Case Study #1: Mill & the Fast Food Workers’ Strike

Read the section on J.S. Mill in our text and the attached articles from Reuters, USA Today and NPR, then answer the following questions. The completed assignment should be two pages long, using one inch margins, 12 pt. fonts and single spacing. This study is worth a total of 60 points. Your completed assignment is due on the 21st (M/W) / 22nd (T/Th) of October. Keep scrolling down after the background for further instructions, general suggestions, grading rubrics, and a sample completed assignment!

Answer the following questions thoughtfully and as completely as space allows:

1. **What are the relevant ethical considerations for this case?** (You don’t have to answer as I’m giving you this one!)
   - Does the fast food industry have a moral obligation to raise the minimum wage for their workers to $15/hour as the protestors have demanded?

2. **What sort of further information would assist you in formulating a response to these issues?** Pose in question form and present as a bulleted list. For this assignment, you do not have to do all the research but you need to raise the kind of questions that would drive such a project. These should be research questions and as such should be concrete and answerable. Think about facts that, if known might help determine how one should or could respond to the issues identified. This is where the attached articles should be especially useful. (20 points)

3. **Pending the acquisition of this information, how do you think Mill would respond to this case?** Be sure to provide citations from Mill (primary source = Mill’s writings and does not include secondary commentary from Rosenstand) to support your answer. In citing the quote, all you need do is indicate the page from the text (see example). Note that this question carries the highest weight in points. (30 points)

4. **Identify some of the barriers to acting ethically in this particular case?** I’m asking you to think in practical terms – this assignment is about applied ethics. In this section, you need to think about things that get in the way of ethical success. This can include not only existing conditions that might prevent one from following up on those recommendations made in section 3 above, but also the cost or potential negative impact if one acted on those conclusions. (5 points)

5. **Reply to the counter-considerations identified in #4.** It is not sufficient to just raise problems – one must also think about possible solutions. If your solution is not applicable, then you’ve missed the point of the assignment! (5 points)
Background\(^1\): Case Study #1

U.S. fast-food workers protest, demand a 'living wage'\(^2\)

(Reuters) - Fast-food workers went on strike and protested outside McDonald's, Burger King and other restaurants in 60 U.S. cities on Thursday, in the largest protest of an almost year-long campaign to raise service sector wages.

Rallies were held in cities from New York to Oakland and stretched into the South, historically difficult territory for organized labor.

The striking workers say they want to unionize without retaliation in order to collectively bargain for a "living wage."

They are demanding $15 an hour, more than twice the federal minimum of $7.25. The median wage for front-line fast-food workers is $8.94 per hour, according to an analysis of government data by the National Employment Law Project (NELP), an advocacy group for lower-wage workers.

\(^1\) Please note that you are not limited to the background offered. It is expected that you will do a bit more in-depth reading to develop your thesis. You may feel free to use any credible/reliable source as evidence for your arguments. Additionally you may use additional material from Mill to defend your answers. Please provide full citation for all research.

\(^2\) http://www.reuters.com/article/2013/08/29/us-usa-restaurants-strike-idUSBRE97S05320130829
"It's almost impossible to get by (alone)," said McDonald's worker Rita Jennings, 37, who was among about 100 protesters who marched in downtown Detroit Thursday. "You have to live with somebody to make it."

Jennings said that in her 11 years at McDonald's, she has never received a raise above her wage of $7.40 an hour.

In Atlanta, about 20 fast-food workers at two different chains presented their managers with "strike letters" before walking out, Roger Sikes, a coordinator with the nonprofit group Atlanta Jobs With Justice, told Reuters.

And in Oakland, about 80 fast-food workers from various restaurants and their supporters rallied outside a Kentucky Fried Chicken outlet.

"I'm doing it for the respect for myself and for my other coworkers," said Ryan Schuetz, 20, who works at McDonald's. He said his work hours have been reduced recently and that he was struggling to keep a roof over his head.

Several politicians came out in support of the protesters on Thursday.

In New York City, mayoral candidate and City Council Speaker Christine Quinn joined several hundred demonstrators outside a McDonald's in midtown Manhattan, holding a sign that read "On Strike: Wages Too Damn Low."

"Better pay will put more money into local businesses and spur economic growth," Democratic Representative George Miller of California said in a statement.

Robert Hiltonsmith, a policy analyst at Demos, a liberal think tank, said that if the minimum wage had kept up with productivity and inflation, it would be closer to $17 per hour.

He added that in many cases, low pay wasn't justified by a worker's lack of marketable skills.

