



National High School Ethics Bowl National Cases 2018-2019

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1. Cash Bail

In most of the United States, when someone is arrested and is waiting for their court date, they face a choice. On one hand, they can post bail. This means that they can temporarily deposit money with the court to assure that they will show up to their future court date, and that they will not leave the area. This money is then returned after the person attends their court date. On the other hand, they can stay in jail while waiting for their trial. Depending on the crime the person is accused of, and other factors, bail can be as much as thousands—or in some cases, even millions of dollars.¹ Many people can't afford bail and instead pay a percentage of their bail to a third-party, who then puts up the rest of the money, keeping the initial percentage as a fee. This is known as a bail bond.

Civil liberties groups think that we should get rid of the cash bail system. A major complaint with this system is that it significantly harms poor and disadvantaged people who can't afford to pay bail or bond. According to the ACLU, "more than half a million people are in jail today awaiting trial, many of them incarcerated because they are too poor to afford cash bail."² And, like other aspects of U.S. criminal justice, people of color are disproportionately harmed by this system. People can spend weeks, months, or even years in jail waiting for trial, and might end up losing their jobs, homes, or custody of their children in the process—all without ever being convicted of a crime. In one especially tragic case, 16-year-old Kalief Browder was held at Riker's Island in New York for three years, most of which was spent in solitary confinement. Browder was accused of theft of up to \$700 in goods, and his bail was set at \$3,000, which his family could not afford.³ After his case was eventually dismissed, he committed suicide.⁴ One additional worry is that some people who cannot afford bail decide to plead guilty simply to avoid indefinite detention while waiting for trial, regardless of whether or not they are innocent.⁵

Many people defend the money bail system as an important tool for administering justice and promoting public safety. According to one argument, the money that defendants pay for bail is a significant incentive to show up for their court date—without this incentive, it could be much harder to ensure that offenders actually stand trial. Moreover, the bail system helps to keep dangerous people off the streets. If someone has been arrested for murder, robbery, or assault, they might continue to pose a threat to other people in the community.

In response to these arguments, critics of cash bail point out that people in pre-trial detention have not been convicted. It is wrong to punish people before they even stand trial. Besides, there are other strategies that we can use to help keep people safe and to make sure that defendants show up to court. For example, some states are using algorithms to determine how much threat a defendant poses—and whether they should be released (with or without electronic monitoring) or stay in jail until their trial. But these alternative systems are not perfect either. Jules Black was released under New Jersey's reformed pre-trial system after being charged with felony gun possession; he then went on to murder Christian Rodgers.⁶ Moreover, some of these reformed systems still continue to hold people in pre-trial detention for too long.⁷

Study Questions:

1. What are the central goals, values, or principles that should guide the criminal justice system? To what extent is the cash bail system (or the alternative systems that use threat assessments) consistent or inconsistent with these goals, values, or principles?
2. How do we weigh the competing goals of protecting citizens from violent crime and protecting citizens from prolonged pre-trial detention?
3. Is any bail system that uses monetary deposits unjust given widespread wealth inequality in the U.S.? Why or why not? If so, how could this be mitigated?

¹ https://www.washingtonpost.com/news/monkey-cage/wp/2018/08/31/california-abolished-money-bail-heres-why-bail-opponents-arent-happy/?utm_term=.51c20cdf774a

² <https://www.aclu.org/blog/smart-justice/we-cant-end-mass-incarceration-without-ending-money-bail>

³ <https://www.newyorker.com/magazine/2014/10/06/before-the-law>

⁴ <https://www.newyorker.com/news/news-desk/kalief-browder-1993-2015>

⁵ <https://www.nytimes.com/2015/08/16/magazine/the-bail-trap.html>

⁶ <https://thetylt.com/culture/should-the-u-s-abolish-the-bail-system>

⁷ https://www.washingtonpost.com/local/public-safety/reforms-intended-to-end-excessive-cash-bail-in-md-are-keeping-more-in-jail-longer-report-says/2018/07/02/bb97b306-731d-11e8-b4b7-308400242c2e_story.html

2. Lock Them Up?

In the United States, toddlers accidentally shoot someone about once per week—often seriously injuring, or even killing, themselves or other children.¹ This represents just a small fraction of the cases in which children and teens get their hands on firearms every year. In most such cases, youth access guns in their homes or in places that they visit because these guns are not safely stored. Safety experts urge gun owners to obey certain rules when storing their firearms: when not in use guns should be kept in locked cabinets, safes, or cases; they should be stored unloaded and away from ammunition; and they should be rendered inoperable, through the use of trigger locks or cable locks, or by disassembling them. Despite these warnings, more than half of American gun owners do not follow these guidelines, instead keeping operable firearms (often loaded) in nightstands, desk drawers, closets, under mattresses, in vehicles, or out in plain sight.² Millions of children and teens live in homes with unsecured guns and most children know where guns in their homes are kept.³

In an attempt to promote more responsible gun ownership practices, some people advocate for safe storage laws. Massachusetts, for example, requires that all firearms be safely stored; owners who do not properly secure their firearms can be fined or face jail time. Other cities and states have “child access prevention” laws that, while fall short of demanding all guns be safely secured, require gun owners to make sure that minors cannot access their guns.

Advocates of these laws see this as a safety issue, and an important strategy for reducing gun injuries and deaths. First, they argue, by keeping guns out of reach of children, these laws would help to reduce the number of unintentional shootings. Second, these laws would also help to reduce youth suicide. This is because those who try to kill themselves with guns are far more likely to die than those who attempt suicide through other means, and most youth who attempt suicide by gun obtain that gun in their own homes. The Giffords Law Center to Prevent Gun Violence reports that “Guns are used in just 9% of youth suicides in Massachusetts, compared to 39% of suicides nationally, and the overall suicide death rate among youth in Massachusetts is 35% below the national average.”⁴ Third, proponents argue, these laws could reduce the number of school shootings, since the perpetrators of these shootings tend to use guns obtained from their homes or from close relatives. And finally, not only do safe storage provisions prevent young people from accessing guns, many safe storage strategies are also effective precautions against gun theft. Since most guns that enter the black market are stolen from homes and cars, requiring individuals to lock their guns up could be a step in the direction of making illegal guns harder to obtain.

