

# 2017 J.T. Barton Ethics Essay Scholarship Competition

## INSTRUCTIONS

Your essay should address the question associated with one of the five cases:  
"Nuts Over Water", "To Be or Not To Be", "Air Baby", "Corporate Welfare" or "Auto Autos"

Be sure to indicate clearly which case and question you have selected.

The cases were prepared for the 20th Annual Intercollegiate Ethics Bowl Competition. They are used with the kind permission of the Association for Practical and Professional Ethics, which holds the copyright on them.

### **WRITING AN ETHICS ESSAY**

Because you're writing on an ethical question, your essay should concentrate on what should be done ethically rather than what is typical, practical, or consistent with a particular set of religious beliefs.

Ethical reasoning focuses on consequences, fairness, and rights. Your essay should address topics like the potential personal and societal effects (or consequences) involved, what would be fair, whether or not people's rights are being violated.

Keep in mind that there is no one definitive answer to the question. The success of your essay depends on how effectively you state your reasons for the position you take.

### **WRITING TIPS**

Start by identifying the most significant points to be addressed.

Read a variety of opinions on the subject to get an idea of the strengths and weaknesses of the various points of view.

Construct your own argument based upon the information you find most central, significant, and compelling.

Test your argument by discussing the question with people who disagree with you.  
Revise several times, getting feedback after each new draft.

Use credible sources and cite all sources using an appropriate citation format (MLA, APA, or Chicago) in accordance with the university's undergraduate academic integrity policy: Academic Integrity Policy Undergraduate Studies.

## **MECHANICS**

Essays must be typed (double-spaced) using a twelve-point font.

The title page should include the author's name and contact information, but the text of the paper should be suitable for blind review (***no identifying information about the author should be within the paper body, headers, or footers***).

Essays must not exceed 1,500 words. A word count should be included on the title page; references and citations should not be included in the word count.

Essays should be submitted in electronic form as an attachment to email, in **Microsoft Word (.doc/.docx) format**, which should be sent to this address: [ethics@clermson.edu](mailto:ethics@clermson.edu).

Early submissions are welcome. Deadline for submissions is Sunday April 16, 2017 at 11:59 p.m.

Winners will be notified by email at 12 noon on Friday April 28, 2017.

## **CASES**

### **Nuts Over Water**

***Should California impose higher fees on agricultural water that is used on certain crops?***

As California deals with its multi-year drought, stakeholders are looking for solutions, and, some say, for scapegoats. Farmers feel put upon. Residents feel put upon. Industry feels put upon. Certainly the Almond Board of California feels that their favorite nut is being maligned unfairly.

The acclaimed 1974 movie *Chinatown* documented California water wars in the beginning of the Twentieth Century, but the state has been plagued by water shortage for much longer. Today, huge population and industrial growth, complex water rights laws, fertile farmland and good growing weather, plus unrealistic definitions of beauty (green lawns in a desert) complicate and exacerbate an escalating problem.

California Governor Jerry Brown has called for a 25% reduction in urban water usage. Critics claim the solution is inadequate because the 80% of California water that is used for farming is exempt from such rulings. Further, despite huge population increases, urban usage has actually decreased in recent decades due to effective conservation measures. Many people are reluctant to criticize farming in California. The state's climate is ideal for many crops, we need food, and farming is integral to the economy of California and the United States. Critics, though, argue that farming should not receive conservation exemptions. They point out that farming water-intensive crops in a desert is incongruous, that we could get many of the crops grown in California from elsewhere, that farming contributes just 2% to the California GDP, and that exporting California crops exacerbates the worsening water shortage.

More arcane arguments are concerned with the allocation of surface water rights. These rights protect access to surface water in streams and canals for senior water rights holders whose land was granted those rights before 1914. Junior water rights holders have already had some or all of their allotment taken away. In a promising 2015 development, a small number of farmers with senior water rights saw that cuts are inevitable and voluntarily offered 25% cutbacks in exchange for assurances of no further reductions. State officials hope peer pressure will result in more farmers voluntarily making such cuts. In contrast, groundwater has historically been largely unprotected, consequently when deprived of surface water, farmers dig deeper wells, if they can afford it. Groundwater depletion has resulted in a lower water table, salination of water sources, and, in some areas, sinking ground levels. A new law intended to close this groundwater loophole has been passed, but the industry has influenced rule makers to seriously delay implementation.

The Almond Board of California has been the center of a media maelstrom since an article in *Mother Jones* in February 2014 revealed that production of each almond requires a gallon of water, the almond industry uses three times more water annually than Los Angeles does, and profit margins are high. California, except for its water situation, has ideal conditions for growing almonds. The state produces 100% of the US supply of almonds, and still exports 70% of the crop globally, thus supplying 80% of the earth's almonds. This exportation especially riles critics. They say California is, in essence, "exporting" precious California water to places like China for commercial profit while leaving Californians fighting over water for their yards, golf courses, showers, drinking water, industry, and farming operations. The Almond Board points to other high water consuming crops and industries, claiming that almonds are being unfairly vilified.

