

REGIONAL ETHICS BOWL CASES

FALL 2007

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Case #1: Drug Companies Funding FDA Research

Since 1971, the Food and Drug Administration (FDA) had shown interest in charging “user fees” as a way to speed their review process and augment their funding provided by Congress. In 1992, Congress passed the Pharmaceutical Drug User Fee Act (PDUFA), which allowed the FDA to charge drug manufacturers a “user fee” to provide funds for FDA reviewers to complete their reviews within 12 months. The median drug review time was approximately 33 months in the early 1990’s, which drug companies and patients awaiting new life-saving drugs, believed was too long. HIV and AIDs patients were pushing for opportunities to move new drugs more quickly through the long approval process. Soon after the PDUFA went into effect, the average review time dropped from 33 months to less than 12.

In addition to the user fees, the majority of the research on new pharmaceuticals is performed by the pharmaceutical companies themselves. The FDA engages a 12-step process in the approval of new pharmaceuticals; both the initial preclinical trials (those not performed on humans) and later human testing are performed either by the pharmaceutical companies themselves or by subcontractors for the pharmaceutical companies. After preclinical trials, the FDA orders local institutional review boards (IRBs) to determine the procedures (including dosage, measurement, and informed consent) required for human testing of a given drug. After 3 stages of human testing, FDA officials then review the results provided to them by the pharmaceutical companies in several steps in order to ensure product safety. The user fees are aimed at speeding the review process, by providing greater resources to the FDA so they can complete the reviews in a timely manner.

User fees, combined with the 12-step approval process, are aimed at providing safe, but quick approval of new medications. Those who oppose drug manufacturers paying for quick drug reviews fear that reviews conducted to meet a specific deadline risks having errors and believe that the practice gives control over FDA to the pharmaceutical companies. Additionally, critics of the FDA approval process have long noted the conflict of interest created when drug companies provide the information upon which approval of their own drugs is based. Marcia Angell, editor in chief of the *New England Journal of Medicine* from 1999 to 2000 believes “oversight of clinical trials is too important to leave in the hands of drug companies and their agents.”

The Pharmaceutical Research and Manufacturers of America (PhRMA), a trade association for the drug industry, believes strongly in the process and supports the use of IRBs as a safe method to move along the approval process and save sick patients awaiting new drug options. “The vast majority of clinical trials conducted in the United States meet high ethical standards. The U.S. regulatory system is the world’s gold standard, and the Food and Drug Administration has the best product safety record.”

Case #2: Churches as Polling Places

Political philosophers agree that the single most crucial requirement for a democracy to function is for those who are governed to have a say in how they are governed. This is usually accomplished by a significant portion of voters regularly participating in elections. Historically, one of the devices used to discourage segments of the population from voting has been to make polling places difficult to reach. To guard against such manipulation of the electorate, most municipalities work to distribute polling places in such a way as to make access easy for all voters.

That access includes not only proximity to voters' places of residence or employment, but also ease of entry and exit, sufficient space for voting booths and other paraphernalia, and public right of entry for the period of voting. That generally excludes places of commerce and industry because the comings and goings of voters would surely interfere with normal business. Similarly most governmental structures would find voting operations interfered with regular operations. Schools seem to work well because they have areas (like gymnasiums) that can be used for an occasional day without severely disrupting education. But in some locales, schools are not distributed uniformly across populations.

The other semi-public structures whose ordinary functions are not seriously impeded by elections are places of worship. Most congregations welcome non-member visitors, have large, usable, open spaces, and do not have significant numbers of congregants using their facilities on Tuesdays – the most common election day.

But a problem occurs when individuals are uncomfortable going into houses of worship other than their own. An observant Jew, Rob Meltzer was deeply troubled by the prospect of entering a Methodist church and has since voted by absentee ballot while trying to persuade local officials to move polling stations in the church and a Catholic school to secular sites, saying the current locations infringe on voters' constitutional rights. Some are also concerned that as churches often have political agendas, making churches into polling places increases the amount of influence a church could wield, consciously or subconsciously, over those voting in the church.

