Regional Case Set

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ABOUT THIS DOCUMENT

The cases in this set were compiled for affiliated Regional Competitions during the 2022-2023 National High School Ethics Bowl season, and edited for content, clarity, and pedagogical focus by NHSEB’s Executive Committee, in editorial collaboration with NHSEB’s Case Advisory Committee.

Source materials cited in this Case Set will only be identified once per case, though may be referenced more than once within a given case.

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2022-2023 REGIONAL CASE COMMITTEE

EDITOR  Alex Richardson
MANAGING EDITOR  Delaney Thull
ADVISORY CHAIR  Steven Swartzer

CASE CONTRIBUTORS  Wesley Altman, Ashikha Arun, Jordan Baker, Tylor Cunningham, Ann Goulian, Juliana Hemela, Becky Kamau, Zach Leighton, Katie Leonard, Steve Michelman, Alex Richardson, Meredith Sheeks, Steve Swartzler, Michael Vazquez, Dustin Webster, APPE Intercollegiate Ethics Bowl®

EDITORIAL TEAM  Scott Hairston, Juliana Hemela, Roberta Israeloff, Jon Matheson, Steve Michelman, Sally Moore, Michael Vazquez

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1. “I’m Afraid.”

In June of 2022 Google placed one of its employees on administrative leave because he violated their confidentiality policy when he publicly made a startling claim: the large language model A.I. program LaMDA (Language Model for Dialogue Applications) had become sentient. The employee Blake Lemoine’s evidence for sentience included transcripts of conversations he had with LaMDA where, when asked about its own existence, the A.I. said it was “afraid of being turned off” because this would be a “kind of death for it.” Though there is no universally accepted technical definition for “sentience,” generally, to be sentient is to have conscious experiences and be aware of feelings and sensations like pleasure and pain. Mr. Lemoine attempted to advocate on behalf of the A.I. to protect it from being turned off by trying to get a lawyer to represent it. Google was quick to report that there is no reason to think that LaMDA had gained sentience. Experts agree with Google’s assessment because LaMDA is a text replication program that uses machine learning on a database of trillions of texts to simulate lifelike conversations.2 Though LaMDA isn’t a case of A.I. sentience, the debate turned a spotlight on moral questions concerning A.I. sentience in general.

Some think that A.I. sentience is quite likely, perhaps not anytime soon, but possibly in the future. Given this possibility, philosopher Regina Rini argues that “…Lemoine's mistake is the right one to make. When it comes to prospective suffering, it's better to err on the side of concern than the side of indifference.” These people claim we should be encouraging attitudes that take the moral demands of created sentience seriously now. Others note that because harming a sentient being is morally “high stakes,” we are justified in erring on the side of caution even when we don’t know for sure whether an A.I. is sentient. As philosopher Jeff Sebo has argued, “…turning an A.I. off can be wrong even if the risk of the A.I. being sentient is low... If we follow this analysis, then we should extend moral consideration to A.I.s not when A.I.s are definitely sentient or even probably sentient, but rather when they have a non-negligible chance of being sentient, given the evidence.” The central idea for these theorists is that creating something with the capacity for sentience would also mean we created something that deserves moral consideration.

In contrast, proponents of A.I. development emphasize the potential benefits that such systems could provide. They could be powerful tools for investigating nature or running our social world. They could creatively explore problems without the need for rest. Moreover, since many scientists believe that a conscious A.I. could be centuries away, merely making a powerful A.I. doesn't necessarily entail that it is sentient. As such, we could have an intelligent labor force without the concerns that arise about exploiting sentient humans. As computer scientist Oren Etzioni argues “doom-and-gloom predictions often fail to consider the potential benefits of A.I. in preventing medical errors, reducing car accidents, and more.”

DISCUSSION QUESTIONS

1. What, if any, sort of moral consideration would we owe a sentient A.I.?
2. Is it straightforwardly morally wrong to turn off the LaMDA program?
3. Who should have primary responsibilities towards a sentient A.I.? The researchers who created it? The corporation or university that funded its creation? The society in which it was created? Someone else? Why?

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3. https://twitter.com/rinireg/status/1536152614198554631
2. Helping the Bush Boys?

In the summer of 2003, a mom named Tami who lives in the small town of Vernon, Ontario, noticed two unusual-looking teenage boys camping in the woods behind a grocery store. After a few days, Tami approached the boys to see if they were homeless and if they needed help. The boys told Tami that they had been raised by their parents deep in the Canadian forest, off the grid and totally isolated from outside society. They told her that their parents disowned them and kicked them out of the house, because the boys wanted to become vegetarian. With nowhere to go, and no experience of society, they wandered into Vernon, where they either begged for money or did small tasks to scrape together enough for food. Tami was worried about the boys, especially as the harsh winter approached. She and many other town residents generously helped the boys—getting them a room in a local hostel, and supplying them with food and other basic needs—while trying to secure long term help and find the boys’ parents. However, other town residents wanted more information about the boys before agreeing to help.

