or freedoms are at issue?

3. In response to what local police call a “dramatic increase in vandalism in the community,” they enforce a rarely used provincial law that prohibits anyone under the age of 16 from being in a public space or place of public entertainment between midnight and 6:00 am. Anyone found breaking this curfew can be apprehended by police without a warrant, and their parents/guardians may be charged and subject to a fine of up to $1000. Is this fair? Why or why not? What rights or freedoms are at issue?

4. A group of students concerned about the problem of homophobia ask the principal to invite a transgendered speaker to a school assembly. The principal rejects the request because the speaker will be too controversial. The students express their disapproval of the decision by organizing a “dress the other way day.” The following day a large number of male students arrive at school wearing dresses and female students are wearing men’s clothing. The principal sends all participating students home to change for being in violation of the school dress code, which states that all students must “dress appropriately.” Is this fair? Why or why not? What rights or freedoms are at issue?
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2009-2010:

1. Cities sell advertising space on public buses. An atheist organization wants to run a series of advertisements that say “THERE’S PROBABLY NO GOD. NOW STOP WORRYING AND ENJOY YOUR LIFE”. The city refuses to run the ads on the grounds that they could offend religious people. Is this fair? Why or why not? Which rights or freedoms are at issue?

2. A man has been charged with sexually assaulting a woman whose religion requires her to wear a facial covering when in public. During the man’s trial, the woman testifies against him in court. Based on a law giving an accused person the right to face his accuser in court, the judge tells her that she must remove her veil while she is on the stand. Is this fair? Why or why not? Which rights or freedoms are at issue?

3. A high school student has been chosen as class valedictorian. Some weeks before graduation, he posts on his Facebook page comments about a teacher he does not like. He makes derogatory comments about her appearance and her ability as a teacher. The principal is notified about this and decides to penalize the student by refusing to permit him to attend his graduation ceremony or to go on the graduation trip. Is this fair? Why or why not? Which rights and freedoms are at issue?

4. There have been reports that gun violence is increasing among youth. In order to deal with this, a bill is introduced in parliament that would require any person under the age of 18 convicted of an offence involving a firearm to be sentenced as an adult. Is this fair? Why or why not? Which rights and freedoms are at issue?

2008-2009:

1. Recently, there have been many news reports about young people committing violent crimes with knives. In order to deal with this problem, the police in a Canadian city are looking for a power to stop and search teenagers for knives. They want those found with knives of any kind to be prosecuted and possibly imprisoned. Is this measure fair? Why or why not?

2. Residents of a public housing project are very concerned about violent crimes committed by young people in their community. The community council meets and passes a motion to implement a measure that would result in the eviction of families whose children or teenagers have been charged with violent offences. Is this measure fair? Why or why not?

3. In certain communities, there have been many complaints about young people “loitering” or “hanging out” at all hours in public places. A device called a “mosquito” was developed to deal with this problem. It emits an unpleasant, loud, high pitched sound, but can only be heard by people under 25 years of age. The communities want to purchase the devices and place them in the areas where young people gather. Is this measure fair? Why or why not?

4. A high school requires student groups to obtain the principal’s approval in order to hold meetings and post notices on school property. The principal decides to deny approval of the Choose Life (antiabortion) group and the Students for Choice group on the grounds that the issue of abortion is too controversial. The principal says that both views are likely to cause offence to certain students and staff at the school. Is the principal’s decision fair? Why or why not?
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2007-2008:

1. A Muslim girl wants to play on her school soccer team. She is told by the coach that, while she is otherwise qualified to play, he cannot allow her to wear her hijab with her uniform. The hijab is the traditional Islamic head scarf worn by some girls and women. He tells her that no player is permitted to wear anything that is not part of the official uniform. The girl argues that her religious freedom should be respected and that she can wear a hijab in the uniform colours. Should she be allowed to play? Why or why not?

2. A group of high school students are unhappy about a new rule that forbids them from bringing cell phones, iPods, Blackberries, or other electronic devices to school. From their home computers, they post entries on a blog that express their strongly held views about the rule and about the principal of their school. Some students say the rule is unfair, some suggest organizing a riot, and some call the principal a “stupid jackass.” A number of students log on but do not express any views. When the principal finds out about this blog, all the students who logged onto it are suspended. The principal says they are guilty of “cyber-bullying.” Is this a reasonable limit to the students’ freedom of expression? Should all the participants be treated in the same way? Why or Why not? Is the punishment justified?