Selectmen (those in charge of the logistics of polling places) in the Boston area have refused, saying the practice is widely accepted and that logistics make the church the only sensible spot. They argue that proof that the location of polling places in religious structures does not interfere with a voter's rights is proven by Meltzer's own case. According to his claim he has been free to vote by absentee ballot (and has done so) so as to avoid the "uncomfortable" location.

Case #3: Adjunct Faculty

In the 1970's, economic and political factors gave rise to the current, business-style model of the university. As with any business, output and bottom line were the focus of management, in this case, university administration officials. Regular faculty are expected not only to teach and publish, but also to write proposals and manage grant programs, serve on committees, and direct students' research. Their classroom teaching loads typically include only two to four courses a year, at least half of these consisting of seminars where advanced students present their work.

Due to the many roles played by full-time faculty and the drastic increases in enrollment over the past decades, adjunct professors or instructors have become much more common. Typically they are well-qualified, with Master's degrees or doctorates in the field they teach. Because of adjuncts, instruction can be offered to students at a discount, and tenure-track faculty can pursue their grants and publications. Administrators tend to believe that hiring adjuncts is their panacea; without these hires, they claim, tuition and fees would skyrocket and research would come to a standstill, with the return of professors to lecture halls.

Adjuncts tend to be paid low on a university's scale; from around \$1,000 per class per semester to a livable salary in some cases. Because adjuncts often are employed to teach introductory courses that are required and cover broad topics, their class size is generally large, which may mean greater burden on the adjunct in evaluating student performance. They may teach one course per term, or several courses, up to just-below the limit for full-time employment. Since they are employed on a class-by-class basis (and may therefore be viewed as more "temporary"), they are monitored more closely than regular faculty. Often, adjuncts teach at two or more colleges at a time. Adjuncts are usually required to hold minimal office hours, and may be inaccessible to students unless they choose to volunteer time for consultation.

Even with the lack of benefits, some adjuncts feel they make a decent living while doing the work they love. Teaching adjunct can provide flexibility. Most adjuncts would prefer to have tenure-track posts, but some like to be free from the bureaucratic restraints of full-time academic employment. Some believe the teach-and-go routine serves their family life better. Others may work full-time at another type of job. Often, a full-time professor may teach adjunct at a nearby college, either to help that school with its staffing shortages, or to supplement his income.

The flexibility and transient nature of adjunct faculty are viewed by some as tantamount to acting as a "scab" on a picket line. If all potential adjuncts refused to teach individual courses, universities might be forced to hire more full-time faculty and provide benefits to those who fill the positions. However, the adjunct positions are often filled by doctoral students attempting to gain additional classroom experience before searching for a full-time position post-graduation, and thus, they are only interested in a small course load.

Case #4: Erosion of Native Art

Alpine Imports, an international corporation that distributes native crafts throughout the United States, has found a new production site in Guatemala. Alpine has been certified by groups such as the Fair Trade Resource Network for its commitment to paying fair wages and preventing inhumane working conditions in the areas from which it purchases its products. Labor in Guatemala is relatively cheap, even with a living wage, and moreover, the corporation has found that native artisans there have a distinctive style that should market well in the United States. In particular, Alpine is considering Kaqchikel clothing for dolls, handmade in the Guatemalan village of San Lucas Toliman. The clothing fits several generic doll figures, including American Girl™ dolls.

Alpine Imports has researched the market and determined that import motif stores conspicuously lack toy divisions, and therefore it has little background as to what items succeed. It hopes, however, that its venture into this new arena will pay off. Managers at Alpine ordered an initial batch of 1,000 dresses to be produced by the Kaqchikel workers for distribution in Alpine stores throughout the United States. Managers project the cost of the dresses to be about \$5 a piece, and the retail price will be \$15. If these doll dresses are a success, they could mean a substantial profit for Alpine Imports and a sustained relationship between Alpine and the Kaqchikel.

