

Case Analyses, B&R Chs. 1-3

Below are 4 ethically-loaded scenarios. **For each scenario** (so, 4 times):

1. (In 200-250 words; no more than 300) **Identify 3 or 4 relevant values**, moral or otherwise. We are looking to *evaluate* the scenario - according to which standards?
 - 1.1. Identify which (at least 1) of these values could be *specifically moral values* (as opposed to legal values, economic values, values of etiquette or social custom, religious values, etc.) by explaining what sorts of *obligations and responsibilities* this value imposes on us *to be a certain kind of person, or to do a certain kind of action*.
 - 1.2. These boundaries (between morality, law, social custom, and religion) are not fixed or well-defined. Make your best case.
 - 1.3. (227)“The values at play in skipping class on a whim are the value of an education, the value of the tuition I paid to come to this university, the value of my instructor’s lessons, and the value of my time. The value of my tuition is itself only financial or economic. The return I get on my financial investment of my tuition isn’t clearly a moral issue because what I get for my investment doesn’t by itself make me a good or bad person. The value of my time is also economic in a way, because time is a scarce resource in short supply; this also deals with returns on investments, but of time not money. How I value my instructor’s lessons also doesn’t seem to be moral, but a matter of taste. Good and bad people could love or hate his lessons, and I’m not under any obligation to “feel” a certain way about his lessons. The value of an education does seem moral because willfully depriving someone of an education they would otherwise have seems to be wrong, and someone who insists on keeping someone else in a state of ignorance seems to be a bad person. What I wouldn’t do to others I shouldn’t do to myself, and by skipping class on a whim I deprive myself of an education I would otherwise have.”
2. (In 100-150 words; no more than 150) Consider whether one of these moral values - preferably the most relevant, important, or significant - is **socially-constructed and relative, or objective**.
 - 2.1. In other words, address whether this value *derives its moral force* from society - and so *holds only for members of that society* but not others - or from the world, objectively - and so *hold for everyone* regardless of society and cannot be ignored.
 - 2.2. Either view is plausible and can be defended for most values. Explain your own views.
 - 2.3. (109)“The value of an education, or the responsibility I have to help others and myself learn and the obligation not to willfully prevent others and myself from learning, seems to be an objective value. Even if I was alone in the world, it would be better for me to have knowledge than to be ignorant, so it can’t be the value that society places on an education alone that makes it valuable. Likewise, I’m not free to ignore the value of an education. Not only would I be unable to function well in the world if I was completely ignorant, but a society that values ignorance would quickly collapse.”

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3. (100-150; no more than 150) In light of this one moral value, identify possible **candidates for what the right and wrong thing to do is** in each scenario.
 - 3.1. In other words, which possible course of action *upholds* the relevant moral values, and which possible course of action *fails to uphold* these same values? Explain why this or that possible course of action is right - how does it uphold the relevant moral values - and why this or that possible course of action is wrong - how does it fail to uphold the relevant moral values?
 - 3.2. (130) "The wrong thing to do is to skip class on a whim. Skipping class on a whim fails to uphold the objective value of an education which makes me responsible for helping myself and others learn, and which obligates me not to willfully prevent others and myself from learning. If I skipped class on a whim, I would be preventing myself from learning, and depriving myself of knowledge, which goes against the value of an education. Therefore skipping class on a whim is the wrong thing to do, and so attending class must be the right thing to do. By attending class, I fulfill my responsibility to learn and do not deliberately keep myself or anyone else in a state of ignorance, and so uphold the value of an education."

