

2014 Case Studies

1. Traffic at the Strip Mall

Anthony, a man in the habit of having his nails done once a week, had to change salons when his neighborhood nail spot suddenly closed. Luckily, another had just opened in a strip mall near his office.

Within weeks, however, Anthony began to notice an array of differences between his previous salon and the new one. While it was not unusual for nail technicians to be immigrants and know only a few English phrases for work, these technicians were much quieter and far less social than the workers he had known at his previous salon.

Similarly, he felt troubled by their physical appearance-- many of them were very thin and looked exhausted. And then there were the two mysterious men always hanging around Leo, the owner. They seemed to have little to do in the salon but keep watch over the workers. Though Anthony routinely spoke to Leo and found him quite personable and accommodating, he couldn't help but notice that the nail technicians seemed fearful around their boss, and even more nervous around his two colleagues.

One evening, Anthony decided to wait patiently in his car for the salon to close. Within moments of the lights being turned off, he witnessed many of the workers climbing into a mini-van being driven by one of the two lurking men. He followed the van at a distance, pulling over when it finally stopped in front of a house, not far from his home. He then watched as the weary workers filed inside the small ranch house, the driver following closely behind.

Another evening, when Anthony walked by the house he happened to see one of the technicians open the front door to collect the mail. When he shouted to her, she put her finger to her lips to stop him from speaking any further and quickly retreated inside.

The next time Anthony was at the salon, he noticed that technician now had several large bruises on her arm and refused to make eye contact with him. In contrast, the two men in Leo's office seemed to be keeping an unusually close eye on him.

Being a TV news addict, he knew about debt bondage, forced labor and sexual trafficking. He had even witnessed the police taking away, what he assumed were illegal immigrants, at a house that had appeared vacant a few months earlier. Now, he wondered if they may have been forced laborers. The police, in his experience, were

not always trustworthy on these matters. They might not have known the difference, or cared for that matter.

Anthony was now concerned that the young women at the salon were forced laborers. He also worried that if he were wrong, it might lead to them being deported or jailed. And then there were the two men. He was sure one of them had followed him home the other night in his car to learn where he lived.

This case is a composite based on a reading of the Michigan human trafficking records maintained by the University of Michigan Law School Human Trafficking Database.

Study Questions for Traffic at the Strip Mall

1. How strong would your belief be, in this situation, that the women in the shop were forced laborers?
2. If you think that they are forced laborers, but they really are not (i.e., they are illegal immigrants), what will be the consequences for them of your going to the police?
3. If you decide that they are probably not forced laborers, but really they are, what will be the consequences for them of your not going to the police?
4. Which of these is likely to be worse?
5. What obligations does Anthony have towards the women in the shop? Where do these obligations come from?
6. If Anthony has an obligation to help the women in the shop, assuming that they are being trafficked, then does he have an obligation to join global campaigns to help women, men and children in other countries who are also being trafficked?
7. If Anthony has an obligation to find out whether the women are being trafficked, then does he have an obligation to join global campaigns to uncover secret trafficking operations worldwide?
8. Is it possible for him to have particular obligations to the women without having the corresponding global obligations?

2. The Trajectory of A Kitchen Knife

Chicago Academy (CA) is a public charter school that provides students with an alternative means of free, quality education. In contrast to other schools in the area, CA is a smaller school, where the students receive one-on-one attention and usually

perform well. Although crime in the neighborhood is relatively high and there is a significant amount of gang activity, the school manages to foster a safe, productive learning environment. One of the reasons is because CA has a zero tolerance policy on drugs and weapons. This means that if a student is found with either, they are immediately up for expulsion.

Carl, an 8th grader, and his brother Kenny, a 7th grader, attend CA. They have been victims of harassment by members of a neighborhood gang on the way to and from school on several occasions. These neighborhood gang members do not attend CA.

The previous week, Kenny was jumped by several individuals from the gang on his way home from school. Carl made an attempt to defend his younger brother, but they both ended up with injuries that led to a hospital visit. They also missed several days of school.

The following week, when Kenny and Carl returned to school, Carl spoke to one of his teachers, Ms. M, about the incident. He also told her that it would never happen again. But he could not specify how he was going to prevent another incident from occurring. The next day, another student came in after class to talk to Ms. M. He explained that when Carl raised his hand to answer a question in class, he had seen a kitchen knife tucked into the back pocket of Carl's pants.

Ms. M is aware of the zero tolerance policy. If what the other student says is true and is reported to security, she knows it will result in Carl's expulsion. She also knows that if this happens, he will be placed in the neighborhood public school. That school is the one most regularly in the news and has a reputation for its violence. As far as she knows, at least a few the gang members Carl has had problems with, attend that school. If Carl ends up attending that school, the trajectory of his life will likely take a different turn. Ms. M is confident Carl has no intention of using the knife at school, but only as protection getting and going home. Even so, he brought it into class knowing about the zero tolerance rules.

If the incident goes unreported by Ms. M, it is a violation of the school policy and teacher professionalism as defined by the school. Additionally, the reporting student may well lose trust in Ms. M. It also may well be that the reporting student was not the only one who saw the knife.

Study Questions for The Trajectory of a Kitchen Knife

1. Why do you think the school has a no-knife policy?

2. Do you think there are good reasons for such a policy?
3. Do the positive effects of having a no-knife policy depend on there actually being no knives, or just on everyone believing that there are no knives?
4. If Carl carries a knife but nobody knows about it, would that be OK?
5. If every student carried a knife, but no student knew about the other students' knives, would that be OK?
6. How should the teacher respond to the testimony of the student who saw the knife?
7. Is it reasonable for her to doubt that the student is telling her the truth? If so, what should she do next?
8. What would she have to know in order to justifiably trust the student's testimony?
9. If Carl is expelled, what do you think is likely to happen?
10. If the school makes an exception for him, what do you think is likely to happen?
11. Which of these scenarios is likely to be worse overall?

3. Just Lungs

Born with cystic fibrosis, 10-year-old Sarah was nearing death and in need of a lung transplant. Given that her death appeared imminent, her parents first petitioned the Secretary of Health and Human Services, and then the court system in her home state of Pennsylvania, to have her placed on the adult lung transplant list. There was much public support for her plight, not to mention publicity. A federal judge relented. Sarah received a double lung transplant soon thereafter.

After the decision, both experts and the public continued to debate whether this was the appropriate course of action. Transplant lists and prioritization rules are made with great care by professionals in the field. Medical evidence and expertise are used to decide which types of patients should be placed at the top of the waiting lists. Inevitably, some difficult decisions and judgment calls must be made, as organs are scarce.

Advocates argued that Sarah shouldn't be deprived of an adult lung just because of her age, as this amounted to discrimination. Others argued that this judge's decision subverted a careful process that is typically based on medical facts and considerations of fairness. Opponents of the decision also argued that adult organs are often too large for children and many medical risks may result from using them. Still others questioned

the parents' motivations in appealing to the media, politicians and the courts to garner attention to their daughter's circumstances.

Study Questions for Just Lungs

1. What sort of criteria should we have in deciding how to allocate scarce medical resources like organs? Are there rules or principles we can adopt so as to consistently guide us in determining who gets the scarce resource?
2. Does the allocation of scarce medical resources like organs differ from the allocation of other resources and goods—say, for example, basic goods like education and housing? How does it differ? How should these differences influence what sorts of rules or principles we take to guide our decisions in how to allocate organs, as opposed to the allocation of other goods?
3. Certain procedures—like organ allocation procedures—can be called fair. That is, the procedures themselves are fair. One condition for a procedure being fair is that the rules by which the procedure is conducted be fair. Since existing organ transplant rules are rigorously devised by health professionals, and have worked for some time, it might be argued that existing procedures of organ allocation are fair. Does Sarah's case give us reason to think that existing organ allocation procedures are unfair? Does Sarah's success in procuring an organ undermine the fairness of existing procedures of organ allocation?
4. It might be argued that organ transplants are strictly a medical matter. As such, they should strictly be decided according to rules devised by health professionals, and arbitrated by health professionals. Legal intervention is thus inappropriate. Is this right? Under what circumstances—if any—should medical issues respond to legal intervention?

4. What the Principal Knew

Two students, Steve and Jim, who have known each other for a couple of years, are in a classroom fight in the middle of the school year. What began as a round of "horse play" (confirmed by both boys) somehow then escalated into a full-blown fist fight. Steve ended up pushed against a cabinet, sliding down to the floor with the wind knocked out of him. His worst injury was a small scratch to his face that bled a bit.

Jim, seeing the blood and Steve on the floor, immediately stopped fighting. Both students ended up in the principal's office. Steve--now seen as the victim – was upset and embarrassed. Jim – now seen as the aggressor – was equally upset, but also very

nervous. The parents of each student were contacted and asked to immediately come to the school. A parent for each student arrived within a half hour.

Steve's mother, upon seeing the scratch, immediately became upset. She wanted justice for her child and wanted Jim to be arrested for assault. Jim's father became angry upon hearing this and felt that something must have provoked his child to fight. Both parents had to be calmed down by the principal in order to hear more details about the situation, and to learn what punishment the principal intended to give the boys.

Because the students had never been in trouble before, and the fight was reported by all witnesses as having been escalated by both of them, the principal believed both boys were equally guilty of it turning horse play into a fight. But he also believed that Jim did not intentionally scratch Steve. The principal's punishment, therefore, was that both students should be suspended for three days. Upon their return, the students, parents, and classroom teacher would meet to discuss what led to the fight, the impact of their behavior, and ways the two students might make amends. This process, he believed, would restore the classroom community and allow the students a "problem solving" teaching moment.

Steve's mother, however, did not think this punishment was appropriate as it would not achieve justice for her child. She also believed the punishment only victimized her child a second time and would never "teach" Jim anything about his bad behavior.

Jim's father agreed with the principal's punishment and was relieved his child would not miss more than three days of school in the middle of the academic year. He also did not think Jim was acting maliciously when the fight escalated but rather, was simply defending himself.

Steve's mother then threatened the principal by saying she would contact the police about Jim--if he did not. Jim's father, in turn, made his son apologize on the spot to Steve and his mother for his actions. He pleaded with the principal not to let Steve's mother contact the police. It would, he feared, make a criminal out of his child.

The principal did not know how to proceed. On the one hand, he had to acknowledge that the victim was physically hurt. At the same time, he felt that the victim was mostly just embarrassed by the incident. More aware than the parents that this kind of behavior was common among high school students, the principal also felt conflicted. The last thing he wanted is for Jim to have to deal with the police or the juvenile justice system

over this fairly minor school fight. But he also felt he must address Steve's mother's concerns.

Study Questions for What the Principal Knew

1. Why is it that the boy with a small cut to his face became automatically seen as the "victim"?
2. Is there any evidence that his intentions, going into the fight, were different from those of the "aggressor"?
3. Should it be the boys' intentions that determine whether they are equally guilty, or should it be the effects of their actions?
4. Is it reasonable to think that Steve - the boy with a cut to his face - was harmed more than Jim - the one who emerged with no physical injuries?
5. What else does the principal need to find out in order to know this?
6. Should the boys be punished in proportion to the harm they caused each other?
7. What is it to harm someone?
8. What obligations does the principal have to each of Steve and Jim? To Jim's relieved father? To Steve's pushy mother?
9. Does he have obligations to anyone else that are relevant here?
10. How should he balance the conflicting claims that these different individuals are making on him?
11. If he tells the mother that fights of this sort are common at the school, what do you think will be the likely effects of his doing so?

5. Values on Defense

Christopher Simpson grew up in a Quaker family, learning from his parents from the earliest age that the most important values in life are honesty, integrity, simplicity, a concern for social justice and, above all, a tireless devotion to peace.

A passion for peaceful co-existence ran particularly deep in Christopher's family. Christopher's grandfather was a conscientious objector during the war in Vietnam and spent five years in a self-imposed exile in Canada. His grandmother was arrested during the 1968 Chicago riots and had, over the years, continued to participate in many anti-war protests. Likewise, his own parents were active in numerous organizations dedicated to the peaceful resolution of conflicts and had been deeply opposed to both of America's military interventions in Iraq.

Christopher graduated from Western Michigan University with a degree in computer science and—typical for his generation—more than \$35,000 worth of student debt he

would now have to repay. His intention was to find a position with a nonprofit organization or a socially conscious business that could use his computer coding skills. He would then live simply and frugally, and in that way pay down his debt gradually. Above all, he was determined to support himself as quickly as possible and not be a further drain on his parent's limited resources.

For six difficult months, Christopher dutifully and energetically consulted with career counselors, attended networking events, showed up at job fairs, and scoured online and social media career sites. All together, he sent out more than 200 resumes. When he finally did receive an offer with a nonprofit organization in need of a new data base network, he took the job, in spite of the low salary. But it did not take long for him to realize he could not afford to pay back his student debt, let alone support himself, on such a low income, no matter how rewarding the work.

Several months later, Christopher was surprised and pleased to receive a job offer from a Fortune 1000 company—a multinational manufacturer with numerous business divisions and a breathtaking growth trajectory. The position was entry level, but came with ample opportunities for promotion. He would be working for a division focused on the creation of high-precision new digital components for small aircraft. The problem was, the company was one of the leading contractors for the U.S. Department of Defense. His work would probably also be used by the military.

Unlike his parents and grandparents, Christopher had always cultivated a mindset that was both principled and pragmatic. And so, after much soul-searching, he accepted the new job.

His plan was to work hard, rise fast, and earn as much as possible in the next three to five years. By then, he calculated, his student loans would be paid off, and he would be free to pursue work that was more closely aligned with his deepest values.

Study Questions for Values on Defense

1. Does the fact that a person has no or limited alternatives to performing some action change the moral rightness or wrongness of that action? Is this true of all actions, or only some?
2. Do the ends justify the means? ie. If Christopher's current work is used to support military operations, but he spends the rest of life working to oppose military operations, does that justify his current work?

3. What is the value of personal integrity? How does it compare to other moral values?

6. Selling Sugar and the SAT

Joe is a high school student whose family owns the only food shop near the high school. Lots of kids drop by on their way to or from school to buy his family's snacks. Joe works in the store before and after school and knows that many of these students, particularly boys, are consuming at least a one half-liter bottle a day of sweetened drinks (e.g. Coke, Pepsi--the full sugar ones, not the diet ones).

Joe, a student interested in health, has read about the connection between sweetened drinks and obesity. He is bothered that his family's business is contributing to what is an increasing problem in America and the world. Joe knows these students and sees that quite a few of them are already overweight or even obese. He has raised his concerns at the family dinner table on several occasions, expressing his discomfort with the fact that their business is contributing to the obesity epidemic.

Though they appreciate his argument that selling these drinks to kids with obesity is similar to selling cigarettes to teens, Joe's parents argue that they need the money they earn from the sales of these drinks to keep both the family and the shop economically viable. They also tell Joe that it is not up to them to tell teenagers, even those whom they know, what they should and should not drink, particularly as the sales are legal, unlike selling cigarettes to minors.

Joe knows his family can barely afford the SAT prep course that most of his friends are taking and he is afraid of jeopardizing their business, and his chance of being able to afford the prep course. So, he decides to let it go and not mention again to his parents that they should not be selling sugary drinks.

Study Questions for Selling Sugar and the SAT

1. Special responsibilities sometimes accompany certain roles—consider the special responsibilities of teachers or health professions. Do Joe's parents pick up special responsibilities in virtue of running the only food shop near the school?
2. Joe's parents make the argument that they're not positioned to dictate the eating habits of even those local teenagers they know. How can this argument be defended? Are there any circumstances in which it's defensible to dictate the eating habits of others?

3. Joe knows that his parents need the continued revenue of selling soda in order to afford Joe's SAT prep course. Joe's parents might thus be justified in continuing to sell soda in virtue of their obligations to Joe, as his parents. Do Joe's parents have obligations to anyone (or anything) else that might make them decide against continuing to sell soda?
4. It might also be argued that Joe's parents should continue selling soda for the following reason: the teenagers who come to their food shop should have the full range of snack options available to them, because as consumers, having more choices is better than having fewer choices. Are there any circumstances in which we might justify making fewer choice options available to consumers? Are there circumstances, generally, in which having fewer choices is better than having more choices?

