

Ethics bowl assignment

Western Michigan University participates in a national ethics contest called the Intercollegiate Ethics Bowl, held every year in conjunction with the annual meeting of the Association for Practical and Professional Ethics.

To prepare for ethics bowl, contestants receive case studies in advance to study. They must be prepared to identify the ethical issues suggested by the cases and to present a reasoned position regarding these issues. Usually, each case gets assigned to one team member, who then takes primary responsibility for researching the case and developing the team's argument regarding the case. If the case should come up in competition, that member delivers the team's initial position. Other team members then assist with answering questions from the judges and the opposing team regarding the team's stated position on the case. Finally, the judges score both teams.

Summary of project

We will be doing an assignment based on the ethics bowl competition. You will be assigned early in the term to a team, which will work collaboratively to prepare positions on the studies found in this packet. These cases were used in previous competitions or will be used in this year's regional contest.

Each case should be assigned to a lead person, as described above. You will report back to me on how you distributed the cases. The lead person must develop an argument in behalf of the team that defends its position on the questions that appear at the end of each case. All team members should provide feedback on the cases, but the lead person will be responsible for researching his or her case, completing the online deliberation, writing an argument defending the team's position, and distributing an outline of that argument. **The work turned in for individual credit should be your own.**

The project involves four processes designed to help you develop and explain a well-grounded position on a complex ethical question: *research, deliberation, argumentation and discussion*:

- For the *research process*, the lead person will turn in *two* copies of an **annotated bibliography** that summarizes his or her research on the case. The bibliography will be individually graded; I will return one copy with comments and retain the other for my files case (see syllabus for due date and total points).
- For the *deliberation process*, the lead person will complete a **worksheet** applying Mill's utilitarian theory and Ross's duty theory to his or her case. The worksheet is for feedback only. However, failure to turn in a satisfactory version of the worksheet by the due date will result in a grade penalty for the written argument. *At the same time*, the lead person will hand in a **draft outline** of the argument he or she is developing with the help of the worksheet. The draft outline is also for feedback. However, failure to turn a satisfactory version of the draft outline by the due date will result in a grade penalty for the final outline.
- For the *argumentation process*, the lead person will hand in *two* copies of his or her **written argument** for an individual grade. I will return one copy of the essay with comments and retain the other for my files (see syllabus for due date and total points).
- Next, the lead person will hand in a **final outline** of his or her argument for an individual grade. He or she will also make copies or e-mail the outlines to all members of his/her team. The outlines will constitute each team's "playbook" for the practice competition in class. For this assignment, you need to turn in only one copy.
- Finally, for the *discussion process*, we will hold an in-class practice competition that will allow teams to deliver their polished arguments and to receive immediate feedback from a panel of "judges." The

competition is for practice and discussion purposes. However, you will receive a **participation grade**, described below.

This packet includes several resources to help you do well on this project, including: suggestions for writing an argumentative essay, checklists you can use when editing, and examples of all graded assignments. Please note, however, that the examples were chosen primarily on the basis of content and organization, as these are emphasized in grading. You should consult writing and style guides to ensure mechanical accuracy in your writing. Additional resources on electronic reserve are “A Word About Groups,” with guidance on how to deal with issues that crop up in groups, and “Public Speaking Basics,” for advice on delivering your argument orally.

Bibliography

You are expected to do some research on the facts and issues involved in your case. You may want to get more background or clarification about facts in your case, find out whether there are any missing details that would affect your position about the case, learn about a key concept at stake in your controversy, or find out what different people think about your case.

You will document this research in the form of a selective annotated bibliography consisting of **at least four sources**. By “selective,” I mean you should only list the *best* sources you find in your research – that is, the most believable sources that are relevant to answering the question posed about your case. Your sources should address the complexity of your case, including diverging points of view. In other words, you should research *both* sides of the question.

How to find sources: Electronic sources from authoritative sites, such as those belonging to newspapers, established magazines, etc., are acceptable on their face. However, you will lose points for relying on extremely biased sites or other questionable sources whose inclusion is not supported by a suitable rationale (see Acadia University’s Credible Sources Count tutorial at <http://library.acadiau.ca/tutorials/webevaluation/>). To avoid this problem, do not simply Google a topic; use the databases available at www.wmich.edu/library. **Wikipedia is not considered an authoritative source for purposes of this assignment.** Please consult with me if you have any doubts about a source you are considering. Although I don’t rule out books as sources, you probably will have more luck finding timely information in magazines, newspapers, scholarly journals and Web sites.