Many gun enthusiasts balk at such legislation. For instance, the NRA sued Seattle after the city enacted a safe storage law.⁵ Many critics argue that these laws violate the rights of gun owners. According to one common argument, when guns are locked away in safes or rendered inoperable by trigger locks, then one cannot easily use them for personal security in emergencies—such as if an intruder breaks into one’s home. In other words, these laws may conflict with gun owners’ right to defend themselves and their families from violent threats. Moreover, according to critics, gun safety is better promoted by teaching children not to play with guns. Ultimately, if unsecured firearms pose a risk to children and others, it is the right of the gun owner, not the government, to determine how to best balance their interest in protecting their family from external threats and the danger that unsecured weapons pose.⁶

Study Questions:

1. What does it mean to be a responsible gun owner? What makes a gun owner responsible or irresponsible?
2. Do safe storage laws violate gun owners’ right to self-defense? Why or why not?
3. What responsibilities do parents have to make sure that their children are not able to access guns in their homes or in places they visit?

¹ <https://www.denverpost.com/2017/09/30/toddler-shootings-guns/>

² <https://www.jhsph.edu/news/news-releases/2018/survey-more-than-half-of-u-s-gun-owners-do-not-safely-store-their-guns.html>

³ <https://lawcenter.giffords.org/gun-laws/policy-areas/child-consumer-safety/child-access-prevention/>

⁴ <https://lawcenter.giffords.org/gun-laws/policy-areas/child-consumer-safety/safe-storage/>

⁵ <https://thehill.com/homenews/state-watch/398244-nra-sues-seattle-over-safe-storage-gun-legislation>

⁶ <https://www.nraila.org/articles/19990729/mandatory-storage-trigger-lock-legislation>

3. Family Spies

In recent years, location tracking services and apps have become popular among smartphone users. Friends can use Snapchat maps or Find My Friends to do precisely that—find their friends. A number of apps market themselves specifically as family locator apps: Life360, Swarm, Glympse, and others. These apps are used most often by parents to keep track of their children.

Sasha's family of four is set up on one of these family tracking apps. Her mom, who pays the family's phone bill, is its most dedicated user. She loves to stay updated on where her two daughters are and frequently checks the app to see what they're up to. She claims she's not using it to supervise her daughters' every move, but instead to simply assure herself that they are safe and well.

Sasha has never really had a problem with her family using the app. She rarely goes on it and doesn't care much whether her mom knows where she is. In other words, she doesn't think she has anything to hide. Sometimes Sasha's mom will text her if Sasha goes somewhere unexpected, but that just feels like sweet motherly concern.

On the other hand, Sasha's little sister Jules *hates* the app and feels like it is overbearing and invasive. Perhaps because she is the younger sister, she gets more attention from their mother on the app. But from her perspective, she is beginning to feel like she has no privacy. If she stays late over at her friend's dorm—something she feels is a normal thing to do in college—her mom will text her about it and ask what she's doing. Jules feels that she comes under scrutiny for no good reason—she's doing well in her classes, and most of the time when her mom checks in on her she is studying or watching TV with her friends.

Sasha has always listened to Jules' complaints and has recently been fielding concern from their mother, too. Their mother will text Sasha asking whether she should be concerned about where Jules is and whether she should bring up her concern about how late she is out at her friend's dorm, for example. Sasha feels increasingly unsure about the app and is starting to question whether it is a good idea for their family.

On one hand, the app isn't really harming anyone. Sasha knows that Jules isn't doing anything irresponsible, so she doesn't understand why it should be a big deal if their mother knows what she is up to. From Sasha's perspective, Jules is being too sensitive and defensive, which makes it look like she has something to hide. At the same time, Sasha understands that it would be tiresome to put up with the constant monitoring and questioning, however well intentioned. She also understands why, to Jules, it can sometimes feel like their mother doesn't trust her or doesn't see her as a responsible adult. Yet still, Sasha also empathizes with their mother, who derives a lot of comfort from being able to check in and see that her children are in a safe place. Moreover, given that their mother is the one paying for the phone bill, having this app seems like a reasonable concession for her to request.

Given all of this, Sasha is torn between sticking up for her mom or for Jules. She is also convinced that there are probably a lot of other families going through very similar arguments—in the end, these apps might just cause more problems than they solve.

Study Questions:

1. Why is personal privacy important? To what extent, if any, is privacy still important even when someone doesn't think that they have anything to hide?
2. What, if anything, is good or valuable about family (or friend) locator apps?
3. To what extent, if any, do family (or friend) locator apps conflict with their users' privacy? If it depends, what does it depend on?

4. In Pursuit of the Perfect Child

Advancements in reproductive and genetic technologies have opened up numerous possibilities for the way we have children as well as which children we decide to have. Non-invasive prenatal testing for fetal sex or chromosomal abnormalities can be performed as early as 10 weeks. More invasive procedures like chorionic villus sampling or amniocentesis can test for additional genetic disorders as early as 10 or 16 weeks, respectively. For those using in-vitro fertilization (IVF), genetic testing for some disorders can now be performed on embryos as small as eight cells (3-5 days old).