7. Special Accommodations

Cynthia is a freelance travel writer for Mode Magazine, a monthly, well-respected international publication. Her contract with the magazine states that she must pay retail whenever she travels anywhere for them, from hotels and restaurants to airlines and rental cars. She also must arrive at her destination unannounced, so no one knows she is a travel writer. The magazine always reimburses her expenses following the trip, within the pre-established price range, so cost is never an issue for her.

Cynthia never had a problem with this policy before. She understands the magazine's mission statement to their readers concerning travel clearly states that, "The magazine's editors and reporters pay the same prices you do and travel unannounced to ensure that we experience travel the way you do with no special recognition, treatment or obligations. This also ensures that we are free to report our findings honestly, with no conflict of interest or ulterior motives."

For her latest assignment, Cynthia is writing about a weekend in Toronto. She reserves a room at a new hotel there via Expedia's website. She uses her credit card in her married name, as her byline has always been her maiden name, to make it easier to disguise her true identity.

When she is taken to her room, however, it is not the standard double room she requested but rather the penthouse suite--a two bedroom, duplex apartment with a kitchen, three flat screen TV's, a fireplace, Jacuzzi, wet bar, spa bathroom and wrap around terrace overlooking the city, complete with sun chaises. When she inquires why

she has been given this luxurious apartment, the desk clerk says it must just be an upgrade given that the room is vacant for the weekend.

With her husband about to meet her here after a two-week business trip abroad, she can think of nothing nicer than surprising him with this pent house suite for their rare weekend away from their three small children. What's more, they have a few friends in town she could have over to the suite for a terrace party.

But she also senses this is not just any normal upgrade and that her cover must have been blown. Technically, her contract requires her to call her editor back in New York, tell him the problem, and basically abort the assignment by leaving the hotel right away, and reserving a room at another, since she will not be able to write about the same experience her readers might have if she stays at the first hotel. But she is not even certain she can find another hotel worth reviewing with a room available.

Study Questions for Special Accommodations

1. Is it morally acceptable to ignore information that one knows might be relevant to making a decision? Why or why not?
2. Is it morally acceptable for businesses to wine-and-dine their reviewers? Why or why not?
3. How does Cynthia's responsibilities as a journalist compare to her responsibilities as a wife and friend?

8. Don't Be a Bad Sport

The school board members in a mid-sized district have organized a series of public meetings to learn about citizens' views and perspectives on the number and types of high school sports choices in the school system. The original impetus behind the meetings is that the district needs to cut at least three sports because of budget shortfalls.

After the announcement several advocacy groups form. Among them are parents, students and citizens who wish to get rid of high school sports altogether, even though sports are primarily "pay-to-play" in the district. Another group wishes to promote new sports, not traditionally supported by the schools, such as archery, badminton, bicycling, kayaking and table tennis.

Currently, girls' and boys' sports offered by the school district include: baseball and softball, basketball, bowling (coed), crew, cross country, field hockey (girls), equestrian,

football, golf, gymnastics, ice hockey, lacrosse, swimming & diving, soccer, taekwondo, tennis, track & field, volleyball and wrestling (boys).

The public meetings reveal a wide range of perspectives on the role of sports in high school today. Several argue that sports are too prominent at their school, and favor spending any additional money on academic programs. Others believe that certain sports are obsolete and that others are dangerous, and thus should be eliminated. Another view is that some sports should be favored over others because they celebrate participation rather than winning. Yet another opinion voiced by many is that certain sports are class or racially discriminatory.

In the end, the meetings become very acrimonious. A few board members receive vague threats, “if they do not do the right thing” in retaining the current sports programs. Rather than bringing the community together, the public meetings seem to have had the opposite effect.

Study Questions for Don't Be a Bad Sport

1. What criteria should determine which extracurricular activities are offered by schools - educational value, community/team building, popularity among students, availability outside schools, or something else? What should the role of sports in high school be?
2. Who should decide what extracurricular activities are offered by schools - local governments, education experts, students, parents, or community members? Is it morally problematic if a certain extracurricular activity attracts or is associated with a certain group of students (based on class, race, gender, etc)?
3. How should the board members' actions be influenced by the disagreement expressed at the meeting?
4. What should the board members do to fix the budget shortfalls? If they should cut programs, which ones?

9. Who Pays for Climate Change?

Some scientists speculate that a global temperature increase of four degrees Celsius could destroy 85% of the Amazon rainforest. ¹ The Amazon, located primarily in Brazil, is the source of many of the world's most important medicines, and other products that are derived from flora and fauna are found nowhere else in the world.

A similar temperature increase, resulting in the further melting of polar ice, would directly contribute to rising sea levels. A rise of a few feet would have devastating

effects on countries like the Maldives, whose highest point is a mere 2.4 meters above the hungry sea. 2

Those countries and ecosystems that will experience the most devastating changes caused by rising temperatures and rising sea levels are not the ones primarily responsible for these global climate changes. The most polluting countries – China, the United States, India, and Russia – directly and disproportionately affect climate change. But these countries will not suffer the most from its effects. In other words, although the world's most polluting countries catalyze climate change, those who produce the least amount of CO₂ bear its consequences most.

Peter Singer, a world-renowned ethicist, proposed a cap-and-trade system to cope with the discrepancy between polluters and those who bear the burden of pollution's ill effects. According to his model, each nation has the right to produce carbon dioxide, but only up to a certain amount. Countries that pollute below this limit may sell carbon dioxide emission rights to countries that produce more CO₂ than their allocation.

1 <http://www.guardian.co.uk/environment/2009/mar/11/amazon-global-warming-...>

2 <http://www.environmentalgraffiti.com/conservation/news-how-global-warmin...>

Study Questions for Who Pays for Climate Change?

1. What responsibilities do the more developed and “most polluting countries” have to the rest of the world? To those countries affected most by climate change?
2. Is the cap-and-trade scheme a way that the “most polluting countries” can fairly discharge those responsibilities?

10. Unmanned Drone Attacks

The Obama Administration's use of unmanned drones for targeted killing overseas is well-documented and controversial. In the fall of 2011, two U.S. drone strikes killed three American citizens in Yemen, including a 16-year-old. In February 2013, NBC News released a Department of Justice memo that purports to defend the president's unilateral power to kill U.S. citizens without judicial process. 1 According to the memo:

...where the following three conditions are met, a U.S. operation using lethal force in a foreign country against a U.S. Citizen who is a senior operational leader of al-Qa'ida or an associated force would be lawful: (1) an informed high-level official of the US Government has determined that the targeted individual poses an imminent threat of violent attack against the United States; (2) capture is infeasible; and (3) the operation would be conducted in a manner consistent with applicable law of war principles.

The memo argues that when a high-level government official decides that a citizen poses such a threat, the U.S. may legally kill that citizen without any trial or public scrutiny. Some have commented that the memo seems to contradict the Fifth and Sixth Amendments, which established the right to due process and public trial by jury, respectively. This worry is compounded, according to opponents of the memo, given that there is some evidence that the main target of the first Yemen strike wasn't "an imminent threat of violent attack" – at least as these terms are ordinarily understood. 2

Others worry that the language of the memo is so vague that it would allow the president to kill pretty much whomever he or she pleases. Professor Kevin Jon Heller, for instance, argues that the permission for the government to kill "a senior operational leader of al-Qa'ida or an associated force" (emphasis added) is already wide enough as to conflict with international law. 3

Furthermore, the memo explains that an "imminent" threat "doesn't require the United States to have clear evidence that a specific attack on U.S. persons and interests will take place in the immediate future." Based on previous rulings, the memo argues that the national right to self-defense would extend to killing a person who poses such an "imminent threat" wherever that person happened to be. Thus, the memo seems to allow for the targeted killing of Americans even on American soil without judicial review.

Proponents of the policy say that there are U.S. citizens who pose a legitimate threat to our national security. Capture may very well be infeasible, and some situations may be so dire that killing for the sake of national security could be justified. Some argue that the president should have the power to kill without breaking the law even if the memo itself isn't a very well-written defense of that power. Attorney General Eric Holder, for example, argued that "'due process' and 'judicial process' are not one and the same, particularly when it comes to national security. The Constitution guarantees due process, not judicial process."⁴ Holder's defense is that the due process required by the Constitution would be satisfied when an informed high-level official of the US.

Government has determined that the targeted individual poses an imminent threat of violent attack against the United States.

1. http://msnbcmedia.msn.com/i/msnbc/sections/news/020413_DOJ_White_Paper.pdf
2. <http://www.nytimes.com/2010/11/20/opinion/20johnsen.html>
3. <http://opiniojuris.org/2013/02/05/the-doj-white-papers-fatal-internation...>
4. <http://www.theatlanticwire.com/national/2012/03/holder-due-process-doesn...>

Study Questions for Unmanned Drone Attacks

1. Is the use of unmanned drones ethically different from the use of other weapons? If yes, which ones and how so?
2. Is it ever okay for the U.S. government to kill a U.S. citizen without a trial or other judicial review?

2015 Case Studies

1. One Time Slip-Up?

Marcie is a pediatrician who lives and works in the same community. Over the years, her family has become well-entrenched in community activities. Marcie's husband coaches one of the community soccer teams and Marcie serves on several school committees. Her children are friends, classmates, or teammates with some of her patients.

Marcie enjoys this familiarity and likes the feeling of knowing her patients as "people," aware of their interests, goals, and activities, outside of the medical setting. She feels it makes her a better doctor. Nevertheless, she is careful about keeping her personal and professional relationships separated, understanding the complications that can occur when treating close friends.

Last night, Marcie's daughter, Shannon, came to her with a problem. Shannon is friends with Julie, one of Marcie's diabetic patients. They are in the same 7th grade classroom. Shannon is concerned because she just saw an Instagram photo of Julie having a big slice of cheesecake at a restaurant. In the comments, Julie wrote that she "hardly ever" follows her diabetic diet. Shannon wants to know what she should do. Marcie replies that Shannon should encourage her friend to follow her diet, telling her that diabetics who don't monitor what they eat can end up in a coma in the hospital.

After Shannon leaves, Marcie looks up Julie's chart. It shows that she was in the office just a few weeks ago. Her blood tests were a bit abnormal then, but Julie had said it was just a "one-time slip-up" and that she usually followed her diet. Looking back further, test results suggest that Julie has been mostly adherent to her diet.

What should Marcie do now? Was Julie telling the truth about her (lack of) diet adherence on Instagram and were the abnormal lab values part of that change? Or was she just kidding around, and is she really following her diet? Marcie feels she can't ignore this information and has to find the truth soon. Julie's next appointment with her isn't for several months – which would be fine if she's really following her diet. But if she isn't, she could develop some serious complications by then. Marcie looks for another reason to justify getting Julie into the office in the next week or so, but she doesn't find any.

Study questions:

1. How could Marcie find out the truth from Julie, her patient, without revealing that her daughter, Shannon, is the source of the information? Is this what she should try to do?
2. Alternatively, should she ask Shannon to spy on Julie's food choices? What would be the moral issues involved here?
3. Do doctors simply have responsibilities to recommend healthy courses of action to their patients, or do they have responsibilities to make sure that patients are following their recommendations? Would things be different if Shannon discovered evidence that Julie had been neglecting to take her prescribed insulin injections, rather than simply following an unwise diet for a diabetic?
4. Under what circumstances, if any, should patients have the right to ignore their doctor's recommendations?

2. World Cup Controversy

Football, or "soccer" as it's called in the USA, is the world's most popular sport. Every four years, billions of people from all over the planet tune in to support their nation's team during the World Cup. Hosting the World Cup is an honor, especially for countries as crazy about football as Brazil. However, hosting the tournament comes with a number of expensive obligations, such as building new stadiums, improving transportation infrastructure, and preparing accommodation for the millions of tourists the competition brings. According to most estimates, the Brazilian government spent more than \$11 billion in preparation for the 2014 World Cup.[1]

Initially, many Brazilians were elated when Brazil was selected to host the 2014 World Cup; for some, that excitement dwindled as the tournament drew near. Protests took place in cities all over Brazil, with hundreds of thousands of citizens criticizing the government for the enormous amount of money spent in preparation for the tournament. In a nation in which an estimated 11.4 million people live in poverty in "favelas" — slums — that surround major cities, many believe that the taxpayer dollars should have been spent on education and health care rather than World Cup projects. Many Brazilians also felt that the government was catering to wealthy tourists rather than fulfilling its moral duty to provide much-needed social services to its own citizens. Those visiting for the World Cup spent huge amounts of money on vacations while ignoring the fact that millions of Brazilians live in poverty. Protesters carried signs with slogans like "The party in the stadiums is not worth tears in the favelas."

Others defend the government's spending, saying that the projects provided jobs for the unemployed and increased confidence for future international investment and tourism in Brazil. Brazilian President Rousseff called the grievances of protesters a "false dilemma," claiming that the money spent on preparations for the World Cup did not detract from spending on any social services or welfare programs. He noted that the infrastructure built would not be taken home by tourists "in their suitcases."^[2]

Furthermore, some argued that it would have been a grave injustice to deny football fans the right to attend the World Cup on account of Brazil's impoverished state. Individuals may do whatever they please with their time and money. It is also argued that the increased tourism is steering many in the favelas away from crime as new jobs are created. There is some evidence that the development the tourists stimulate is actually helping the underprivileged people of Brazil.^[3]

[1] <http://www.cnbc.com/id/101750395#>

[2] <http://www.bbc.com/news/world-latin-america-27789775>

[3] <http://www.forbes.com/sites/ricardogeromel/2013/01/31/eduardo-paes-rio-d...>

Study Questions:

1. What obligations, if any, do the wealthy have to those who are not as fortunate?
2. Was it ethical for the Brazilian government to host the World Cup, when some of the public funds it used could potentially have been spent on improving the nation's education and health care systems? If not, does this mean that only nations with top-notch social services should have the privilege of hosting large international events such as the World Cup?
3. Is it morally permissible for the affluent to spend huge sums of money on traveling and attending an event such as the World Cup, when others are living in extreme poverty?

3. The Open Purse

In Michigan, HIV-related information is confidential and cannot be released unless the patient authorizes disclosure, or a statutory exception applies. This confidentiality statute applies to all reports, records, and data pertaining to testing, care, treatment, reporting and research. It also applies to information pertaining to partner counseling and referral. A patient may authorize a disclosure of his/her medical records. This

authorization must be in writing, and must contain a specific statement if the release is to also cover HIV-related information in the records.

Michigan statutes also provide that an individual who is a “health threat to others” may be arrested and placed in custody in order to prevent transmission of HIV or any other serious communicable disease. The “health threat to others” law applies to anyone who is known to be infected with an infectious agent or is reasonably believed to harbor an infectious agent, and by the individual’s conduct, has displayed an unwillingness or an inability to conduct himself/herself in such a manner as to not place others at risk of transmission. This includes past or present behavior evidencing an intent to transmit the infectious agent, showing a disregard of whether transmission may occur, or lying about his/her condition before engaging in behavior that could transmit the infectious agent.

Denise was driving her SUV and probably didn’t realize that her brake lights were out until she was pulled over by a local police officer. Denise has been living with HIV for 11 years and has finally gotten to a better place in her life after suffering from very low self-esteem.

The police officer approached the car and asked Denise and her passenger to get out of the vehicle. When Denise opened her purse to get her driver’s license, the officer asked her what else she had in her purse (he thought that he smelled marijuana). When he saw bottles of medication in her bag he asked her “What is that?” Feeling under duress, Denise reluctantly shared with the police officer that they were her HIV medications.

The police officer immediately seemed upset and said to her, “That’s probably something you needed to tell me when you got out of the car.” The police officer then continued to comment on the situation, and on his perceived risk, referring to the possibility of getting stuck with anything sharp inside her purse. Denise had no such sharp objects inside her purse or on her body.

Study questions:

1. Given the state law on HIV confidentiality and the “health threat to others” statute, do these circumstances allow Denise to keep her HIV status private?
2. Is the officer justified in thinking that Denise is a health threat? Is there a difference between what he may justifiably believe, what he may justifiably say to her, and what he may justifiably do to her or require her to do?

3. Would the situation be different if Denise actually did have a syringe, or another sharp object, in her purse, but the officer did not know this?

4. Given the evident tension between Michigan's confidentiality statute and its "health threat to others" statute, should either of these be changed? If so, which one?