You might start your search in LexisNexis Academic, a database that indexes articles and transcripts from general magazines, newspapers, professional reviews, trade magazines and broadcast news programs (search in the “News” category). This database provides full-text access; full text means you can print the articles right off your computer. Choose Lexis-Nexis under “L” in “Databases A-Z” on the library’s home page. Professional reviews and trade magazines that cover the media include *Advertising Age* (indexed in ABI/INFORM Global, accessible under “A”), *American Journalism Review* and *Columbia Journalism Review* (indexed in Readers’ Guide Abstracts and available in full text in LexisNexis Academic). You may also find the following general-interest databases useful: ProQuest Research Library, Scopus, the InfoTrac databases, and Wilson Select Plus. For scholarly articles in communication, check out Communications and Mass Media Complete, and ComAbstracts. For ethics articles, search the Philosopher’s Index.

Another effective strategy is to search “Databases by Subject.” For example, if your case deals with medical issues, see the databases listed under “Health and Medicine.” When you look at an abstract for an article, the database will tell you if WMU Libraries own the item or magazine or if it is available online. However, you might want to double-check in WestCat (the library’s online catalog), which you can access on the library’s home page (www.wmich.edu/library) by clicking on “Catalog” at the top of the page. If something is not available at WMU, you can easily request an article via Interlibrary Loan; articles are usually delivered electronically within a couple of days after you request it. However, it takes longer to receive books.

If you need more help using library and online resources, I recommend WMU’s tutorials and guides at <http://www.wmich.edu/library/help/>. You can also ask a reference librarian.

What should be in your annotations:

- You should indicate in your annotation whether you’re citing an article, book, etc., and say something about the publication or web site to establish its audience, perspective and credibility. It’s not enough to give the title or say something’s a newspaper. Look into the reputation, mission and audience of the

source you're citing if it's not well-known. You will have to provide a rationale for sources whose reliability cannot be easily ascertained and acknowledge any limitations to their usefulness.

- Next, briefly summarize the position the source takes on its subject.
- Finally, include an explicit statement that indicates how this particular source will help you make a good argument about your case (e.g., this article will be good for refuting objection XYZ I anticipate from the other team regarding our main points). Be as specific as you can. "This will help me develop my argument" is not precise enough.
- Follow APA style (see the brief guides at <http://www.wmich.edu/library/help/guides/style.php#apa>).

Plagiarism alert: Just because you are providing complete citations for the sources in your bibliography does not mean that you can cut and paste sentences from those sources for your annotations without attribution. Nor can you merely paste an article's abstract into your bibliography. **Anything taken from a source word for word must be enclosed in quote marks and must include the page or paragraph number.** It must be clear which ideas and words are yours and which ones come from the source you're citing. See "How to Properly Credit Sources" on e-reserve for more guidance.

Format: The bibliography must be typed, using Times Roman font, 12-point size, and 1" margins. Each annotation should be 1-2 paragraphs long. You must provide the articles cited in the bibliography (I will return these, so you don't have to make copies), and you must turn in *two copies* of the bibliography itself.

Grading criteria: You will be penalized for excessive APA style mistakes, failing to turn in the articles/book chapters/web pages cited in the bibliography, failing to have the required number of sources, and failing to turn in two copies of the bibliography. You also may be penalized if your commentaries suffer from excessive spelling, grammatical and proofreading errors. In addition, late penalties apply as stated in the syllabus. **See syllabus for total possible points.** I will assign a grade based on the following criteria:

- **Quality and breadth of sources.** Are your sources relevant to your topic? Are they credible sources of information for your purposes? If they are not obviously credible, what rationale have you provided for including them in your bibliography? Is this rationale sufficient given their limitations? Does your bibliography demonstrate an effort to research "both sides" of your issue?
- **Accuracy and thoroughness of annotations.** Does your annotation provide a description of each source, and is this description accurate (e.g., is this a newspaper article, an activist group website, is this based on empirical research, is it one person's opinion, etc.)? Does the annotation provide enough detail about the article or book to adequately summarize the contents? Does the annotation get the details right?
- **Relevance of annotations.** Did you include a few sentences linking each source to your argument (e.g., this article will serve as evidence for *this point* or provides a statistic that can refute *this objection*)? Is the link you propose logical? Does the annotation focus on the details that are most relevant to your case?

Before your turn it in:

- ✓ Did you use your class ID rather than your name?
- ✓ Did you remember to attach the articles, book chapters and/or web pages you cited?
- ✓ Did you remember to turn in two copies?
- ✓ Did you make sure your citations conform to APA style?
- ✓ Did you acknowledge direct quotations from your sources appropriately?