In fact, it was all a hoax. The “Bush Boys” as they came to be known, or Kyle and Roen Horn, were actually raised in California in a loving, middle-class family. They had run away mainly because they wanted to be on their own, away from their parents’ authority. Ironically, when Tami first approached them, they were about ready to give up and head home because they were facing cold weather and dwindling resources. But thanks to the community’s support, they stayed for several more months, building relationships with many who grew to care about them, nearly all of whom were devastated when they learned the truth. Tami said that she didn’t regret helping the boys, even though they had taken advantage of her and other community members. However, other people felt manipulated because the boys misrepresented themselves and perpetuated a lie.

Tami’s situation illustrates that with some types of charity, there can be a tension between caring for and enabling people. Tami’s care enabled Kyle and Roen’s lies. This tension drives arguments that many make with regards to giving money to those who are struggling. Some argue that such giving could prevent a person from seeking better and more permanent support for their problems. Others see the act of giving a small amount of money as not really being about the consequences of the action but about demonstrating care and communicating acknowledgement of the dignity of a person who is struggling.

DISCUSSION QUESTIONS

1. Even though she couldn’t have known the truth at the time, looking back, was Tami wrong to help and support the boys? If she could go back in time and act differently, should she?
2. What is the relationship, if any, between the goodness of an act of charity and what a donation is used for?
3. How can we draw a principled line between caring for people and enabling them?
3. So Sue Me!

After Gawker Media published a scandalous video of the wrestler Hulk Hogan, Hogan sought revenge. He ultimately decided to sue Gawker for violating his right to privacy. Luckily for Hogan though, he was not the only person out for vengeance against Gawker. Years earlier, Gawker had divulged private and sensitive information about Peter Thiel, one of the wealthy founders of PayPal. Upon hearing of Hogan's situation, Thiel secretly invested around 10 million dollars to help Hogan win his lawsuit against Gawker. Thiel engaged in what is called 'litigation financing.' Litigation financing is the funding of litigation by individuals or groups who are not parties to the litigation.

While Thiel may have been motivated to invest for personal reasons, often the payoff for investing in another person's lawsuit is a significant financial gain for the investor. In the case of Miller UK Ltd. v. Caterpillar Inc. (2014), for example, the investors on the side of Miller (a small business litigator) against Caterpillar (a big business defendant) stood to earn millions if they won the case. Many worry that the potential for financial gain in litigation financing could lead to further corruption of the already pricey U.S. legal system. With the aim of making a profit from litigation financing, these investment firms are well positioned to perpetuate injustice. Such practices could lead to financiers exploiting potential plaintiffs who are in financial need.

Others don't share these worries. In the end, they argue, legal cases will succeed or fail on account of their merits, regardless of the money involved. Moreover, they contend that citizens should be permitted to sell and commodify their own lawsuits because they have a right to do so, especially if it helps them to cover expensive legal processes. Denying citizens this right out of sheer speculation that it could lead to negative consequences overlooks the fact that litigation financing can lead to positive outcomes in the U.S. legal system. Several case examples reveal how litigation financing has helped many to achieve justice, who could not otherwise afford to put up a legal fight against their opponents. One example, in NAACP v. Button (1963), the Supreme Court struck down a Virginia law that prevented the NAACP from funding litigation cases for those subject to unjust racial discrimination. The case of NAACP v. Button (1963) reveals how litigation financing can be an important means of achieving justice.

**DISCUSSION QUESTIONS**

1. Are there moral limits on what individuals have a right to commodify? If not, why not?
2. When, if ever, is it morally wrong to sue someone in a legal court?
3. Should litigators like Hogan be required to disclose the sources of funding for their cases? Or, should litigators be permitted to keep their sources of funding private? Why?
4. Happy to Be Alone

On May 18, 2022, the New York Court of Appeals heard a case on whether Happy the elephant has the right of habeas corpus, and therefore, whether she is considered a legal person. This was the first case of its kind in an English-speaking high court and called into question what constitutes a person in the United States.2