4. Taking Notice

People who experience homelessness are often lumped together as "the homeless." Lumping them does not take into account their very different situations or multiple reasons for being homeless. Some among them, however, are considered chronically homeless, especially when they live completely unsheltered or do not go to any type of emergency shelter, even in the harshest weather conditions, such as the Michigan winter of 2013.

Those termed chronically homeless often have some combination of mental or physical disabilities and substance abuse problems. They also have little or no income and dislike living in emergency shelters or similar institutions because of the rigid environment. It can also be difficult to fit the chronically homeless into the bureaucratic institutions intended to meet housing needs: most such programs require at least a modest rental payment, for which many homeless people do not have the means available. Thus, they often "live rough," either in tents or other outside areas such as doorways and the space under bridges. But this requires a location where a tent or sleeproll can be maintained, and one which is near services and jobs or other income. Sleeping in these areas can create conflicts with property law.

Camp Take Notice (CTN) was a tent community with several dozen residents set up on Michigan Department of Transportation (MDOT) land in Ann Arbor. It was organized with rules to promote safe and healthy conditions, and the group stayed at that site for a couple of years. MDOT officials finally served notice to vacate in June 2012.

After the notice to vacate its original site, CTN residents and their advocates partnered with a nonprofit group called M.I.S.S.I.O.N. This collaborative effort allowed the group to receive donations and contributions. In November 2013, the group was able to buy a house and a 3.5 acre property on Stone School Road at the south edge of Ann Arbor. They had hoped to allow tents to be pitched and to support a self-governed, drug-and-alcohol-free living community there. In addition, there has been some talk of

installing “tiny houses,” following other communities (such as Portland, Oregon) that have committed public land and some funds to their chronically homeless residents.

The tent community proposal requires approval by the Ann Arbor City Council. Local elected officials and city residents have been discussing several unresolved issues the plan presents — from zoning laws and their application to residential neighborhoods, to the requisite infrastructure (water, sewer, lights and heat) for habitable, safe and sanitary housing. Some council members have stressed that the rule of law, including a variety of city ordinances and respect for public and private property, must be enforced. The proposal also raises questions about the responsibilities of the city in ensuring a safe and adequately structured community in this context, as well as any liability the city might incur. Likewise, financial questions have been raised about the city’s role in such a project, suggesting that the city does not have a source of funds to create such a micro-community and pointing out that the targeted money is already directed at replacing aging public housing.

The fact is that shelter for all in the city remains an aspiration. The winter of 2014 is fast approaching.

Study Questions:

1. Who has responsibility for the homeless? How far do these responsibilities extend?
2. Given that the Council has limited funds, is it ethical for it to divert money that had previously been earmarked for another purpose towards CTN’s project?
3. What are the principal ethical issues concerning the site selection process for such projects? Should these be relevant to the Council’s decision?

5. Best Practices

It is estimated that 13 to 14 million adults over 18 suffer from one major depressive episode each year. This figure represents almost 7% of all adults living in the United States. Among those who suffer from a major depressive disorder, the risk of suicide is greater. As one study recently reported, of all completed suicides, one half to two-thirds are by people who have suffered from mood disorders. [1]

Lin is a 25 year old who just landed her first journalism job working for a local TV news organization in Detroit. She knows something about major depression. Her favorite

cousin Deshi suffered for years. She watched his personal battle with it. Deshi died by suicide a few years ago.

So when Lin was asked to do a follow-up story summarizing everything that was known about the death of actor and comedian Robin Williams, she was unsure what to do. She had read and seen the media coverage after the news of his death. She knew that much of it did not follow the best practices reporting guidelines for covering suicide. These guidelines had been developed by the leading worldwide institutions knowledgeable about the issue of suicide.

Among the recommendations of what to avoid are: (1) sensational headlines and stories; (2) explicit descriptions of the suicide method; (3) speculations on the reasons for the suicide, including those which made it sound as if it was caused by one event in a person's life.

Lin wrote her story following these guidelines. At the same time, she focused on the fact that suicides are a public health issue, and further emphasized that suicides almost always have complex and multiple causes. Lin believed her story could be used to educate others; in addition to outlining current local and national resources for treatment options, she included a list of warning signs of suicide along with a list of emergency lifeline numbers.

She looked forward to talking with her boss about getting possible interviews with psychiatrists and mental health experts working on major depression. She was also interested in talking with experts whose work on copycat suicides, had shown that the publication of celebrity suicide methods resulted in more suicides. [2]

When they met, however, her boss told her that her story would “bore the viewers to death”—and that no one watching local news would be interested in either the copycat suicide statistics or the public health aspects of the Robin Williams story. Before she ended the meeting, her boss said, “There are best practices. And there are real practices. The earlier you learn that what is said about local news is actually true — ‘if it bleeds, it leads’ — the more stories you will get produced.”

[1] <http://www.ncbi.nlm.nih.gov/pubmed/12813115>

<http://www.ncbi.nlm.nih.gov/pubmed/25559346>

[2] <http://www.sciencedirect.com/science/article/pii/S0165032712006015>

<http://www.ncbi.nlm.nih.gov/pubmed/24355649>

Study Questions:

1. Do journalists have a duty to ensure that the information they provide to their readership will conduce to the public good? Or do they have a duty merely to give the public whatever kind of story they want?
2. Are journalists morally permitted to lie to the public for the sake of a good story? Are they permitted to present the truth in a misleading way for the sake of an exciting story?
3. Should Lin change her story in response to her boss's comments? If so, in what ways?

6. Battle Tested

You are the platoon leader for 40 soldiers deployed to a combat zone, where you have lived and trained with your platoon for 18 months. You know them as soldiers and people. Every day you trust them with your life — as they do you. Because you are the platoon leader, they depend on your professional skill and judgment to accomplish the mission while keeping them as safe as possible. Infantry combat is inherently dangerous, and all of the soldiers in the platoon knew they would be risking life and limb when they volunteered. They trust that you and the commanders above you will not risk their lives needlessly.

You are leading a foot patrol and must cross an open field to get to a village. In that village you are to meet with the local leaders, who are supportive of your mission. Your patrol is halfway across the field when you start receiving rifle and mortar fire from the village. One of your soldiers is wounded and needs to get to the field hospital right away. The field is flat, offering no cover from either the rifle or the mortar fire. The longer you stay where you are, the more likely your soldiers will be killed or wounded. Going back will also expose your soldiers to lethal fire and likely result in further casualties.

Your training says that in this situation you should call in for artillery fire while you direct your machine guns at the source of the rifle fire, and that you should direct your soldiers to attack the enemy location to defeat the ambush. This approach is battle tested. It provides the least risk to your soldiers.

You know, however, there are civilians in the village. Among them are the local leaders that you are going to meet. You also know from experience that the “Laws of Land Warfare” are neither respected nor followed — it is likely the enemy is deliberately fighting from positions near or surrounded by civilians.

So, what should you do? The “means” you have at your disposal are:

The rifles that your soldiers carry. They are accurate. They are also unlikely to penetrate the walls of the village buildings.

The machine guns in your platoon. They are accurate and effective. They will penetrate the walls of the village buildings.

Artillery support. The high explosive shells have bursting radius of 25 meters and a direct hit will destroy a house, killing anyone in the house. Artillery is initially inaccurate. The first rounds would likely miss by up to 200 meters, becoming more accurate with each shot.

Artillery Smoke. The smoke is created by white phosphorus, which burns at a very high temperature and cannot be extinguished. Using artillery smoke to cover your withdrawal risks setting the field or the nearest buildings on fire.

7. Drunken Racism

Four college friends are hanging out one night and decide to have a few drinks. None of them has much experience with alcohol. They’re all having a good time until one member of the group, Molly, starts endorsing some stereotypes about a racial minority group. Her friends all tell her to stop, but this only fuels her rant; she goes on and on, her rhetoric becoming more hateful and violent. Finally, to everyone’s relief, Molly passes out.

The next morning, when the others confront Molly about her behavior, she says she doesn’t remember any of it. She assures them that her statements are not reflective of her true self. “You know me!” she says, “Of course, I don’t really feel that way!”

When Molly’s friends discuss her behavior amongst themselves, some differences of opinion emerge. Some of Molly’s friends are angry, arguing that Molly is fully blameworthy for her drunken behavior. They want, at the very least, a heartfelt apology and show of contrition. Others, however, are not so sure, noting that usually we are only

blameworthy for voluntary actions under our rational control. Still others wonder whether her real crime was simply having rather than expressing racist thoughts.

Study Questions:

1. To what extent is Molly blameworthy for her rant? Explain.
2. Does Molly owe the group an apology? How is the situation different if one of the friends present that night is a member of the group Molly attacked?
3. How should Molly's friends react to her claim that her drunken words do not reflect her "true self?"
4. Can we be blameworthy for bad thoughts that are unexpressed?

(Written by The 2015 [National High School Ethics Bowl Case Study Committee](#).)

8. Eating for Free

Milan is a part-time employee at a local burrito restaurant called Ponchos. She usually works at night after her classes. Milan believes she is a good employee — she shows up on time, is polite to customers, and listens to her managers. The official policy at Ponchos states that employees, not including managers, must pay for food. Managers are allowed to eat one meal for free per day.

Milan is close friends with Kai, one of the managers. Kai is lenient with the employees about Ponchos' food policy, and sometimes lets employees, including Milan, eat for free. As a result, when the restaurant closes at night, Milan often makes herself a burrito and quesadilla without paying for them. Although Milan knows this is against the rules, she believes she is not doing anything wrong because Kai gave her permission. Milan also thinks the food she takes is compensation for not getting paid well. She also knows that leftover food would not be saved, but would be thrown directly into the garbage.

Suspecting that employees have been stealing food, Ponchos installed video cameras and announced that employees caught taking food without payment will be fired immediately. Milan is caught on tape, and is fired.

When Milan confronts Kai, who had given her permission to take the food, Kai says that when they're at work, she is a manager, not Milan's friend. Kai does not feel responsible

for Milan's firing. Kai believes that Milan was aware of Ponchos' policy, and consciously made the decision to keep stealing food.

Study Questions:

1. What constitutes stealing? Is Milan stealing even when the food is going to be trashed? If Milan secretly took napkins, plastic-ware, and condiments packages instead of food, should this action be valued the same?
2. What moral obligations do managers have to subordinates who are also their friends? Are they different from the moral obligations managers have to subordinates whom they are not friends with?
3. It is the manager's responsibility to supervise the compliance of employee rules and ethical standards. When employees violate the rules due to unclear standards, how can ethical lapses between managers and employees be prevented or limited? Provide an example.
4. Do restaurants have a responsibility to its employees (managers and staff) to provide a meal? Are there benefits to providing employees with free or discounted meals?[1]

[1] <http://www.foodservicewarehouse.com/education/restaurant-management-and-...>

9. Watch and Wait

The Cancer Support Community is nonprofit support center designed to provide support for adults and kids who have cancer or care for someone with cancer. The Cancer Support Community does not provide medical care — rather, the organization provides psychological expertise and support-based services that have been shown to decrease anxiety and depression, while improving other quality-of-life factors and boosting immune system response. The organization is very clear that it does not offer medical advice, nor take a stance on the “traditional vs. alternative medicine” debate.

Chanda has just come to the Cancer Support Community as a new member. She is a 20 year-old University of Michigan student, and was recently diagnosed with stage one uterine cancer. Chanda's cancer is a very treatable cancer, and with surgery she could be totally cancer-free.

Chanda came to the Cancer Support Community to find a support group, as well as for some nutrition and exercise programs. Since her first visit, Chanda has insisted that she is opposed to medical treatment. She described that she has had some negative

experiences with needles and surgeries in the past. She is extremely fearful of being hospitalized and debilitated. Moreover, she is fearful of the long-term side effects on her body image; she is convinced that if she pursues recommended medical treatment, she will feel that she is no longer a woman and no man will ever love her. She is instead opting for a “watch-and-wait” approach, combined with alternative techniques like exercise and visualization.

Chanda’s family is very worried about her. They have been actively advocating for her to receive surgery and are coming to the Cancer Support Community for help. Not only do they want Chanda to receive the treatment so that she can be cancer-free, but they also feel that Chanda is being selfish in her choices — after all, her family members will be the ones left behind if she does not live.

Chanda’s support group is also pressuring her to reconsider, and Chanda is considering leaving the group because of this. The facilitator of her support group at the Cancer Support Community is concerned that Chanda’s anxiety and depression are guiding her choices. If Chanda leaves the support group with no follow-up she is likely to continue to make decisions based on her emotional reactions.

Study Questions:

1. Why do some support groups have an explicit policy not to give medical advice? What are the advantages of such a policy? What are the disadvantages?

2. Does Chanda have the right to refuse treatment in her situation? If it could be proved that her anxiety is causing her to want to avoid treatment, does she lose the right to refuse it? Under what circumstances do family members have the right to make a medical decision on someone else’s behalf?

3. There are lots of people who do not seek medical help for minor ailments because they do not like going to the doctor’s, because they are too busy, or because they do not want to cause a fuss. Some of them do in fact have genuine illnesses. How, if at all, is the situation of these people different from Chanda’s?

4. Would things change if Chanda’s condition were not life-threatening? If so, why?

10. A Busy Day

Frank is a state senator running for reelection. His schedule today is extremely busy. He starts the morning by speaking to the state chapter of the Environmental Protection

League (EPL), a group that lobbies state politicians for stricter pollution controls. The EPL supported Frank during his last campaign, largely because Frank's best friend, Bob, is the chairman. After Frank's speech, he catches up with Bob. Bob's daughter, Helen, has just graduated from college and is looking for work. Frank informs Bob that he has an open legislative aide position in his office, and asks Bob to send Helen's resume to his chief of staff.

Frank then goes to a luncheon held by the Dairy Farmers' Cooperative (DFC). The DFC is a trade organization that has a small presence in the state capitol — most of their lobbying efforts are focused on Congress and in Washington, DC. Tom, a constituent of Frank's, who belongs to the DFC, is very upset at the new national farm bill, which lowered the price floor of a gallon of milk to \$1.00. He tells Frank that it will be impossible for him to make a profit, and that his farm, which has been in his family for 100 years, might go out of business as a result. Frank assures Tom that he will look into the issue. Shortly after he leaves the DFC luncheon, he calls Larry, Tom's congressman, and asks him to raise the price floor to \$1.50. Larry tells Frank that he'll see what he can do.

After lunch, Frank has a meet and greet at the Minority Empowerment Network, a statewide group that researches and promotes laws on voting access issues. Harold, a senior member of MEN's board, says to Frank that he is very concerned about a new set of voter ID laws proposed by the state house. Harold says that if Frank doesn't make an effort to stop the laws in the state senate, MEN will refuse to endorse Frank, and instead support a challenger in the party primary. Frank disagrees with MEN's position on the voter ID bills, but promises Harold that he will attempt to fight the laws in the state senate when they come up for a vote, after the November election.

The final event of the day is a cocktail reception at the state Chamber of Commerce. After getting a drink, Frank speaks with Joe, the CFO of an out-of-state oil company that wants to expand its operations in Frank's district. Joe tells Frank that state environmental regulations are so restrictive that it is almost impossible to drill new oil wells. Frank feigns agreement with Joe — he is actually strongly supportive of the anti-drilling regulations — because he is tired and doesn't feel like getting into an argument. Joe is so happy that Frank seems amenable to his position that he promises to have the company donate \$50,000 to Frank's PAC, which it does the following week. Frank's PAC uses the money to run attack ads against Frank's opponent.

The remainder of the campaign goes extremely well. Frank wins the endorsement of the EPL and MEN, and coasts to reelection in November. With the help of his new aide, Helen, he orchestrates the defeat of the state house's voter ID laws. He also refuses to support a senate bill relaxing restrictions on oil drilling in the state, and his opposition is crucial to the bill's eventual defeat.

Study Questions:

1. Is it ethical for Frank to pretend to agree with Joe about the regulations? Once Frank has accepted money from Joe and used it to be re-elected, is it ethical for him to vote for the continued regulations, in line with his own preferences but against Joe's? Is it ethical for him to honor his agreement with Harold but not his one with Joe?
2. How should state senators balance the competing claims made on them by the multiple individuals and groups that it is their duty to represent?
3. Was it permissible for Frank to hire his best friend's daughter as his legislative aide?