Written argument

Format: Your argument should be written in essay form. It should be 4 pages long, typed, double-spaced, using 12-point New Times Roman font and 1" margins. I do not expect you to do additional research for this essay. However, if you do use statistics, quotations or other information that you did not generate and that is not common knowledge, be sure to give proper credit to your sources within the text of your essay and to provide citations in a reference list at the end of your paper (see "How to Properly Credit Sources" on e-reserve). You are required to turn in *two* copies of your final argument.

Content: This is what you need to include in your argument (see example in this packet). Use this as a template to organize your essay:

1. State the team's position on the question posed by the moderator ("Our team thinks that the decision made by Mr. Smith is ethically acceptable").
2. Briefly summarize the team's main reasons for its position. ("The main reasons for our position are that he made sure to get consent, he avoided undue harm and he tried to make amends for his mistake. We will elaborate on each of these points"). Keep in mind that an appropriate analogy to a comparable case can be one of your points.
3. State any important assumptions, what they're based on, and how they are relevant to your argument. Here is the place to state possible conditions that would cause you to change your position. ("Since it doesn't say in the case whether Mr. Smith knew in advance of the problem, we are assuming that he did not. We are basing this on. . . . If he did know about the problem in advance, we might revise our position because . . .").
4. Briefly summarize the main ethical tension points you identified. This section should reflect the conflicting considerations you had to consider when choosing your position. (In developing our position, we considered whether Mr. Smith had made a promise, whether keeping his promise would hurt other people, the degree to which the promise he made was explicit or not. We thought these were important because . . .").
5. Elaborate on the team's main points, being sure to link each point to an appropriate theory or ethical framework covered in class. *You may choose from: utilitarianism, Rossian ethics, Kantian ethics, the test of publicity, Aristotle's Golden Mean, and Noddings' care ethics.* You are not required to cover all the theories, and it is OK to use the same theory to back up different points in your argument. In this section, you should develop further the points summarized in section #2, addressing them in the same order. This is not the place to introduce *new* points. Discuss each main point, supported by theory, in a separate paragraph. ("Now we would like to explain our main points. First, Mr. Smith got permission, as it were, to go back on his promise. Getting consent is an important aspect of respecting others' autonomy. Kant says respecting autonomy is how we honor the dignity that belongs inherently to every human being").
6. Respond as effectively as possible to foreseeable objections that might be made against the team's line of reasoning. Be sure to address the legitimate moral considerations on the other side; don't just repeat your own main points. ("We realize some people might say that it is never ethical to break a promise. However, as Ross points out, sometimes duties conflict in a way that makes it necessary to violate one in order to fulfill another. We think that is the case in this situation"). If you have an alternative that you think is better than the one chosen in the case, you can offer it here as a constructive suggestion for addressing some of these objections.
7. Re-state the team's position and summarize the main points one last time. Do not introduce any new points in your conclusion. ("In conclusion, we think Mr. Smith's actions were ethical because he got permission to break

his promise, made sure he would not cause any undue harm by doing so, and tried to make it up to Jill for going back on his word”).

Grading criteria for essay: You will be penalized for failing to turn in two copies of your argument, for failing to meet the required length of 4 pages for the argument (don’t go more than half a page over or under), and for excessive APA style mistakes. In addition, late penalties apply as stated in the syllabus. **See syllabus for total possible points.**

I will use the following criteria to grade the final argument. These have been adapted from those used during the actual Ethics Bowl competition:

- **Was the argument clear and systematic?** Was your position stated and defended in a way that makes sense? Was your view coherent overall, or were there logical problems in your argument, such as contradictions or lack of sufficient grounds for something you say? Was your argument logically organized, so that others could understand clearly your line of reasoning? Did you avoid excessive mechanical errors that detract from your argument’s clarity?
- **Did the argument avoid ethically irrelevant issues?** Did you stay on track by avoiding preoccupation with issues that are either irrelevant or only marginally relevant to the ethical issues raised by the case? For example, did you go off on a legal tangent or focus on actions by other parties in the case, rather than the decision maker who is the subject of your question?
- **Did the argument clearly identify and thoroughly discuss the central moral dimensions of the case?** Did you identify and discuss the major factors that are ethically relevant in connection with the case, including relevant theories and other ethical concepts? Did you apply these theories and concepts accurately? Did you provide enough details to make your points? Did you explain all terms? Did you make clear why your points are relevant to the ethical issues in your case?
- **Did the argument demonstrate awareness and thoughtful consideration of different viewpoints?** Did you identify and carefully consider different points of view, especially those that would loom large in the reasoning of individuals who disagree with your position? It is not enough to merely acknowledge other views; you need to acknowledge the moral concerns they reflect and respond to them in a way that shows you “get” them.