The shipment of doll clothing arrived to the Alpine warehouse on time, and was distributed; managers anxiously awaited sales results. The first reports showed moderate sales; however, the response was not as strong as the marketing department had hoped. Alpine attempted some advertising of the dolls in local markets, to raise awareness of the new product, but still sales lagged behind expectations. Executives at Alpine began to realize that children are often subject to national advertising ploys coupled with strong peer pressure, and that if they want to realize success in the toy market, their strategy has to change. They assessed the situation and decided that the clearest options would be to cut their losses and discontinue the relationship with the Kaqchikel people, work on stronger marketing ploys, or to suggest changes to the design of the dresses. Alpine is in no danger of bankruptcy based on the sale of Kaqchikel dresses, but as a business, they strive to maintain fiscal viability, and thus, must keep the success of this product in mind.

Case #5: Payday Loans

In recent years, businesses have appeared that offer cash advance “payday” loans in many urban areas and smaller towns. These businesses usually operate out of storefronts in strip malls and offer small advances (\$300-\$500) to people who need money quickly, usually at a high interest rate. Their clientele tends to be employed, but poor or lower middle-class.

In order to receive the loan, the client writes a post-dated check to the company for the amount he or she wants as an advance plus a fee, usually about \$15-\$25 per \$100. So if someone is being advanced \$400, he or she writes a check for between \$460 and \$500. On payday, the client deposits his or her paycheck and the payday loan company deposits the post-dated check, effectively ending the loan. Clients do not always have enough money in their accounts to cover the post-dated check, so they are also offered the option of rolling the loan amount over to the next pay period. In order to take advantage of this offer, the same fee is charged: \$15-\$25 per \$100 borrowed. This effectively doubles the interest rate of the loan, so for the aforementioned \$400 loan spread across two pay periods, the fee would be between \$120 and \$200—half of the amount borrowed in the worst case.

Interestingly, a study by the Center for Responsible Lending found that the vast majority of these loans are not made to one-time emergency borrowers. It found that 91% of all payday loans are made to borrowers with five or more payday loans per year. Furthermore, most payday borrowers go to more than one lender, dramatically increasing their total number of payday loans per year. Only 1% of all payday loans are made to emergency borrowers.

Church groups and anti-poverty organizations claim that these businesses lure people in with offers of quick money to handle important payments, but aim to get people caught up in the system of rolling over loans. They say that such high fees would be immoral to charge to anyone, but it is especially heartless to charge them to people without the financial means to pay the loans back and get back on their feet. These groups have fought for legislation restricting the fees and ability to rollover loans from one paycheck to the other as well as legislation that would crack down on companies’ ability to ignore current outstanding debt when giving out the loans. The payday loan industry is profitable and can afford to devote a percentage of those profits to opposing such legislation. Additionally, those who would benefit from regulation of the industry, the working poor and lower middle-class, are less likely to vote, write their congressperson, or donate to campaigns.

Payday loan advocates counter that they provide a valuable service to those who need money sooner than their employers can provide. It is not their fault that people get caught in the web of escalating fees, but rather the temptation that consumer society creates for people to live beyond their means. Without their services, advocates claim that job terminations, unpaid bills, evictions, and mortgage foreclosures would soar, swelling the welfare rolls and increasing taxes. They claim that existing regulations

already require them to make very clear how much people will pay for the loan and to limit people's ability to freely choose such fees is to treat them as children rather than adults who are capable of reigning in their own spending.

Case #6: Revisionist History—Deleting Bad Acts

They say that history is written by the winners, but others are finding that they have a say in what future generations learn about a country's past. Recently Japan's Prime Minister, Shinzo Abe, has tested how far that "say" can go.

In March 2007, the Japanese Ministry of Education ordered that publishers delete passages from history textbooks that claimed Imperial Army officers ordered citizens to commit mass suicide when Okinawa was about to fall to American forces near the end of the war. Responses to the ministry's order have taken the form of changing active verbs to passive ones in order to describe mass suicides. Instead of saying, "There were some people who were forced to commit suicide by the Japanese Army," one textbook now reads, "There were some people who were driven to mass suicide." Opposing the new official stance on the suicides are eye-witness accounts of Okinawans (now Japanese citizens) who claim Japanese soldiers gave them grenades with orders to use the grenades to take their own lives should the Americans win.