11. Army Hairstyles

On March 31, 2014, the United States Army updated regulations to their official appearance and grooming protocol (AR 670-1). The changes establish tougher tattoo, fingernail, and hair and makeup rules, while also outlining how and when Army uniforms should be worn. Soldiers who do not abide by the policy face non-judicial punishment.

New hair regulations for women that were previously authorized are now unauthorized. For example, Chapter 3, Section 2 of the new document states: "Examples of hairstyles considered to be faddish or exaggerated and thus not authorized for wear while in uniform, or in civilian clothes on duty, include, but are not limited to: locks and twists (not including French rolls/twists or corn rows no bigger than a quarter inch); hair sculpting (eccentric directional flow, twists, texture, or spiking); buns or braids with loose hair extending at the end; multiple braids not braided in a straight line; hair styles with severe angles; and loose unsecured hair (not to include bangs) when medium and long hair are worn up." [1] Many of these unauthorized hairstyles are common among the Army's population of African American women, numbering 26,700 on active duty. [2]

After 670-1 was published, thousands of soldiers and non-soldiers signed a White House petition calling for the president to order the Army to re-adjust the appearance and grooming policies. Critics said that the policies were racially biased against African American women. The updated appearance and grooming policies were also cited as

“white-washed”, and as offering little to no options for African American women with natural hair. Additionally, female members of the Congressional Black Caucus wrote this in a letter to Defense Secretary Chuck Hagel, “Though we understand the intent of the updated regulation is to ensure uniformity in our military, it is seen as discriminatory rules targeting soldiers who are women of color with little regard to what is needed to maintain their natural hair.”[3]

In response, Army Officials have said AR 670-1 applies to all soldiers, regardless of race, and that hair grooming standards are necessary to maintain uniformity within a military population. Officials also defended the process they used to devise the new appearance and grooming policies. Hundreds of women, including African American women, were involved in the process of developing the new female hair policies.

[1] http://www.apd.army.mil/pdf/r670_1.pdf

[2] <http://www.nytimes.com/2014/04/21/us/politics/armys-ban-on-some-popular-...>

[3] <http://www.armytimes.com/article/20140423/NEWS07/304230054>

Study Questions:

1. If the Army is concerned about maintaining uniformity and professionalism, is it ethical to apply different policies for hairstyle for different gender identities? Should hairstyle policies be genderless?
2. Are the new hairstyle regulations discriminatory despite the fact they apply to all soldiers?
3. The Army requires uniformity for the safety and protection of soldiers when on the field. To what extent should the military maintain uniformity versus embrace ethnic diversity?
4. Could a regulation similar to AR 670-1 be applied in other circumstances? For example, should students, employees and/or athletes have a dress code?

12. Writing Your Own Letter of Recommendation

Micah, a high school senior, was starting her college application process. The colleges Micah was applying to required three letters of recommendation. She asked three teachers who knew her skills, academic accomplishments, and personality to write her recommendations. Micah met with each teacher to discuss her intentions for college

and supplied the teachers written, detailed information about her achievements, specific examples of her academic work, and courses taken over the years. Micah made her request in August and her applications were due in the beginning of December — giving her teachers plenty of time to write a letter of recommendation.

Two teachers gladly agreed to write a recommendation. Another teacher, Mr. Rutinel — Micah’s mentor — said he did not have time to write letters of recommendation. However, Mr. Rutinel told Micah that she could write her own letter that he would edit as needed and submit under his name. Micah felt uncomfortable about Mr. Rutinel’s proposition, but agreed to the plan.

Micah talked with a close friend, Cameron, about her situation. Cameron believed Micah should be happy because she could write whatever she wanted; “If Mr. Rutinel is too busy”, she said, “then he probably won’t really edit your letter.” Even though Micah agreed with Cameron that she had the opportunity to embellish her qualities and academic accomplishments if she wished to, she decided that honesty was the best policy, and tried to write an accurate summary of her achievements. Micah finished her letter of recommendation for Mr. Rutinel in November. Micah was proud of what she wrote about herself. Mr. Rutinel told Micah it looked good, and said that he would sign the letter, and submit it when needed.

Micah then met with another teacher, Ms. Shaw, who had also written her a recommendation. In conversation, Micah told Ms. Shaw about having to write her own letter for Mr. Rutinel. Ms. Shaw believed this situation was wrong and told Micah to take Mr. Rutinel off her list of recommendations. Micah told Ms. Shaw that she would withdraw Mr. Rutinel’s letter. However, she knew that this would leave her with only two letters of recommendation. Micah did not know what to do. There was no time to ask another teacher to write an adequate letter and she could not submit her college applications unless there were three letters of recommendation. Micah decided to keep Mr. Rutinel’s letter on file.

Study Questions:

1. In this situation, is it ethical for Micah to lie if she is not harming anyone? Would Micah’s situation be different if she did exaggerate on her letter of recommendation?
2. Does a teacher have any obligations or duties to their students outside the classroom (such as writing letters of recommendation, providing career guidance, etc.)?

Ms. Shaw felt it was wrong to ask a student to write her own recommendation letter. If Micah had told Ms. Shaw about her decision to keep Mr. Rutinel's letter, would it be fair for Ms. Shaw to re-adjust her recommendation for Micah, calling her "ethically unconscientious?"

3. Under what conditions (if any) is it ethical to write one's own letter of recommendation?

[Kathryn Moseley, MD, MPH, FAAP](#), is the author of the One Time Slip-Up case study. Dr. Moseley is a clinical bioethicist and a general pediatrician/former neonatologist with the [Child Health and Evaluation Unit](#) at the University of Michigan Health System. She holds a dual appointment as an Assistant Professor of Pediatrics and faculty member/researcher with the [U-M Center for Bioethics and Social Sciences in Medicine](#). In 2013, she was appointed to the Council on Ethical and Judicial Affairs of the American Medical Association. Dr. Moseley was an early practitioner in the relatively new field of bioethics in the 1980s, when she joined the faculty of St. Louis University Medical School and its Center for Health Care Ethics. Further, her eleven year experience as Director of Biomedical Ethics at Henry Ford Health System in Detroit influenced her extensive and wide-ranging research interests. Among these interests is her focus on the racial differences in health care decision-making; how those decisions are affected by culture and trust; and how these decisions may lead to health disparities. Most recently, Dr. Moseley received a \$2.1M grant from the National Institutes of Health to examine [culturally appropriate public health interventions to decrease the disproportionately high incidence of Sudden Infant Death Syndrome among African American infants](#). In 2011, Dr. Moseley described key aspects of her research and her work in the bioethics field in an interview with A2Ethics: [The Pediatric Bioethicist Who Builds Trust](#).

World Cup Controversy case study written by The 2015 [National High School Ethics Bowl Case Study Committee](#).

[Jimena Loveluck, MSW](#), is the author of The Open Purse case study. She is the President/CEO of the [HIV/AIDS Resource Center \(HARC\)](#) in Ypsilanti, Michigan, a position she has held since 2000. Ms. Loveluck has almost 25 years of expertise and experience in establishing vital services for people living with HIV/AIDS. Her leadership and commitment to community-based partnerships distinguishes her forward-thinking approach to the provision of health services. A recent example is [HARC's collaboration](#)

[with the Center for Sexuality and Health Disparities](#) at the University of Michigan School of Public Health, in which community-based participatory research is being put to use to address the needs of people at risk or living with HIV/AIDS. To learn about several ethical issues people at risk or living with AIDS confront--please listen to A2Ethics' podcasts with Jimena Loveluck, most recently: [The Good Work of Michigan's HIV/AIDS Center \(HARC\)](#).

Former Washtenaw County Commissioner [Vivienne Armentrout](#) is the author of the Taking Notice case study. As an elected official, Ms. Armentrout held positions on several urban planning committees and was instrumental in the issuance of the [Washtenaw County Comprehensive Plan](#). Ms. Armentrout has continued her public service as an appointed member of the [City of Ann Arbor Pedestrian Safety and Access Task Force](#). While she is not originally from Ann Arbor--she is an exceptionally knowledgeable guide for city residents through her popular blog [Local In Ann Arbor](#), a thoughtful, detailed go-to resource about city issues. An accomplished writer and book editor, Ms. Armentrout has edited another guide--*Gleason's Plants of Michigan*. A former college professor, Ms. Armentrout has a PhD in botany and plant pathology.

The Best Practices case study writer Patricia Ryan, MD, is a psychiatrist with over 30 years of experience in the field. A graduate of Fordham University and the St. Louis University Medical School, she completed her psychiatric residency training at Indiana University. She has worked in a variety of health care settings, including inpatient and hospital consultation liaison psychiatry as well as in outpatient care. For the past two decades, she has offered psychiatric services in private practice. Early in her career, Dr. Ryan served in the [National Health Service Corps](#) to provide community mental health services to underserved communities in rural areas of Missouri. Dr. Ryan's professional interests are broad and eclectic. She is currently involved in improving the effectiveness of science communication among medical practitioners, scientists and the public. She is a graduate of the 2014 Summer Institute of the [Alan Alda Center for Communicating Science at Stony Brook University](#). Dr. Ryan's other recent focus is exploring ways to integrate effective psychiatric treatments directly into primary care physician offices to help expand access to mental health services.

Battle Tested case study writer, [Don Welch, PhD](#), is the President/CEO of [Merit Network, Inc.](#) a pioneering leader in research/education network infrastructure for universities and school systems. Among the many awards Dr. Welch has earned: his recent honor at the White House as a "Champion of Change," and as 2013 recipient of

the 21st Century Achievement Award from Computerworld Foundation. Dr. Welch has held executive and leadership positions in business and the military. He was the Director of Enterprise Technology and Merchandising Applications for H-E-B, a \$12B retailer in Texas and Mexico. In addition, Dr. Welch served in the U.S. Army, attaining the rank of Colonel and earning the Legion of Merit for his service. Key assignments include: West Point, Delta Force and the 25th Infantry Division. He has earned the Army's Ranger Tab and Paratrooper Wings. Dr. Welch's longstanding interest in ethics education continues through his teaching at [Academy Leadership](#), a leadership training initiative founded by West Point and Annapolis graduates with successful careers in both the military and the private sector. A2Ethics interviewed Dr. Welch about this program and his diverse leadership experience in 2013: [The Values We Carry: Don Welch Discusses Academy Leadership](#)

Drunken Racism case study written by The 2015 [National High School Ethics Bowl Case Study Committee](#).

Eating for Free case study Written by The 2015 [National High School Ethics Bowl Case Study Committee](#).

[Barb Hiltz, MSW, and Bonnie Dockham, LMSW](#), authored the Watch and Wait case study. Ms. Hiltz is the Executive Director and Ms. Dockham, the Program Director, at [the Cancer Support Community \(CSC\) of Ann Arbor](#). Before joining the CSC, Ms. Hiltz held leadership roles in several nonprofits in program administration, education and training, including the executive directorship of a non-violence education program in St. Louis, Missouri. In addition to her position on the Board of the headquarter office of the CSC, Ms. Hiltz is a lecturer in the University of Michigan School of Social Work. Ms. Dockham is a licensed medical social worker, and has practiced in the inpatient hospital as well as the Department of Radiation Oncology at St. Joseph Mercy Health System. As founding Program Director at the CSC, her particular professional focus is in applying evidence-based practices to benefit patients and families affected by cancer. Ms. Dockham has presented at state and national oncology conferences in addition to serving as a guest lecturer at the University of Michigan Schools of Public Health and of Social Work. The CSC is a unique organization; its integrated programs are dedicated to providing the psychosocial needs of adults and children touched by cancer. Ms. Hiltz and Ms. Dockham spoke eloquently about one of the many ethical issues they contend with in their field in a 2009 A2Ethics interview: [Privacy and the Cancer Patient](#).

Ted Lawrence wrote The Busy Day case. Ted, a 2013 graduate of the University of Michigan Law School, is currently a judicial clerk at the Michigan Court of Appeals. Prior to law school, he worked as an assistant editor at [The National Interest](#), a foreign policy journal based in Washington, DC. He also served as a [research assistant to veteran Supreme Court journalist and lawyer, Joan Biskupic](#), while she wrote her biographies of Supreme Court Justices, Antonin Scalia and Sonia Sotomayor. His community involvement in Ann Arbor includes membership on the development committee for [The Dispute Resolution Center](#) as well as research and advisory roles in local political campaigns.

Army Hairstyles case study written by The 2015 [National High School Ethics Bowl Case Study Committee](#)

Writing Your Own Letter of Recommendation case study written by The 2015 [National High School Ethics Bowl Case Study Committee](#).

2016 Case Studies

Case 1: The Wink

You've been looking forward to this party. It's going to be a good time to let loose and forget the stresses of the week.

You arrive a little after eight and see your friend Mia, who is talking with some people you haven't met before. You've known Mia since middle school. You also know she never misses a party and enjoys having a good time. But then again, you enjoy a good time too.

You begin to mingle. And soon find this party has a limitless supply of alcohol and drugs. You have one beer and join in the dancing. You see that Mia has moved on; she is talking to a young man. You know he is an athlete at your school, but you can't remember which sport. Mia seems to be enjoying herself as she puts down a cup that he immediately refills.

A stranger next to you comments: "There he goes again. If he gives her the right stuff to drink, he's sure to get lucky!" You turn to see that the stranger is one of the athlete's friends. He gives you a wink and walks away.

An hour later, you notice Mia again. This time she is sitting on the couch and doesn't seem to be enjoying herself.. She looks as though she isn't feeling well or has had a little too much to drink. You watch her as the same man helps Mia up from the couch and begins guiding her up the stairs. She doesn't seem to be resisting, but then again, she doesn't seem to be standing on her own two feet. You think to yourself that either he is taking her upstairs to lie down or Mia is playing helpless to be alone with him.

You decide it isn't your business and rejoin the party. The next day, Facebook is abuzz with Mia's accusations that she was raped last night.

Study questions:

1. What kind of relationship do you have with Mia? How does this relationship bear on your ethical responsibilities to her?

2. When you are uncertain of the consequences your actions will bring about, how should they affect the conclusions you draw? For instance, if you think there is a 75% chance Mia is safe and a 25% chance she is in danger, what should you do?
3. Does the fact that alcohol may have impaired your judgment make you more or less blameworthy for your failure to look out for Mia than you would have been if you were sober?
4. You mistakenly believed that Mia was safe when she was led up the stairs. To what extent does your ignorance excuse you from blame for the consequences of your failure to act?

Author: [Amos N. Guiora](#) is currently professor of law at the S.J. Quinney College of Law at the University of Utah. He is a Research Associate/Fellow at several centers: the University of Oxford, [Oxford Institute of Ethics, Law and Armed Conflict](#); the International Institute on Counter-Terrorism, [The Interdisciplinary Center, Herzliya, Israel](#); and the [Netherlands School of Human Rights Research](#), University of Utrecht School of Law. [Amos has written several books](#) on issues related to national security, limits of interrogation, religion and terrorism, multiculturalism and human rights. He is currently writing a book on the legal issues involving bystanders. Amos hails from Ann Arbor and returns in the fall of each year to attend all University of Michigan football games at the Big House.

Case 2: The Nudge

Steve is in charge of employee wellness at his company. The flu vaccination policy at his company is an “opt-in”: employees are required to schedule their own appointment to receive a flu vaccine. Knowing that people have a tendency to stick with default options and choices, Steve changes the company flu vaccination policy to require employees to “opt-out.” Employees now receive an email from the occupational health department informing them about when and where their vaccination is scheduled. They have the option of calling to cancel or rescheduling their appointment. After implementing the new opt-out policy, Steve finds out that employee vaccination rates have gone from 30% last year to 45% this year.

Steve’s decision to change the flu vaccination policy is an example of “nudging.” Nudging is typically a reference to evidence-based insights, usually from the behavioral sciences, about how people make decisions. The nudge insight is used to design how a given choice is presented in a policy to make certain choices or behavior more likely.

Steve used the evidence for “the status quo bias” to try to make it more likely that employees would get their annual flu vaccinations.

Nudges can be used in different contexts. Examples include: changing product placements to influence purchasing decisions; making retirement savings opt-out rather than opt-in to increase them; and etching the image of a housefly onto urinals to improve sanitation by improving “the aim” of men using the restroom. Nudging has been used by a variety of organizations, including businesses and nonprofits as well as the governments of the United States, United Kingdom and Australia. Nudging can be motivated by any number of reasons: a government might use it to increase the number of organ donors, while businesses might use nudging to increase sales and profits.