I will point out mechanical errors with an “X” in the margins (one for each error). If you have numerous writing problems, you should seek assistance from the Writing Center (www.wmich.edu/casp/writingcenter). Another helpful resource is Hamilton College’s list of seven deadly sins of writing at: <http://www.hamilton.edu/writing/sins.html> (by the way, *my* pet peeve is singular/plural disagreement).

Before your turn it in:

- ✓ Did you remember to turn in two copies?
- ✓ Did you use your class ID rather than your name?
- ✓ Did you make sure to credit sources of statistics, quotations, etc., within the text of your essay according to APA style?
- ✓ Did you provide complete citations for any sources cited in a reference list at the end of your essay? Do the citations follow APA style?

Outline

Your outline should be 1-2 pages, single-spaced. Have a separate paragraph for each section of your argument, and use bullets to summarize the main ideas in each section (see example in this packet and bulleted list below). The outline should summarize each part of your argument (so that I can clearly follow your reasoning). You will receive full credit for your final outline if you turn it in on time, it is typed in the correct format, and it adequately summarizes all parts of your argument. **See syllabus for total points and due date.** To adequately summarize your argument, the outline should:

- Include every section (1-7) of your argument, in the same order as the essay.
- Organize section 5 around your main points; put each main point in a separate paragraph.
- Develop in section 5 every major point identified in section 2, in the same order.
- Back up every main point in section 5 with ethical theory.
- Summarize your response to every objection identified in section 6.

You are required to turn in *one* copy of the outline. You must also e-mail or make copies of your final outline for all your teammates.

Practice competition

A practice contest will be held in class. You are expected to be in class on all days of the competition and be actively involved in the competition (by delivering the team's position, giving ideas during conferrals, responding to judges' questions, posing questions as a judge, etc.). Each team will have a chance to play all the roles in the competition: the team giving the main response to a case, the team responding to the primary team and the judges' panel. You will need to be able to remember the main parts of your argument, as no notes are allowed during the competition.

Here are the rules of competition:

- Any of the assigned cases can be asked about during the competition
- The teams may have a clean copy of the case to consult during competition, as well as scrap paper to jot down notes -- but nothing else.
- The question about each case will be read aloud.
- The moderator indicates which case Team 1 will have to respond to and read the question to which the team must respond. Team 1 then has 2 minutes to confer. Afterward, team members have up to 7 minutes to respond to the moderator's question.
- Team 2 (the opposing team) receives 1 minute to confer, then 5 minutes to comment about Team 1's answer to the moderator's question. The commentary may include posing a question to Team 1, but should not consist only of a series of questions. Rather, Team 2's position on the case should be clearly stated, whether or not Team 2 is in agreement with Team 1.
- Team 1 receives 1 minute to confer and 5 minutes to respond to Team 2.
- The judges may consult briefly about their line of questioning. Each judge can then proceed to ask Team 1 up to one question and one brief follow-up question (the judges do not question Team 2). Different team members can respond to judges' questions, but only one at a time. Team members have 30 seconds to confer after each judge's question. The total Q&A period will last no more than 10 minutes.
- The moderator asks the judges to announce their scores. Judges may not consult about their scores. We will discuss scoring in class.

Grading criteria: For the participation grade, you will assign yourself and each of your group members a grade based on your assessment of how much and how well everyone contributed to the ethics bowl assignment over the course of the term, including the level of cooperativeness throughout the project. Your assessment may cover such things as attending meetings, providing feedback on arguments, taking turns responding to judges' questions during the practice competition, and whether someone gave you his or her outline. Your grade will be the average of the grade you assigned to yourself and the grades your group members assigned you. You will get a form to complete in class. Participation grades will be confidential. **See syllabus for total points.**

Ethics Bowl Cases

Case #1

Academic dishonesty has reached epidemic proportions on college campuses. Myriad studies find—at large and small, private and public, institutions—that as high as 76% of students report having cheated at least once on a paper or examination. As one response to this behavior, Simon Fraser University in British Columbia, Canada, is considering a notation on the transcript of a student caught cheating: “FD” to indicate that the failing grade (F) resulted from academic dishonesty (D).

The motivations for cheating are many and various: fear of failure, planning a post-baccalaureate education in a competitive field, competing obligations for one’s time, and a belief that an assignment is needlessly difficult or meaningless, to name a few. In the current technological environment, cheating has become much easier, as students download entire papers from the web, use web sources without citation, transfer photographs of exams via cell phones to friends who will take the exam later, and program phones with complex formulas or exercises that may be retrieved during an exam.