3. The government publishes a list of people they believe may be linked to terrorism. The list is given to the airlines which must then keep people on the list off commercial flights. David Smith is going on a class trip to Ottawa. He arrives at the airport with his classmates, only to learn that he may not get on the flight with them because his name appears on the list. The government and the airlines say that this will keep the country safe. Is this a reasonable limit to David’s liberty? How should this conflict be resolved?

4. A high school principal believes that her school has a drug problem. In order to address this issue, she asks the local police to bring a drug-sniffing dog to detect drugs in the school. First, all the students are locked into their classrooms and then the police bring the dog to sniff the lockers. Nothing is found. The dog is then brought into the school gym to sniff the gym bags and backpacks that some students left there on the floor. The dog barks and bites at one bag and the police open it. Drugs are found in the bag and the student who owns it is brought to the gym and charged with drug offences. What are your views on the dog sniffing the lockers? Is it a “reasonable search?” Is the search of the bags in the gym a “reasonable search?” Are there any other rights that may be at issue here?

2006-2007:

1. A group of high school students has become increasingly frustrated with their attempts to get the attention of their local MPs on a number of issues. The students believe that because they are too young to vote, the government ignores their concerns. The group wants to see the voting age changed from eighteen to sixteen years old. Should the voting age be changed? Why or why not?

2. Organizers of a youth conference in Canada have invited a British religious leader to speak at the conference. The organizers believe that he will offer an inspirational message to conference attendees but the government is worried about past speeches that the religious leader has made. In these speeches, he has insulted members of other religions and praised radical actions. The government of Canada decides not to let the religious leader enter Canada and the organizers cancel the conference. Is this fair? Why or why not?

3. In many cities, people and community groups use posters to promote their events, to seek lost pets, and to communicate other messages. The posters cover hydro poles and other public property. Some
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citizens and city councillors think that the posters make the city look dirty, especially when not taken
down after the event. In one city, councillors propose a law that would ban posters anywhere in that
city. Anyone who violates the ban, if caught, would have to pay a costly fine for each poster they put up.
Other citizens complain that this by-law will threaten their ability to express themselves. Which position
do you support and why?

4. City council is concerned about graffiti. The police report that forty percent of the people arrested for
drawing graffiti are under the age of 18. They also think that a lot of the people they don’t catch are
likely minors. The City decides to ban the sale of permanent markers and spray paint to anyone under
the age of 18, who does not have the permission of his or her parents to buy it. Some young people
complain that they are being discriminated against because of age, and that the new law interferes with
freedom of expression. Do you think that this ban is justified? Why or why not?

5. The police find the remains of a murder victim, and suspect the murder was committed in a certain
neighbourhood. In order to find the murderer, the police knock on every door in that area and ask for
permission to search each home. Some people say yes, but some people do not want the police in their
homes. They say that it’s a bad time, or their home is messy, and some are just afraid of police. People
are warned that they will be considered suspects if they refuse to allow the police to search. Is this fair?
Why or why not? Are there other ways the police could find the murderer?

2005-2006:

1. A student at a publicly-funded Catholic school wants to bring his same-sex date to his high school
prom. Students are required to inform the school in advance about any guests who do not attend that
school. Because the principal says that homosexuality is against the tenets of the religion taught by the
school, the student is told that he may not bring his date. The student claims equality rights. Should he
be entitled to bring his date? Why or why not?

2. A fourteen year-old Jehovah’s Witness wishes to refuse a blood transfusion that her doctors say is
medically necessary to save her life. She says it is against her faith. Her parents agree with her decision.
The doctors go to court to get an order to force her to have the transfusion. Who should have the right
to make this decision and why?

3. For many students, fashion is an important form of self-expression. Should there be limits? One school
board has a rule against sexist, racist, and discriminatory language, as well as a rule against promoting
violence. The local T-shirt shop is selling some new shirts that have become very popular. One shows a
hammer lying in a pool of blood and has the words "She was asking for it." Another has a drawing of a
bunny and the words "Boys are stupid – throw rocks at them." If a student chose to wear one, should he
or she be disciplined for doing so? What are your reasons?

4. A public school wants to show students an anti-bullying film to promote tolerance. The film includes
interviews with people of diverse backgrounds and religions, and includes a family that has same-sex
parents. A religious group wants their children exempted from viewing the film because they say it is
against their religious values to expose their children to homosexuality. Would you grant the
exemption? Why or why not?
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2004 - 2005:

1. Alex White has been sentenced to life in prison. Alex decides there is nothing left to live for, and therefore would rather stop eating and drinking in order to die as quickly as possible. Alex was found to be mentally competent at trial. To what extent, if at all, should the prison officials be able to keep Alex alive through force-feeding?