Many parents use the information obtained in these screenings to help decide whether to continue or terminate the pregnancy—or, in the case of IVF, whether or not to implant the embryo(s). In Iceland, at the extreme end, 100% of pregnancies in which the fetus is determined to have Down's Syndrome are terminated.¹

Some people criticize such prenatal testing—especially when it is used to determine whether or not to terminate a pregnancy—as an unnatural attempt to influence the genetics of the human race. Moreover, critics argue, like other forms of eugenics, this use of genetic testing is inherently discriminatory against those with conditions such as Down's Syndrome, and sends the message that the lives of such people are less valuable or less worth living. Some defenders of genetic testing note that not all pre-natal diagnoses lead to termination and that knowing ahead of time that one's child will have a genetic disorder can allow parents to prepare appropriately. Other defenders of current practices argue that there is nothing wrong with wanting to have the healthiest child possible—especially given that genetic disorders can sometimes create significant personal and financial costs for families and that many families do not feel like they are in a position to take on these additional costs. Some defenders of pre-natal testing go even further, arguing that it might be wrong to bring a child into the world knowing that she will suffer from some genetic disorder. In response, critics, reiterate that these arguments are themselves based on biased perspectives that devalue the lives of people with genetic disorders.

Many of these moral concerns will be amplified as gene editing technology, such as CRISPR/Cas9, becomes more powerful, allowing us to become better able to determine the genetic makeup of our offspring. Gene editing will enable parents to eliminate genetic diseases in embryos and fetuses, without requiring that they terminate that pregnancy. Although many scientists have cautioned against the use of this technology before its safety and potential ethical issues can be evaluated,² a Chinese scientist has claimed to have used CRISPR/Cas-9 to create embryos resistant to HIV infection for a couple who gave birth to twin girls in 2018.³

Study Questions:

1. Does the moral permissibility of selective implantation or termination depend upon *what* is being selected for or against?
2. What are the morally relevant similarities and/or differences between deciding not to implant an embryo with Down's Syndrome or another genetic abnormality, and terminating a pregnancy in which the fetus has Down's Syndrome or that genetic abnormality?
3. What are the morally relevant similarities and/or differences between selecting which children to bring into the world and intentionally altering the genetic makeup of a single child?

¹ <https://www.youtube.com/watch?v=S-X97xxw5aI>

² https://www.nytimes.com/2015/03/20/science/biologists-call-for-halt-to-gene-editing-technique-in-humans.html?_r=0

³ <https://www.npr.org/sections/health-shots/2018/11/26/670752865/chinese-scientist-says-hes-first-to-genetically-edit-babies>

5. Who Owns a Dance?

Fortnite is an online multiplayer game very popular with teens. Although the game is free to play, its developers make a profit through add-on sales through the game's store. Players are encouraged to spend a couple of dollars to give their characters personality by buying a new "skin" (a different outfit), or a new celebration dance. The Fortnite dances, in particular, are especially popular. Some of the dances available for purchase are well known ("the worm" makes an appearance, as does "the robot"), but others are not. Recently, controversy has arisen over purchasable dances that are close copies of dance moves created and popularized by black artists—such as a move called the "swipe it," which appears to be a copy of a dance invented by Brooklyn rapper 2 Milly.¹ The charge, briefly put, is that Epic Games is making a profit by using the creative labor of 2 Milly without his permission and without giving him credit (or royalties) for his work.

This raises at least two relevant questions. First, are developers of Fortnite ethically obligated to share their profits with artists like 2 Milly, or to stop selling these dances unless they get the creators' permission? On one hand, if a dance is like any other piece of intellectual property, then its use by developers to make a profit appears to be a clear violation of 2 Milly's rights as a creator to control and profit from his work. On the other hand, it also seems like dancing is different from other kinds of intellectual property, and expecting developers to give credit or royalties to a dance's inventor is unreasonable—after all, no one thinks that Epic Games should be required to credit the inventor of "the robot" or to share their profits with the estate of whoever first did "the worm".

The second question is whether there is anything especially wrong with employing elements of black art and culture (and more generally, the culture of marginalized groups) for profit. On one hand, when members of relatively privileged groups monetize some aspect of a marginalized group's culture in order to profit from it, this seems exploitative—like they are treating that group merely as a cheap (or free) source of profitable resources, without taking that group's interests or perspectives into account. On the other hand, Fortnite's inclusion of these dances into their game doesn't obviously harm anyone. It doesn't seem like including these dances by black artists (among other dances) has made the black community any worse off than it would have been if they had decided not to include them. Even if Fortnite's creators found a specific way to monetize this piece of culture, they have not done anything to prevent 2 Milly or other artists from marginalized groups from profiting off of their dances in other ways.

Study Questions:

1. What does it mean to appropriate some piece of another group's culture? Is Fortnite responsible for cultural appropriation in this instance?
2. What ethical responsibilities do the creators of Fortnite have in this case, if any?
3. Should a person who invented a dance have the right to prevent other people from using it without permission? Why or why not?

¹ <https://kotaku.com/what-fornites-dance-emotes-may-owe-to-the-black-artist-1827760523>. Even Chance the Rapper weighed in on the matter: https://twitter.com/chancetherapper/status/1017806749028573184?ref_src=twsrc%5Etfw

6. Desk Rent

There is an emerging trend in primary and secondary education to teach financial literacy to students by structuring the classroom as a “simulated microeconomy.” The education group *My Classroom Economy* gives teachers the tools to create their own microeconomy in the classroom where students can earn and lose dollars, balance their checkbooks, and even pay rent on their desks.¹ The program boasts that students learn how to be responsible in a simulated environment: learning, among other things, to delay gratification—an ability which has been linked to future success²— because the simulation involves some real-life consequences. For example, if you can’t pay rent on your desk, then you become “homeless” and sit on the floor.

Parents and teachers alike have praised the program for making the process of learning about financial responsibility fun for the students, and for teaching important life skills and values organically— “in the background” of their everyday class activities.³ However, one might worry that this program will merely recreate in the classroom the oppressive class structures that already cause so much trouble in the wider society.

