

Honourable Tyler Shandro
Minister of Justice and Solicitor General
204 Legislature Building
10800 - 97 Avenue Edmonton,
AB T5K 2B6



November 1, 2022

RE: Amendments to the Mandatory Oath of Allegiance

Dear Minister Shandro:

I am writing to you on behalf of the University of Alberta Law Students' Association. Our association is tasked with representing the interests of over 500 law students on campus and supporting their efforts to contribute to their community.

Over the Summer and Fall of 2022, there were increasing calls from the legal profession and the community writ large urging the Government to amend the *Legal Professions Act* to remove the mandatory oath of allegiance that articling students must take to be called to the bar. This was in response to challenges faced by Edmonton articling student Prabjot Singh Warring, a graduate of the Schulich School of Law at Dalhousie University. The required oath is not compatible with Wiring's beliefs as an Amritdhari Sikh. Janice Makokis, Rachel Snow and Anita Cardinal are three Indigenous women who also face challenges due to the mandatory nature of the oath. The required oath infringes their treaty and inherent rights, as well as individual rights of conscience and religion protected under the *Canadian Charter of Rights and Freedoms*.

We call for the Provincial Government to move forward with amending the Act to remove the mandatory oath of allegiance. Below you will find quotes from students who feel strongly about this change and call for you to make simple amendments to the Act that would have the effect of making Alberta a more inclusive place to become a lawyer.

"As a follower of the Sikh faith and aspiring practitioner in the field of law, I find Mr. Warring's case to be very pertinent, and his reasoning for not taking the oath of allegiance resonates with me. The sovereign to Sikhs is our Creator, the Akaal Purakh, and for those who, like Mr. Warring, have partaken in the Khande ki Pahul ceremony, a formal commitment is forged, which outweighs any temporal authority.

"Our faith promotes the values of justice and freedom for all, which members of the Khalsa have long advocated for, through centuries of persecution and tyranny. Mr. Warring shall forward this legacy and channel these values as a lawyer. An oath of allegiance to the monarch will only impede his career by causing contradiction with his beliefs."

- Tajdeep Singh Sandhu, First-year Law Student

"The intention of the Treaty was to co-exist. We hold our customary traditions and laws in our hearts. The way the oath currently stands, I cannot honestly and with integrity, stand in front of my peers, co-workers, family, friends, community and swear allegiance to the very symbol of colonialism. I cannot be forced to state that the natural laws in my heart are inferior. I hope when the day comes, I can stand proudly and believe in what I recite. An oath that my ancestors expect of me and one I can truthfully uphold- that is reconciliation, that is community."

- Devin Buffalo, Second-year Law Student

"The Indigenous Law Students' Association (ILSA) stands in solidarity with those who are requesting an equitable change to the Oath. ILSA is founded on advocacy for the support and inclusion of Indigenous peoples within the legal profession.

"As we learn to walk together on the path to reconciliation, there will be many challenges and complexities we face. Amending the Oath however is but a small step that can be taken to promote diversity, equity and inclusion in the legal profession. It is not enough for the legal profession to be made available for Indigenous peoples.

Indigenous peoples must see themselves reflected within it. Removing this unnecessary barrier reflects the desire of our government to truly reduce systemic inequalities and barriers to access. It is fundamental to justice, that justice reflects the people."

- Statement from the Executive of the Indigenous Law Students' Association

"The legal profession is grounded in the principles of fairness, equity, and fundamental justice. The Government of Alberta has the legislative power to reflect these principles by amending the Legal Professions Act. An individual should not be forced to compromise their religious, spiritual, or personal integrity in order to be admitted to practice as a lawyer in Alberta.

"The legal profession calls upon lawyers to represent a broad array of clients and their diverse interests without prejudice. Legal professionals are diverse in religious beliefs, sexual orientation, gender identity, race, and ethnic origin, among other grounds. The current requirements imposed by the legislation ignore the minimum standard of inclusion. We stand with our students, professors, and alumni in urging the province of Alberta to embrace inclusive policies that are truly representative of our legal community."

- Celeste Kwok, VP Equity, Diversity, and Inclusivity of the Law Students' Association

We need to ensure the rules and regulations we have in place are welcoming to those who live in Alberta currently and those who hope to make it home one day in the future. Amending the *Legal Professions Act* to remove this requirement is a simple step the government can take to ensure that our province is a more inclusive place for the broad diversity of folks who live here already as well as those who want to move here in the future. It reflects the process in other provinces, which have either made it optional (Nova Scotia, Ontario) or removed it entirely (British Columbia, Saskatchewan).

We appreciate your time in reviewing this letter. Should your office have any questions regarding this, or has interest engaging further with students on campus, we may be reached at the contact information provided below

Sincerely,

Emilio Filomeno, President of the Law Students' Association
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