2. Many schools have "no hats" policies, which means that students cannot wear hats, hoods, or headscarves to school. The government of Alaraska, in an attempt to ensure religious freedom, determined that even in schools with "no hats" policies, there will be exemptions for students who wear religious head coverings. The government of Florian, in an attempt to ensure equality, banned the outward display of all religious symbols, including head coverings. Which government’s decision more fairly balances students’ rights? Can you think of a better way to do this?

3. A popular hip-hop radio station, during an all-request programme, plays songs about shooting police officers and violent sex. There is a law that radio stations cannot be on the air without a license. The government refuses to renew the station’s license. Is this the right decision?

4. The government requires an identifiable photograph on all drivers’ licenses. For religious reasons, Sam Smith refuses to have a picture taken. The government refuses to issue Sam a license. Is this fair?

5. The police tell town council that there is a "teen crime wave" and that most of the criminal activity is happening in the late evening and early morning hours. The town council decides to deal with this problem by passing a curfew for everyone under the age of 18. The curfew requires people who are under 18 to be in-doors between the hours of 10 p.m. and 6 a.m. Any young person caught outside at those times will be subject to prosecution. Is this by-law a fair way to deal with the problem?

2002-2004:

1. Two doctors, having examined a man, recommend surgery, warning that, although death is far from imminent, his condition could deteriorate seriously if the problem is not corrected soon. The patient refuses to undergo the surgery on the grounds that he has been “commanded” not to do so by his “superiors” in another galaxy. To what extent, if at all, should this man be subject to compulsory corrective surgery?

2. To what extent, if at all, should the penitentiary officials be empowered to force feed a mentally competent prisoner who has decided, because he has nothing to live for, to “fast until death”?

3. The police wish to bug the telephone and hotel room for the two week period during which a Westerner, suspected of organized-criminal activities (drug trafficking, gambling, and prostitution), will be staying in Toronto. To what extent, if at all, would you let them do it?

4. In safety-sensitive jobs such as those of airline pilots, locomotive engineers, and truck drivers, there will be urine tests for drugs administered to all new employees and random urine tests for drugs administered to current employees. Those refusing to be tested will be subjected to dismissal and those testing positive will be required to participate in an employee-assistance program designed to help people stop using drugs. At the completion of the program, those refusing to be tested and those testing positive will be subject to dismissal. To what extent, if at all, is this program acceptable?

5. At the moment, people under the age of 16 who are in a public place between the hours of midnight and 6 a.m., without adult supervision, are subject to police apprehension. To what extent, if at all, would it be permissible to change the midnight time to 10 p.m.?
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6. To what extent, if at all, should students suspended from school for drug-related offences on school property be barred from returning to school unless they are participating in a treatment program?

7. A regulation provides that 16 and 17 year-olds who leave home can be denied welfare if the administrator believes that it is not in their best interests to live apart from their parents. To what extent do you agree with this regulation?

8. There is a complaint from a group of parents against the teaching of Margaret Laurence’s book, The Diviners, because the book allegedly contains too many four-letter dirty words. To what extent, if at all, should the school remove the book from the curriculum and even from its library because of such parental objections?

9. In order to counteract an increase in drug dealing on the high school premises, the principal arranges for specially trained police dogs to go into every class and walk by all the students, sniffing for drugs. Whenever a dog’s behaviour indicates a potential problem, the principal orders the affected students to empty their pockets, wallets, and remove their shoes and socks. The principal also searches the lockers of students under suspicion. To what extent, if at all, should the principal’s actions be permissible?

10. Should a person be entitled to a welfare allowance if he refuses to accept available employment on the basis that to do so would entail crossing a picket line of striking employees and scabbing” on the jobs of other people? Why or why not?

11. To what extent, if at all, does the compulsory publication of major financial contributors to political campaigns encroach improperly on the secret ballot?

2001-2002:

1. Following the events of September 11, 2001, there is a proposal to make membership in a terrorist organization unlawful and for the government of Canada to create a list of such organizations. For these purposes, a terrorist organization is one that supports serious violence to achieve political goals within Canada or a foreign state. How far, if at all, do you agree or disagree with this proposal? What are your reasons?