Proponents argue that nudges are relatively nonintrusive, keeping a person’s ability to freely make a decision intact. Opponents, however, argue that nudges usually work because they are intrusive in some way. An example of an intrusive nudge often cited by opponents is “Toxic Release Inventories,” used to reduce polluting by companies. Such Inventories are government-mandated public records of what hazardous chemicals a company is storing or releasing into the environment. For nudging advocates, the government simply requires companies to publish Toxic Release Inventories, and as a result is relatively nonintrusive. Opponents counter that this nudge only works because the media and environmental groups use these reports to create “environmental blacklists” to put intense public pressure on a blacklisted company to reduce their pollution, making this nudge quite intrusive.

Study questions:

1. Was it ethical for Steve to change the flu vaccination policy from opt-in to opt-out? Explain why or why not.
2. Does nudging wrongfully violate individuals’ autonomy? Explain how it does or does not.
3. Under what conditions is it appropriate to use nudging? Under what conditions is it inappropriate? Does *who* is doing the nudging (e.g., government, business, or nonprofit) affect whether nudging is appropriate or not? Give justifications for your responses.
4. Does nudging have to be intentional, or does anyone who creates a decision context (e.g., Steve’s flu vaccination policy) become a “nudger” whether they mean to or not? Justify your response.

Author: [Aaron Scherer, PhD](#), earned his PhD in Psychology from the University of Iowa and is currently a postdoctoral research fellow with the [Center for Bioethics and Social Sciences in Medicine](#) at the University of Michigan. Aaron is a social psychologist who utilizes a variety of methodologies to study the antecedents and consequences of biased beliefs, focusing on beliefs related to health and politics. He has published on a variety of topics among them: [political stereotypes](#) about psychological differences between conservatives and liberals; the use of [metaphors](#) to influence vaccination intentions; and [confirmatory information seeking](#) following arbitrary decisions. Every once in a while, Aaron tries to be cool and post about politics, medicine or research on [Twitter](#).

Case 3: Transgender Health Coverage and Medicaid

Transgender people self-identify with a gender different from the one society assigns to them at birth. For example, a transgender person might self-identify as male despite having been raised female. Cisgender people, in contrast, self-identify with the same gender society assigns to them at birth. Some transgender people suffer greatly from the discontinuity between their gender identity and their physical features. The American Psychiatric Association's *Diagnostic and Statistical Manual of Mental Disorders*, Fifth Edition (2013) refers to this condition as "gender dysphoria." Treatments include surgery and hormone therapies, which may help a transgender person's outward appearance to match their internal identity.

New York State recently added coverage for transgender care under Medicare and Medicaid.¹ The coverage includes psychological counseling and hormone therapy as well as some surgical procedures. However, the limits of this coverage are uncertain; for example, it is unclear if procedures such as breast augmentation and hair removal are covered.

Proponents of this change consider it a major victory for transgender inclusion, enabling especially vulnerable members of the LGBTQ community to access services that they would otherwise be unable to afford. Moreover, proponents hope that providing treatment will help transgender people feel less distress, thereby reducing the unusually high rate of suicide attempts in this community.²

Those who oppose this change argue that these procedures, like other cosmetic procedures, are all elective, and should not be paid for with tax dollars.³ For example,

cisgender women may experience relief after undergoing breast augmentation, but this procedure is not covered by Medicaid. Moreover, including transgender care will raise the cost for Medicaid in NY by an estimated \$6,737,000.⁴ Instead of expanding coverage for these procedures, opponents argue that the state should use scarce medical resources to treat more serious medical problems and diseases.

1 <http://www.governor.ny.gov/news/governor-cuomo-announces-proposed-regula...>

2 <http://articles.latimes.com/2014/jan/28/local/la-me-ln-suicide-attempts-...>

3 <http://www.capitalnewyork.com/article/albany/2014/12/8558382/insurers-ra...>

4 https://www.health.ny.gov/regulations/recently_adopted/docs/2015-03-11_t...

Study questions:

1. Should gender dysphoria be considered a psychological problem or a physical problem? Does your answer to this question change your views on the medical treatment it requires?

2. Is there a morally relevant difference between a cisgender and a transgender woman's desires to have breast augmentation? What if both desire the procedure in order to better conform to society's (problematic) expectations surrounding women's physical appearance?

3. Which kinds of medical treatment should be paid for using tax dollars? Should only life-saving treatments be included, or should we also include treatments that merely enhance people's wellbeing?

Authors: Written by the [2015-2016 National High School Ethics Bowl Regional Case Set Committee Members](#).

Case 4: Paying A Ransom to Save Your Family

In 2014, ISIS posted a video of its adherents beheading James Foley, a captured American journalist. Although the United States attempted to rescue Foley and others, it maintains a strict policy of not paying ransoms for hostages.¹ One of the main arguments supporting this policy is that paying ransom not only incentivizes the taking of hostages, but also funds future heinous acts undertaken by the hostage-takers. An

argument against this policy is that it fails to respect the value of innocent lives taken by groups like ISIS.

Recently, it was revealed that the American government not only refuses to pay ransoms for hostages, but also legally threatens those who might try to do so, including the Foley family.² The rationale for this policy is that, if private citizens paid ransoms, then they would bring about many of the same harms as public officials, albeit to a lesser degree. However, not everybody is in favor of applying this policy to public officials and private citizens alike. For example, Diane Foley said, “I was surprised there was so little compassion.” According to Michael Foley, this policy hampered the Foley family’s efforts to save James. “It slowed my parents down quite a bit. They didn’t want to do anything that could get them in trouble. It slowed them down for months in raising money. Who knows what might have happened?” In other words, some argue, even if the U.S. government has a policy against paying ransom for hostages, this restriction should not apply to private individuals.

More recently, the government announced that it will not threaten to prosecute families who try to pay ransoms for family members who are taken hostage.³ As President Obama said, “These families have suffered enough, and they should never feel ignored or victimized by their own government.”⁴

1 <https://news.yahoo.com/officials-us-rescue-mission-syria-failed-22315793...>

2 <http://abcnews.go.com/International/government-threatened-foley-family-r...>

3 <http://www.washingtonpost.com/blogs/post-politics/wp/2015/06/23/u-s-gove...>

4 <http://www.npr.org/sections/thetwo-way/2015/06/24/417160008/u-s-clarifie...>

Study questions:

1. Is it morally justifiable for the government to refuse to pay ransoms when doing so would save the lives of hostages?

2. Assuming it has a policy against paying ransoms for hostages, is it morally justifiable for the government to enforce this policy on its own citizens when they try to pay ransoms?

3. Does the fact that ransom payments will likely contribute to further violence by hostage-takers make it morally impermissible for families to pay for the release of family members taken hostage? Why or why not?

4. If a public official or private citizen were confident that he or she could pay a ransom secretly, so that the money would secretly but not openly support violence by hostage-takers, would that change your view about the morality of paying the ransom? Justify your answer.

Authors: Written by the [2015-2016 National High School Ethics Bowl Regional Case Set Committee Members](#).

Case 5: Lolita the Lonely Whale

On August 8, 1970, a capture team outfitted with speedboats and rifles drove more than 80 Southern Resident killer whales into Penn Cove, located in Washington State's Puget Sound. Seven young orcas were separated from the group, netted, and removed from the ocean. The team's leaders — Ted Griffin and Don Goldsberry — eventually sold the orcas into the billion-dollar marine park industry. An additional four juveniles and one female adult orca died during the struggle. Griffin and Goldsberry attempted to cover up the deaths by weighing down and sinking the bodies, but they eventually washed up on shore. The public outcry regarding the incident led to a law banning the capture of marine wildlife in Puget Sound.

Lolita is the only surviving orca taken from Puget Sound. She has spent over three decades performing, seven days a week, at Miami Seaquarium. Her home is about the size of a hotel swimming pool, which prevents her from engaging in many normal activities such as hunting for food, swimming 75-100 miles per day, using sonar, and living in community with other orcas. Lolita originally had another Southern Resident killer whale named Hugo as a tank mate, but Hugo died of an aneurysm in 1980. Lolita's isolation has led many to call her "the loneliest orca on the planet." Indeed, her tank does not meet USDA Animal and Plant Health Inspection Service requirements stipulated by law. The Seaquarium has been promising to build a new tank since 1979.

A global coalition of activists, including marine biologists, has long advocated for Lolita's retirement and release back into Puget Sound, where she can rejoin her family. Killer whales have extremely strong family bonds. Offspring stay with their mothers for life. It is likely, although not guaranteed, that Lolita's family would allow her to rejoin the group. The Washington State-based Center for Whale Research has developed a plan that

would prepare Lolita to return to the wild. She would spend time in a protected, netted-off cove in Puget Sound while being taught how to hunt for food, experiencing the rhythms of the sea, and listening to the vocalizations of her family. Orcas are actually large dolphins, and many captive dolphins have been successfully released back into the wild.

Seaquarium staff say that Lolita is happy and healthy and believe that releasing her back into the ocean would be cruel. They caution that she may encounter the same fate as Keiko, the orca who starred in the movie "Free Willy." Keiko was reportedly rejected by other wild killer whales, although he was never able to reunite with his biological family. Seaquarium subsequently filed a permit to re-capture Keiko, allegedly for breeding purposes with Lolita. Keiko died of pneumonia about a year after his release.

Study questions:

1. Should Lolita be released back to the wild? Does the fact that we cannot be certain she will be accepted by her family affect your judgment about this?
2. Is it ethical for humans to capture wild animals for the purpose of making money? Is there an ethical difference between capturing wild animals and raising animals in captivity?
3. Some people claim that theme parks like Seaquarium and SeaWorld are good because they educate the public about wildlife. Do you find this argument convincing?

Author: Mary Hubl lives in Ann Arbor. She telecommutes from her home office to Omaha, Nebraska-based company [Vic Gutman & Associates](#), where [Mary is vice president, nonprofit services](#). She assists nonprofit organizations with grant writing and developing/implementing fundraising programs. Mary has a BA in French and international relations from the University of Wisconsin-Madison and an MA in international politics and economics and modern European history from George Washington University. She also enjoys yoga, reading, traveling and competing in triathlons, as well as spending time with her two teenage sons and husband. Mary is a passionate animal advocate and volunteers as a cat comforter at the [Humane Society of Huron Valley](#).

Case 6: Visiting Mr. X

Mr. X is a 75-year-old white male with lung cancer that has spread to his bones and spine. He is living in his own home and his wife of 50 years is trying to provide care for

him. Because he is expected to die within six months, he has begun to receive hospice care. The hospice team — which includes a nurse, a social worker, a chaplain, and a hospice aide — have all met him and are working to try to keep him as comfortable as possible. He is a man of few words and has very little to say to the nurse or social worker, and he has told the chaplain that he really doesn't need any spiritual help.

The hospice aide on the team is assigned to visit Mr. X three times per week to assist him with showering. When the aide first arrives, Mr. X is rude and uncooperative. After the aide leaves, the supervisor receives a call from Mr. X's wife. She requests a different aide for future home visits, as it seems to Mr. X and his wife that the aide does not understand their needs. The supervisor listens, agreeing to make a change; sometimes, personalities clash and an arrangement just isn't a good fit.

The second aide makes a visit. Again the patient is very rude, this time directing racial slurs toward the aide. This aide completes her work and goes home. She dreads the next visit, but decides not to say anything to her supervisor. Two days later, the aide finds Mr. X even more vocal. He asks her why the agency is sending such horrible people to care for him, and he continues to use racial slurs and other inappropriate language.

After this visit, the aide calls her supervisor and explains the situation from her perspective. At almost the same time, Mr. X's wife calls and again requests a different aide. The supervisor asks why they are making this request. The wife repeatedly says that the aides sent so far did not seem to understand her husband.

Both aides assigned to the home of Mr. X are African-American. The supervisor suspects, especially after hearing from the second aide, that the patient is racist. Through further investigation, the supervisor finds that Mr. X had used the same language with his first aide, but the aide was afraid that if she complained, she might lose her job.

The supervisor does not want to condone such abusive behavior toward staff, but she also does not want to change aide assignments because of race. She is also concerned that such behavior may be tolerated because of fears over job security.

Study questions:

1. What is the appropriate thing for the supervisor to do?

2. How tolerant should healthcare workers be of patients' disrespectful or offensive speech or behavior? Does the fact that a patient is elderly or dying make a difference here?

3. Suppose Mr. X is in fact racist. Would it be ethical to assign a white aide to him for this reason?

Author: Teri Turner, RN, MS, CHPN is currently Director of Clinical Services at [Arbor Hospice](#). She has been involved in the [specialty of hospice care](#) for 23 years. Teri has wide-ranging experience in international health care and a special interest in the impact of culture on health. After graduating from the [University of Michigan with an MS in Health Services Administration](#), she accepted a post in the Middle East and worked there for almost a decade. She routinely serves as a guest lecturer at the University of Michigan Schools of Social Work and Public Health; as a presenter at clinical and volunteer service conferences for the [Michigan Hospice and Palliative Care Association](#); and as an invited speaker to international hospice seminars, most recently in Yokohama, Japan. She has also been a member of Ethics Committees, including St. Joseph Mercy Hospital as well as Arbor Hospice. Along with her colleagues from Arbor Hospice, Teri has been an early supporter of A2Ethics initiatives, among them the [annual Big Ethical Question Slam](#), in which the [Arbor Hospice Ethics team](#) has appeared four times. In 2015, Arbor Hospice Ethics won the Slam, going on to represent the United States in the first (and probably only) International Big Ethical Question Slam-Off with the champion Slammers from Winnipeg, Canada.

Case 7: In Confidence

Danilo has been unhappy in his current job. He feels that advancement opportunities are very limited and, if they exist at all, will be too far in the future. Over the past year, he has thought very hard about alternatives. Three months ago, Danilo made the decision to actively look for better opportunities, though he has kept this secret from his employer. In the meantime, he has continued to perform well in his current position.

Danilo's manager, Cindy, thinks highly of Danilo and believes he has great potential to develop as a colleague and future manager. Both to recognize Danilo's potential and to enrich his skills, Cindy signs him up for an out-of-town, weeklong seminar at substantial cost to the company.

Danilo has had several interviews with a high-performing company for a position that closely fits with his career aspirations. A recent phone discussion with this company

indicated a very strong interest in hiring Danilo. While no formal offer has yet been made, based upon this conversation he is highly confident that a formal offer will be extended within the next 48 hours. However, the details of the offer are unknown.

The seminar is in two days. Travel, lodging and some meals are all part of the cost of sending Danilo to the seminar. Theoretically, another colleague could be sent in Danilo's place, and such a colleague would be available. While the cost of the seminar is non-refundable, there is still time to cancel the plane tickets and lodging arrangements. Danilo is trying to decide whether to confide in Cindy so that other arrangements can be made.

Study Questions:

1. Should Danilo tell Cindy about his other job prospects? Does the fact that he isn't sure he will be offered the new job — and that he isn't sure how Cindy would respond to the news — ethically relevant here?
2. If Danilo does tell Cindy about his new job prospects, how should Cindy respond?
3. Is it ethical for employers to treat their employees differently because they know they are looking for other jobs? Is it ethical for employees to look for other jobs without informing their current employers? How do these two questions relate to one another?

Author: Michael L. Michon is the Plymouth District President of the [Bank of Ann Arbor](#). He has worked in the banking industry for thirty-three years. He has a [BA in Philosophy from the University of Michigan](#). His MBA is from Central Michigan University. Mike enjoys hiking and golf.

Case 8: Superior Knowledge

Manifex Saltmarsh is a dealer in used books and has been for many years, affording him an expertise in his field that his customers often lack. Unlike some of his competitors, he usually tries to be fair in his dealings with people who bring him their books to sell. As a businessman, however, he is often forced to disappoint them. Most people believe that their books are more valuable than they are, and he cannot pay them the retail price and hope to make a profit for himself. Sometimes, however, customers underestimate the value of what they are selling.