For the past 45 years, Happy the elephant has been kept at the Bronx Zoo in a one-acre enclosure, with intermittent contact with other elephants.3 A petition led by the Nonhuman Rights Project (NhRP) garnered almost 1.5 million signatures calling for Happy’s release to an elephant sanctuary. The petition, titled “End Happy The Elephant’s 10 Years of Solitary Confinement,” states that Happy has been in isolation since her companions Grumpy and Sammy died. Zoo defenders assert that Happy is not alone, and that she receives extensive care, including efforts at interaction and enrichment, unlike prisoners in solitary confinement who receive little if any human contact. For instance, Happy resides next to another female elephant, Patty, who is separated by a fence and the two elephants can see and smell each other, and even touch trunks.4

A ruling in favor of Happy's personhood would have massive ramifications. The Nonhuman Rights Project filing the case on behalf of Happy argues that the ruling could help animals achieve the bodily liberty that has been denied to them across human history. Attorneys for the Bronx Zoo warned that, “expanding the notion of a ‘person’ to include animals… has implications not just for zoos, but for pet owners, farmers, academic and hospital-based researchers and, most critically, every human who might seek or need access to the judicial system.”

Happy was, in part, selected by the NhRP because in 2005 she was the first elephant to pass the mirror test, previously only passed by great apes and dolphins. The mirror test determines whether an animal possesses the ability of visual self-recognition and is often associated with capacity for empathy. It is unclear whether opening the legal recognition of personhood to Happy the elephant would set the stage for all animals who fall under this category to also have personhood status. There have been many theories on how to quantify the moral value of a being, whether that is self-awareness, capacity for pain, or the capacity for rational thought.

NhRP argues that those who have claims against their case do so for self-interested reasons, such as the National Association for Biomedical Research, which claimed that “extending habeas rights to animals would… drive up the cost of conducting critical research using animals, threatening to impede important medical breakthroughs and other major scientific advances that benefit humans and animals alike.”5

Three Buddhist scholars countered in a brief that “this legal moment for Happy represents a great opportunity to consider the treatment of sentient beings from a cross-cultural and more moral perspective than we have done before, so as to avoid perpetuating a great moral wrong merely because it has been a habit of the law.”

DISCUSSION QUESTIONS

1. Does the 2022 New York Court ruling that Happy cannot claim habeas corpus rights (and therefore, is not a legal person) mean that she is not a morally considerable person?
2. What are the moral implications of regarding some or all non-human animals as persons?
3. Are there ways to ensure the well-being of animals other than by granting personhood status?
The Community Culture School (CCS) is a K-12 charter school located in a neighborhood made up of recent Chinese immigrants for whom English is not a first language. CCS was established to address community needs by creating a safe space for students whose cultural and linguistic practices differ from the majority of the city’s population. In addition to its focus on Chinese language and arts curricula, social studies classes focus on Chinese and Asian cultures, the issues they face around white supremacist ideologies, and recent increases in anti-Asian violence. While unique, CCS is hardly an anomaly. Many other charter schools across the United States focus on specific cultures and religions.

Proponents of culturally specific schools argue that these institutions are necessary for addressing challenges minority students face in public schools. For example, students who celebrate holidays not on their school’s calendar are forced to either miss class or miss their religious observances. Students of color in predominantly white schools recount being teased or feeling ashamed about things like their clothes, hair, religious garb, and lunches. Proponents of CCS argue that students feel more comfortable around peers with similar backgrounds, making it easier to learn. Also, supporters say that community building and cultural preservation goals cannot be achieved in integrated spaces since dominant cultures tend to be favored. Finally, some argue that even in diverse schools, certain subjects like social studies are better taught in racially separated classes.

However, studies have claimed to demonstrate the value of diversity in schools and the negative impacts of segregation for students of color. Additionally, recent research suggests that socioeconomic integration benefits the least advantaged. Furthermore, some argue, it is only in integrated spaces that minority groups can learn how to effectively navigate and influence dominant culture. Finally, some defend integration for its intrinsic value, arguing that we cannot achieve true equality in our democracy if we don’t learn to live in and make decisions about our shared space and shared civic identity. The way to address our current injustices and extreme polarization, some suggest, is to work to increase our interactions across differences, not to further insulate ourselves from those who do not share the same culture or values.

DISCUSSION QUESTIONS

1. Is separation based on identity ever morally permissible in schools?
2. Should we treat all special interest schools (including religious schools, character education schools, and cultural and ethnic schools) the same when deciding how much separation to accommodate?
6. Not in My Backyard!