The implications of cheating extend beyond the campus. Cheating can diminish an institution’s reputation and the value of its diplomas. Robert Mittelstaedt, Dean of the W.P. Carey School of Business, notes on the school’s website, Knowledge@ W. P. Carey, widespread cheating risks the integrity of universities: “If a school becomes known as a place where you can cheat and get away with it and get a degree without working very hard, eventually that is the kind of students the school will attract.”

Gwena Lovett-Hooper and her colleagues report in *Ethics & Behavior* (2007) that students’ dishonesty does not end with their university careers. Students who cheat in college are much more likely to engage in dishonest behavior in their post-educational venues: breaking rules in the workplace, cheating on spouses, engaging in illegal actions. Cheaters are also more likely to engage in academic dishonesty in post-baccalaureate programs (medicine, law, engineering, for example), where failure to master the content of the discipline can have dire consequences for future clients.

Some educators suggest that a notation on cheaters’ transcripts will alert prospective post-graduate programs or employers of the applicants’ undesirable characteristic.

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Should universities make a notation on transcripts disclosing student cheating?

Case #2

Second Life is an online community where members interact with each other through their avatars—they can explore, chat, shop, and have sex. Cybersex is a popular activity in Second Life because members can design their avatars to cater to their particular, even peculiar, sexual desires. And generally no one minds. But in recent years, one form of online sexual role-playing—called “age play”—has drawn attention. Age play involves adult users who create child-like avatars and use them to engage in virtual sex, sometimes with other child-like avatars and sometimes with adult-like avatars. This phenomenon is quite troubling, and some countries have taken steps to criminalize the creation, distribution, and possession of these types of images. In the United States, however, these images are not illegal.

In the United States, virtual sexualized depictions of children are not illegal as long as no actual children are involved. These images, referred to as “virtual child pornography,” must be distinguished from “morphed” images or “pseudo-photographs,” which are digital manipulations of photographs of actual children. These morphed images are illegal because they include actual children as a part of the sexualized image. And even entirely virtual images are illegal if they are considered obscene. The United States Supreme Court has drawn the distinction between virtual and actual (even morphed) sexualized images of children because children are not directly harmed by the virtual images. On the other hand, some argue that the morphed images are more like the virtual images because they are not the product of sexual abuse, as other child pornography necessarily is. Either way, as technology continues to develop, it may become increasingly difficult to distinguish between images that incorporate photographs of real children and images that are entirely virtual.

Many other countries have addressed this problem by criminalizing computer-generated, sexualized images of children. This approach resolves the issue of distinguishing between virtual and actual images, focusing instead on the possibility that these images—whether virtual or real—are detrimental to children. But this approach has also been said to punish “thought crime,” which may be problematic even where the thoughts being regulated are extremely and almost universally offensive.

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Is it ethical for adult users of Second Life to use child-like avatars to engage in virtual sex?

Case #3

In the last six years, Facebook.com has gone from being a relatively exclusive website for Ivy League students to the most popular social networking site on the web. With more than 400 million users and 25 billion items of content by its own count, and a structure that allows people to choose their “friends,” the website and the company running it can have dramatic effects on many lives.

Lately, though, some users have begun to wonder whether they have misjudged the company’s dedication to user privacy. While Facebook has recently stated that it operates on a principle whereon “People have control over how their information is shared,” its recent actions can seem to be in conflict with this principle.

The key decision that first concerned privacy advocates was Facebook’s decision to change users’ default privacy settings to publishing users’ posts and photographs automatically unless they specifically opted-out. If someone wasn’t keeping up with Facebook’s announcements, previously private pictures were in many cases made visible to everyone on the Internet and so-called “status updates” were broadcast to everyone as well. This prompted a warning from privacy advocates such as the Electronic Freedom Foundation not to use Facebook’s default privacy settings until users had easier control over their own information.

Facebook is a privately held company that has not bothered to hide its interest in using its massive user base to make money from advertising and other forms of marketing. Facebook users’ decision to invest large amounts of time in social networking on the site is a result of the experience Facebook has created so far. No one is forced to use Facebook or its services, and if users strongly disagree with the company’s privacy policies they can cease to use the site, deactivate their accounts, or delete their accounts (though Facebook doesn’t make this option easy to find).

