



# Chumir Ethics Forum

Sheldon Chumir Foundation for Ethics in Leadership

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## President's Message

*The narrow notion of every person for himself does not belong in today's world, which demands that we learn to see beyond our wounds, beyond our differences, for the good of all.*

So spoke our new Governor General Michaëlle Jean at her September 27<sup>th</sup> investiture. A useful reminder to us all, in Canada and the world.

The past few months have flown by for the Foundation. I am delighted to welcome Heather MacIntosh to her new position as Director of Research and Programs at the Foundation. We also welcome our two new interns, Nicole Bernhardt and Jamie Marie Taylor, who joined us mid-September. They are already an indispensable part of the Foundation, doing research and helping with all of our events. You will be hearing from them in subsequent newsletters.

We are fortunate, too, to have our continuing staff members – Elaine Wojtkiw, our office manager who keeps us organized and responsive, and with whom many of you interact around our events; and David Cassels, who manages publications, the website and countless other aspects of the Foundation's work.

Announcements of our main events for October, November and December appear in this issue. We are, however, also involved in many collaborative

projects with partners across the country. For example, we are associated with the Canadian Ethics Leadership Forum – a forum on corporate ethics, leadership and community values which was launched in Calgary on September 22<sup>nd</sup>. There will be a similar launch in Edmonton on October 26<sup>th</sup> in which I will participate along with a number of other speakers. You can find announcements on our website

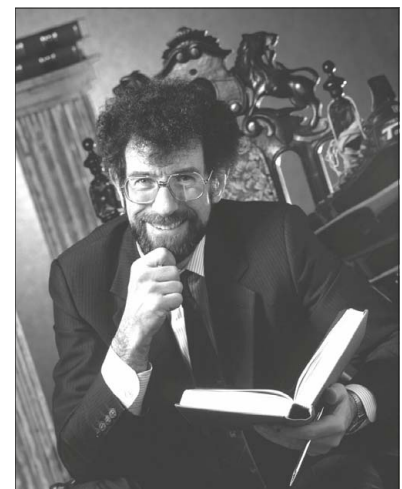
[www.chumirethicsfoundation.ca](http://www.chumirethicsfoundation.ca)

of this event, and others in which we are co-operating with the University of Western Ontario (October, November and February) Carleton University (October, November) Queen's University (January) York University (January) and the Faculty of Law at the University of Calgary in connection with the Calgary Opera's February production of "Dead Man Walking" (January).

Our Celebration of Human Rights on December 4<sup>th</sup>, 2005 (detailed on the back page) promises to be a wonderful event, and I hope to see you there. You will soon be receiving a letter of invitation including ticket information, but we wanted to be sure that you would reserve this date right away. We will be celebrating Sheldon's 65<sup>th</sup> birthday as well as International Human Rights Day and Alberta's Centennial. The afternoon program will focus on human rights issues (and related responsibilities) in Alberta past and present.

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Sheldon M. Chumir

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Our dinner speaker is Georgette Gagnon, a remarkable person who grew up in Calgary, attended the University of Calgary and is now a senior executive with Human Rights Watch, responsible for the Darfur file. She leads a team of international researchers who conduct fact-finding investigations into human rights abuses in countries throughout sub-Saharan Africa. Ms. Gagnon is a lawyer who received the Walter Tarnopolsky Human Rights Award in 2003 – given to a resident of Canada who has made an outstanding contribution to international or domestic human rights – for her work with the UN and other international organizations in Bosnia-Herzegovina and in Rwanda. Her address will, I'm sure, be moving as well as enlightening. Proceeds from the December 4<sup>th</sup> event will go toward establishing an essay prize in ethics and human rights at the University of Calgary Law School, to parallel the one currently awarded at the University of Alberta Law School (see page 7 in this issue).

As I think about our mandate to advance ethics in leadership by means of education that is firmly rooted in ethical values, promoting informed discussion of important public issues that have an ethical dimension and fostering a public demand for ethical leadership, I am aware of the extent to which so much public discussion of ethical issues – much more in the public eye now than it was six years ago when I started with the Foundation – is superficial and alarmingly thin in content. People seem, unfortunately, to look for the easy and quick fix – a check list for the socially responsible corporation, an inventory of the steps one must take in order to become an influential and powerful leader, a brief sound clip suitable for the sometimes attention-span-challenged media.