"Seventy percent of these fast-food workers are aged 20 or over, so they're not teenagers, and of that 70 percent, about a third of them have college degrees," he said.

"So it's not that they don't have skills - in many cases, the jobs aren't there for them."

MOMENTUM BUILDING

Thursday's demonstrations in 60 cities followed several smaller strikes this year in the $200 billion U.S. fast-food sector, organizers said.

Last November, some 200 workers walked off their fast-food jobs in New York City, and groups in Chicago, Kansas City, Detroit and other cities followed their lead in April and July.

Fast-food wage activists are now receiving financial and technical support from the Service Employees International Union (SEIU).

Their active online presence echoes Occupy Wall Street - a movement that several supporters of the protests cited as an inspiration.

Restaurant chains and trade groups say the protests are unwarranted because fast-food and retail outlets provide Americans with millions of good jobs with competitive pay and ample opportunities to rise through the ranks.

"Our history is full of examples of individuals who worked their first job with McDonald's and went on to successful careers both within and outside of McDonald's," the company said in a statement.

In an emailed statement, Burger King said the company respects the rights of its workers but "does not make hiring, firing or other employment-related decisions for our franchisees."
The restaurant chains have not changed their wage policies despite the recent strikes.

The National Retail Federation called the strikes "further proof that the labor movement (has) abdicated their role in an honest and rational discussion about the American workforce."

And in the Wall Street Journal on Thursday, the conservative Employment Policies Institute ran a full-page ad with a picture of a robot making pancakes, warning that higher wages would mean "fewer entry-level jobs and more automated alternatives."

"You can either raise prices and lose customers, or (automate) those jobs," said Michael Saltsman, EPI's research director. "The idea that restaurants are rolling in the money is not representative of the situation franchisees face."

Dorian Warren, an assistant professor of political science at Columbia University who has published work on labor organizing and inequality, said new protests in the South are "a huge, huge deal."

"The South has always been the model for low wage employment, from slavery to the Jim Crow laws, to the present. It's also the most anti-union part of the country, so the fact that workers feel empowered enough to take collective action is enormous," he noted.

(Writing By Atossa Araxia Abrahamian; Reporting by Karen Brooks in Austin, David Beasley in Atlanta, Steve Neavling in Detroit, Laila Kearney in Oakland and Atossa Abrahamian in New York; Editing by Andre Grenon, Jeffrey Benkoe and Richard Chang)

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Fast-food workers strike for higher pay
Gary Strauss, USA TODAY 9:29 a.m. EDT August 30, 2013

Taco Bell employee Shanise Stitt pickets with other protesters in front of a Church's Chicken fast food restaurant Aug. 29 in Detroit. Fast food employees and supporters staged demonstrations in several cities during a nationwide protest for higher wages. David Coates, AP

**Striking fast-food workers protest minimum wage jobs in nearly 60 cities, seek $15 an hour.**

Demonstrators in support of fast-food workers protest on July 29 outside a McDonald's in New York City's Union Square. (Photo: John Minchillo, AP)

**Story Highlights**

- Current minimum federal wage is $7.25 an hour
- Some strikes started last November
- Restaurants in Milwaukee, Detroit and St. Louis had to close, at least temporarily, because of the walkouts

Workers at McDonald's and other fast-food chains conducted strikes and walkouts in nearly 60 cities Thursday, hoping for super-size wage hikes that for many would boost their hourly pay to $15 from the current federal minimum $7.25.

The pre-Labor Day protests, which follow a series of strikes that began last November in New York City, targeted fast-food chains including McDonald's, Burger King, Wendy's and Yum Brands, whose chains include KFC and Taco Bell. Workers are also seeking the right to unionize.

Strike organizers, a loose confederation of local community groups and churches which has received some financial and training support from the Service Employees International Union, say restaurants in Milwaukee, Detroit and St. Louis had to close, at least temporarily, because of employee walkouts.

**Related:** Low-wage workers falling behind

New York, City Council Speaker Christine Quinn joined about 300 to 400 workers and supporters Thursday in a march before the group flooded into a McDonald's near the Empire State Building. Shortly after the demonstration, however, the restaurant seemed to be operating normally.

In Detroit, home to an estimated 53,000 fast-food workers, walkouts and protests hit at least two McDonald's Thursday morning. A dozen workers didn't show up for their shift at a McDonald's on 8 Mile Road, forcing the closure of the dining room, though the drive-through was open, local protest spokeswoman Darci McConnell said. Another protest was under way at a McDonald's on West Grand Boulevard. Protests were also planned or under way in Pontiac, Flint and Lansing.