In *So You Want To Talk About Race*, Ijeoma Oluo recounts how this method was used in her brother’s classroom. Due to their family’s financial insecurity, Ijeoma’s brother would often lose classroom money (e.g. by turning in homework late) and be unable to “pay rent” on his desk. This resulted in his classmates nicknaming him “the homeless kid.”⁴ He was, then, not only struggling with homelessness in real life, but in the classroom as well.

These concerns may increase given that a recent study has shown only limited support for the claim that delayed gratification leads to future success. Instead, it seems that class is a more likely predictor of future success since for poorer families, delaying gratification may result in loss of opportunity, whereas wealthier families have more stable predictable outcomes.⁵

Still one may be concerned that without programs like *My Classroom Economy* it will be hard for students to learn concrete lessons about economics in daily life, and therefore the program is still valuable.

Study Questions:

1. What factors should teachers take into account before implementing a “simulated microeconomy” in their classroom?
2. Is it morally wrong for a teacher to implement this program into their classroom if they know (or even suspect) that some of their students struggle with poverty?
3. How should schools balance the concerns for students who can learn from this program and those that this program could potentially harm, especially since some will be in the same classroom?

¹ www.myclasroomeconomy.com

² https://en.wikipedia.org/wiki/Stanford_marshmallow_experiment

³ <http://www.sunherald.com/news/local/education/article119743268.html>

⁴ <https://www.thinkadvisor.com/2012/05/22/teachers-charge-students-rent-for-desks/?slreturn=20180511082740>

⁵ <https://medium.com/inflectionpoint/my-privilege-wakeup-call-with-ijeoma-oluo-author-of-so-you-want-to-talk-about-race-78e65ad9f603>

⁵ <https://www.theatlantic.com/family/archive/2018/06/marshmallow-test/561779/>

7. (Adopting) A Dog's Purpose

Frankie has always wanted to adopt a dog but doesn't feel confident about having the time or money to properly care for a canine family member. Although Frankie could probably make time to run and play with a dog multiple times a week, for at least a few days a week Frankie would only have time to take the dog out to relieve itself. This wouldn't even approach the thirty minutes of daily exercise recommended as a bare minimum for most dogs and Frankie hates the idea of constantly feeling guilty about this.¹ Frankie could afford to feed the dog and get it vaccinated but doesn't have much savings should unexpected medical expenses arise. Visits to the veterinarian for the most common ailments typically cost a few hundred dollars and it isn't unusual to spend \$1,000 or more for an emergency.² Millions of animals are surrendered to shelters every year, many of whom are euthanized, and many of whom might have been kept by their families if affordable veterinary care were available.³ Frankie doesn't know how they would pay extra veterinary bills, but can't imagine choosing to bring a dog back to the shelter for lack of ability to afford veterinary care. Frankie doesn't want to have to make a hard decision like this. This makes adopting a dog seem like an irresponsible choice.

Sam is the proud parent of Ellie, an adopted shelter dog. Sam doesn't always have as much time to play with Ellie as they'd like but reasons Ellie is still better off bored living with Sam than she would be in a stressful shelter environment. Sam doesn't have a lot of extra money, and so doesn't take Ellie to the vet unless it is a true emergency. The owner of the house Sam rents won't allow pets inside, so Ellie lives in the back yard. Sam feels bad knowing Ellie gets cold and wet sometimes but can't seem to find an affordable house without these kinds of restrictions. Worrying about Ellie can be stressful and Sam often feels guilty about not being able to better care for her. Still, Sam can't imagine waiting for perfect conditions to adopt a dog when there are millions who need a home. In Sam's opinion, people like Frankie are selfish because by avoiding responsibility for a needy dog they force others (like shelter workers and volunteers) to shoulder a heavier burden, and the dogs are probably no better off.

Study Questions:

1. What obligations does society have to support citizens caring for nonhuman animals? For example, should the government fund community veterinary clinics or provide affordable health insurance for pets?
2. Does Sam express any morally problematic attitudes or behaviors?
3. Is it okay to avoid taking action even if no one else is likely to either?

¹ https://www.petmd.com/dog/wellness/evr_dg_exercising_with_your_dog101

² <https://petlifetoday.com/state-of-pet-healthcare/>

³ <https://www.aspc.org/blog/new-study-spotlights-need-help-people-keep-their-pets>

8. Boycott, Divest, Sanction¹

Citing security concerns, in the early 2000s Israel began to build a wall across the occupied territories of the West Bank, effectively isolating and restricting the movement of 25,000 Palestinians to and from the West Bank and the Gaza Strip. The International Court of Justice (ICJ) and the United Nations (UN) condemned the barrier as a violation of international law. While the ICJ recognized Israel's duty to protect itself from violence against its civilian population, the court urged Israel to dismantle the portions of the barrier erected on the West Bank. According to reports, the civilian population in the occupied territories has been cut off from land and resources needed for Palestinian development.

According to Human Rights Watch, the barrier not only has resulted in the expropriation and destruction of fertile Palestinian farmland, but also has prevented Palestinians from accessing work, education, and medical facilities.² The case of Fuad Jado outlines how challenging receiving emergency medical services can be, as ambulances need to coordinate with Israeli authorities in order to gain authorization to cross into Jerusalem.³ When Jado's mother suffered a heart attack, he was advised by authorities instead to try to bring his mother to the hospital himself. Fuad and his nephew carried Fuad's mother 300 meters over difficult terrain but she passed away just as they reached the fence.⁴ Moreover, ever since the wall was built, illegal Israeli settlements have grown at a rapid pace.