What is lacking, in my view, is a commitment to thoughtful reflection on ethical matters, to practicing our thinking about such issues and to education that helps people to hone their skills for this kind of reflective deliberation. As long as we believe that all we need are just a few easy steps, there is a danger that we will produce answers without carefully examining the questions; and we may not know how to confront new and troubling challenges and ethical dilemmas which we all must face in our lives and in our work.

Marsha Hanen

### Sheldon of the 'Twinkle in the Eyes'

Sheldon was a big part of my daughter's and my life after we moved to Calgary in 1973. Through him, Jennifer and I became very close to Clara, his mother, and consequently, we had many celebratory and holiday meals at her place with Sheldon, as well as many suppers at the Silver Dragon, Dragon Pearl and the Silver Inn.



Sheldon was insatiably curious and caring about what was going on with the children in Calgary's educational community. We would have visits in his office and he would ask me about issues in education. He was interested in and accepting of my opinions and ideas, and made me feel valued. When we worked on Save Public Education, his philosophy helped to re-shape and re-define many of my own thoughts on public education.

But the Sheldon I remember most is not just the intellectual and philosopher, but the playful, whimsical and twinkly-eyed Sheldon. He would tease, and ask provocative questions. For one of his birthdays, when we held a "tacky birthday party" for him, I bought him a bottle of bubbles, and he used them to bring magic and color to his busy life. He also had an octoscope in his office, and he would view his surroundings through it to relieve stress, and see the world from a different perspective.

In common with many others, I too miss Sheldon very much. He was a gentle and kind friend. His ideals and values permeated much of what my daughter gleaned from knowing him. Through him and his mother, we felt as if we had family in Calgary.

At an annual junior high debate tournament in Calgary, two trophies are awarded in Sheldon's name. In this way a new generation is now getting to know Sheldon Chumir and what he represented. I think he would like that, knowing that debate and learning are encouraged in his name, among the children he so cherished.

Janet Wees

This is the second submission we have received in our *Memories of Sheldon* series. We would welcome further submissions from friends and colleagues. ed.

## Ethical Considerations in Emergency Response

Whether it is Hurricane Katrina, another ice storm, an outbreak of SARS or a flu pandemic, the ethical and value choices that must be made in an emergency situation can be staggering. The role of our political and military leaders and others is to make those ethical decisions – preferably in advance when there is time to evaluate issues, but often on-the-fly.



No one would question the value of advance emergency planning and preparation. It seems daunting, though, for policy makers to work through the ethical dilemmas that will be faced in an emergency. Who should be saved first? Which institutions will receive top priority – hospitals, nursing homes, or schools? How will limited medical supplies be distributed? At what point can police or the military forcibly remove people? How will we respond to health workers who do not show up for work during highly contagious epidemics? Or firefighters who evacuate their own families before responding to an emergency call?

Understandably, our leaders may not want to face the public and media scrutiny that is sure to follow when these policy decisions are made in advance. These are extremely difficult choices, and frequently there is no “right” answer. As we’ve seen in Louisiana, though, there are many wrong ones.

An alternative is to leave the ethical decisions to the workers on the front lines. Some may argue that these workers are in the best position to take the immediate decisions required in context. On the other hand, it may not be fair or ethical to ask the nurses, doctors, soldiers, police officers, sanitation workers, and firefighters to have to make those choices in a disaster without any guidance from their leadership.



Hurricane Katrina sweeps inland

One may question the extent to which we expect our leaders to make these ethical choices for us, and how well equipped they are for the job. Ethical thought and action require reflection, and in an emergency, there may be no time for well-considered responses. Clearly, more is needed than a set of checklists and standardized decisions.

The Sheldon Chumir Foundation supports training which prepares people for ethical decision-making – even under duress. The more we can do to help people develop the ability to think ethically in a variety of circumstances, the more likely it is that they will be prepared to use this ability in emergencies. The reality for many leaders is that there is no time for reflection, and ethics training must prepare them for this context.

Another key issue is the role of the public, and public debate, in this process. Our collective response to a crisis can be viewed as a reflection of who we are as a society and what we value. What is our responsibility to help to make these decisions?

One can easily understand why policy makers are reluctant to put in writing their emergency planning decisions. In a no-win situation, there is no incentive for them to prepare for a hypothetical future – especially when that preparation may cost them their job. If citizens believe these ethical dilemmas need to be discussed before disaster strikes, we must consider how we will support our leadership in this process. And finally, we all need to decide if we are willing to live with the choices.