This is not the first time modern Japan has been accused of "whitewashing" history. Abe was recently in the international spotlight for claiming that the Japanese military had not forced women, many Korean, into sexual slavery during World War II despite testimonials from witnesses and victims alike. The remarks drew strong condemnation from South Korean foreign minister Song Min-soon, who said that, "...problems over perceptions of history are making it difficult to move South Korean-Japanese relations forward."

Other Asian leaders have expressed similar concerns about Japan's version of events especially in China where hostility towards the Japanese has lingered long after Japanese involvement in China during World War II. Japanese and Chinese historians are famously at odds over the number of civilians killed in the Nanking Massacre with estimates ranging from several hundred to 100,000 to 300,000.

Overall, the worries of other Asian nations could be summed up as a concern that the truth about Japan's actions in World War II will not be learned by future generations of Japanese students, thus eliminating barriers to a resurgent Japanese nationalism. Those who do not learn the mistakes of the past have no chance to learn *from* the mistakes of the past and stand a greater chance of repeating them. In the background of these arguments are other echoes of Japanese nationalism, such as new nationalist "manga" comic books and Abe's move to bolster the Defense Agency, reigniting fears that Japan may change its Constitution to create an army for purposes other than defense.

The revisionists argue that Japan need not paint such a "masochistic" view of its own history, and that constant reminders of Japanese militarism and atrocities only serve to keep a national attitude of guilt for events that current generations are no more responsible for than current generations of Germans are responsible for Nazi atrocities in Europe. A more positive, less guilt-ridden view of history has been sought by most if not all nations at one time or another. Whether there is an ethical duty to maintain an accurate

historical account, or whether history is just one of many tools leaders can use to lead their people is not merely an issue faced by contemporary Japan. Chinese textbooks have also been changed recently to de-emphasize communism, relegating Chairman Mao Zedong (a former focal point of recent Chinese history) to a section on etiquette. United States textbooks also face strong criticism from historians and Native Americans for their depiction of Christopher Columbus and the other “discoverers” of North America. Japan claims its current interests lie in leading its citizens towards the future in a positive way, rather than dwelling incessantly on every detail of a troubled past.

Case #7: Corporate Sponsorship of College Sports

A college athlete's uniform bears the endorsement of various sportswear companies. The student learns of certain ethical violations tied one of the companies, Nike. She finds wearing the uniform objectionable because it looks as though she supports Nike. Refusing to wear the little swoosh might jeopardize contracts with the uniform providers and interfere with team identity. She asks that the symbol be removed from her school's uniforms, but is refused. She values her team, but wonders if she should continue to play on the team if she objects to the sponsors.

Nike, an American company based in Oregon, has 500,000 employees in 55 countries. It has been reported that Nike's subcontractors in Asia violate local labor laws, pay below minimum wages, do not provide safe working conditions, oppose unionization efforts and tolerate child labor. Apparently, children in Pakistan stitch Nike's soccer balls for as little as 6 cents per hour. A U.S. network of child advocates has repeatedly demanded identification and removal of all child laborers, arguing instead for programs of education and rehabilitation for them. However, in many nations throughout the world child labor is a necessary evil – the family needs the children's income to survive. The Christian Science Monitor reported that closing the factories in Pakistan over the child-labor issue would cause economic distress and add to human misery in Pakistan.

Nike's Chief Executive Officer Phil Knight, stated, "Whether you like Nike or don't like Nike, good corporations are the ones that lead these countries out of poverty," in an interview with the Washington Post. He argued that Nike's investment in Asian business has helped countries like Taiwan and Japan. The article also notes that workers in many Nike factories actually like the work. Despite these endorsements, Nike has suffered serious public relations problems based on its labor practices. Nike has invested in improving their image, and has also adopted a Labor Practices Department to investigate mistreatment. The company's measures to improve the working conditions, however, have been called nothing more than a public relations campaign.

The question also arises about whether US activists should focus condemnation of child labor in other countries when in the United States child labor, illegal as it is, still exists. For example, Latino children are known to work in the agriculture industry as members of migrant farm worker families, sometimes under appalling working conditions. There is little enforcement of the time and effort that children in America are forced to work in family businesses, and little review of the tasks that they are expected to perform or the pay that they receive.

Case #8: Ethics Officers Getting Businesses off the Hook?