Some point out, however, that Facebook has a duty to respect the privacy of the users who began using its service before privacy became a secondary concern. Users became accustomed to the idea that their data was private unless they specifically allowed it to become public. They point out that users’ previous experience with the service amounts to an agreement that Facebook cannot break lightly. Since the option to make one’s profile public was always available without many people making use of it, one could surmise that many users did not want to make their profiles available for everyone to see.

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Are Facebook’s privacy policies ethically justified?

Case #4

During her junior season, Fantasia Goodwin started every game for the Syracuse women's basketball team. That is, she started every game except the final game of the season. Just before the final game, Goodwin told head coach Jack Warren that she was pregnant. Coach Warren responded by telling her to sit out the final game. A spokesperson for the Syracuse athletic department reports that "when the athletic department becomes aware that a student-athlete in a physical contact sport is pregnant, we pull her immediately and refer her to our medical staff." This response may be motivated in part by concerns for the student, fetus and the university's potential liability.

The American Gynecological and Obstetrics Association officially recommends that certain activities be avoided during pregnancy, including "contact sports, such as ice hockey, soccer, and basketball [which] could result in harm to both you and your baby." Aside from contact, another source of potential harm from athletic activity is the potential for fetal overheating. Fetal temperatures average 1 degree C above maternal readings, and a maternal temperature of 102.6 degrees has been identified as a possible threshold for developing teratogenic and neural tube defects during the first trimester of pregnancy. Despite these warnings, medical professionals point out that there is wide variability among women and pregnancies, suggesting that in individual cases vigorous athletic activity may be more or less dangerous.

Interestingly, Goodwin played the entire season pregnant and waited until the last game of the season to tell her coach; she delivered a healthy baby boy less than two months later. Why would Goodwin play nearly an entire season of competitive collegiate basketball knowing that she was pregnant and taking a substantial risk of miscarriage? Goodwin herself has remained largely silent on this matter, but other elite athletes have been more forthcoming. For some the reason is simple: they enjoy competing in their sport and believe that it is possible to continue playing in relative safety. For scholarship athletes there may be a financial incentive to keep pregnancy quiet and continue to compete. While Title IX of the Civil Rights Act specifically prohibits public discrimination against pregnant women, some may assume pregnant women are unable to compete in athletics and this view may lead to the termination of athletic scholarships.

The NCAA's rules provide that pregnant athletes may be medically redshirted to allow an extra 6th year of athletic eligibility. However, the medical redshirt option is used at the discretion of the school's athletic program. It is not a right provided to pregnant women. One athlete who lost her scholarship due to pregnancy reports, "this may sound stupid, but the way I look at it is God will forgive the premarital sex more than he would killing my child. But if I had an abortion, I'd still be on the team." Others wonder, "Are pregnant athletes selfish?" For many women athletes there is a tension, perceived or real, between motherhood and athletics.

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Are pregnant athletes ethically justified in keeping their condition a secret?

Case #5

John works for an ad agency and has to design an ad campaign for ZazzBrands, a new client that manufactures clothing for teens. In their past campaigns through another agency, ZazzBrands has targeted the intended purchaser of their product, normally teenagers with their own clothes budget or parents of teens. But John suspects that a more profitable and far-sighted approach will be to target even younger kids. He envisions a line of similar styles for children and series of ads that would run on Saturday morning cartoons intended for audiences under eight years old. The ads would feature teenagers in social settings scoring prestige points with their friends because their choice of clothing is so independent, youthful, and because they are comically defiant in the face of the disapproval of parents and teachers. If handled properly, John reasons, the ad campaign could get children from a very early age to connect with ZazzBrands as an emotionally supportive company that truly understands what it means to be a repressed and misunderstood kid in a world dominated by adults.

According to some marketing studies, brand loyalty begins very early, possibly as early as age two. According to a report published on the Media Awareness Network website, by the age of three twenty percent of children make specific requests for name brand products. Furthermore, the Annenberg Public Policy Center reports that forty-seven percent of US children have a television set in their bedroom.

Many groups are trying to outlaw or restrict ads to children, citing several reasons. Small children are not able to distinguish between programming and commercials. Furthermore, because smaller children do not make their own purchases, companies who advertise to them rely on pesterpower to get children to nag and whine until their parent gives in to the demands. Advocacy groups claim that ads brainwash children into becoming eager consumers who increasingly define themselves in terms of the things they own. In many countries, in fact, ads to children are simply banned.

John believes that ZazzBrands products have nothing to set them apart from any other line of clothes, but turning today's children into diehard fans of their product will build a solid, brand-loyal customer base for the future.

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Is John's ad campaign for ZassBrands ethically justified?