If the Hurricane Katrina disaster has taught us something, it is the value of considering the tough ethical issues in emergency response. When crises strike, it may be too late for debate and reflection.

Heather MacIntosh

## Gubernatorial Elections in Russia



Recent elections in various parts of the world have drawn riveted attention. To those intrigued by democratic development in the former Soviet Union, the 2004 Ukrainian presidential election was hugely interesting, as were elections in Georgia, Kyrgyzstan and other parts of the region. But what about Russia, where a significant retreat from elections began last fall?

Like Canada, Russia is a federation, one constituted of more than 80 regions. The most powerful position in each region is governor. Effective January 1, 2005, federal legislation removed the post of governor from election: governors are now appointed by the President. The only constraint on this Presidential power is that the appointee be approved by the regional legislature. But if a Legislature twice rejects the President's candidate, then *it* can be disbanded.

How did Russians initially react to the cancellation of elections for governor? Some voiced exactly the expected criticism: to appoint, rather than elect, those who occupy such important posts constitutes a giant step back from democracy. But they were few and easily ignored. Prior to the law going into effect, a demonstration in Moscow (population at least 10 million), attracted 60 people, half of whom were journalists.

Why so little protest? For one thing, many Russians initially supported the move, for many believe that all the governors are crooks. And it must be conceded that many have been very bad actors, indeed. For example, the governor of Kamchatka was charged with theft of about 6 million dollars and illegally allowing unlimited salmon fishing (very lucrative in the area) during the 2002 spawning season.

We might expect that, to citizens of the former Soviet Union, the concept of all-powerful leader would be terrifying. The "strong man" theory of leadership is full of flaws, but none more frightening than that the next one turns out to be a moral monster, another Stalin. But there remains in Russia – along side a deep suspicion of all politics – a

curious willingness to trust the leader. During the Great Terror launched by Stalin in the 1930s against his own people, victims stood before their executioners pleading that, if only "Uncle" Stalin knew what was happening, he would save them. This was nonsense. But to some extent the wishful thinking lives on.

Other Russians pointed to the fact that, even while governors were still elected, one way or another, the Kremlin's candidates usually won. A modification of the Soviet line – "we pretend to work and they pretend to pay us" – was coined: "we pretend to vote and they pretend to govern".

There are even those who would take the line that Russians are too immature politically to fulfill democratic responsibilities. When Russian people have "grown up", the opportunity to elect governors will be reinstated. But if Russians do not have the opportunity to develop their democratic skills, through voting and related activities, how will they ever acquire them? Democratic traditions will not just appear from nowhere.

But is this to say that Russians should have been left to flounder in an electoral system that seemed destined to produce such dreadful results? Perhaps some modification of the system could have been justified. Had President Putin suggested a broadly-based, participatory process for identifying three or four credible gubernatorial candidates and then enforced fair election rules, many people might have been able to endorse such "managed" elections, if only for a limited period of time.

And how has the new system worked out?



Government building inside the Kremlin walls

Badly. By mid-April, the scheme seemed to have back-fired. According to Nikolai Petrov of the Carnegie Foundation in Moscow, “the immediate effect [of the new measures] has been to bring voters out into the streets because with no elections they believe protest is the only route left to them for getting rid of their unpopular governors”. Petrov has said that “Instead of getting more effective control over the situation (in the regions), the Kremlin has achieved exactly the opposite”.

On the other hand, since those protests, Russians seem increasingly willing to accept the situation. Although elections may be necessary to long-term stability in the country – which is paradoxically one of the goals Russian authorities sought to achieve by their elimination – the tendency to passive acceptance of the authorities’ will seems now to prevail.

Nevertheless, Russians are not another species of people: they want to live in dignity every bit as much as any other people. And dignity is what a democratic system of government, which requires free elections, and much more, seeks to ensure – that every person can participate equally in societal decisions. Russians have lost some of these rights. We have to hope they will be restored.

Janet Keeping

### **Human Rights Research Program**

The Sheldon Chumir Foundation is pleased to announce that we are beginning an ambitious two-year research program on human rights, aspiring to

- enhance public information on human rights developments and trends in Alberta, Canada, and North America and in the international context, especially as it relates to Canada’s commitments, and
- have a positive impact on public policy, particularly in Alberta and Canada.