"The bottom line is we are doing this to let the corporations know we want $15 an hour, better working conditions — and we want to be treated fairly," said the Rev. W.J. Rideout III of Detroit's All God's People Church.
About 30 workers in Raleigh, N.C., picketed outside a Little Caesars. Julio Wilson said he earned $9 an hour at the pizza restaurant, not enough to support himself and his 5-year-old daughter.

"I know I'm risking my job, but it's my right to fight for what I deserve," Wilson said. "Nine dollars an hour is not enough to make ends meet nowadays."

In other cities, including Chicago, workers disrupted lunch-hour traffic. In Washington state, where the minimum hourly wage is $9.19, some Seattle Starbucks workers unexpectedly joined in a walkout.

In Indianapolis, several employees walked off the job from a McDonald's outlet at 16th and Meridian streets.

"Most people here have a family to support, and most people here barely make enough to make ends meet," McDonald's employee Dwight Murray said. "We're here today because we feel like McDonald's is a $6 billion entity and it's not unfeasible for them to pay $15 an hour."

The restaurant remained open during the strike, staffed by employees who opted not to participate.

"When they work hard every day for all day long and they don't get paid enough wages to put food on the table and to support their families, then we as a community suffer," said Fran Quigley, a clinical professor at Indiana University McKinney School of Law, who was lending support to workers at the Indianapolis McDonald's.

Taxpayers subsidize workers who earn too little, he said, by paying for food stamps and other entitlement programs in which many low-wage workers participate. Profitable corporations employing such workers often make enough money to increase those workers' wages, Quigley said.

Many fast-food workers earn just $7.25, which works out to about $15,000 for full-timers. More than 25% of Americans earning less than $15 an hour receive one or more social services, such as food stamps and Medicaid, the Center for Budget and Policy Priorities says.

Industry observers and representatives say a $15 hourly wage, which would boost annual salaries to about $31,200, would likely force most restaurants to pass on higher costs to customers, crimping already tepid sales and forcing employers to cut workers.

Industry tracker NPD says restaurants already face a challenging post-Recession environment. Raising wages more than 100% "is not in the realm of feasibility," NPD analyst Bonnie Riggs says.

"Margins are already squeezed because consumers have been cutting back," Riggs says. "The restaurant industry has had to discount heavily just to keep people coming through the door. And there would have to be significant prices increase to absorb the cost of higher wages."
Moreover the restaurant industry says many fast-food positions are held by younger and part-time workers.

"This industry is the embodiment of the American dream for many workers," said Justin Winslow, head of government affairs with the Michigan Restaurant Association. "Eighty percent of restaurant owners started at the bottom and 90% of managers started in entry-level jobs. There's an obvious ladder to move up."

In a statement, the National Retail Federation condemned the strike efforts.

"Today's publicity stunt is just further proof that the labor movement is not only facing depleted membership rolls, they have abdicated their role in an honest and rational discussion about the American workforce."

Still, strikers were getting support from consumers.

Ryan Carter, a 29-year-old who bought a $1 cup of coffee at a New York McDonald's targeted by protesters, said he "absolutely" supports demand for higher wages.

"They work harder than the billionaires in this city," said Carter, who doesn't plan to stop patronizing the fast-food chain.

More walkouts were in the works for late afternoon and early evening.

In Wausau, Wis., Wendy's worker DuWayne Lewis planned to join fellow workers in an afternoon walkout.

With seven children, including one in college, money is tight for Lewis, who makes $7.25 an hour.

"I can't live off this, but it's all I've got," Lewis said. "I need to work. But it's hard to pay the bills and put food on the table with this kind of pay. I've got seven girls to take care of."

Rachel Wilde, who prepares food at the same restaurant as Lewis, won't participate in the strike for fear of losing her job. Wilde said she would like to protest the company's failure to provide health insurance for many of its workers.

"If you walk out on your job, that's grounds for dismissal," Wilde said. "I can't do that."

But Lewis said he hopes more fast-food workers will be inspired by strikers.

"I don't know what my coworkers will do, but I hope when they see me strike, and they see the support behind me, they'll join in."

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Fast Food Workers, Activists Protest For Higher Wages

by Chris Arnold
August 29, 2013 4:51 PM

The fast food industry has become the focal point in the drive by organized labor and its supporters for so-called living wage laws. Union members and activist groups staged another round of protests Thursday at restaurants and retail stores, calling for a minimum wage of $15 an hour. How are the protestors playing with consumers and what would happen to workers and the industry if organizers achieved their goal?