In response to Israel's policies, Nobel laureate Archbishop Desmond Tutu has called for international campaigners to treat Israel as they treated apartheid South Africa.⁵ The BDS (boycott, divestment, and sanctions) movement against the alleged Israeli apartheid has garnered support around the world, on college campuses, and even within Jewish groups, like Jewish Voice for Peace. According to Rebecca Vilkomerson, the executive director of Jewish Voice for Peace, the BDS movement "is a call for solidarity from the international community until Israel complies with international law and ends its violations of Palestinian rights."⁶ The BDS movement has many prominent supporters, including Angela Davis, Roger Waters, and Thurston Moore. However, the BDS movement has encountered staunch opposition within the U.S. political establishment, with 22 states having "introduced or passed anti-BDS legislation...[that] makes it illegal for states to do business with companies that support BDS."⁷ Calling BDS "a smear campaign designed to delegitimize the state of Israel and inflict severe economic damage,"⁸ New York Governor Andrew Cuomo signed an executive order that requires his state to create and publish a list of institutions and companies that support BDS. Even presidential candidate Hillary Clinton lambasted her church, the United Methodist Church, for supporting BDS, suggesting that the movement was anti-Semitic.⁹ According to American jurist Allan Dershowitz, the BDS movement is counterproductive and immoral, for it "imposes the entire blame for the continuing Israeli occupation and settlement policy on the Israelis."¹⁰

Study Questions:

1. What are the moral responsibilities of American politicians to weigh in on Israel and Palestine, whether formally or informally?
2. What are the most morally salient consequences of boycotting, in this case? What do you think about the moral efficacy of boycotting in general?
3. What are the moral responsibilities of citizens of other countries in acting out for or against the BDS movement, if any?

¹ Thank you to the Intercollegiate Ethics Bowl for allowing us to modify one of their cases for use here! For more information about the IEB, please visit: <https://appe-ethics.org/ethics-bowl/>

² <https://www.hrw.org/news/2003/09/30/israel-west-bank-barrier-endangers-basic-rights>

³ <https://www.haaretz.com/1.4844327>

⁴ <https://www.haaretz.com/1.4844327>

⁵ <https://www.jpost.com/Diplomacy-and-Politics/Desmond-Tutu-Israel-guilty-of-apartheid-in-treatment-of-Palestinians-344874>

⁶ https://www.washingtonpost.com/posteverything/wp/2016/06/24/im-jewish-and-i-want-people-to-boycott-israel/?utm_term=.163db19d185f

⁷ https://www.washingtonpost.com/posteverything/wp/2016/06/24/im-jewish-and-i-want-people-to-boycott-israel/?utm_term=.163db19d185f

⁸ https://www.washingtonpost.com/opinions/gov-andrew-cuomo-if-you-boycott-israel-new-york-state-will-boycott-you/2016/06/10/1d6d3acc-2e62-11e6-9b37-42985f6a265c_story.html?utm_term=.957e29f490b7

⁹ <https://electronicintifada.net/blogs/rania-khalek/hillary-clinton-attacks-her-church-over-israel-divestment-vote>

¹⁰ <http://www.haaretz.com/opinion/premium-1.573880>

9. Dining In

“Tech cities” like San Francisco have not experienced the kind of widely-shared economic growth that would be expected, given the presence of large tech companies like Facebook, Airbnb, Twitter, and Google. One partial explanation of this is that many of these tech workers interact less with the local economies than is expected. For example, instead of eating at local restaurants and cafes, employees in these large firms often get their meals from in-house dining facilities. The situation has led some San Francisco legislators to support a policy that would ban the construction of any new on-site workplace cafeterias. Similar policies have been implemented in nearby municipalities.¹

Supporters of these policies point to the large tax breaks that many of these companies were given as incentives to move to or expand in these cities. These tax benefits were given on the assumption that these large companies would help to stimulate the local economy. By making it more likely that these employees (many of whom are well-paid) will eat out in the surrounding community, public officials hope that these new policies will help spread around the wealth generated by these tech giants. Aside from its economic aims, this proposal has social objectives as well. With private shuttles, in-firm dining, and apps like Amazon almost entirely eliminating the need for tech workers to set foot outside at all, this policy also hopes to force previously isolated tech workers to interact with the rest of San Francisco society, at least during lunchtime. In the words of one of its authors, “people will have to go out and eat lunch with the rest of us”.²

Unsurprisingly, this proposal has met plenty of opposition. Critics point out that restaurants and cafes are but one segment of the economy. Despite what the policies’ authors’ claim, the “isolated” tech worker lifestyle does not represent a total failure of these tech giants to deliver economic stimulus; instead, this lifestyle has simply led to the creation of cafeteria, delivery, and transport jobs instead of restaurant jobs. Other critics see this as an instance of heavy-handed interference with the free market—these critics argue that legislators have no business ordering people to interact nor deciding where people should spend their lunch money.

Study Questions:

1. Is the policy discussed in this case an ethical means to achieve its goals? Why or why not?
2. Is there any moral reason that firms should “share the wealth” with local communities in the specific way that local communities desire?
3. What (if any) moral reasons do people have to integrate themselves into local communities?

¹ <https://www.sacbee.com/news/state/california/article215493815.html>

² <http://www.sfexaminer.com/supervisors-move-ban-workplace-cafeterias/>

10. Supervised Injection Sites

Supervised injection sites aim to reduce health and safety issues related to public consumption of illicit drugs by providing people a place where they can use drugs under the observation of trained staff. Supervised injection sites are rooted in principles of harm reduction, which focuses on reducing the unnecessary harmful effects of drug use for people who use them (and for others). The users cannot obtain the drugs at supervised injection sites, and the staff at these sites do not handle the drugs or assist in their administration; but these staff members can provide sterile supplies (thus preventing the spread of infectious diseases such as HIV), are trained to give emergency medical care when it is needed (such as administering doses of naloxone, in cases of overdose), and are able to provide users with connections to social services, drug treatment programs, and medical professionals. These sites are thus intended to complement existing programs and policies that focus on drug treatment and prevention.