In late June of 2007 Kevin Hunsaker, former Ethics Officer of Hewlett-Packard, completed 96 hours of community service as part of a plea bargain entered into earlier in the year to drop charges of misdemeanor fraud brought against him, along with several other defendants, by the Attorney General of California. The charges grew out of disclosures that an investigator, hired by Hewlett Packard to discover the source of leaks to the press about boardroom meetings had posed as another person to obtain phone records of reporters and board members.

In an interview with Bloomberg.com, Professor James Post states, “The failure at HP was a failure of ethical leadership, not headcount.” Post, a professor of management at Boston University, further states, “The fact that they had only six [ethics officials] on staff before the 2006 scandal suggests an overworked staff, but I doubt that a few more people in the ethics department would have deterred the board chair, the head of ethics, and the general counsel from their chosen investigatory path.”

According to Forbes.com, “chief ethics officers and compliance officers have become trendy in recent years, but some experts fear they act mainly as window dressing.” Chief ethics officers began appearing in defense contractor organizational structures in 1986, when a self governing Defense Industry Initiative was created as a recommendation of the Packard Commission championed by President Reagan.

Companies began creating more chief ethics officers in 1991, when the Federal Sentencing Guidelines (FSG) for corporations went into effect. When companies employ “effective” ethics compliance programs, penalties for ethical violations can be reduced to 5% of fines levied. Penalties can be increased up to 400% where evidence demonstrated that an effective program did not exist.

Many believe having a chief ethics officer is a “requirement for good governance.” But according to Efrem Grail, ethics officers are sometimes “just a mask for the company to hide behind.” Grail is an attorney specializing in corporate investigations at Reed Smith. According to Forbes, most corporations hire an attorney to fill the chief ethics officer position – while attorneys generally receive training in professional responsibility, they are not specialists in ethics.

The New York Times reported an email exchange between HP’s officer, Hunsaker, and Anthony R. Gentilucci, the head of HP’s global investigations unit. Hunsaker asked whether the spying tactics used by a subcontractor were “above board,” but later noted, “I shouldn’t have asked.”

Case #9: Differential Undergraduate Tuition

Many public institutions have seen stagnant or decreasing budgets, and so are now asking students to shoulder more of the financial burden through increased tuitions. Sometimes, the amount they are being asked to pay depends on their majors. At some institutions, students in engineering and business pay more for their undergraduate degrees than students completing degrees in liberal arts or education.

The University of Wisconsin approved a tuition differential for students enrolled in the Bachelor of Business Administration program or earning a Certificate in Business beginning in fall 2007. The rationale offered for the increased tuition is that the costs of business education are rising faster than the university's resource base and that the demand for those programs has grown and that higher tuition would help sustain the quality and expand the size of the business programs.

Higher tuition for business or engineering schools can be justified based on the higher costs of educating students in those disciplines. Business school faculty often command higher salaries than those in other colleges due to lucrative opportunities outside academia. Engineering students require expensive laboratory space and equipment, which needs to be constantly maintained and updated. The differential tuition policy can also be defended on the basis of higher starting salaries for graduates in those majors.

It can also be argued that differential tuition forces qualified students from economically disadvantaged backgrounds to make career choices based on affordability, rather than aptitude or interest. This is contrary to the societal goal of providing equal access to higher education to every qualified member of the community. Moreover, students graduating from university programs that charge higher tuition may choose higher paying jobs in the private sector to pay off loans, rather than choosing service positions such as careers in public service.

Many schools including most of the Big Ten schools have a tuition differential at least for undergraduate business majors.

Case #10: The Buddhas of Bamiyan

The two huge Buddhas of Bamiyan, which stood 15 stories and 10 stories respectively, had survived wars and the elements for 1500 years. Their cultural importance had even resulted in Genghis Khan refraining from causing them harm. In March 2001, however, they fell victim to the Taliban. The Taliban government ordered explosives placed at the feet of these statues; over weeks of repeated shelling, they reduced the sacred relics of central Afghanistan to rubble ranging in size from 90 ton boulders to dust.

Religion is most often cited as the primary reason for destruction. The pre-Islamic artifacts were reportedly destroyed as dictated by Islamic law to prevent the adoration of idols.

