

CONSCIENCE RIGHTS



Freedom of conscience is one of Canada's fundamental freedoms under section 2(a) of the *Charter of Rights and Freedoms*. This fundamental freedom is a basic building block for other rights and freedoms.

Freedom of conscience allows people to judge their own actions based on their beliefs of what is right and wrong. Whether or not they adhere to a particular religion, people seek to live and act according to their moral beliefs.

Discussions around freedom of conscience often involve a consideration of the question of authority. Governments have authority to command or prohibit certain actions by their citizens, but how far does that authority extend where individual conscience is concerned?

There may be times when freedom of conscience is misused, and requests for accommodation must occasionally be rejected. However, although freedom of conscience is not an absolute right, it should be protected and accommodated as much as possible.

An important application of freedom of conscience today is in the area of healthcare. Many medical professionals raise moral and professional objections to various procedures that are legally permissible. In many cases, this freedom not to perform certain procedures (such as circumcision, for example) is permitted. But when it comes to providing politically and morally controversial procedures such as abortion or euthanasia, medical professionals are often required to participate in the procedure through effective referrals.

Whether it is a doctor who cannot give an effective referral for euthanasia, or a pharmacist who will not provide certain contraceptives, there should be room for individuals to refuse to violate their conscience.

ARPA Canada's recommendations focus on how freedom of conscience can be more appropriately protected in Canada's healthcare system by limiting coercion of healthcare professionals, protecting them against inappropriate disciplinary action, and supporting diversity in the healthcare system. Conscience rights can be respected for all healthcare professionals in a way that is good for both patients and medical professionals.

For more information about this topic, please refer to our related policy report document. This report can be found on our website at [ARPACanada.ca/publication/conscience-rights](https://www.arpacanada.ca/publication/conscience-rights).