Supervised injection sites are available in several countries around the world: Australia, Canada, Denmark, France, Germany and more.¹ While there are currently no supervised injection sites in the United States, several cities and states, including Seattle, San Francisco, Philadelphia, Denver, Vermont, and Delaware, are considering establishing them. However, the United States Department of Justice has recently asserted that it will take “swift and aggressive action” against any such efforts.²

Most research about the effects of supervised injection sites is based on a few specific sites, including Insite in Vancouver, B.C., Canada, which has been in operation for 15 years. A recent review of 75 studies concluded that supervised injection sites “promote safer injection conditions, reduce overdoses and increase access to health services. Supervised injection sites were [also] associated with less outdoor drug use, and they did not appear to have any negative impacts on crime or drug use.”³ In fact, many argue that these sites encourage their users to seek treatment for substance abuse. However, these findings are not universally accepted.

Given disagreement about the efficacy of supervised injection sites, some argue that money spent on them would be better directed elsewhere, such as to programs that aim to prevent drug use in the first place. In addition, detractors argue that drug users with access to supervised injection sites still have to participate in the illegal drug trade, and that such sites do nothing to protect the safety of users while purchasing drugs. Further, staff are not able to verify the content or dosage of any given drug, making it difficult for them to support users when they have taken more or different drugs than they thought they were taking. Additionally, critics argue, by facilitating the use of illicit substances, these sites put people at risk, do nothing to address the causes of addiction, and normalize substance abuse. Moreover, public support for these sites is low: A 2018 survey conducted by the *Johns Hopkins Bloomberg School of Public Health* found that only 29% of Americans support legalizing safe injection sites in their communities.⁴

Study Questions:

1. Should the U.S. government allow the establishment of supervised injection sites? Why or why not?
2. How are harm reduction and prevention related when it comes to substance abuse? Which is more morally pressing?
3. What obligations do we have to help those who suffer from addiction? To what extent does the establishment of supervised injection sites promote and/or conflict with those obligations?

¹ <http://www.drugpolicy.org/issues/supervised-consumption-services>

² <https://www.npr.org/sections/health-shots/2018/07/12/628136694/harm-reduction-movement-hits-obstacles>

³ <https://www.npr.org/sections/health-shots/2018/09/07/645609248/whats-the-evidence-that-supervised-drug-injection-sites-save-lives>

⁴ <https://www.clinicalpainadvisor.com/opioid-addiction/supervised-injection-sites-facts-information-pros-cons/article/807472/>

11. Friendship and the Wedding Industrial Complex

Jo's childhood best friend Teddy is engaged to be married and has asked Jo to be in the wedding party. Although not as close as they once were, Jo and Teddy consider each other a big part of their lives. Jo is happy for Teddy and accepts.

As time goes on, Jo is invited to many events connected to the engagement and wedding. There is an engagement party, which Jo gives up a shift at work to attend. Teddy's sibling, Lou, reaches out asking Jo to help plan and pay for a wedding shower hosted by the entire wedding party. Lynn (another wedding party member) plans a bachelorette weekend, asking everyone to travel to a different city, pitch in for hotel rooms, and bring a gift. Lou and Lynn both want to show Teddy that they care and to plan memorable gatherings and they think it is fair to split the costs. Jo feels conflicted as the time and money involved in these events begins to add up.

Curious about what the traditional expectations are, Jo turns to the internet and finds that the mounting costs aren't uncommon. One study found the average bridesmaid spends about \$1,200 on wedding-related expenses.¹ The general consensus seems to be that as a member of the wedding party, Jo is supposed to help plan and pay for a wedding shower and bachelorette weekend, buy both a shower and a wedding gift, and buy the outfit to wear at the wedding.² Jo wonders whether it would be okay to ignore the rules of etiquette, but worries about hurting Teddy's feelings. Jo thinks that pretending to be sick during the bachelorette weekend might be the best way to save the time and cost without making Teddy feel bad.

Study Questions:

1. Do the levels of time and money that can be fairly expected of Jo depend upon how close Jo and Teddy are?
2. Is Teddy doing anything wrong by involving the wedding party in so many events?
3. What value, if any, does following proper etiquette have? Are we ever doing something wrong by eschewing rules of etiquette?

¹ <https://www.weddingwire.com/wedding-ideas/actual-cost-of-being-a-bridesmaid>

² <https://www.glamour.com/story/what-are-bridesmaids-jobs-for-a-wedding>; <https://www.brides.com/story/what-your-bridal-party-should-pay-for-bachelorette-bridal-shower->; <https://www.theknot.com/content/what-bridesmaids-pay-for>

12. Deception in Dementia Care

Amara works in a dementia care home, where the patients are in various degrees of physical and cognitive decline. Some of them find it difficult to perform routine tasks, such as getting dressed and eating. Many have trouble remembering basic information, like what day of the week it is. They sometimes struggle to identify their closest family members.

Barry is a resident of the care home with severe memory problems. Almost every day, he asks Amara where his wife is, forgetting that she died many years ago. When Amara first started working with Barry she would tell him the truth. But learning that his wife had died was extremely upsetting for Barry, and Amara eventually began to wonder whether it might be kinder to spare him the pain of bereavement every day. So now when Barry asks, Amara tells him that his wife is out at work, or has gone to take their granddaughter to a soccer game. This doesn't distress Barry, who soon forgets about his question.

Lying to patients with dementia is extremely widespread. As one author recently put it, "a recent survey found that close to a hundred per cent of care staff admitted to lying to patients, as did seventy per cent of doctors".¹ Proponents of the practice argue that lying to patients keeps them calm and prevents suffering. It also makes things easier for staff, who might otherwise have to deal with distressed patients that can sometimes become violent.

But some think that lying to patients with dementia is inappropriate. They argue that telling patients the truth is the right thing to do even if it is disturbing or harmful for them. Wouldn't you want to know about a loved one's death, no matter how painful it might be? Lying in dementia care can also cause breakdowns in trust between patients and their caregivers. If different people give them contradictory information, the patients won't know who to trust anymore.