Cultural experts are divided over what should happen with the Buddhas and the Bamiyan site in a post-Taliban Afghanistan. With the focus on what was one of Afghanistan's primary tourist attractions, suggestions include rebuilding the Buddhas by anastylosis – i.e. reassembly from the remaining fragments, incorporating new materials where necessary, supervised by qualified archaeologists. Some favor funding preservation of the site, but leaving the rubble as evidence of the cultural destruction. Some argue for a solar- and wind-powered laser system that will project the images of the Buddhas on the cliff where they stood. Some archaeologists are delighted with the new findings that have been possible only because of the destruction, and want to use this opportunity to further dissect the site for the historical knowledge that can be derived.

Considering that the population of Afghanistan is poor and war-torn and that present-day Afghans are Muslim rather than Buddhists, others suggest that money that would fund anything related to the Bamiyan Buddhas would be better spent on Afghan children.

Case #11: Women's Work

What is a mom? “Housekeeper, day care center teacher, cook, computer operator, laundry machine operator, janitor, facilities manager, van driver, CEO, and psychologist,” according to Salary.com. And, what is she worth? According to that website, “If paid, Stay at Home Moms would earn \$134,121 annually ... Working Moms would earn \$85,876 annually for the “mom job” portion of their work, in addition to their actual “work job” salary.

But of course, moms *aren't* paid. Indeed, “On a worldwide scale, the UN has found that women do two-thirds of the work in the world, receive less than 5 percent of the world's income, and own less than one percent of the world's real property,” according to a recent article in the Ottawa Citizen. Statistics Canada reports that “unpaid work took up 831 hours of an average man's year, whereas it's an average of 1,482 hours for a woman.”

The lack of payment for traditional woman's work creates a variety of concerns beyond basic equity and fairness, said author Penney Kome.

First, the work, if performed by paid assistants, counts in a nation's Gross National Product (GNP); unpaid labor by domestic partners does not. The fact that the work is often unpaid decreases the value that society places on it as demonstrated by the low wages paid day care workers, housekeepers, and maintenance workers. In addition, unpaid workers are not entitled to benefits provided those workers who perform the same duties for pay, such as “unemployment insurance, pensions, or social assistance.” Last, unpaid domestic labor can be ignored or usurped by focus on market value. According to Kome, “[S]ubsistence agriculture is specifically excluded from IMF and World Bank Calculations. Therefore, IMF and World Bank projects often evict mothers and their families from small patches of arable land – where they are, at least, reasonably well nourished – to create huge plantations with cash crops. The nation's GDP (Gross Domestic Product) flourishes, but the local children go hungry.”

Case #12: Iraqi Translators

One of the first things most people learn in school is not to be a tattletale. No matter how appropriate it might be to let the authorities know what is happening, everyone learns that the consequences of “telling” are severe. Such people are viewed as “collaborating with the system” and putting their own personal advancement ahead of their friends and community.

Throughout human history people seen as collaborators are, at best, ostracized; at worst they are killed. During and after World War II, women who fraternized with Nazi forces in order to survive and sustain their families were beaten, shunned, and had their heads shaved as a sign of their “guilt.” Vietnamese who worked for the U.S. government or military were the first people imprisoned, tortured or killed after the U.S. left their country.

The West lacks fluent speakers of most non-western tongues. Few westerners have any significant knowledge of history, culture, and society outside Europe and the U.S. (Even knowledge there is seldom incisive.) This is especially true in the Middle East. With hundreds of thousands of western soldiers and civilians on the ground in Iraq, Afghanistan and their surroundings, the ability to communicate reliably with natives is necessary for survival. For that reason one of the most effective ways for natives with linguistic skills to support their families has been to become translators for government, business and the military. But this employment is not without risk. As in previous conflicts, translators risk being seen as collaborating with the “occupiers” and to date more than 250 Iraqis who have worked for allied forces or western businesses have been executed, often quite brutally, by factions who oppose the U.S. presence there. Estimates suggest that a similar number of translators’ family members have suffered as well.