One day an elderly widow appeared at Saltmarsh Rare and Unusual Books with several boxes of books. The books had belonged to her husband, who had died several years

earlier. The majority of his books had been donated to the university library or sold at a yard sale. The widow was a longtime customer and, after a cursory examination showed the books to be unremarkable, Saltmarsh accepted them in trade for a copy of *The Joy of Cooking*. He did this mostly as a way to help the widow rid herself of the last of her husband's collection rather than from any hope of material gain.

That night, however, as he readied the volumes for sale on his dollar cart, one of them caught his eye. As he priced a battered copy of *The New York Times Guide to the Bars of Moscow*, he dimly remember having read something about this title some time ago. Hours later, he finally found a reference in *Bookman's Digest* to an embarrassing misprint in the first edition that caused the touchy *Times* publisher to destroy most of the first printing. As a result, the few copies that survived were immensely valuable.

With trembling hands, Saltmarsh examined page 407, realizing that there was little chance that his copy was one of the valuable ones. But there it was: a reference to a cartoon character painted on the wall of a Russian speakeasy as "Porky the Pig" rather than "Porky Pig." The value of the book had been conservatively estimated in *Bookman's Digest* at several million dollars and would no doubt have increased greatly over time.

The widow of the philosophy professor was a wealthy woman, having collected a tidy sum in insurance and a legal settlement when her husband died. Saltmarsh, however, was practically destitute and in danger of losing his business. Selling the book would allow him to keep the bookstore open and would make him financially secure for the rest of his life.

Study Questions:

1. Is it ethical for Saltmarsh to keep all the proceeds from the sale of the book, or should he share with the widow? Does the fact that Saltmarsh needs the money more than the widow make a difference here?
2. Would it have been ethical for Saltmarsh to make the trade if he had known the value of the book at the time of the transaction? Does the fact that Saltmarsh needs the money more than the widow make a difference here?
3. Do buyers with superior knowledge have an ethical obligation to share that knowledge with sellers when doing so is not in the buyers' financial interest?

Author: Jamie Agnew is the co-owner, with his wife Robin, of the [award-winning Aunt Agatha's Mystery Bookshop](#) in Ann Arbor. Jamie and Robin are also strong supporters and contributors to the popular annual [Kerrytown Bookfest](#).

Case 9: The Modern Debtors' Prison

In colonial times, people who were unable to pay court-ordered fines went to debtors' prison. In 1833, a federal law ended the practice of jailing people who failed to pay off debts. Recently, the term "debtors' prison" has resurfaced, referring to the punishment for people, often from underprivileged backgrounds, who are arrested and jailed for failure to pay their legal fees after being convicted of a crime; who have unpaid fines and fees for traffic violations and other low-level offenses; or who fall behind on payments.¹

Civil rights activists claim that these people are being "locked up for being poor." They say that impoverished people face harsher treatment than others who commit the same crimes but can afford to pay. In addition, defendants and offenders are charged for many government services that were once free, including those that are constitutionally required.² For example, defendants can be charged for using a public defender, for room and board while imprisoned, for probation and parole supervision, and for the electronic monitoring devices they are forced to wear. Some courts charge extra fees such as penalties for missed payments, which can add up to hundreds or thousands of dollars. Although there are sometimes alternatives to paying fines, like community service or limited jail time, even these alternatives can cost up to \$500.

Alexes Harris, a sociologist at the University of Washington, says the people mostly likely to face arrest and go through the courts "tend to be people of color, African-Americans and Latinos, they tend to be high school dropouts, they tend to be people with mental illness, with substance abuse. So these are already very poor and marginalized people in our society."³ When people miss payments, they violate the terms of their probation. Penalties can include losing their driver's licenses, food stamps, housing, or the right to vote, imposing a new set of hardships. People who need to drive to their jobs, for example, risk getting stopped for driving without a license, going back to jail, and getting slammed with more fines. Those who don't risk driving without a license find it harder to get to their jobs or public assistance programs.

Some communities argue that the collected fees and fines pay for public services for disadvantaged communities. Furthermore, some argue that no one should break the law in the first place—especially those who cannot pay the fines. Others claim that all those who break the law should be treated equally, and that penalties should be imposed regardless of financial status. It would be unfair to let some criminals get away with their behavior while others are punished. The system of imposing fines and penalties can also be viewed as a deterrent, meaning that it discourages people from committing crimes in the future.

1 <https://www.aclu.org/issues/racial-justice/race-and-criminal-justice/deb...>

2 <http://www.npr.org/2014/05/19/312158516/increasing-court-fees-punish-the...>

3 <http://www.npr.org/2014/05/19/312158516/increasing-court-fees-punish-the...>

Study questions:

1. What are the circumstances, if any, under which it would be morally permissible to put people in jail for failing to pay their debts?
2. The case states that people imprisoned for failing to pay these sorts of fees tend to be undereducated minorities who are sometimes mentally ill. Do these factors influence whether it is morally acceptable to imprison people for failing to pay these sorts of fees? Explain your reasoning.
3. How should we balance considerations that justify imposing fines with concerns about the unjust treatment of poor and marginalized people?

Authors: Written by the [2015-2016 National High School Ethics Bowl Regional Case Set Committee Members](#).

Case 10: Earning Real Paper

Until last year, you were a math teacher at a Michigan public school. Because of budget cuts, you were laid off. You took a job at a “virtual school,” resulting in a fifty percent pay cut. Your new position also requires spending two hours each weeknight online in case a student needs to reach you.

You often find it difficult to connect with students, but you have formed a relationship with Luis. Luis is a friendly student who emails you often. He struggles with math, and he has shared his frustrations about how his older sister gets excellent math grades at her traditional public school. He also has divulged some of his frustrations with his home life, hinting that his father is in jail and his mother a drug abuser.

Eager to connect with students, you always reply to his emails, offering advice and friendly encouragement. You also accept his Facebook friend request. Luis gives you his number and the two of you text, mostly about math homework.

In October, you give an assessment designed to measure student progress. Luis performs very poorly. The next day is the chapter test. To your surprise, Luis scores 100%. Over the next two weeks, Luis' grades are all above 95%. Around the same time, Luis posts an odd Facebook status, saying "school is for punks" and he is "earning real paper."

Luis' grades continue to be in the "A" range. He has stopped emailing you. You believe his sister is taking his tests for him. From some Facebook posts, you suspect that he is involved in a gang and that his mother has disappeared from the home.

Study questions:

1. What is your responsibility to Luis? Do you try to contact his home? Do you contact your supervisor? Protective Services? The police?
2. Should teachers engage with their students on social media? Is it ever appropriate for a teacher to text or become Facebook friends with students?
3. What is your duty to your school? Is it up to you to prove that enrolled students are turning in their own work rather than getting other people to do the work for them?
4. How might a large pay cut affect a person's sense of professional obligation? Should this consideration be taken into account when employers are deciding whether to save money by cutting wages?

Author: [Patti Smith](#) is a former lawyer and a special education teacher. She has been a public speaker her whole adult life--in debate, in moot court, as a storyteller and has recently begun dabbling in improv. Last year, Patti's first (and hopefully not last) book was published by Arcadia Publishers, [Images of America: Downtown Ann Arbor](#). She has also finished a young adult series about three kids who live in Detroit. Patti is on the

board of [A2Geeks](#), writes for [Concentrate](#) and Mittenbrew, works with the [People's Food Co-op](#), and volunteers with [826Michigan](#). Patti lives in Ann Arbor with her husband and their cats. Recently, she finished a young adult book series about three kids who live in Detroit.

Case 11: The Gold King Mine Disaster

Legal authority and responsibility for managing environmental hazards lies with the Environmental Protection Agency. Beginning in the 1990s, the EPA sought to address the toxic leaking of water contaminated with heavy metals from the Gold King Mine near Silverton, Colorado. The contaminated water was flowing into the Animas River, putting the health of humans and wildlife at risk. The EPA suggested naming the mine a site of the EPA's Superfund program, which funds long-term projects to address environmental hazards that local communities and corporations cannot handle on their own.¹

The community around the river refused the Superfund designation because the local economy is based on outdoor recreation tourism, and they did not want to discourage visitors and mine developers. However, since toxins were continuing to leak and had already killed all the fish in a tributary of the Animas, the EPA decided to address the issue without the additional funding and authority provided by a Superfund designation.

The EPA hired a professional group specializing in mine cleanup to assess the site, including the clay dam plug holding back water contaminated with metal tailings from the mine. Given the poor condition of the dam, one of the recommendations from this assessment was to build a retention pond to capture any tailings in case the dam were to break. Because the mine was not a Superfund site, the EPA asked the State of Colorado to fund this construction. However, the funding was not approved.

As a result, on August 5, 2015, the dam burst, releasing three million gallons of contaminated water.² A dramatic orange plume laced with arsenic, cadmium and other heavy metals made its way down the Animas River into the San Juan River and eventually into Lake Powell, part of the Colorado River system. Local residents, recreation seekers, ranchers, and businesses were told to avoid touching, drinking, or using the water until weeks later, when testing showed the dangerous chemicals had dissipated. Bottled water had to be trucked in. Businesses closed temporarily or permanently. There is now concern that contaminated sediment settled at the bottom of the Animas River may cause long-term health problems for fish, other wildlife, and the

people who depend on it for drinking water. The EPA has accepted responsibility for this incident.

In addition to the clay plug in the Gold King Mine, there are several other plugged mines in the same mountain or the same water system that are considered likely to burst at some point in the future. There are 22,000 abandoned mines in Colorado and over 500,000 nationwide. Not all are immediate public health and environmental threats, but it is unclear how many and how significant the threats are.

1 <http://www.epa.gov/superfund/about.htm>

2 <http://www.usnews.com/news/us/articles/2015/08/11/officials-downstream-f...>

Study questions:

1. Was it morally permissible for community members to lobby against Superfund status, delaying efforts to stop the leakage of contaminated water from the Gold King Mine?

2. Should the EPA have gone ahead in establishing the Gold King Mine as a Superfund site twenty years ago in spite of the local community's lack of support?

3. Should the EPA require local approval for Superfund designations when the environmental and public health impact of the hazard reaches far beyond the local community (i.e. downstream)?

Author: Inger Schultz is a writer with a background in chemical and environmental engineering. She has worked in the corporate world and has served as a consultant in the field of public water supply systems. Inger has a longstanding concern for preserving access to clean water. She has also been an early advocate for environmental education. In her role as development officer, she helped raise monies for the University of Michigan [Nichols Arboretum's Reader Urban Environmental Education Center](#). Further, she co-founded the popular [Shakespeare in the Arb](#) theatre program and the [Youth Strings Ensembles at the Community Music School of Ann Arbor](#). Her interest in the arts extends to her work in fundraising for the [Arthur Miller Theatre at the U-M School for Music, Theater and Dance](#).

Case 12: Selecting for Deafness

Andre and Leslie want to have a child. They decide to use a process called preimplantation genetic diagnosis (PGD). In a 2006 story, the New York Times explained PGD as a process in which “embryos are created in a test tube and their DNA is analyzed before being transferred to a woman’s uterus. In this manner, embryos destined to have, for example, cystic fibrosis or Huntington’s disease can be excluded, and only healthy embryos implanted.”¹ Andre and Leslie, however, wish to use PGD to select for a disability: Andre and Leslie are deaf and want to have a child who will grow up immersed in Deaf culture, who understands the experience of Deafness, and who communicates using sign language.

Some of their friends strongly object to their plan but find it hard to explain exactly what is wrong with selecting for deafness. Others argue that Andre and Leslie are compromising their child’s future by trying to engineer their deafness and that knowingly and willingly bringing someone into the world under these conditions is wrong. But Andre and Leslie respond that no child is born with a perfect future, and yet very few people think that having children is wrong in general. Many children are born into families whose circumstances are challenging and in which opportunities may be limited, yet few would claim that these parents acted immorally by having children.

In fact, Andre and Leslie argue that their child would have a better life if born deaf because they would be in a better position to parent this child, and because the family would experience the world in similar ways. Andre and Leslie also explain that they are not harming anyone by creating a deaf child. After all, since they are choosing which of several frozen embryos to bring to term, a different person will come into existence depending on which choice they make. How could they be harming their deaf child when the alternative is that the embryo remains frozen and the child is never born at all?

1 http://www.nytimes.com/2006/12/05/health/05essa.html?_r=0

Study Questions:

1. Can we harm or benefit a child by bringing him or her into existence? Why or why not?
2. If parents have the power to decide which of two people will come into existence, and if they know that one of these people will have a better life than the other, do they have a moral obligation to choose the person who will have a better life? Why or why not?
3. What is the relationship between disability and wellbeing? All else equal, is it better to be born without a disability than with one? Why or why not? How do we define which traits count as disabilities?
4. In the case above, the parents are selecting an embryo with naturally occurring deafness. Compare the ethics of this situation with the ethics of a situation where parents want to make non-deaf embryo deaf.

Authors: Written by the [2015-2016 National High School Ethics Bowl Regional Case Set Committee Members](#).

2017 Case Studies

Case 1: The Deciding Vote

You are one of nine members on the board of a local health department.

It has been discovered that your county suffers from unusually high rates of infant mortality. Although the county is facing a severe budget deficit, the state has offered additional funding to address this problem. Your board is considering two excellent proposals that would improve the infant mortality rate. Proposal A targets the highest risk group of women of childbearing age (which represents about eight percent of all women who are of childbearing age in the county). Proposal B targets all women of childbearing age in the county.

Four of the board members support Proposal A because they feel that it is the responsibility of the local health department to care for the most vulnerable members of the population with tailored interventions. They also believe that focusing on the highest risk group will have the greatest impact since county data has shown that this group is disproportionately affected by infant mortality. One of the four board members has stated, "Those with the highest disease burden should have special services." The other four board members support Proposal B because they believe that it is the responsibility of the local health department to serve the needs of all county residents equally. They feel that an intervention focused on all women of childbearing age will improve the health of everyone. One of these individuals has asserted, "A rising tide floats all boats."

Those eight board members have cast their votes with four supporting Proposal A and the other four supporting Proposal B. You are due to cast the ninth vote, which will determine which proposal is selected.

Study questions:

1. Which proposal will you choose, and why?
2. What additional information would help you to make an ethically informed decision?
3. Do you think it is morally right that a decision like this one should be made by majority vote of a nine-person panel of public health officials?
4. Suppose all pregnant women in the county already receive standard prenatal care, and the benefits whose allocation you are considering are extra benefits above and

beyond the essentials. Does this additional fact change your reasoning about which way to vote? If so, how and why?

Author: [Jessie Kimbrough Marshall, MD, MPH](#) is the medical director of [Washtenaw County Public Health](#) and an [adult hospital medicine physician at the University of Michigan](#) Health System. As medical director, she provides leadership in multiple areas including the provision of medical oversight to the health department, prevention of disease and promotion of public health, and policy-setting through coordinated planning with local health systems, health care providers, residents, and other county stakeholders. As a practicing physician, she cares for patients with chronic and acute disease. Dr. Marshall has years of leadership experience with [health equity initiatives](#), cross-cultural care training in medical education and clinical care of vulnerable populations.

Dr. Marshall attended medical school and completed residency at Wayne State University. She is a trained internal medicine and pediatric physician. She received a Master's Degree in Public Health with a concentration on health policy and management from Harvard School of Public Health and completed a health policy fellowship at Massachusetts General Hospital, in Boston, MA. Dr. Marshall completed the General Internal Medicine Research fellowship program at Johns Hopkins University, in Baltimore, MD.

Case 2: A Transformational Scholarship

Emma loves serving as director of the foundation's Summer Scholar Program. Each year the program awards scholarships to talented high school women from the Midwest so they can participate in summer academic programs at selective colleges like Harvard, Brown, and Stanford. The experience often proves transformative for these students, and it is a big boost for them in the college admissions process. Emma knows this firsthand, as she grew up in a rural part of Michigan, and her own summer experience at Yale changed her path to college. Like the students the Foundation supports, Emma would not have been able to afford the program if she hadn't received a scholarship.

Each year, the Scholar Selection Committee evaluates applications along three dimensions: academic and intellectual qualities, leadership, and transformational potential. The Foundation typically exhausts its funds long before running out of talented

students, so applicants are ranked and the Board of Directors determines where the funding cut-off should be.

The “transformational potential” rating is often challenging to determine. The mission of the program is to provide exposure and support to students who otherwise would not have the financial means or mentoring support to consider these highly selective colleges. A family’s finances, whether or not a student has ever traveled out of the state or the Midwest, and if any family member has attended college – particularly an elite college – are all considerations.