Although almonds are not the highest water-using crop, they do present some special issues. Many other crops can be laid fallow in drought years, but almond trees live for 20–25 years and must be watered every year. The recent recognition of almonds as a healthy food gives almond farmers a profit margin that allows buying water at higher prices, drilling for groundwater, and developing conservation methods. Critics claim profits should not be driving decisions about who gets the limited supply of water.

## **To Be or Not To Be**

### ***Should healthcare providers honor VSED in the advance directives of dementia patients?***

An advance directive is a written document that identifies an individual's wishes regarding medical treatment if that person becomes unable to communicate them to the attending physician. Advance directives are legally recognized throughout the United States, although laws governing their implementation vary from state to state.

"Voluntarily stopping eating and drinking" (VSED) is a provision included in some advance directives to shorten the dying process. There are particular concerns about honoring VSED in advance directives of patients with dementia.

Some religious groups, ethicists, health care professionals, and disability advocates who oppose VSED for patients with dementia raise concerns about honoring their advance directives. In the absence of reaffirmation, they maintain that end of life decisions should always be made in favor of prolonging life, even when the quality of life appears to be severely diminished. They also argue that dementia and the capacity to decide voluntarily are mutually exclusive, rendering the "choice" of VSED invalid. Further, people often live with advanced dementia for years.

Allowing a person with dementia who is otherwise healthy to die by starvation, is effectively slow euthanasia. Although it may not be possible to understand the patient's subjective perception, there is no reason to assume that the individual does not experience pleasure or happiness.

Those who support implementation of VSED in advance directives for individuals with dementia argue that there is no fundamental difference between the advance directive of an individual who is unable to communicate because of dementia, and that of an individual unable to communicate because of another disease or condition. Additional concerns arise when dementia patients require gastrostomy tubes. In addition to the discomfort of insertion and presence of a feeding tube, physicians may order restraints to prevent the patient from pulling out the tube. Restraint is distressing, even for patients with advanced dementia.

According to the Chicago Health and Aging project, almost four out of ten people who reach the age of ninety will develop dementia, and a similar number will experience mild cognitive or functional impairment. As greater numbers of people live longer, thanks to improved nutrition, medical care, and other factors, there will be more people with nonreversible dementia. Many baby boomers who now care for parents with dementia do not want to live with dementia themselves, or to burden their children with caring for them should they develop the disease. Those who request VSED in the case of dementia in their advance directives face challenges in having their wishes honored. Health care providers may worry that withholding nutrition and hydration to the elderly could result in criminal charges of neglect or abuse.

## **Air Baby**

### ***Should the children of foreign nationals who travel to the US to give birth be denied US citizenship?***

Wanting to secure the best possible future for her child, Sue started making plans soon after she learned she was pregnant. Sue knew that acquiring excellent prenatal care, maintaining a good diet, and living in a safe and healthy environment wouldn't be difficult due to the ample financial resources she enjoyed. But Sue wanted something more for her child—something that, technically speaking, couldn't be purchased—she wanted her child to be a US citizen. So Sue, a Chinese national living in Shanghai, started searching the Internet and laying the groundwork to participate in the burgeoning field of maternity tourism. When the time came, Sue would fly to the United States and stay in what was promoted as a lovely small hotel, explicitly set up for the needs of new and expectant mothers, while waiting for the birth of her child. Approximately one month after the birth, Sue and her baby would return to mainland China and resume normal life.

As a US citizen, her child will qualify for enrollment in the highly exclusive international schools in China as well as more easily travel to the US for high school or college. At twenty-one years of age, her child can petition the US government to grant her parents permanent residence, thereby starting their own process to US citizenship. The price for the package Sue chose is steep—between \$40,000 and \$50,000—though this includes assistance with obtaining the necessary visa, transportation, housing, and other amenities once in the United States. But Sue is confident that she'll be getting her money's worth.

Alice would also like to travel to the United States to deliver her baby, but she lacks the resources to pay for any of the well-advertised and seemingly well run maternity hotels on the West coast. By scouring the Internet she learns that she can also secure US citizenship for her child by giving birth on the island of Saipan, one of the Northern Marianas islands and a US territory. Travel to Saipan from China would be much less expensive than travel to California, and the costs of lodging in Saipan would be much less than the advertised costs of maternity lodging in California as well. Further, in an effort to promote tourism to the Marianas in general, US immigration policy allows foreigners to stay in the Marianas for up to forty-five days without first obtaining a visa. This will also reduce costs. And although maternity tourism isn't as well developed in Saipan as it is California, Alice views it as her only affordable option.

Amy, born and raised in California, also wants to secure the best future for her children, and wants to get into the business of maternity tourism. In particular, she wants to rent the upstairs unit of her two-flat to pregnant women from abroad to enjoy a birthing "vacation." Her guests may stay as long as it takes to give birth in the United States and recover enough to return home.