Some tips for good writing (and a good grade):

- Address **all 3** aspects of the prompt.
- **Include a word count** for each scenario. Be sure it's between 400-550 words, no more than 600.
- Pay attention to **grammar, spelling, sentence structure**, etc.
- Write as though you were **speaking** - be **conversational**, not wordy and formal.
- **Do not try to sound smart** - this will only make you sound silly and upset your grader.
- Be sure that you're expressing yourself clearly - **write the paper for your peers**, not your professor.
- **Revise** your rough draft at least once before submitting it; do the same with your final version - "The first draft of anything is \$h!+" - Ernest Hemingway.
- **Assume ignorance** on the part of your audience (me).
- Avoid posing **rhetorical questions** - I don't want to have to think about whatever answer you have in mind. If you're going to raise rhetorical questions, give an answer.
- Be **concise**, but thorough. **Trim** the excess. **Organize** your thoughts.

Cases and Scenarios (Identify the scenario you're writing about by these titles):

1. The Real Price of Coffee (B&R pgs. 20-21)
2. Sex Selection (B&R pgs. 23-24)
3. Female Genital Mutilation (B&R pgs. 40-41)
4. Religious Exemption (B&R pgs. 42-43)

Case 2

The Real Price of Coffee

According to the National Coffee Association, half of all Americans drink coffee every day.⁸ Young adults average 3.2 cups of coffee per day. Most of this coffee is produced in developing nations, yet less than 10% of its annual yield goes back to the farmers.⁹ Much of the rest ends up in the pockets of the companies that process, package, and sell it, such as Kraft (Maxwell House), Proctor and Gamble (Folgers), and Nestlé (Nescafé). The low return on their investment is devastating for farmers in developing nations like Ethiopia, Kenya, Guatemala, and Nicaragua, among others, where poverty is widespread and coffee plantations are a critical source of income. In Columbia, some coffee farmers have converted their farms to opium farms, which bring them a better income.

The coffee industry's practices don't just hurt the farmers. Rather than using the traditional method of growing coffee in shade, most coffee today is grown in full sun to increase yield. This has brought on the destruction of tropical rainforests and a tremendous loss of biodiversity. According to Equator Coffee Roasters,

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⁸"National Coffee Drinking Trends," National Coffee Association, accessed August 31, 2016, <http://www.ncausa.org/Industry-Resources/Market-Research/National-Coffee-Drinking-Trends-Report>.

⁹Brian C. Howard, "Grounds for Change," *E: The Environmental Magazine* (November/December 2005): 26–37. Most of following information is taken from this article.

Case 2 (Continued)

full-sun coffee production is "the second leading cause of rainforest destruction."¹⁰ Furthermore, trees left for shade could provide additional income for coffee farmers by producing fruit, avocados, and wood; the ground underneath the coffee plants could also be used to grow vegetables and herbs.

Full-sun plantations also lack the natural fertilizers provided by plants and the natural pest control provided by rainforest animals. Thus, the coffee plants require chemical fertilizers and pesticides. These plantations are also prone to flooding and erosion, both of which could be avoided if the coffee plants were nestled between larger trees. Runoff from chemical fertilizers and pesticides pollute the surrounding rivers. The chemicals also harm farm workers, who often cannot read and so cannot follow the instructions for using the chemicals. Sometimes the workers don't even have the protective gear needed to guard them from chemical poisoning.

Birds are another casualty of the full-sun method. More than 150 bird species thrive in the rainforest of a traditional coffee plantation—over twenty times the number living on full-sun farms. Some species have declined by as much as 70%.

Many of these effects could be avoided if consumers would look for "eco-labels," which can inform them about the coffee they buy. Consumers should particularly look for the label "organic," which assures them that the coffee has been shade grown with few if any pesticides. A New York advocacy group, the Rainforest Alliance, also certifies coffee. It prohibits certain chemicals, requires that water and biodiversity be protected, and ensures that farmers plant new trees. One farmer says that following the Rainforest Alliance principles is "helping him farm in balance with nature, and greatly improve worker productivity and morale."¹¹ Consumers can also look for the fair-trade label, which guarantees farmers a certain minimum price for their coffee; a portion of the profits is also reinvested into their community.

According to the National Coffee Association, younger consumers are becoming both more aware and more concerned about the sustainability of coffee production. Yet, overall awareness of the ways it affects the world remains limited.