Those who defend lying in dementia care argue that the diminished mental capacity of dementia patients justifies treating them in ways that it would not be permissible to treat competent adults. An analogy is drawn to childhood: just as it can be acceptable to lie to young children, who lack the capacity to decide for themselves what is best for them, so it can be acceptable to lie to those with dementia whose capacities are impaired.

Study Questions:

1. Why is honesty generally morally important in healthcare settings? To what extent are these moral issues applicable or inapplicable in a dementia care setting?
2. Are there circumstances in which we are morally required to lie to dementia patients?
3. Is it morally permissible for Amara not to tell Barry that his wife is dead? Why or why not?

¹ <https://www.newyorker.com/magazine/2018/10/08/the-comforting-fictions-of-dementia-care>

13. Believing in Others¹

Tamir and Sharon have been friends since their first year of high school when they met during their school's production of "South Pacific." While Tamir realized musical theater was not the right fit for her, Sharon continued performing throughout high school and went to university to get her Bachelor's of Fine Arts in musical theater. In university, Tamir fell in love with philosophy, an alternative outlet for her creativity. Now in their last year of university, Tamir and Sharon are finalizing their plans for after graduation. Tamir plans to attend graduate school so that she can one day become a professor and Sharon plans to move to New York so that she can one day star on Broadway.

After getting passed over for the part of Ariel in a local production of "The Little Mermaid," Sharon questions her plans to move to New York. Hoping that Tamir will reassure her that she is making the right decision, Sharon asks Tamir whether or not she thinks the move is still a good idea. However, Tamir is unsure that Sharon will be successful in New York. Sharon plans to take on a job in a restaurant to support herself in New York so she will have limited time to go to auditions. While Sharon is a talented actor, there are many talented actors in New York who are struggling to make ends meet and never make it to Broadway. Tamir wants to be a supportive friend, but she also doesn't want to lie to Sharon and pretend that she is confident that Sharon will be successful.

Study Questions:

1. Knowing that Sharon is looking to be reassured of her decision to move, what should Tamir tell her?
2. What does it mean to believe in someone? Does it mean believing that they will achieve their goals, even when the evidence says that they won't?
3. It seems like it is usually best to believe what the evidence says. Can there ever be any good things about believing something even when the evidence says otherwise?

¹ This case was inspired by <https://philpapers.org/archive/PAUBIO.pdf>

14. Golden State Killer

In 2018, authorities discovered the identity of the Golden State Killer—a man responsible for over 50 rapes, 13 murders, and countless home invasions that occurred in California during the 1970s and 1980s.¹ Now 72 years old, Joseph DeAngelo had evaded police for over forty years until detectives ran crime scene DNA evidence against an online genealogy database that is ordinarily used to connect people to long-lost relatives. Using the Golden State Killer’s DNA profile, investigators found that an individual who had uploaded their DNA to the database was probably related to the killer. Then, after investigating that individual’s relatives who fit the description and age of the Golden State Killer, the detectives settled on DeAngelo as their prime suspect. The investigators then obtained a DNA sample from DeAngelo and constructed a genetic profile which turned out to be identical to that of the perpetrator. Although he is still awaiting trial, there is very little doubt that DeAngelo is in fact the Golden State Killer.

Few people find the fact that DeAngelo has been arrested on the basis of DNA evidence to be problematic—if the district attorney's office and its investigators made no errors in their procedures, then DeAngelo's capture appears to be a clear victory for justice. What some find problematic, however, is the method that the police used to uncover the killer’s identity.² Critics consider these methods to be a major breach of privacy. According to this criticism, someone’s DNA is *the most private* information about them. Police cannot just demand someone’s DNA without probable cause for thinking that they have committed a crime, and no one’s genetic information should be turned over to police without a warrant or without the owner’s explicit consent. People who upload their DNA to genealogy websites such as the one in question have consented to have their genetic information used for a very specific purpose—to find relatives. They have not given consent for this information to be used by the police. Therefore, using such a website to access someone’s private genetic information seems to be an illegitimate way for police to get access to information to which they do not have any right. This case could set a problematic precedent, encouraging further violations of civil rights by law enforcement officials.

In defense of the investigators’ actions, some people deny that this was a major breach of privacy: voluntarily uploading your genetic information to a publicly-accessible database means that you give up any reasonable expectation of privacy related to it. Others argue that even if there was a breach in privacy in this case, it is one in which the benefits clearly outweigh the costs. After all, this particular case had been cold for forty years and probably wouldn’t have been solved if the detectives had not pursued this strategy. Locating criminals through genealogy websites could open the door to resolving countless previously unsolved cases. Still, opponents respond, the same argument could be made for violating any privacy rights; the ends do not justify the means.

Study Questions:

1. What, if anything, is valuable or important about privacy? Is privacy valuable in itself? Or is it valuable for some other reason?
2. To what extent do companies that collect private data (such as DNA information) about their users have a responsibility to protect that data from being used in ways that their users would not consent to?
3. If this investigative strategy is legitimate for identifying killers, would it be equally legitimate for use in identifying other offenders, as well? What are the potential limits to how it could be justifiably used?

¹ <https://www.nytimes.com/2018/04/26/us/golden-state-killer.html>

² <https://www.nbcnews.com/news/us-news/golden-state-killer-suspect-s-capture-sparks-dna-site-privacy-n869661>

15. It's Just a Preference

Jason is a 26 year-old man who was recently encouraged by his friends to try online dating. Most of them have had great success in finding dates, and some of them are still with or even married to partners they found online. Jason downloads Tinder and spends the next few minutes swiping through profiles. After several days without any responses, he finally matches with someone. After sending him an introductory message, Jason received one back that read “Sorry, accidentally swiped right. Not into Asians” before unmatching with him.