One of the reasons translators still work for the U.S., despite threats on their lives and those of their families is offers of political asylum from countries such as the U.S. Translators conclude they only need to hide their identities long enough to make enough money for their new lives in the States. Others identify with the stated goals of the U.S. occupation and believe that translating might help ease tensions between rival factions, paving the way for non-violent political solutions to the country’s problems—perhaps even paving the way for a Western-style democracy.

It appears, however, that western governments are not protecting those who have helped them. For instance, the U.S. State Department processes applications for refugee translators. These translators who have worked for the U.S. are given preferential treatment when the State Department considers them for immigration. Despite such preference, the process requires that the translators have already fled Iraq. Even after they have fled, the process of reviewing their applications is often very slow “for security reasons.” Moreover, many who have gone through the difficulty and cost of fleeing Iraq cannot even apply for asylum since they do not qualify as “refugees” according to the United Nations definition (which is the one the U.S. currently employs in its considerations).

Those individuals who worked with the U.S. have routinely had their applications for immigration (even as seekers of political asylum) refused by the very societies they have assisted. Justifications offered for such rejections include concern that some applicants might turn out to be sleeper agents, that the allies cannot afford to grant exceptions to their established immigration laws, or that the risks to such people are not grave. Even without outright denial, the processing of applications, which often takes many months, leads many to turn back to Iraq because the wait creates an insurmountable hurdle.

Case #13: Intelligent Debate about Intelligent Design

Public school boards in at least 19 states have, over the past two decades, debated the teaching of “creationism” about the origins of biological species in tandem with teaching evolution. There are various creationist theories about how species came about, but all require some kind of intervention in (if not outright replacement of) natural history by a being of great power and intelligence. Frequently, this being is the Judeo-Christian God and the method of creation is as outlined in the book of Genesis in the Old Testament. Creationism supporters claim that teaching evolution, without offering creationist accounts as an alternative, is a denial of their Constitutional right to have their views expressed systematically in the educational system. The movement makes no effort to disguise its political motivations in its drive to include the Biblical account of creation, or some variation of it, such as “intelligent design,” in public school biology classes.

Many biology teachers in public schools and colleges happen to believe in Biblical accounts of the beginning of the universe and of life. Other biologists believe that adding the creationists’ perspective balances the consideration, gives a fair treatment to different points of view, and helps the students with their skills in critical thinking. Others, however, feel that they are being forced to violate the Constitutional separation of church and state or that they are being asked to present a non-scientific theory as biological science.

A growing number of biology teachers in the lower grades through high school have decided simply to omit evolution from their course syllabi, despite that fact that the American Association for the Advancement of Science has stated unequivocally that knowledge of the basic concepts of evolution must be included in high school science competencies. These abstaining teachers argue that they can never cover everything, so they might as well omit the topics that encourage discussion and controversy, which could endanger their jobs. School principals and superintendents have been inclined recently to support, and even to suggest, this strategy of skipping the topic of evolution. Physics and geology teachers have begun to weigh into the debate as well. They object that creationism conflicts with the big bang theory, accepted by virtually all physicists, and that some versions of creationism contend that the universe has existed for only six thousand years.

Some educational policymakers have encouraged the inclusion of “creationism vs. evolution” in literature or social science courses, rather than in biology classes where evolution currently appears in curricula. Their argument is that liberal arts courses would be more likely to study the different perspectives critically and historically, and in their sociopolitical contexts.

School boards across the country have opted for creationism in a *de facto* way, by selecting science textbooks only if they include creationism. Some districts require stickers appended to their biology textbooks, stating that evolution is only a theory and that there are also viable religious accounts of the origins of life. Federal suits regarding the stickers have occurred in several states. The Kansas school board has included

knowledge about the concept of intelligent design as part of high school exit examinations in Kansas.

Case #14: Jamaica and the World Bank

After years of unwise spending following British colonial rule, Jamaica finds itself deeply in debt to other countries. Jamaica owes \$4.5 billion to international moneylenders like the World Bank, the International Monetary Fund (IMF), and the Inter-American Development Bank. The World Bank demands that Jamaica undertake economic reforms as a condition of the loans. One such reform is the opening of its markets to foreign vegetables and fruits, which are sold at much lower prices than Jamaican-produced crops. The hope is that decreasing the debt will allow the economy to grow, raising many Jamaicans out of poverty. But in a largely agricultural economy, Jamaica's farmers find themselves increasingly out of work.