Case #6

Charlie Chan is a fictional Chinese-Hawaiian detective, created by novelist Earl Derr Biggers. Biggers published six enormously successful Charlie Chan novels between 1925 and 1931. Two silent Charlie Chan movies were made in the 1920's, followed by about four dozen more films, several radio programs, two television shows, and numerous comic book series over the next decades.

While cleaning out old files at Warner Brothers-Seven Arts Studios, vice president Harvey Chertok discovered a forgotten 1968 Charlie Chan documentary. Controversy erupted when the documentary was screened at the New York Chapter of the National Academy of Television Arts and Sciences in February 2010. While some film aficionados consider Charlie Chan to be an international entertainment icon who challenged many negative perceptions about the Chinese, detractors charge that the depiction of the Chinese-American detective is offensive racial stereotyping.

Critics call the portrayal of Chan by non-Asian actors in yellowface degrading. Chan's mangled singsong English and kitschy pseudo-Confucian aphorisms provoked ridicule: some older Asian Americans report that growing up they were mocked by Charlie Chan-inspired racial taunts. Chan's sons' flippant attitude toward their father's methodical investigations undermined the traditional value of respect for elders. Critics charged that Chan's apparent subservience to whites and his failure to respond to racial slurs encouraged offensive treatment and the perception of inferiority of Asian Americans.

Supporters counter that the first Chan films using Asian actors were commercially unsuccessful, and only when popular Caucasian movie stars played the detective did the movies become commercially viable. It was not racial bias, but rather business interests that dictated the choice of actors. The novelist Earl Derr Biggers's sympathetic treatment of Charlie Chan had a positive impact on interracial relations, shattering an offensive ethnic stereotype. Charlie Chan was created during a time when federal miscegenation laws were still determinative, and the American Immigration Act of 1924 prohibited immigration of Asians as an "undesirable" race. There was widespread fear among Americans of the "Yellow Peril": fear that Chinese overpopulation would lead to attempts to colonize and take over the world.

Biggers based his Charlie Chan character on the Chinese-Hawaiian detective, Chang Apana, after reading about Apana in a Honolulu newspaper. Apana joined the Honolulu Police Department in 1898. An astute and scrupulous investigator, fluent in several languages, with an intimate familiarity with the city and possessing a wide network of contacts, Apana was a respected and successful detective. His single-handed arrest of 70 criminals at one time is legendary. Biggers deliberately created the Apana-based character to counter the prevalent depiction of the Chinese as menacing and inscrutably evil. Charlie Chan was wise, shrewd, honorable, benevolent, and modest. He did not react to offensive stereotyping, but used these false perceptions to his advantage to thwart evildoers.

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Was the Charlie Chan character ethically acceptable?

Ethical deliberation worksheet

Answer the questions on this worksheet separately and hand it in with a draft outline of your argument about your Ethics Bowl case. See the syllabus for due date.

Identify the ethical tension points in your case

1. Do the people involved have incompatible needs or desires? If so, explain:
2. Is there no way to avoid harm altogether? If so, explain:
3. Are there competing goods that are mutually exclusive? If so, explain:

Apply utilitarianism to your case

1. Identify possible consequences of the action the moral agent chose in your Ethics Bowl case. Think short term as well as long term, good and bad.
2. Identify people, groups or organizations affected by the consequences you identified. Think of all those who are affected, not just the most obvious stakeholders. Are there more consequences than you thought initially? If so, go back to Q1 and do some more brainstorming to make sure you considered *all* the stakeholders.
3. Do the benefits caused to the stakeholders by the moral agent's decision outweigh the harms? If so, the decision is justified, according to **utilitarianism**. Do the harms caused to the stakeholders by the moral agent's decision outweigh the benefits? If so, the decision is not justified, according to **utilitarianism**.
4. Brainstorm other possible courses of action that cause more benefits than harm. The action that causes the most benefit and the least harm is the ideal decision according to **utilitarianism**.

Apply Rossian ethics to your case

1. Has the moral agent made any promises (explicit or implied) that are relevant to the situation? Does the agent have any role-related commitments (as a professional, a friend, a spouse, etc.) that others reasonably expect the agent to honor? If so, the prima facie duty of **fidelity** applies. Identify these promises and commitments and to whom they are owed. If fidelity does not apply, skip to the next question.