Amy cannot offer the range of amenities that the luxury maternity hotels offer, but she can promise the availability of baby supplies, names and numbers of midwives or birthing assistants, and transportation, as well as availability to address unexpected developments. Amy reasons that she can charge double to triple what she would normally charge for short-term

rental of the upstairs unit. And even after paying the appropriate taxes on her new small business, the additional net income will help Amy better provide for her own children. Currently maternity tourism is legal in the United States. The United States and Canada are among a handful of countries that still grant citizenship as a consequence of being born in that country. In the United States, the Fourteenth Amendment guarantees this birthright. Further, US immigration policy currently does not regard an advanced pregnancy as grounds for denying someone a tourist visa.

Still, some Americans object to private business taking profit from the sale of access to citizenship, while others object to the circumvention of existing immigration policy.

### **Corporate Welfare**

***Should limits be set on CEO and upper-management salaries in order to lessen the welfare costs that are borne by U.S. taxpayers?***

Many US workers earn so little that, to provide for their basic needs, their families are forced to rely on government programs. Food stamps, Medicaid, Temporary Assistance for Needy Families, school meals, low-income housing assistance, child care assistance, assistance for home energy bills, and earned income tax credit are just a few of the approximately 80 government assistance programs that help millions of low-income families and individuals.

An analysis of the recipients of government assistance programs, conducted by the UC Berkeley Center for Labor Research and Education, revealed that 52% of the recipients of these programs are members of working families. The annual cost to US taxpayers to support public assistance for working families is nearly \$153 billion. Critics argue that taxpayers are effectively subsidizing highly profitable businesses such as McDonald's and Walmart, whose workers receive such low wages that they qualify for low-income government assistance.

A McDonald's press release dated January 23, 2015, announced that net income for fiscal year 2014 was \$4.75 billion. The salary for McDonald's CEO tops a million dollars annually, with an incentive (as of May, 2015) that can add another 160% to the base salary. By comparison, the average hourly wage for McDonald's employees of company-owned restaurants—which account for 10% of McDonald's restaurants—was \$9.01, according to an April 1, 2015, article in *Crain's Chicago Business*. An employee who works a forty-hour week, fifty-two weeks a year, at an hourly wage of \$9.01, will earn \$18,740.80. The US Poverty Guidelines, published by the Department of Health and Human Services sets the poverty threshold at \$20,090 for a family of three, living in the contiguous United States. (The threshold is higher for those living in Hawaii or Alaska.)

Walmart is the world's largest retailer, with a 2014 net income of \$16.1 billion, according to Walmart's official website. CEO Doug McMillon's compensation package for 2014 was worth a little more than \$19 million. Still, as reported in *Forbes*, Walmart employees qualify for and receive approximately \$6 billion annually in low-income government assistance. In addition,

18% of all food stamps redeemed in the United States are redeemed at Walmart stores (April 15, 2014).

In contrast to McDonald's and Walmart, Whole Foods company policy limits CEO pay to nineteen times the average employee's salary.

## **Auto Autos**

### ***Who should be responsible for determining the ethical choices required by self-driving cars?***

Self-driving cars are being tested, and the results look good. For a few years now, auto manufacturers have been developing a variety of crash-prevention features for new cars, such as forward-collision warning systems (which alert the driver and even brake the car when it gets too close to the car in front), blind-spot monitoring systems, and lane-departure warnings. Such technologies most likely will be integrated into fully automated cars when they are developed.

Since a vast majority of current accidents are caused by human errors, many advantages will probably accrue as more and more cars become self-driving. Traffic congestion should also be eased as the new cars will not hesitate or become confused, they will maintain a steady and safe speed, and they will select alternate routes to avoid heavy traffic, accidents, or construction.

Some issues remain murky, however. If a self-driving car does get into an accident, who is liable, the driver or the automaker? Arguably, the driver may still be at fault were he or she to fail to override the car's actions manually when possible. The manufacturer could also be in an especially vulnerable position if a death were found to be caused by a decision programmed into the car. If a car, for example, swerves to avoid hitting another car and hits a pedestrian instead, the car will have done so because it was programmed to save the driver's life at the expense of a pedestrian's.

Besides legal dilemmas, there are knotty ethical ones as well. Were every car on the road to drive itself, there would still be hazards caused by cyclists, pedestrians, pets, road conditions, and obstructions. Such hazards call for value-based decisions and someone has the task of selecting those values that will determine the car's actions. Obviously, if a car cannot brake in time to avoid hitting either a person or a dog, the car will hit whichever one it has been programmed to hit.

As cars are programmed to be better able to identify and categorize objects around them, even more nuanced action alternatives may be available. If killing one or another person is unavoidable, should both persons be rated identically, or should children be favored over adults?

Women over men? People in suits over people in jeans? Asians over Hispanics? People in the car's address book over all others? The car itself over every non-human?