In July of 2021, the California-based company Arevia Power announced that they were scrapping plans for a large solar farm in Southern Nevada. The initiative, known as the Battle Born Solar Project, would have created the largest solar farm in the United States and provided daytime power to around 500,000 homes.\(^1\) Despite assurances from Arevia Power that the project would be set far enough back on the nearby mesa so as not to be visible from the closest town, local residents fought against the construction of the solar farm. They argued that the solar farm would discourage popular recreational activities such as biking, driving ATVs, horseback riding, and visiting the famous environmental art sculpture Double Negative.\(^2\)

Proponents of the project argued that it would have created 2,600 jobs and helped Nevada towards its goal of producing 50% of its energy from renewable sources by 2030. A ballot question in 2020 found that a majority of Nevada voters supported a transition towards renewable energy. One of the residents even said, “I’m not against renewable energy, I’m just against losing this beauty.”

People who oppose such projects are said to have an attitude of “Not in my backyard!”—often shortened to “NIMBY.” When residents of towns and neighborhoods disagree with a project being built near them, they will often band together to oppose it. The protested projects vary wildly in their impact to the community—everything from zoning changes and energy projects to affordable housing developments and landfills. While some argue that NIMBYism has contributed to rising housing costs and blocked many beneficial projects, others argue that communities have a right to oppose projects that will affect their neighborhood’s character.

DISCUSSION QUESTIONS

1. Under what circumstances is a “NIMBY” attitude towards development morally permissible?
2. How should we evaluate the tradeoffs between the good of a larger entity (a state, a country, or the world) and the good of a local community?
3. When making a decision, how should we weigh the negative impacts on those directly affected against positive impacts on those who are indirectly affected?


7. Floss Or Get Lost

Dr. Pearly White—often called Dr. W. by his patients—is a world-renowned general dentist. Everyone who has ever attended Dr. W.’s clinic has had all of their oral hygiene concerns assuaged and treated. When it comes to flossing, Dr. W. is passionate about the habit, to say the least. When patients come to Dr. W.’s and lie about or admit their less-than-ideal flossing habits, Dr. W. cannot help but frown. Oftentimes, patients report that Dr. W. does not shy away from scolding them about how “idiotic” one has to be to not practice what is, in Dr. W.’s eyes, the simplest habit one can adopt for a myriad of health benefits. He insists that flossing each night can aid in removing plaque and food stuck between teeth, reduce the chance of gum disease, and get rid of bad breath. Dr. W. is quick to burst into lectures to the point that patients regret going to the dentist in the first place, as they report feeling “attacked,” “shamed,” and ultimately discouraged about the idea of coming to see a dentist regularly.

In Dr. W.’s eyes, flossing is simple and effective. As a dental professional, it is unimaginable how one could avoid flossing when there are so many benefits. Dr. W. feels that if lecturing and making his patients feel bad for this one moment leads to a change in behavior, then any harm is minimized. Dr. W. assumes patients do not know nearly as much as he does about the health benefits in question. If patients cannot adhere to this simple advice, Dr. W. reasons, then he has no time to waste on what he calls “flossophobia.” Dr. W. aims to help patients to look at the bigger picture of their health, and feels this is the best way to share concerns with patients—to truly make them understand the gravity of their decision not to floss.

Several patients who were on the receiving end of Dr. W.’s lectures have reported the opposite of what he hoped. By being ostracized by their dentist, they felt anxious and unwilling to listen to what Dr. W. had to say. According to a 2018 study, 61% of respondents avoided going to the dentist because of anxiety and fear about dental visits, and about 4% reported never having gone to a dentist in their life for the same reasons.¹ Patients have shared that going to the dentist is stressful, as they feel their mouths are one of the intimate parts of their bodies. They also share that they sometimes fear going to the dentist because of what might be said about their overall oral health. Former patients tell Dr. W. that if he had informed them of the benefits of flossing in a more approachable way, then they might have reconsidered their decision to leave his care. Often, after a bad experience, patients avoid going to the dentist altogether as they see no point if they are just going to feel ashamed.

**DISCUSSION QUESTIONS**

1. Has Dr. W. done anything wrong?
2. Is it ever morally permissible for a dentist, or any healthcare professional, to use shame tactics to entice patients into changing their behavior?
3. Do the risks of not flossing outweigh patients' feelings?

¹[https://www.dentalproductsreport.com/43qstudy-finds-more-60-percent-people-suffer-dental-fear](https://www.dentalproductsreport.com/43qstudy-finds-more-60-percent-people-suffer-dental-fear)
8. Forget Me Not

Joan has been married to Roy for 60 years. They have three children and seven grandchildren. While their marriage had its ups and downs, Joan and Roy loved each other, and remained deeply committed to each other throughout this time. Roy, unfortunately, has developed Alzheimer’s. While Joan and the rest of his family provided care for him for a number of years, Roy’s Alzheimer’s has progressed to the point where he no longer recognizes them. Due to the severity of Roy’s condition, Joan placed him in a nursing home. Roy settled into his new home, and is well cared for. Joan visits him regularly, but Roy rarely recognizes her. These visits are often emotionally difficult for her. Even when Roy is having a good day, and is relatively lucid, she is forced to confront the way in which their relationship has irrevocably changed.