Emma pulls up Tiffani Williams’ application. Tiffani has excellent grades, and her teachers rave about her ability to move class discussions in new directions with her creative ideas. There is no question she is active in her community, as she has held leadership positions in her church youth group, student council, and peer mentoring program. However, Emma is unsure how to rate Tiffani for transformational potential. There is no question that Tiffani, who has never been far from home, would have a transformational experience, but Tiffani’s older sister is an undergraduate student at Harvard. Neither of Tiffani’s parents has been to college, but her older sister would undoubtedly be a good source of support, and Tiffani is likely aware of schools like Harvard because of her sister. Still, Emma knows that Tiffani will not be able to attend a summer program without a scholarship.

Emma is wrestling with whether to give one of the few remaining scholarships to Tiffani or to reserve the funds for another student with less exposure to these types of colleges – even though none of the remaining applicants has academic and leadership credentials as outstanding as Tiffani’s. In one sense, Tiffani seems to deserve the funding more. On the other hand, she also seems to need it less.

Study questions:

1. What should Emma do, and why?
2. To what extent should Emma’s decision be guided by the stated mission of the organization? How should this consideration affect her choice, if at all?
3. How should “transformational potential” be measured? Should it be a measure only of the increase in exposure and support a student would receive through the scholarship, or should it also take into account how the student would likely take advantage of those additional opportunities?

Author: S. Caroline Kerr is Chief Executive Officer of the [Joyce Ivy Foundation](#), a non-profit organization that supports the academic advancement and leadership development of talented young women from the Midwest. Through its [Summer Scholars program](#), the Joyce Ivy Foundation gives scholarships to female high school students to participate in pre-college academic programs at partner colleges, such as Harvard, Yale, Brown, and Stanford. Previously, Caroline worked in undergraduate admissions, and as a college counselor and educational consultant. She grew up in Ann Arbor, and is a graduate of [Dartmouth College, where she currently serves on the Board of Trustees](#), and the Harvard Graduate School of Education.

Case 3: Intellectual Property

The scientific method is a process that uses observation to learn about the world. To answer a question of interest, a scientist forms a hypothesis--an educated guess--and then conducts experiments to test the hypothesis. Based on the data gathered, the scientist draws conclusions that may or may not support the initial hypothesis.

There is fierce competition among scientists for research funding grants, publications in high-ranked journals, and invitations to speak at conferences and scientific meetings. Research projects with compelling questions and results receive great attention from the scientific community, and this attention advances researchers' careers.

Professors conduct their research within research groups. The head of the research group, the Principal Investigator (PI), hires undergraduates, graduate students, and postdoctoral fellows to work on projects relevant to the PI's field of expertise. During weekly meetings, group members share ideas, data, and information about the progress of their respective projects. Although the competitive nature of professional science often pits researchers against one another, members of research groups must collaborate, sharing their ideas and results with their colleagues. This contradiction may give rise to conflict.

In a large university, a research group in the Medical School meets once per week. Group members include Jay (the PI), Sarah (a fourth-year doctoral student), David (a first-year doctoral student), and Lisa (a postdoctoral fellow). Since Sarah joined the program four years ago, she has been working on the same project without much success. Her hypotheses have not been confirmed by the experiments she has conducted, and the lack of promising results and absence of fresh ideas have slowed her progress. David, the new student, joined the group at the beginning of the academic year with great enthusiasm and strong motivation. As the newest member in the group,

he usually spends meetings listening to progress reports from other group members, sometimes asking questions. He does not have a project yet.

During this week's meeting, Sarah again shares her frustration with negative experimental results and says that she does not have an alternative hypothesis or experiment to develop. Jay, the PI, suggests they meet later to brainstorm other projects. However, after the group meeting, David thinks of a novel way to test Sarah's hypothesis. He stays late at the lab that night planning the experiment. Following several months of work, David is able to answer the question that Sarah has been struggling to answer for four years. He meets with Jay and presents the results. Jay is excited, and the two men begin drafting a joint paper for publication.

Study questions:

1. Should Sarah be included in this project? Why or why not? If she should be included, in what capacity should she be included?
2. What counts as a person's intellectual property? If Jay and David publish the paper without including Sarah, have they violated Sarah's intellectual property rights? What further information might you need to answer this question?
3. David is a first-year graduate student, while Jay is a professor whose responsibilities include mentoring students. How do these different roles affect David's and Jay's various obligations, particularly their obligations toward Sarah?

Author: Galit Levi Dunietz, MPH, PhD, is a Research Fellow in the [Neurology Department of the University of Michigan](#). Her current research focuses on sleep health among at-risk populations across the lifespan. Dr. Dunietz obtained an MPH from the University of Michigan and a PhD in Epidemiology from Michigan State University.

Case 4: Academic Integrity

You're in your second semester at a prestigious Midwestern university with rigorous academic standards. You and three classmates have been assigned a group project that will count for 75% of your course grade. You think that's a little harsh and have made comments to your fellow teammates about how unfair you think the weight of the assignment is for a first-year course. You've already taken on an academically challenging course load, in spite of concerns stated by your academic advisor. You feel that this assignment unjustly increases an already heavy burden.

The situation is complicated by the fact that you have just been invited to join a popular and high profile campus organization — one that will fill your time with meetings and other public obligations. None of your teammates has been asked to join any campus organizations, so they can't possibly understand the pressures you are feeling. Then there's your roommate who keeps impossible hours, making it difficult to work or study in your room.

As the weeks pass, you are putting more and more time into the work of the campus organization and have been absent or underprepared for meetings with your teammates to discuss the project. Shortly before the deadline and in a panic, you volunteer to gather the parts of the project from your teammates, add your portion, edit appropriately, and turn in the entire thing on behalf of your team. There is one problem: you haven't yet written a single word of your portion.

Desperate and in a rush, you use portions of a paper you wrote last semester. This paper earned an A, so it seems like a good choice. You tweak the old paper, bury its parts within the text from your teammates' papers, and turn the project in.

Unfortunately, the professor discovers your tactic and calls the four of you before an academic integrity board. Your teammates have no clue about what's happening, and you pretend to be ignorant as well.

Study questions:

1. Were you right to feel that the weight of the assignment was unfair? If so, does this have any bearing on how you ought to handle the project?
2. What ethical obligations do you have toward your teammates? Are these obligations affected by the fact that they have fewer responsibilities outside of coursework than you do?
3. Once your actions have been revealed by the professor, are you obligated to inform your teammates of your actions prior to the academic integrity meeting?
4. If the paper you submitted is your own original work, although from a different class, is that cheating, or isn't it?

Author: [Clinical Associate Professor Emerita Pat Van Volkinburg](#), served a total of 32 years with the [University of Michigan School of Kinesiology](#). For more than 16 years, Professor Van Volkinburg also served in various administrative positions, with the last

five years as the Assistant Dean and then Associate Dean for Academic Programs. One of her duties was to chair the Academic Integrity Committee. She served in that capacity for more than 25 years for both graduate and undergraduate cases. Additionally, Professor Van Volkinburg created two new academic majors in the School and several non-academic programs within Kinesiology and across the greater campus.

In addition to teaching and advising undergraduate students, Professor Van Volkinburg was active at the state and national level on committees that wrote and addressed state and national policy related to pedagogy. Professor Van Volkinburg was selected by Kinesiology students three times for her [teaching excellence and twice at the state level for her dedication to teaching and for service.](#)

Case 5: Dubious Donations

One part of the federal Health Insurance Portability and Accountability Act (HIPAA) states that health care providers may not discuss any patient with anyone without the patient's permission, if the patient is 18 years old or older. Parents or guardians of younger patients have access to their medical records and are permitted to discuss these records with medical personnel.

Dr. John Sauk is an internationally respected gastroenterologist and professor of medicine at a major university hospital. One day Dr. Sauk gets a call from the development office of the university, asking if he can see an elderly woman that afternoon. The woman is going to meet with the university's development director that day to continue discussing a generous eight-figure donation. Despite his busy schedule, Dr. Sauk agrees to make time.

Dr. Sauk sees that the woman is in her early eighties. As well as conducting a physical exam, he spends a significant amount of time talking to her about her physical history, her diet, and her living conditions. He obtains her online medical records as well. He identifies a lower bowel irritation which can easily be treated with a well-tolerated drug and some dietary changes. Otherwise, the elderly woman seems to be in reasonably good health.

However, throughout his conversations with her, Dr. Sauk notices that the elderly woman shows significant signs of dementia. He also sees in her records that there are some comments from other physicians who have treated her in the past, suggesting that they, too, had seen signs of dementia. But there is no indication in her records that

the woman has identified anyone to act on her behalf in making medical decisions for her.

This leaves Dr. Sauk in an uncomfortable position regarding the elderly woman's discussions at the development office. He does not know whether the development director is unaware of the mental state of the patient, or is aware and is continuing discussions with her about making a donation regardless. To protect the patient (and the university), he could call the development office and warn them. But this would require violating the HIPAA privacy rules. According to these guidelines, Dr. Sauk cannot even let the patient's family know that he has seen her.

Study questions:

1. What is the point of regulations guaranteeing the privacy of an adult's medical records? Does this rationale for medical privacy apply in the present case? If it does not apply, does that mean that Dr. Sauk should make an exception?
2. If Dr. Sauk does nothing, is he putting the university at risk? What are his professional responsibilities, both as a doctor and as an employee of the university?
3. Under what conditions, if any, do we lose the right to choose what to do with our own money?

Author: David Herzig is a private consultant to the biotechnology and pharmaceutical industries. Dr. Herzig is the former Vice President of Drug and Scientific Development at [Parke-Davis](#). He has been a champion of the local arts community and has served on several arts organization Boards, including the [University Musical Society](#) and the [Ann Arbor Symphony](#).

Case 6: Scrubs

Many nurses and young doctors in training wear their scrubs to and from work. Some do this because it saves time, while others think it looks cool; the practice has been popularized by television programs like "Scrubs" and "Grey's Anatomy." Physicians sometimes wear scrubs for television appearances to lend an air of authenticity to the advice they give to viewers and to studio audiences.

Despite the popularity of the practice, most hospitals prohibit their employees from wearing their scrubs outside of work, except in extraordinary circumstances. Cleanliness is extremely important in medical environments, and scrubs that have

recently been worn outside may put patients at risk. This wouldn't be a problem if medical professionals reliably changed into clean scrubs before work, but evidence suggests that they don't always do this.

Suppose you see a physician or nurse in scrubs eating at a McDonald's outside the hospital. How do you respond? On the one hand, it seems inappropriate to accost them on the spot — you don't know what their circumstances are and therefore don't know for sure whether they are behaving irresponsibly. On the other hand, if they are behaving irresponsibly, shouldn't someone do something? How would you feel if you saw them the next day, coming out of surgery in the same scrubs they wore to McDonald's, to tell you how your friend's surgery went?

Study questions:

1. How should society respond to small misbehaviors that erode the public's trust in institutions like hospitals, police departments, or the government?
2. Your knowledge of the circumstances of the physician or nurse eating at McDonald's is very limited. What bearing does this have on what you ought to do in this situation?
3. Do we ever have a responsibility to get involved in situations where we suspect — but don't know — that wrongdoing is occurring? If so, under what circumstances do we have such a responsibility, and under what circumstances do we not?

Author: [David A. Bloom](#) is currently chair of the [Department of Urology at the University of Michigan](#) Medical School. Dr. Bloom joined the University of Michigan faculty in 1984. He received the Jack Lapidus endowed professorship in urology in 2002 and served as associate dean for faculty affairs of the medical school from 2000-2007. Dr. Bloom has published more than 160 papers and 68 book chapters, and has served on the editorial boards of several urology journals, including the *Journal of Pediatric Urology* and the *British Journal of Urology*. He has held offices in 26 professional societies, among them as president of the American Association of Genitourinary Surgeons.

Before coming to Michigan, Dr. Bloom was a staff urologist at the Walter Reed Army Medical Center in Washington, DC. In 1983, at the time of his discharge from the U.S. Army and upon leaving Walter Reed, he had been promoted to Lt. Colonel and had been appointed chief of pediatric urology. He earned his medical degree from the State University of New York at Buffalo; served dual residencies in surgery and urology at

UCLA; and completed a fellowship in pediatric urology at the Institute of Urology of the University of London.

Case 7: Humane Conditions in Prisons

Anders Behring Breivik, a Norwegian far-right terrorist, killed eight people by detonating a van bomb in Oslo and then shot dead sixty-nine participants in a youth summer camp on the island of Utøya in 2011. A year later, he was sentenced to the maximum penalty in Norway, which was twenty-one years preventive detention, including at least a minimum of ten years of incarceration.

In 2016, he sued the Norwegian Correctional Service over his solitary confinement and conditions of confinement. He claimed that the restriction of access to other people, including fellow inmates, healthcare workers, chaplains, and family members, is a form of torture. While he has an electric typewriter and an X-box, he claims the cold temperature requires layers of clothing to stay warm and that guards interfere with his daily routine. He demands easier communication with the outside world, a PlayStation3 with “more suitable games,” a room with better decoration and a view, as well as “access to a sofa and a bigger gym.”

The court found in his favor that his conditions violated Article 3 of the European Convention on Human Rights. Article 3 reads, “No one shall be subjected to torture or to inhuman or degrading treatment or punishment.”

Study questions:

1. How comfortable should prison conditions be?
2. What does the word “inhumane” mean, and who gets to decide?
3. Does this issue matter according to the offense; that is, should “humane” conditions be required regardless of whether the reason for imprisonment was marijuana sale, theft, child abuse, murder, or embezzlement?
4. Should society imprison anyone? If so, why? What are the costs and benefits of incarceration?

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Case 8: Persons with Disabilities in Institutions

In many countries all over the world parents of children with disabilities are encouraged, and in some cases more or less required, to renounce guardianship of their children and send them to be housed at state-run institutions (or less frequently in private institutions). Once a child is institutionalized, it is very difficult or even impossible for the child to leave. The child's legal authority to make decisions for himself or herself is revoked. Once a person is declared legally incompetent, it is almost impossible to have legal capacity restored, even in adulthood.

These institutions are known to be places where human rights violations occur. Organizations such as Human Rights Watch, Disability Rights International, and the Mental Disability Advocacy Center have monitored such institutions and documented gross misconduct, including neglect, abuse, and violence. Women and girls with disabilities find themselves in especially vulnerable conditions, as watchdog organizations have reported numerous instances of abuse, including sexual assault. In some cases state authorities have even acknowledged these violations, and they have made efforts to improve monitoring and to prosecute perpetrators.

One solution that has been implemented in several countries is the sterilization of girls and women with disabilities. This practice is intended to avoid unwanted pregnancies from rape, but it has been decried by human rights organizations. Especially troubling is the existence of documented cases of sterilization without informed consent. In response, authorities argue that the laws and customs of the state necessitate these

extreme measures. In some countries abortion is illegal, and they don't want women to be forced to carry children conceived through rape.

One recent case in India received international attention when a young woman with intellectual disabilities, who had become pregnant as a result of rape, challenged a ruling which would have forced her to have an abortion. In court, the state argued in favor of abortion since the young woman was regarded as legally incompetent and therefore incapable of providing for the child, due not only to her intellectual disability but also to the fact that she resided in an institution. Her lawyers argued that she firmly expressed the desire to keep the baby even though it was conceived as a result of rape.

Study questions:

1. What obligations does society have to people with intellectual disabilities? What is the relationship between the obligation to protect persons from harm, and their right to personal autonomy?
2. Is a declaration of legal incompetence ever justified? If so, under what circumstances?
3. Is it ethically permissible to encourage or require sterilization or abortion as a way of protecting vulnerable women from sexual assault and unwanted pregnancy?
4. How do you think the judge should rule?

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Case 9: Informed Consent

The social media site Facebook is used by over a billion people all over the world for a variety of purposes. Facebook operates a research branch that conducts studies on its users, investigating everything from responses to different types of advertisements, to those stories people are more likely to read, to whether or not predictions can be made about someone's behavior from their posts on Facebook.