A similar situation involves Jamaica's banana industry. Forced to compete with strong U.S.-based companies like Dole and Chiquita, which grow bananas on a large scale in Central America, Jamaica's banana production has plummeted. The number of small banana farmers on the island has dropped from 45,000 to 3,000.

The World Bank's restrictions aim to deregulate the Jamaican economy, and integrate it into the global market. Thus far, however, the people of Jamaica have suffered while moneylenders collect interest. Only 5% of the money borrowed since 1977 has stayed inside Jamaica, with the bulk of the funds dedicated to paying interest. The deregulation has hurt Jamaica's farmers, who find themselves increasingly impoverished.

Case #15: Vacillating on Public Safety

Grave safety concerns with the Alaskan Way Viaduct and the SR 520 Bridge in Washington State have been known and debated for the past decade. At the current time (September, 2007), however, no public action is imminent to address the concerns. Government agencies and regulators, the private sector, including building owners, corporations, and merchants, professionals in architecture, construction, engineering and related fields, and individuals such as homeowners, consumers, farmers, residents and tax payers have all played a role in perpetuating the present condition of vulnerability. Although the above players may act with the best intentions, each may have only a limited view of what mitigation should involve.

Independent reviews have concluded that both the Alaskan Way Viaduct and the SR 520 Bridge need to be replaced. In September 2000, Tammy Doherty, Regional Director of the Federal Emergency Management Agency (FEMA), stated that “Seismic hazard in the Pacific Northwest has remained constant this last decade, but seismic risk has increased dramatically, due to urban development, aging infrastructure and vulnerable transportation corridors. A FEMA study of earthquake risk across the United States indicates that 84 percent of this nation’s annual losses are expected to occur in California, Oregon and Washington State.”

More recently, based on an independent study, the Alaskan Way Viaduct was found to have one of the lowest ratings possible for structural sufficiency. State bridges are given a structural sufficiency rating to prioritize them for rehabilitation and replacement. This rating is a number between 0 and 100 that reflects the physical condition of the bridge, load ratings and importance of the bridge. A new bridge receives a rating of 100. When a bridge is rated at 80, it becomes eligible for rehabilitation funding. A rating of 50 warrants the bridge’s replacement with a new structure. The Viaduct currently has a structural sufficiency rating of 9.

In 2006, an expert review panel of the Alaskan Way Viaduct and SR 520 structures concluded “The Washington State Legislature, the Puget Sound region, and the people of Washington State have explored – diligently and faithfully – the various possibilities for these much needed projects. The public thoughtfulness that has characterized them for the past several years is admirable. But additional deliberation of the merits of various options would be counterproductive. If the decision making process is extended much further, inflation will diminish the purchasing power of the funds that have already been committed. Meanwhile, the existing viaduct and bridge will continue to deteriorate and inch closer to catastrophic failure. The time has come to move forward with these vital public works projects.”

This same expert review panel commented “we are concerned about the political fragmentation that seems to characterize these projects today. It is not evident that either political will or public support has coalesced around these projects. We see strongly held opinions and positions by political leaders and stakeholders, but no process for reaching a conclusion. We see a great need for strong political leadership now, to move these vital

public-works projects forward. The biggest risk these projects face is that of indecision and vacillation by political and civic leaders. The safe, speedy rebuilding of these roadways and infrastructure is critical, both to the Puget Sound Region and the entire statewide transportation system – not only to review congested highways, but also to prevent catastrophic damage in the event of an earthquake or major storm.”

In 2007, voters of Washington State voted against each of two separate (and conflicting), one of which called for replacing the Viaduct with a similar above ground structure, and the other of which would have involved building a tunnel to replace the currently existing viaduct structure. After the failure of both initiatives, the Governor of Washington has commissioned another study consider alternatives for the replacement of the Viaduct and SR 520 Bridge.

***Please note: Most cases were derived from newspapers, Internet and book sources.
We omitted citation information, but it is available upon request.**