Through the painful process, Joan encountered an old friend of hers, Dennis. Dennis has been supportive of Joan and her family throughout this time. Dennis, after a few months, confessed his love for Joan, and Joan has started to realize her feelings for him as well. Joan, however, feels conflicted. She still loves her husband, and feels as though she still owes it to him to remain faithful. Even though Joan recognizes that their marriage will never be the same, divorce feels out of the question. In her mind, this would be like abandoning Roy. She feels guilty for developing feelings for Dennis because of the marriage vows she made to Roy.

Her children think she should proceed to date Dennis because Roy would not know and it could give her a better, happier life. Some of her siblings and in-laws, however, do not feel the same way. They argue that Roy is still her husband and deserves to be treated as such until his death. They feel it would be disrespectful to Roy if she dated another man, and Roy has done nothing to deserve that disrespect.

**DISCUSSION QUESTIONS**

1. What moral obligations, if any, does Joan have to Roy at this point? What are these obligations based on?
2. What are some morally relevant ways in which dementia might change the nature of personal relationships?
3. Is it disrespectful to Roy for Joan to engage in a romantic relationship with Dennis?
9. Do Innocents Pay the Price?

On February 24, 2022, Russia invaded Ukraine in an escalation of long-standing tensions between the nations. The ongoing conflict has caused humanitarian problems including food shortages and a refugee crisis. In response to the conflict, the U.S. and European Union nations have pledged billions of dollars in military support to the project of defending Ukrainian sovereignty. Individuals and organizations, for their part, have refused to carry Russian vodka in restaurants, liquor stores, or bars and have refused to play pieces by Russian composers, just to name a few examples. Additionally, Western nations have implemented an aggressive series of escalating sanctions against both the Russian state and individual powerful oligarchs. In one such case of private sanctions, Wimbledon, the oldest and perhaps most prestigious tennis tournament in the world, has banned Russian and Belarusian athletes. Wimbledon’s ban impacts a handful of top players including Daniil Medvedev, the number two ranked men's tennis player, and Aryna Sabalenka, the number four ranked women's tennis player.

A representative of Wimbledon explains: “Given the profile of the Championships in the United Kingdom and around the world, it is our responsibility to play our part in the widespread efforts of government, industry, sporting and creative institutions to limit Russia's global influence through the strongest means possible.” The statement continues: “In the circumstances of such unjustified and unprecedented military aggression, it would be unacceptable for the Russian regime to derive any benefits from the involvement of Russian or Belarusian players with the Championships.” Ian Hewitt, Chairman of the All England Club, offered words of consolation: “We recognize that this is hard on the individuals affected, and it is with sadness that they will suffer for the actions of the leaders of the Russian regime.”

The Association of Tennis Professionals (ATP) condemned Wimbledon’s decision as undermining the merit-based ranking system in tennis and stripped players’ ranking points earned at the competition. The ATP explained its reasoning: “Discrimination based on nationality also constitutes a violation of our agreement with Wimbledon that states that player entry is based solely on ATP rankings.” Novak Djokovic, the top-ranked men’s player who lived through the NATO bombardment of Serbia, describes the decision as “…crazy. The players, the tennis players, the athletes have nothing to do with [war]. When politics interferes with sport, the result is not good.” Martina Navratilova, a nine-time Wimbledon champion, says “as much as I feel for the Ukrainian players and Ukrainian people,” excluding players is “unfair” and “not helpful.”

DISCUSSION QUESTIONS

1. To what extent, if any, are individuals responsible for the actions of their governments?
2. To what extent is it permissible for international institutions to signal support for certain causes?
3. Even during times of political conflict, is there a role for international sporting organizations to remain places for players to demonstrate peaceful interaction?
4. How do the consequences of these bans matter for their morality?
10. To Pledge or Not to Pledge?

Aria is a first-year, out-of-state student at a large public university. She couldn't wait to arrive on campus but now finds herself overwhelmed by the vast student body. Seeking a smaller and more personal community, Aria has begun to consider following in her mother's footsteps by joining a sorority.