Components of the research will cover Alberta, Canada and an international outlook, and the project will provide the basis for a series of articles and policy briefs and, ultimately, a book. As well, we expect that the research will lead to presentations to policy makers, discussions with the human rights community, and further public fora.

The Sheldon Chumir Foundation is pleased to present

## **Dr. Bernard Shapiro Ethics Commissioner of Canada**

### **“Ethics in Government - A Risky Business?”**

**to be followed by a conversation between  
the Commissioner and prominent Calgary journalist**

**Donna McElligott**

**and an open dialogue with the audience**

**Dr. Bernard J. Shapiro** became the first Ethics Commissioner of Canada in May 2004, and has served since 1994 as Principal and Vice-Chancellor (Emeritus 2003) of McGill University. His Harvard Ed.D. and M.A.T. degrees began an influential career in the role of higher education including executive and senior academic positions with Boston University, University of Western Ontario, Ontario Institute for Studies in Education and University of Toronto. He also holds ten honorary degrees from universities in five countries and has published extensively.

Dr. Shapiro served four Ontario Ministries in the capacity of Deputy Minister and Deputy Secretary of Cabinet. In 1999 he was appointed an Officer of the Order of Canada and became Grand Officer, L’Ordre National de Quebec in 2004. He is a member of the Boards of the Royal College of Physicians and Surgeons and the Institute for Research in Public Policy.



**Thursday 27<sup>th</sup> October 2005 7:30 pm**

**Engineered Air Theatre**

**EPCOR Centre**

**205 - 8th Ave. SE**

**Calgary Alberta**

**This event is free of charge, but seating is limited.  
To reserve space please contact Elaine at our office  
(403) 244-6666 or by email:  
info@chumirethicsfoundation.ca**

The Sheldon Chumir Foundation and partners present three Fora

## ETHICS, PUBLIC POLICY & THE PHARMACEUTICAL INDUSTRY

- What are the ethical implications of drug companies marketing directly to patients? To doctors?
- What happens when the public health system cannot afford the cost of some necessary drugs?
- What impact does government regulation have on pharmaceutical research? Innovation?

Pharmaceutical companies have brought countless medical innovations to market over the past 50 years. They have also become one of the most powerful interests in health policy debates. Health policy requires a balance between the industry's interest in expanded market growth with the public's right to medicines that are safe, effective, and affordable. We invite your participation.

### PERSPECTIVES, PANELLISTS & PROGRAMME

#### ETHICS:

**Prof. Arthur Schafer**, Director, Centre for Professional and Applied Ethics and Professor of Philosophy  
University of Manitoba (Vancouver, Calgary and Winnipeg)

#### ECONOMICS AND POLICY:

**Dr. Robert G. Evans**, Professor, Centre for Health Services and Policy Research  
University of British Columbia (Vancouver)

**Dr. Steve Morgan**, Research Lead, Centre for Health Services and Policy Research  
University of British Columbia (Calgary and Winnipeg)

#### CLINICAL RESEARCH:

**Dr. Thomas Perry**, Clinical Asst Professor, General Internal Medicine  
University of British Columbia (Vancouver)

**Dr. William Ghali**, Canada Research Chair (Health Services Research) and Associate Professor,  
Faculty of Medicine, University of Calgary (Calgary)

**Dr. Alan Katz**, Associate Professor, Family Medicine, and Researcher, Manitoba Centre for Health Policy  
University of Manitoba (Winnipeg)

#### CONSUMER/PATIENT ADVOCACY:

**Colleen Fuller**, President, Society for Diabetic Rights (Vancouver)

**David Chakravorty**, Advocacy Coordinator, Canadian Mental Health Association of Calgary (Calgary)

**Jennifer Howard**, Executive Director, Women's Health Clinic, Winnipeg (Winnipeg)

#### MODERATORS:

**Dr. Steve Morgan**, Research Lead, Centre for Health Services and Policy Research  
University of British Columbia (Vancouver)

**Dr. Guido Van Rosendaal**, Professor, Departments of Community Health Sciences and Medicine,  
The University of Calgary (Calgary)

**Dr. George Tomlinson**, Professor and Chair, Dept. of Chemistry, The University of Winnipeg (Winnipeg)

**Tuesday, Nov. 1<sup>st</sup>, 2005 at 7:30 pm**  
**Morris J. Wosk Centre for Dialogue**  
**580 West Hastings Street**  
**Vancouver**  
**British Columbia**