Sex Selection

It isn't science fiction any longer, and it's already practiced in the United States and many other countries: you can now select your child's sex. How does it work? The most common technique is preimplantation genetic diagnosis (PGD). PGD involves genetic screening of embryos (a technique originally developed to screen for genetic diseases). The embryos are created via in vitro fertilization (IVF), and only the embryos of the "desired" sex are implanted in the uterus. The remaining embryos may then be destroyed.

Clinics that currently offer sex selection advertise it as a way of "family balancing." If a family already has a child of one sex, they can deliberately choose to have a child of the opposite sex to "balance" out their family. For instance, Sharla and Shane Miller of Gillette, Wyoming, already had three boys: Anthony, Ashton, and Alec. Both grew up in families having more boys than girls. They initially looked into adopting a girl but then found a Web site that mentioned PGD. For \$18,000, the chances of getting a girl were almost 100%. They opted for the procedure, and in November 2003 Sharla was implanted with two female embryos (identical twins).¹⁴ CBS News reported that twin girls were born in July of 2004. Both were healthy.

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¹⁴Claudia Kalb *et al.*, "Science: Brave New Babies," *Newsweek*, February 2, 2004.

One worry often raised about sex selection is that its widespread use could create the opposite of balance: too many boys or too many girls, depending on existing cultural preferences. The University of Illinois at Chicago released the results of a survey in 2005 that appear to counter this worry. The survey, administered to 561 women being treated for infertility, showed that if sex selection were free, 41% of these women would take advantage of it. More important, the study showed that parents without children did not prefer one sex over the other.¹⁵

However, the study was carried out with a fairly small set of United States women (presumably all from the Chicago area), so we shouldn't generalize too much from these results. In particular, the results are not likely to carry over to women in countries where there is a strong cultural preference for one sex.

The Canadian Medical Association Journal says that we can expect 10% to 20% more adult males in the next twenty years in China and India due to the excessive use of sex selection.¹⁶ This bias is because a family must either provide an expensive dowry for their daughters or provide continued support for those who remain unmarried and stay with their families. Currently, the most prevalent method for sex selection is the already disconcerting practice of selective abortion. On the other hand, as PGD becomes more available and less expensive, it may only add to the gender imbalance in these countries and the world.

Female Genital Mutilation

The practice of female genital mutilation (FGM), sometimes called female circumcision, is still widespread in many African countries. The procedure is most commonly carried out on young women who are about to be married. Because the procedure involves removing the clitoris, it greatly reduces the amount of sexual pleasure a woman experiences during intercourse and so is thought to help ensure the woman's faithfulness to her husband. As may be imagined, the procedure can be exceedingly painful. Although it may be carried out using modern surgical techniques in a clean environment, it is also often done by a relative with knives, razor blades, or even sharp rocks. Many women suffer infection, bleeding, and other complications; some die as a result. It is estimated that between 100 million

and 140 million young women have received FGM to date; in Africa about three million girls are at potential risk for FGM each year. In January of 2008, the United Nations issued a statement in support of abandoning the procedure.¹¹

Fauziya Kassindja, a young woman from Togo, Africa, was one of the few women in her society who expected to escape the ritual, called *kakiya* in her country.¹² Fauziya's father was a businessman who, contra to cultural norms in Togo, thought that his daughters should choose for themselves the kind of life they would lead. He sent them to school, and he protected them from *kakiya*. In 1994, however, when Fauziya was just seventeen, her father died and his sister moved in with them. She soon had it arranged that Fauziya would be married to a forty-five-year-old man and undergo FGM. Because Fauziya, her sister, and her mother objected, it was quietly arranged for Fauziya to be smuggled out of Togo to neighboring Ghana. Using a false passport, she then flew to Germany and on to the United States. Upon her arrival at Newark Airport, Fauziya applied for asylum on the basis of her father's death and her desire to avoid being married against her will. At the time, she did not mention FGM because her English was limited and she was too embarrassed. She was told that a judge's decision would be required to grant her asylum and that in the meantime she would have to either return to Togo or Germany or go to prison. Fauziya chose prison. She was stripped, chained, and taken to a detention center. Later, she was transferred to a regular prison, where she was held for over seventeen months.