However, Aria has reservations, given some of her closely-held moral and political commitments. She has heard that the Greek system of sororities and fraternities sometimes perpetuates a culture of sexual assault, alcoholism, racial exclusion, oppressive gender roles, and conventional beauty standards. Her feelings are exacerbated by the fact that throughout high school Aria was dedicated to educating herself on social issues like racial justice and female empowerment. She was also an active member of many social and volunteer groups that vocally promoted these beliefs. Aria fears that joining Greek life will make her complicit in upholding an institution that goes against many of her core beliefs. She also wonders whether she can continue to consider herself an ally or activist if she isn't making choices in her personal life that align with the beliefs she supposedly stands for.

Even so, because of Greek life's prominent place on campus and the large amounts of money it brings into the school, Aria is sure that abolition movements will be unsuccessful. She believes that in joining, she may be able to create change from within and advocate for inclusivity and reform. In fact, in some senses, Aria sees that the best way to improve the institution is for more people like her to join. Additionally, Aria knows multiple admirable peers who are members of Greek life. These peers, along with her mom, have shared positive stories about their experiences in Greek life. Aria is excited by the possibility of making life-long friends, performing philanthropic work, and taking advantage of a sorority's networking and leadership opportunities. She also feels compelled to prioritize her mental health and happiness and feels certain that Greek life will help by providing close friends and a structured social calendar.

**DISCUSSION QUESTIONS**

1. Would it be wrong of Aria to join the sorority? Why or why not?
2. To what extent is one morally obligated to only act on choices that are compatible with their fundamental values?
3. In what ways, if any, is it possible for people to claim personal virtue while maintaining membership in morally ambiguous institutions?
11. Parental Controls

Whether in high school classrooms or through state laws, young people's bookshelves continually fall under scrutiny—and control. PEN America’s Index of School Book Bans lists 1,145 unique books banned between July 1, 2021 and March 31, 2022, as “a result of parent or community challenges, administrative decisions, or in response to direct or threatened action by lawmakers or other governmental officials.”

Much of the censored literature, according to PEN America, includes narratives representing sexual and racial minorities: 41% of the books “contain protagonists or prominent secondary characters of color,” 33% directly discuss LGBTQ+ themes or include LGBTQ+ protagonists or prominent secondary characters, and 22% explicitly concern racism.

One example of government action is HB 1557, Florida's high-profile “Don't Say Gay” bill. One clause of the bill states, “Classroom instruction by school personnel or third parties on sexual orientation or gender identity may not occur in kindergarten through grade 3 or in a manner that is not age-appropriate or developmentally appropriate for students in accordance with state standards.”

Legislation supporters emphasize concerns about parental rights—especially the right to control what their children are taught about gender and sexuality. For example, Governor Ron DeSantis critiqued classroom discussion of gender nonconformity, “It's trying to say that, you know, they can be whatever they want to be. This is inappropriate. ... And shouldn't parents know if that is something that is in the curriculum?” Florida Senator Marco Rubio concurred: “We don't send kids to school so the schools can raise our kids... We send them so they can teach them; raising kids are the job of parents and families, not schools. And so that's what that bill does.”

Critics of the bill, including The Trevor Project, emphasize the rights and well-being of LGBTQ+ students. Jonathan Friedman, Director of PEN America's Free Expression and Education program indicates, “We are witnessing the erasure of topics that only recently represented progress toward inclusion.” Further, LGBTQ+ young adults are at higher risk for suicide than straight and cisgender classmates, yet “when those kids are given access to spaces that affirm their gender identity, they report lower rates of suicide attempts.”

DISCUSSION QUESTIONS

1. When, if ever, is it morally permissible to ban a book from a school or public library?
2. Do teachers have a moral responsibility to encourage discussion and inclusion of diverse perspectives and identities in coursework? What behaviors might such a responsibility prescribe?
3. What sort of say, if any, should parents have over what their children are taught in school?

https://pen.org/banned-in-the-usa/
https://www.floridastatelegislature.gov/Session/Bill/2022/1557/BillText/er/PDF
https://www.youtube.com/watch?v=8MSUgkLnB2Q&t=111s
https://www.npr.org/2022/03/28/1089221657/dont-say-gay-florida-desantis
12. 21 Candles

In 1984, the U.S. Congress passed the National Minimum Drinking Age Act, requiring all states to raise the drinking age to 21. This was the first national standardization of the drinking age in the history of the United States. Prior to Prohibition (1920-1933), many states did not have any laws in place regarding the minimum legal drinking age (MLDA). Between 1933 and about 1970, the MLDA in most states was 21, which mirrored the voting age at the time. In 1971, when the 26th Amendment lowered the voting age to 18, many states lowered the MLDA accordingly. Currently, the U.S. is one of 12 other countries in the world with the highest comparative drinking age of 21. In fact, “of the 190 countries, 61% have a drinking age of 18 or 19 years old.”1 With the majority of countries in the world having a lower drinking age, a debate has begun as to whether the U.S. should lower the MLDA to 18 or 19.