To reserve seats (604) 291-5100 Or, for  
Information: [info@chumirethicsfoundation.ca](mailto:info@chumirethicsfoundation.ca)

**Wednesday, Nov. 2<sup>nd</sup>, 2005 at 7:30 pm**  
**Jack Singer Lobby**  
**EPCOR CENTRE**  
**for the Performing Arts**  
**205 - 8th Ave. SE, Calgary**

To reserve seats (403) 244-6666 or email:  
[info@chumirethicsfoundation.ca](mailto:info@chumirethicsfoundation.ca)

**Thursday, Nov. 3<sup>rd</sup>, 2005 at 7:30 pm**  
**Eckhardt-Grammatté Hall**  
**3<sup>rd</sup> Floor Centennial Building**  
**The University of Winnipeg**  
**515 Portage Ave., Winnipeg**

To reserve seats (204) 786-9859  
or email: [chemistry@uwinnipeg.ca](mailto:chemistry@uwinnipeg.ca)

This forum is free of charge, but seating is limited. Don't miss an opportunity to attend.

### Why We Need Ethics in the Law

The Third Annual Presentation of The Sheldon Chumir Memorial Essay Prize in Ethics and Human Rights

The Sheldon Chumir Foundation and The University of Alberta Faculty of Law co-hosted a memorable event in Edmonton on September 22<sup>nd</sup>.

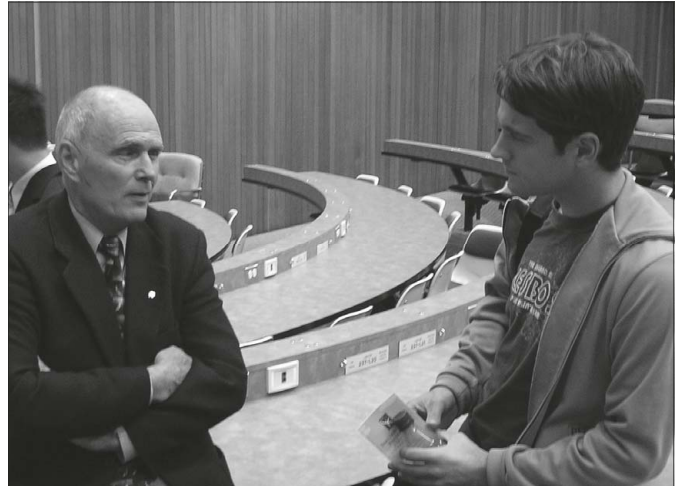
Dr. Marsha Hanen, President of the Foundation, spoke about the life of Sheldon Chumir and his inspiring commitment to ethics, leadership and human rights. She also noted the role of his friends in establishing a fund for an essay prize in Sheldon's name at the University of Alberta.

Alberta Court of Queen's Bench Chief Justice Allan H. Wachowich introduced the main speaker, The Honourable Richard J. Scott, Chief Justice of Manitoba. Chief Justice Wachowich's admiration for the ethical example set by Chief Justice Scott was a fitting welcome.

Chief Justice Scott gave a compelling talk on "Why We Need Ethics in the Law." He opened with a scene from the 1979 film *And Justice for All*, starring Al Pacino, to illustrate one of several examples of ethical dilemmas which lawyers face. He raised a number of thought-provoking questions and ethical dilemmas to an audience of about 80 - law students, faculty members, and several judges. Some of these were:

- As a defence counsel, how do you respond when your client lies on the stand? He noted that the response must not break lawyer-client confidentiality and at the same time must not mislead the court.
- "Are the professional rules that govern lawyer behaviour consistent with modern conceptions of ethics and morality? In short, are legal ethics ethical?"
- "If integrity is the lifeblood of the profession and a necessary component of the administration of both civil and criminal justice, why is it then that the legal profession has such a negative image? Lawyers are often ranked down with used car salespeople in surveys of those people trust least."