Eventually, Layli Miller Bashir, Fauziya's lawyer, presented her case before an immigration judge, who denied Fauziya asylum. At that point, the case was brought to the attention of the international news media, and the *New York Times* featured the story on its front page. Thirteen days later, Fauziya was released and granted asylum and now resides in the United States. Fauziya was the first woman to receive asylum for FGM in the United States, thus making it possible for other women to obtain asylum for the same reason. As a result of the international uproar over FGM, several African countries have since ruled FGM to be illegal, including Togo, Fauziya's home country. There is evidence, however, that FGM continues to be quietly practiced in these countries—and even (much less often) in the United States.

Religious Exemption and the Death of Matthew Swan¹³

If relativism is correct, then what is right is whatever a society or culture takes to be right. The terms "society" and "culture" are somewhat vague, however, since distinct social groups can include religious communities, for instance, as well as countries or cultural communities. This makes it possible for moral standards to vary not just from country to country but also from one religious group to another even within a single country.

For example, according to the teachings of *Church of Christ, Scientist*, illness is caused by sin and can only be healed by prayer. Ordinary physicians do not actually heal disease but merely relieve its symptoms. Seeking medical care is considered morally wrong because it amounts to a sinful rejection of faith in God. Instead, Christian Scientists may only consult Christian Science Practitioners—people specially approved by the Church of Christ, Scientist. The only exception is that anyone may set a broken bone, since this is not an illness. Christian Scientists are not the only group forbidding various types of medical care. In the United States, there are groups that oppose all medical care and only practice faith healing.

For some members of these groups, the consequences have been devastating. Douglas and Rita Swan had been Christian Scientists all their lives and so knew little of even basic medicine. In 1977, their only son, sixteen-month-old Matthew, developed a high fever. The Christian Science practitioners maintained that Matthew was being made sick by the negative feelings of his parents and that prayer was needed to cure him. When Matthew didn't get better, Douglas and Rita considered going to a doctor, but according to Rita Swan, they "were terrified that the doctor wouldn't be able to treat the disease. . . . and then we'd have no way to resume the Christian Science healing. Thus, if we made the wrong decision, we could find ourselves bereft of help from both medical science and God."¹⁴ After twelve days, a practitioner suggested to the Swans that Matthew had a broken bone, which allowed them to go to a doctor. They did so immediately. In the hospital, Matthew was diagnosed with meningitis, which is very serious but can be treated effectively with antibiotics if diagnosed early enough. Unfortunately, it was not early enough for Matthew, and he died in the hospital after receiving intensive care for a week. The Swans left the Christian Science church. In 1983, they founded *Children's Health Care Is a Legal Duty* (CHILD), an organization designed to protect children from "religion-based medical neglect."¹⁵

The Swans are not the only ones whose religious adherence cost them the life of their child. About 170 child deaths related to faith healing have been reported over the past twenty-five years. More recently, Neil Beagley died in 2008 of complications from a

urinary tract blockage.¹⁶ Neil died surrounded by his family and a number of members of his church. His parents were tried and convicted for criminally negligent homicide.

Parents cannot normally be prosecuted in such cases, however, because of religious exemption laws, which, in effect, hold members of certain religious communities to different laws. Such laws provide special exemptions to child-abuse and neglect laws, allowing parents to refuse medical treatment for their children on religious grounds. Over forty U.S. states have some such laws. In states without religious exemptions, these kinds of cases may be treated as manslaughter or criminal mistreatment. Even in exemption states, parents who do not practice an exempt religion *are* subject to legal prosecution for failing to seek medical attention for their seriously sick children. In effect, then, the law establishes different standards regarding a parent's responsibilities towards their child and when medical treatment is required. These standards depend on the community one belongs to.