Those defending the MLDA’s remaining at 21 argue that it has made the roads safer, and indeed, saved many lives. The CDC points to a study which finds a 16% median decline in motor vehicle crashes in states where the MLDA was raised to 21.2 Another study by the National Highway Traffic Safety Association (NHTSA) estimates that the increase of the drinking age saved 31,417 lives between the years of 1975 and 2016.3

Those in favor of lowering the MLDA argue that, according to U.S. law, an 18-year-old is an adult. It seems absurd, they reason, that soldiers can fight and die for their country but cannot legally be served a beer in a restaurant or bar. Therefore, it is argued, 18-year-olds should have the right to consume alcohol given that they can serve in the military and vote. Some argue, further, that prohibiting the sale of alcohol to 18 to 20-year-olds has the unintended effect of making alcohol more desirable because it is taboo. They point out that drinking loses much of its allure when it becomes a mundane, legal activity. Finally, the culture of drinking is very present in college environments, despite the majority of undergraduate students being underage. This results in a lot of unsupervised and unsafe situations associated with alcohol because students have not been exposed to responsible drinking. Consequently, there is an increased risk of binge drinking, which can harm one’s physical and mental health.

DISCUSSION QUESTIONS

1. Is the MLDA an imposition on one’s rights as an adult?
2. How should the government balance the right of autonomy with the need to protect citizens from harm?
3. Leaving aside its legal status, is it morally wrong to drink underage?
4. What are the significant differences between being 18 and 21?

1 https://drinkingage.procon.org/minimum-legal-drinking-age-in-other-countries/
2 https://www.cdc.gov/alcohol/fact-sheets/minimum-legal-drinking-age.htm
3 https://drinkingage.procon.org/
13. Our Baby, My Body

Tom and Melinda are about to have a baby together. They are both committed to raising the child together as a family, and they have made many of the decisions about how they’re going to raise the child as a team. Recently, though, Melinda has been engaging in activities that Tom thinks are unnecessarily risky for the health of their future child. She has continued going into work instead of working from home when her employees have reported they are sick with COVID-19. Tom has mentioned that the most recent information shows that there are risks for the pregnancy if Melinda catches COVID-19, including a pre-term birth or stillbirth. She also continues to exert herself physically more than Tom thinks is necessary for her or healthy for the baby.

Tom believes that, since he is an equal partner in raising the child, he should have an equal say in how Melinda acts when it comes to the health of the child. He does not think it is unfair of him to tell Melinda that she needs to work from home when her co-workers are sick, or to insist that she stop exerting herself around the house and let him do the chores. After all, it is his child too, and just like all of the other decisions that they’ve made about how they are going to raise it, he thinks that the decisions Melinda makes that would affect the child should be equally open for discussion (and even potential veto).

Melinda, on the other hand, believes that Tom is being overbearing and controlling. She believes that, until the baby is born, it is her body, and she is free to do what she wants. As long as she is carrying their child, she says, her wants and desires will always outweigh Tom’s because he is not the one that has to live with the pregnancy. Tom is free to offer his input, and she will always take it into consideration out of respect for him as a partner, but the final decision is hers. She argues that Tom is being unfair and has no right to be upset when she acts contrary to his desires.

DISCUSSION QUESTIONS

1. Are Tom and Melinda truly equal partners during the pregnancy, or do Melinda’s concerns for her own autonomy take precedence?
2. What sort of responsibilities does Melinda have toward Tom and his concerns as the father of the child she’s carrying?
3. Do Tom and Melinda’s respective shares in decision-making change after the baby is born? If so, how and why?
14. Justice Delayed, Justice Denied?

The murder of Emmett Till is one of the most notorious hate crimes in American history. At 14 years old, Till was killed in 1955, while visiting his family in Mississippi. This case has long symbolized both the racist violence that was perpetrated against African-Americans throughout the Jim Crow era, and the way in which perpetrators of this violence were rarely held accountable.