Chief Justice Scott went on to provide some analysis of these situations and questions. He gave a brief comparison of legal and corporate ethics. He



The Honourable Richard J. Scott, Chief Justice of Manitoba with University of Alberta law students

spoke eloquently of the need for personal integrity and for lawyers to internalize the codes of professional conduct, noting that:

*Ethical principles are the means of ensuring that the administration of justice works – and having a fair system is itself a moral principle worthy of protection.*

David Percy, Dean of Law, introduced the winners of the **Sheldon Chumir Memorial Essay Prize in Ethics and Human Rights**: Alexander Yiu, 2005, wrote about treatment of prisoners in Guantánamo Bay; and 2004 recipient Vijayashri Sripathi's essay explored the issue of trafficking in women and girls in South Asia. 2003 recipient Tania Bubela's paper was entitled *Litigating the Human Right to Health and the AIDS Pandemic: Lessons from South Africa and Canada*. Professor Gerald Gall gave out the prize to this year's winner.

Following the presentations, participants raised several interesting questions about conflicts with the code of ethics, as in the Paul Bernardo tapes; addressing media (mis) representations; rising incidence of companies settling disputes out of court; and working internationally where legal ethics may differ from those in Canada.

This was a wonderful ceremony and presentation — a fitting tribute to the memory of Sheldon Chumir — and we hope that it will inspire more students to explore ethics and human rights in their law programs.

**In Honour of Sheldon Chumir's 65<sup>th</sup> Birthday  
International Human Rights Day and Alberta's Centennial**

***CELEBRATING HUMAN RIGHTS***

**Keynote Remarks & Panel Discussion  
Address & Gala Dinner**

**Sunday, December 4th, 4-10 p.m.**

**Sheraton Suites Eau Claire, Calgary, Alberta**

This event will celebrate International Human Rights Day, Alberta's Centennial, and Sheldon Chumir's 65<sup>th</sup> birthday. Sheldon himself was a human rights advocate, and winner of the 1992 Suzanne Mah Award for exemplifying 'human rights principles and ideals' in the legal profession.

4:00 pm **KEYNOTE AND PANEL DISCUSSION**

**HUMAN RIGHTS IN ALBERTA  
IN HONOUR OF ALBERTA'S CENTENNIAL**

Hon. Ron Ghitter Q.C. - Moderator & Keynote Remarks

former Alberta MLA, former member of the Canadian Senate, Board Member of the Sheldon Chumir Foundation

**PANELLISTS**

Mr. Fil Fraser, C.M.

Writer, Broadcaster, and former Chief Commissioner,  
Alberta Human Rights Commission

Madam Justice Sheila J. Greckol

Alberta Court of Queen's Bench, and Past President  
Canadian Association of Labour Lawyers

Professor Gerald L. Gall, O.C.

University of Alberta Professor of Law, and President,  
John Humphrey Centre for Peace and Human Rights

Ms. Janet Keeping

Research Associate,  
Canadian Institute of Resources Law

6:00 pm **RECEPTION, GALA DINNER AND ADDRESS**

**HIS LIFE, HIS ACHIEVEMENTS, HIS LEGACY**

IN HONOUR OF SHELDON CHUMIR

**HUMAN RIGHTS ADDRESS**

Georgette Gagnon

Deputy Director of the Africa Division, Human Rights Watch and former Calgarian

For ticket information please contact the Foundation at (403) 244-6666 or email [info@chumirethicsfoundation.ca](mailto:info@chumirethicsfoundation.ca)



**Dr. Betty Flagler  
Memorial Fundraiser**

**colposcopy**

the screening and prevention of cervical cancer

save this date

**Feb. 8, 2006**

Dr. Elizabeth (Betty) Flagler, an obstetrician gynecologist, introduced colposcopy to Calgary in 1977 when she started the Tom Baker Cancer Centre Colposcopy Clinic. This fundraiser is to honour Betty and the significant contributions she made to the field of colposcopy, and to raise money for the colposcopy program at the TBCC.

to be held at the  
Art Gallery of Calgary

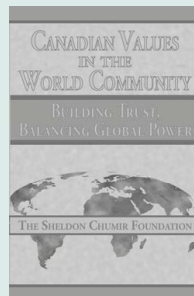
Dr. Flagler was a friend of Sheldon's and a founding board member of the Foundation; however, this event is not a Foundation event. For further information please contact Nancy Wilson at [nancywilson@shaw.ca](mailto:nancywilson@shaw.ca)



**Book Release**

**CANADIAN VALUES IN THE WORLD COMMUNITY**

**Building Trust, Balancing Global Power**



The Foundation is pleased to announce the publication of the proceedings from our May 2004 Symposium.

Available by calling the Foundation office, or by email to

[info@chumirethicsfoundation.ca](mailto:info@chumirethicsfoundation.ca)

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