In 2014, Facebook and collaborators at Cornell University published a study in *Proceedings of the National Academy of Sciences*. This study tested whether exposure to positive and negative emotions led people to change their own posting behavior — for example, whether exposure to positive emotional content led people to post more positive pictures, statements, etc. This study was conducted by removing positive posts in the news feeds of one group of people and removing negative posts in the news feeds of another group. In total, 689,003 people's Facebook pages were manipulated as part of this experiment (Kramer et al., 2014).

This experiment was conducted without informing any of the subjects before or after it was conducted. That is, the researchers did not get *informed consent* from their subjects. Informed consent is one of several ethical principles that guide scientific research conducted on humans. Most generally, the requirement of informed consent mandates that people must be informed of potential risks of participation in a given study before they agree to participate. In some cases, not all of the details of the experiment are given to potential subjects, as full disclosure may bias the data. But even in these cases, participants are informed of potential negative outcomes before giving their consent, and often they are given the full details of the study after it is completed. Neither of these measures was taken in the Facebook study. In addition, every academic institution that conducts studies on human subjects has an Institutional Review Board (IRB) that determines what the potential harm participants could suffer and what information must be given to potential participants both before and after the study is conducted.

In their paper, the authors state, “[The study] was consistent with Facebook’s Data Use Policy, to which all users agree prior to creating an account on Facebook, constituting informed consent for this research.” They also stated that “[b]ecause this experiment was conducted by Facebook, Inc. for internal purposes, the Cornell University IRB [Institutional Review Board] determined that the project did not fall under Cornell’s Human Research Protection Program.”

The study was met with an overwhelming outcry from the scientific community, who argued that the absence of informed consent violated fundamental and well-established best practices of human research. These practices are laid out in the “Common Rule,” a set of regulations provided by the U.S. Department of Health and Human Services. The journal that published the study, *Proceedings of the National Academy of Sciences*, claimed that, as a private company, Facebook was “under no obligation to conform to the provisions of the Common Rule when it collected the data used by the authors, and the Common Rule does not preclude their use of the data. Based on the information provided by the authors, *PNAS* editors deemed it appropriate to publish the paper. It is nevertheless a matter of concern that the collection of the data by Facebook may have involved practices that were not fully consistent with the principles of obtaining informed consent and allowing participants to opt out.”

Study questions:

1. Was it ethically permissible for the Facebook and Cornell researchers to conduct this experiment in the way they did? Was it permissible for *PNAS* to publish the results?
2. Does Facebook users’ agreeing to Facebook’s terms of service mean they gave informed consent to participate in this research?
3. What does a private company like Facebook owe to its users, many of whom use Facebook to have private conversations and to share personal information?

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Case 10: Conflicting Interests

You are a county commissioner, elected to represent your local community. You’re one of nine commissioners on the county board. Most of you are in the same political party, and you have worked together for several years.

One day, Commissioner Jones asks if he can talk to you privately about something that’s on his mind. Commissioner Jones is a friend of yours. He’s very charming, is a compelling speaker, and cares about many of the same issues that are important to you. He is also married to a state legislator, who’s a powerful ally in your political party.

In fact, Jones has many strong family, social, and political connections. These connections will be important to you if you decide to seek higher political office. You'd need their support.

You agree to meet with him. At the beginning of the meeting, Jones asks for the discussion to remain confidential, and you agree. He then tells you that he's interested in applying for a high-paying job within the county. The job has been vacant for several months. The person responsible for hiring – the county administrator – is supervised by the county board of commissioners. This means that, in his current position as a commissioner, Jones is the boss of the person who'll make the hire for the job that Jones wants.

Jones really wants this job, and thinks he'd be great at it. But he doesn't want to tell anyone about his interest publicly, because he's also running for re-election this year. Currently, it's unlikely that he'll face any opposition. However, that might change if people know he's applying for this county job. He would have to resign as commissioner if he got the job.

Jones tells you that he's worried about the timing of this decision. He wants to make sure that he either gets re-elected or gets the county job. If he resigns, the county board is responsible for appointing someone to fill his seat until the election. He tells you that he's been talking to people who might be interested in replacing him on the county board. None of this is known to the public, and Jones wants to keep it that way.

You feel uncomfortable because you see that this is a clear conflict of interest for him. You also are disturbed because he's trying to manipulate the system to his advantage, out of public view. But he's your friend and political ally. If you insist that he resign, you might alienate him and hurt your own political future.

The county board meets publicly in a week. In the meantime, you need to decide what to do.

Study questions:

1. At next week's meeting, what statement, if any, should you make about this situation?
2. What is your responsibility to your constituents as an elected public official? What your responsibility to Jones as a friend? Which responsibility takes precedence?

3. What are some concrete actions that you can take to help prevent this type of situation from happening in the future? For example, some communities have “revolving door” laws that prevent elected officials from seeking employment until at least a year after they leave office.

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Case 11: Shady Plumbing

You are a project manager for an up-and-coming custom builder and renovator in Michigan. You are working on an upstairs master bath remodel that includes a huge clawfoot tub and custom tile shower installation.

While removing the old tile and subfloor to install the necessary plumbing for your project, you discover that there has been some improper plumbing done in the building’s upstairs laundry unit. The current owners have informed you that they have lived there only a short time, and they have stated that everything seems to be working fine. So the improper plumbing was presumably done either by the previous owner or by a contractor that they hired.

The work you are doing will not come into contact with this previous work. So, if you say nothing, you will not be responsible for any issues that arise as a result of these past errors. But it looks as though they could create problems in the future that would cost the building’s current owners a lot of money to fix.

You cannot contact the homeowners, as they are out of the country on holiday. This means that it would be difficult to get approval for extra work. You could stop work on the project until the homeowners return and then discuss the situation with them, but they deliberately timed the renovations and their holiday to minimize inconvenience for themselves. Moreover, you are already on an extremely tight schedule. To stop and wait or to try to correct the improper plumbing at your own expense would put you behind, and the delay would likely upset the next customer on your schedule.

Study questions:

1. What is your responsibility to these homeowners?

2. Once someone has signed a contract, do they ever still have a duty to do more than the contract specifies? If so, then what are these duties, and when do they apply?

3. Does the fact that you are the manager of this project, as opposed to a lower-level employee, make a difference to what you should do? If so, why?

Author: Bill Burroughs is a Project Manager with [William Charles Custom Homes](#) in Saline, Michigan. Prior to his career with Charles Custom Homes, Bill has worked in real estate, mortgage banking and investment. One of his crowning achievements is appearing in an episode of the [DIY Networks Man Caves, Fireman's Pub](#) in Parsippany, New Jersey.

Case 12: Pacemaker

The pacemaker has become a critical medical device extending the life of millions of cardiac patients. Implanted in the chest of the patient, it provides an electrical signal that paces the heartbeat, compensating for failures in the patient's neurological system.

Currently, pacemakers are powered by batteries. The average life of a pacemaker battery is approximately five to fifteen years. Technology permits monitoring the battery and estimating when the pacemaker has less than ninety days of battery life remaining. This permits the scheduling of an operation to replace the pacing mechanism before the patient is in crisis. The operation is fairly simple and involves relatively little risk.

Martha and Mike are Aunt Jean's niece and nephew and her only living relatives. They have a loving relationship. Aunt Jean has an estate of several million dollars, having been a successful business owner who said she wanted to live to one hundred. Her estate plan provides that all of her assets are to be split equally between Martha and Mike. Aunt Jean is now ninety-five, having had a pacemaker implanted when she was ninety. At that time, she still lived independently and managed her own affairs. In the last two years, however, her physical and mental health have declined dramatically. She can no longer manage her personal affairs, including her medications. About eighteen months ago, she moved into an assisted living facility. She is pleasant to everyone, but sometimes fails to recognize Martha. Physically, she is incontinent. She can, with effort, walk with a walker.

Aunt Jean's cardiologist has determined that her pacemaker needs to be replaced.

Some years ago, Aunt Jean signed a healthcare power of attorney designating Martha and Mike as her advocates in the event she would be unable to make decisions for

herself. As per the terms of the document, Aunt Jean's physicians have determined that she is unable to participate in determining the course of her health care.

Aunt Jean's medical team has asked Mike and Martha how to proceed. The surgery is regarded as relatively low risk and replacement should allow the new pacemaker to operate for another five or more years. Without the surgery, the pacemaker will cease operation in about seventy-five to ninety days, with the result that Aunt Jean would likely die within days. Her death would be very peaceful.

Study questions:

1. What should Martha and Mike tell Aunt Jean's medical team? Would the answer be different if she had said she never wanted to live to one hundred? What if she had never indicated a preference either way?
2. Suppose Aunt Jean had severe dementia, such that she no longer recognized Martha and Mike; could not participate in coherent conversation; and spent her days slumped over her wheelchair. How would that change the moral dimensions of the decision?
3. Suppose instead that Aunt Jean has arrived at this point without a pacemaker, but now needs one. The operation is relatively simple and is performed under local anaesthetic. Should Martha and Mike consent to the surgery?

Optional background reading:

1. <http://newoldage.blogs.nytimes.com/2014/01/29/a-decision-deferred-turnin...>
2. <http://www.nursingworld.org/MainMenuCategories/ANAMarketplace/ANAPeriodi...>
3. http://newoldage.blogs.nytimes.com/2012/06/07/a-heart-quandary/?_r=0

Author: William L. Ball is a retired automotive executive who spent most his career in public policy. In retirement, he consults on issues regarding [connected vehicle technology](#). He serves on the board of a large, non-profit provider of aging services in Michigan. He volunteers as a mediator with the [Dispute Resolution Center \(DRC\)](#) in Ann Arbor and has participated on DRC's team for the [A2Ethics Big Ethical Question Slam](#). He holds a BChemE and J.D. from the University of Minnesota and an MBA from Stanford University.

Case 13: Athlete Dissent and the National Anthem

On August 14th, 2016, Colin Kaepernick, the backup quarterback for the San Francisco 49ers, sat on the bench during the National Anthem in a show of protest. His actions weren't noticed by the general public or the media until the 49ers' third game of the pre-season on August 27th. After this game, Kaepernick was questioned for over eighteen minutes about his decision to sit.[1] Kaepernick told reporters that he would not "show pride in a flag for a country that oppresses Black people and people of color." He spoke out about police violence toward minorities and the killing of unarmed Black Americans, saying, "This isn't for publicity or anything like that. This is for people that don't have a voice."

It is customary at sporting events to play the National Anthem prior to the start of the event, and for those in attendance and participating in the game to stand to attention. But there is no law or written policy requiring anyone to oblige.

The NFL issued a statement stating that players are encouraged, but not required, to stand during the National Anthem. The San Francisco 49ers also released a statement: "In respecting such American principles as freedom of religion and freedom of expression, we recognize the right of an individual to choose to participate, or not, in our celebration of the National Anthem." By and large, head coaches in the NFL have expressed guarded acceptance of Kaepernick's protest.[2]

However, Kaepernick has been openly ridiculed by many in the media, especially on social media, for his "show of disrespect and selfishness." [3] Critics argued that he makes too much money to speak on this matter; that he is imposing his personal views on his fans; and that ultimately he is paid to play football, not to protest. ESPN commentator and NFL Hall of Fame member Mike Ditka even suggested that Kaepernick "get the hell out of the country" if he doesn't like it.[4] Kaepernick's most prominent detractors are white males.

Many members of the U.S. military have criticized Kaepernick for protesting during the National Anthem, finding it disrespectful. But others have argued that the reason they choose to fight for their country is to defend the very freedom of expression that Kaepernick is exercising. Kaepernick's supporters also argue that the relationship between the National Anthem and the U.S. military has been overemphasized, with not enough emphasis placed on civilians who also fight for human rights - including many

athletic heroes such as Jackie Robinson, Roberto Clemente, John Carlos, Tommie Smith, and Muhammad Ali.

Some other athletes have started to join Kaepernick in protest. One of the first was Megan Rapinoe, an Olympic Gold Medal-winning soccer player. However, after Rapinoe first chose to kneel in solidarity with Kaepernick, the Washington Spirit (a franchise of the National Women's Soccer League) altered its pre-game ceremony, playing the National Anthem while teams were still in their locker rooms so that Rapinoe wouldn't get the chance to kneel again. [5]

In November 2015, a report commissioned by two Arizona Senators found that the Department of Defense had spent over \$53m for patriotic displays at sporting events between 2012 and 2015.[6] However, according to this report, the Department of Defense “cannot accurately account for how many contracts it has awarded or how much has been spent.”

Study questions:

1. Do athletes have the right to protest while in uniform?
2. Is sitting down during the National Anthem disrespectful? If so, why?
3. If a person has a platform they can use to reach a wide audience, does that platform provide them with a stronger obligation to advocate around certain issues than they would otherwise have?
4. Kaepernick's protest is about contemporary race relations in the USA. Would things be different if it was about something else?

[1] <https://www.youtube.com/watch?v=ka0446tibig>

[2] <http://www.chicagotribune.com/sports/football/ct-nfl-coaches-colin-kaepe...>

[3] <http://nation.foxnews.com/2016/09/11/musings-average-joe-nfl-coward-kaep...>

[4] <http://www.complex.com/sports/2016/09/mike-ditka-tells-colin-kaepernick-...>

[5] <http://edition.cnn.com/2016/09/08/sport/megan-rapinoe-washington-spirit-...>

[6] <http://www.sbnation.com/2015/11/4/9670302/nfl-paid-patriotism-troops-mca...>

Author: Robert Haddad lives in New Jersey and is a 1998 Sport Management and Communications department graduate from the School of Kinesiology at the University of Michigan, where he was also the Chair of the Alumni Society from 2012-2015. He currently works in business development for [SocialFlow](#), a social media technology company that creates publishing software for publishers and media companies (like *The New York Times*, BBC and *Wall Street Journal*) to improve and centralize distribution of their content to platforms such as Facebook and Twitter. Prior to his current career, Robert spent 16 years at [Major League Baseball Productions as a Director of Documentaries](#) and head of their field production department. He won an Emmy Award for his involvement on the Showtime series, "[The Franchise: A Season with the San Francisco Giants](#)" in 2011 and directed seven consecutive World Series Films from 2008-2014.

Case 14: Armed Police

Lately many people have been paying attention to the use of lethal force by police. Many people think that police violence is excessive, and studies show that it disproportionately affects Black people.[1] As a result, police departments across the United States have started implementing training programs to address police violence and the related issue of systemic racism. However, some people believe that training programs are not enough to address these issues. They think that in addition to training police more effectively, police departments should take away many of their guns.

On one hand, some people believe that a world in which police officers do not carry guns (or a world in which most police officers do not carry guns most of the time) would be better overall than a world in which they do. They think that when police are armed, they are more likely to use excessive violence, especially against Black people. Granted, if police did not carry guns, there might be some cases in which they were less able to prevent violence than they are now. But there would also be many cases in which they were less able to cause violence than they are now, and the hope is that the good effects of disarming police would outweigh the bad. Indeed, in countries such as Iceland, Ireland, Britain, New Zealand, and Norway, most police officers do not carry guns, and the results seem to be positive.[2]

On the other hand, many people believe that a world in which police officers carry guns is better than a world in which they do not. They think that police officers need guns to perform their duty – to protect citizens from the threat of dangerous criminals who intend to harm them. They also think that police officers need guns to protect themselves. After

all, we are asking them to do a dangerous job. How can we ask them to serve and protect and then take away their means for doing so safely? Especially since, as Police Academy trainer Richard Fairburn points out, if some police officers are not armed, then others might have to risk their lives to save them.[3] Indeed, even in places like the United Kingdom, people regularly debate whether or not to arm more officers whenever an officer dies on duty or whenever a terrorist attack takes place.[4] Gun violence and terrorism are here to stay, and police need to be armed so that they can be prepared to confront any threat that might appear.

Study questions:

1. Given that police officers already have risky jobs, is it morally permissible to make them even riskier for the sake of improving public safety overall?
2. How, if at all, would things be different if police violence did not disproportionately impact Black people?
3. How, if at all, would things be different if the general public had less access to guns as well?

[1] <http://www.nytimes.com/2016/07/08/us/study-supports-suspicion-that-polic...>

[2] <https://www.washingtonpost.com/news/worldviews/wp/2015/02/18/5-countries...>

[3] <https://www.policeone.com/police-products/firearms/articles/1716565-Why-...>

[4] http://www.huffingtonpost.com/robert-koehler/should-the-police-be-armed_b...

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