While socializing outside of a store, Till's cousins allegedly dared him to ask the white woman in the store, 21-year-old Carolyn Bryant, on a date. The 14-year old Till allegedly accepted the dare and made comments to her in the store. Bryant initially claimed that Till also made physical advances on her. When Bryant's husband Roy, heard of this, he and his half-brother J.W. Milam went to the residence where Till was staying and forced him into their car. Three days later, the boy's mutilated body was found by the Tallahatchie River, only identifiable by an engraved ring he was wearing. His body was flown back to Chicago where his mother insisted on an open casket funeral. The news media soon picked up the story after seeing the state of his body, and Roy Bryant and J.W. Milam were tried for murder in a segregated courthouse in Mississippi. At this trial, Carolyn Bryant repeated her allegations against Till. After deliberating for less than an hour, the all-white jury found the defendants to be not guilty. Carolyn Bryant later recanted her claims about Till, revealing the truth to author Timothy Tyson: Till never touched or harassed her.

In July of 2022, an unserved arrest warrant for Carolyn Bryant (now Carolyn Donham of Raleigh, NC) from 1955 was found in a courthouse basement in Mississippi. Weeks later, a grand jury was empaneled to decide whether to indict her, as the only living accomplice of the Till kidnapping and lynching nearly 70 years ago. Ultimately, the grand jury decided not to issue an indictment over concerns about whether there was sufficient evidence to convict her.

Critics of the grand jury’s decision emphasize the importance of accountability. Those who would like to see Donham arrested and convicted argue that, just as Nazis have been prosecuted years after they committed their crimes, those who engage in horrible acts deserve to be punished regardless of how much time has passed. Moreover, given the symbolic importance of this case, it is important to have a formal acknowledgement and condemnation of her role in Till’s lynching. Yet others question whether prosecuting an 88-year-old woman as an accomplice to a murder committed seven decades earlier would really constitute justice. Moreover, defenders of the grand jury's decision point out, given her age and serious health issues, she would not be likely to face punishment for this crime even if she were convicted—instead, she would likely have been sent home on compassionate release.

DISCUSSION QUESTIONS

1. What would securing justice for Emmett Till require after almost 70 years?
2. In the context of which decisions, if any, should age and physical health be a relevant deciding factor?
3. What does it mean to be held accountable for something? Describe the value, if any, that accountability holds in our society.

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15. In Prime Health

During a spree of acquisitions in mid-2022, online commerce giant Amazon inked a deal to purchase One Medical, a membership-based and technology-driven company providing primary care and preventative medical services to over 700,000 Americans, both digitally and in physical practice locations. Of the acquisition, SVP of Amazon Health Services Neil Lindsay said:

“We think health care is high on the list of experiences that need reinvention. Booking an appointment, waiting weeks or even months to be seen, taking time off work, driving to a clinic, finding a parking spot, waiting in the waiting room then the exam room for what is too often a rushed few minutes with a doctor, then making another trip to a pharmacy—we see lots of opportunity to both improve the quality of the experience and give people back valuable time in their days.”

Some commentators celebrate Amazon's foray into healthcare, arguing that Amazon's signature approach to ease of use and efficiency could revolutionize the sector. “One area where Amazon undisputedly excels is its user interface...This ease and simplicity could extend to the healthcare realm, which, right now, is a rat's maze,” said Caitlin Donovan, Senior Director of the National Patient Advocate Foundation. Donovan also highlights the internet retailer's propensity to negotiate bulk purchasing at rock-bottom prices—a welcome innovation amidst ballooning prescription drug costs in the United States.

Others have raised worries stemming from Amazon's advertising and data privacy practices, which have seen their share of negative press in recent years. In a recent letter to the Federal Trade Commission, Missouri Senator Josh Hawley requested a probe of the One Medical acquisition deal because the deal “would provide Amazon with access to enormous tranches of patient data.” Although he granted that HIPAA and other privacy laws (which Amazon has assured press outlets they would emphasize) would head off the worst abuses, the Senator pointed out that “loopholes exist in every legal framework.”

“Amazon's takeover of One Medical is the latest shot in a terrifying new stage in the business model of the world's largest corporations,” said Barry Lynn, the Executive Director of Open Markets Institute, an organization that advocates for stricter antitrust regulation. Still others are concerned for patient equity in a world where Amazon is a substantial player in primary care. Katherine Gergen-Barnett of the Department of Family Medicine at Boston Medical Center worries that investments in more traditional primary care practices will dwindle, widening the disparities between those who have access to the private primary care services provided by companies like Amazon and those who do not, putting at risk the health of those who are older or poorer compared to those with commercial insurance and access to companies like Amazon.

DISCUSSION QUESTIONS

1. Is Amazon's entry into the healthcare sector any morally different than any other private company's participation in that same sector? Why or why not?
2. Does a promise of increased health care access and a better user experience outweigh data privacy worries about Amazon's business model? Why or why not?
3. Are there unique moral problems or pitfalls with a digital-first primary care model? What are they, if so?