Racial preferences seem to be a common part of online dating. Researchers took data from Facebook’s online dating app “Are You Interested?” and found that race played a significant role in amounts of interest. In a study of 2.4 million heterosexual interactions, they found that black men, black women, and Asian men got the fewest responses while white men and Asian women got the most.¹ In 2014, OkCupid’s cofounder Christian Rudder compiled data about dating and racial preferences by tracking OkCupid’s messaging system and found similar data: white men and Asian women received the most responses while black women and Asian men received the fewest.²

Many claim that these trends in dating preferences are racist, since negative stereotypes in the media often contribute to them. For example, black women and black men are portrayed as violent and aggressive—traits that are undesirable in a romantic partner. Similarly, while Asian men are portrayed as physically weak “nerds” and characters with laughable accents who provide comic relief, Asian women are portrayed as sexy and exotic. Critics of sexual racial preference, deemed “sexual racism,” argue that to exclude a group or to even have a preference would be to make a preemptive judgment about someone using stereotypes solely based on their race. Others argue that dating does not exist in an apolitical vacuum; they claim that having these preferences reveals the racial biases that many have. Social historian Emma Dabiri filmed a documentary in 2017 in which she asked strangers who they would most likely date based only on their names (Oliver, Chung, Mohammed, Thomas, etc.), and found that most people chose traditionally white names.³ In 2011, 2,177 gay and bisexual men in Australia participated in an online survey in which two analyses were used to compare factors related to men’s sexual preferences in online dating and their racist attitudes more broadly. The results concluded that those with sexual preferences in online dating correlated to more generally racist attitudes “which challenges the idea of racial attraction as solely a matter of personal preference.”⁴

Others find nothing significant about these statistics. They argue that desire is deeply personal. People who are more or less attracted to certain ethnic groups can’t control their desires, and no person should feel obligated to force attraction to those that they simply are not interested in, regardless of the reason. Some compare these preferences to sexual orientation, relating the lack of influence in gender preference to that of racial preference. Others argue that while media can play a role in what people consider attractive, it is ultimately a personal matter largely determined by genetics, nature, and familiarity.⁵

Study Questions:

1. Consider factors that come into dating preferences such as height, weight, wealth, ableness, race, gender identity, religion, etc. Ethically speaking, how do these differ from racial preferences? How are they similar?
2. To what extent are racial preferences in dating an individual character flaw? A broader social problem? Neither? Both?
3. What, if anything, should be done to address dating bias?

¹ <https://www.npr.org/sections/codeswitch/2013/11/30/247530095/are-you-interested-dating-odds-favor-white-men-asian-women>

² <https://theblog.okcupid.com/race-and-attraction-2009-2014-107dcbb4f060>

³ <https://medium.com/@CraigHarper19/is-having-a-racial-dating-preference-racist-e0f40df7905b>

⁴ https://www.researchgate.net/publication/279863184_Is_Sexual_Racism_Really_Racism_Distinguishing_Attitudes_Toward_Sexual_Racism_and_Generic_Racism_Among_Gay_and_Bisexual_Men

⁵ <https://humans.media/no-dating-preferences-aren-t-discriminatory>

16. Love Island

Love Island is a reality television show (first in the UK, now also in Australia¹) in which contestants compete for a cash prize equivalent to about \$70,000.² The contestants (attractive singles in their 20s and 30s) live together on a tropical island and must “couple up” in order to remain in the competition. Contestants can choose partners based on mutual attraction, friendship, or strategy. At weekly “coupling ceremonies” uncoupled people are eliminated from the show. Additionally, viewers vote for their favorite couple, and the couple with the least votes are often eliminated (though there is occasionally a dramatic twist in which the islanders themselves vote on who should be eliminated).

The islanders’ every move is recorded by dozens of cameras located around the island. Contestants share a villa containing only double beds, so they must share with one another. There is also a “Hideaway Bedroom” for couples who wish to be romantically intimate. There is no area where couples or individuals can be free from video and audio surveillance and the watchful eye of the viewing public. In 2018, *Love Island* won the British Academy Film and Television Award (BAFTA) in the “Best Reality and Constructed Factual” category.

The 2016 season of *Love Island* featured (then) Miss Great Britain, Zara Holland. Holland, during the show, engaged in sexual activity with another islander in the Hideaway Bedroom. After the episode aired, the Miss Great Britain pageant formally stripped Holland of her crown. In a statement, pageant organizers stated: “We pride ourselves on promoting the positivity of pageants in modern society and this includes the promotion of a strong, positive female role model in our winners... We wholly understand that everyone makes mistakes, but Zara, as an ambassador for Miss Great Britain, simply did not uphold the responsibility expected of the title”.³

Some think that the decision to strip Holland of her crown is rooted in sexism. Critics maintain that it is only because Holland is a woman that she is chastised for publicly expressing her sexuality.⁴ In response to such critics, Miss Great Britain tweeted: “To be clear we have no problem at all with sex—it is perfectly natural. We simply can’t condone what happened on national TV”.

Study Questions:

1. Do public figures, such as beauty pageant winners, have a moral responsibility to maintain a certain image, in virtue of being role models? If so, what sort of image are they responsible for maintaining?
2. What value is there in reality television shows such as *Love Island*?
3. Do television viewers have a moral or ethical responsibility to watch (or refrain from watching) certain sorts of content?

¹ https://en.wikipedia.org/wiki/Love_Island_Australia

² https://en.wikipedia.org/wiki/Love_Island_%282015_TV_series%29

³ <https://www.telegraph.co.uk/news/2016/06/17/miss-great-britain-zara-holland-stripped-of-title-over-love-isla/>

⁴ <https://www.telegraph.co.uk/women/life/love-island-sex-row-why-the-disgraceful-miss-great-britain-tsars/>