2. Has anyone performed a service or done something beneficial for the moral agent in the past? If so, the prima facie duty of **gratitude** applies. Identify these beneficial actions and to whom the agent is obligated. If gratitude does not apply, skip to the next question.
3. Is the moral agent obligated to make up for a wrongful act he or she has committed in the past? If so, the prima facie duty of **reparation** applies. Identify the wrongful act and to whom the agent is obligated. If reparation does not apply, skip to the next question.
4. Do the circumstances present the moral agent with the opportunity to improve his or her knowledge or virtue? If so, the prima facie duty of **self-improvement** applies. Identify how the moral agent's (and no one else's) knowledge or virtue would be improved. If self-improvement does not apply, skip to the next question.
5. Do the circumstances call for fair play, giving people their due, or treating everybody as equals? If so, the prima facie duty of **justice** applies. Describe the circumstances and stakeholders that trigger concerns about justice. If justice does not apply, skip to the next question.
6. Do the circumstances present the moral agent with the opportunity to bring about benefits for others? If so, the duty of **beneficence** applies. Describe the benefits that the moral agent has a chance to produce and for whom. If beneficence does not apply, skip to the next question.
7. Do the circumstances present the risk of harming others? If so, the duty of **non-maleficence** applies. Describe the possible harms that the agent should avoid causing and to whom. If non-maleficence does not apply, skip to the next question.
8. The ideal solution will not violate any duties. Is there such a solution? If so, describe here. If not skip, to the next question.
9. Do any of the agent's duties conflict? (For example, does he have to violate fidelity in order to honor non-maleficence?) If so, identify here. If not, skip to the next question.
10. If there are conflicting duties, the agent's duty proper will be to honor as many duties as possible while violating as few as possible or, alternatively, to honor the weightiest duty. Does the action chosen by the moral agent in your case do this? If so, it is ethically justified, according to **Rossian ethics**. If not, identify the agent's duty proper here.

Start developing your argument

1. What is the answer to the question posed about your Ethics Bowl case based on your answers?
2. What are the three or four strongest reasons for your answer based on **utilitarianism** and **Rossian ethics**? (These will be the main points in your argument.)
3. What are the most worrisome trade-offs you had to make based on your analysis? (These are potential objections you should identify and respond to in your argument.)
4. Brainstorm possible ethical responses that can avoid some of these trade-offs. Consider the best way to say something, to whom you should say it, and when. Consider the range of possible communication responses, depending on your case: speaking, listening, silence, etc.
5. Were you able to come up with a better option than the choices described in the case? If so, this is an alternative you can offer at the end of your argument to show you gave serious consideration to all the ethical tensions in your case.

Example outline

Case #14

I. Our team believes that the Bush Administration should not have authorized leaks of classified information.

II. *Our main reasons for this are*

A. Without following established procedures, the administration could not be sure that authorizing these leaks would not harm national security.

B. An exception to established procedures was not justified based either on the nature of the information or its urgency.

C. Releasing classified info is inconsistent with administration's stance on leaks.

III. *Our team assumed*

A. Normal classification procedures have been put in place to prevent harm to national security.

B. The release of the information could have had negative consequences for U.S. national security.

IV. *Our team considered*

A. The case gives several other examples of cases where the President's actions were suspect; however, we have no way of knowing what his true motives were

V. *Main points*

A. The system of declassification is important because it ensures that releasing information will not harm national security by putting the decision in the hands of qualified intelligence officials and setting up procedures that ensure thorough assessment of the risks of disclosure. **Consequences ethics** says that we should avoid taking actions that may cause more harm than good. By waiving this step, the president did not take enough precautions to ensure a good outcome.

B. Although the president has the formal authority to bypass established declassification procedures, we think it is an abuse of power to make an exception without adequate justification. For example, if the public really had a right to know the information or it had to be released immediately to prevent an even greater harm, we might allow for an exception to normal procedures. Without a compelling reason of this sort, the potential harms are not justified according to **consequences ethics**.

C. Administration leaking info is inconsistent and misleading to the public. The president has said numerous times that he disapproves of leaks and will punish anyone in his administration who has leaked classified information. By secretly condoning this information, he violates the **duty of fidelity**. He has broken his promise and deceived the public.

VI. *We realize that opposing teams might say*

- A. The release of information was needed to clarify the debate about the war, even if it was not leaked with pure motives. **Response:** The disclosure came too late to have an impact on U.S. policy toward Iraq, so we don't think this reason holds water.
- B. The president has the authority to declassify information, so he operated within the boundaries of the system. **Response:** Although it may be true that he technically possesses authority to declassify information even if it is not vetted by the usual authorities, we think that he has abused this power in light of the fact that the information was neither timely nor necessary when it was released.

VII. Our team believes that is unethical for the Bush administration to leak classified information because the leak could harm national security, because the administration has not offered a compelling reason to make an exception to the normal declassification process, and because the administration's actions go against promises it has made to the public.