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ROBERT SIEGEL, HOST:

From NPR News, this is ALL THINGS CONSIDERED. I'm Robert Siegel.

MELISSA BLOCK, HOST:

And I'm Melissa Block.

Protesters took to the streets in more than 50 cities today, calling for better wages for fast food workers. Like the Occupy Wall Street movement, these demonstrations target income inequality and promote workers' rights. But today's demonstrators also have one very clearly stated goal. Their demand: $15 an hour wages for workers at, say, McDonald's and Burger King.

NPR's Chris Arnold gives us the picture from Boston.

CHRIS ARNOLD, BYLINE: The press releases for today's action describe workers around the country walking off the job as part of a massive national strike. The reality, though, is definitely less dramatic.

Outside a Burger King this morning in downtown Boston, there were far more organizers than actual striking workers.

PROTESTORS: Keep your burgers, keep your fries. Make our wages super-sized. Keep your burgers, keep your fries...

ARNOLD: Do you guys know if there are any actual Burger King workers who are out here that I can talk to or...

UNIDENTIFIED FEMALE: I just talked to one of them. He's actually on his way.

ARNOLD: There were representatives from different local community groups, church and labor groups. And there were some Occupy-type folks, too.

Twenty-two-year old Niko Stapczynski(ph) delivers cookies by bicycle for a local bakery.

NIKO STAPCZYNSKI: You know, $8 an hour isn't a living wage. We want benefits for full-time employees and the option to unionize, for sure.

ARNOLD: Stapczynski says he identifies with the struggles of low wage workers, though it turns out his parents are actually still supporting him. That's not so uncommon. Lots of minimum wage workers are younger.

Industry trade groups say the fast food chains offer competitive pay and benefits. And they criticize these protests as theater put on by organized labor. But it's not theater to Kyle King. He's a fast food worker who is skipping work today to attend the protests.

KYLE KING: I work at the Burger King at 128 Tremont Street. I've been employed there nine years, started out at $8 an hour; and now, after nine years, only making 8.15 an hour. So it's just not cutting it at all

ARNOLD: With the cost of rent and other expenses going up, that money, of course, doesn't go as far. King is in his 40's. He lives with his brother. And you can tell he just feels beat-down and tired of working for so long, for so little money.

KING: Just conversations with my brother just paying the bills, because sometimes they'll come and just stick a notice on the door and say the bill is overdue. It's very difficult. They may shut off the electricity sometimes and it's like, oh wow, you know, we can't pay this bill.

ARNOLD: And there is clearly a growing sense of frustration about wages.

LAWRENCE KATZ: Eighty percent of U.S. workers have not seen much of a raise in the 2000s.

ARNOLD: That's Lawrence Katz, a labor economist at Harvard. He says, often by this stage in a recovery wages would be rising. But he says unemployment has stayed high and that lets companies keep wages low, especially for low-skilled work. It's not like most workers can find higher pay elsewhere and even if they do, low-skilled workers are easily replaced.

KATZ: So frustration is understandable but there are also a lot of people who are out of work who envy those who are employed and that creates a very difficult labor market situation.
ARNOLD: Katz says eventually, as the economy comes back, that should help. But can protests like this make any real difference? Katz says actually they can if a movement gets traction. It can then win popular support for things like local living wage ordinances or a bump in the minimum wage.

The protestors today, though, are asking for more than that - $15 an hour. So what might that mean for a fast food business?

SANDEEP MALHOTRA: A typical restaurant would probably have to increase menu prices in the 25 to 30 percent range.

ARNOLD: Sandeep Malhotra is a fast food industry consultant with a company called Technomic. He stresses that this is just ballpark math. But a burger that costs, say, $3 might end up costing closer to $4.

Out on the street, some people said they'd be happy to pay the difference. But Malhotra thinks that other people might not. And he says higher wages might mean more fast food workers get replaced by machines. After all, you already see those automated checkout tellers at CVS and Home Depot.

Chris Arnold, NPR News, Boston.

Keep scrolling down for rubrics and a sample completed assignment!
General Suggestions for Writing Case Studies

How not to write your paper:

I. Focus & Relevance
Be sure that you understand the assignment and have understood each question. Your responses should be focused on the questions I’ve asked & not the questions you wish I had asked! It is important to weed out all irrelevant considerations or concerns that an economist or historian or political scientist might have but are not strictly speaking, ethical concerns. Look at the completed sample case study for some ideas.

II. Format
You should copy & paste or re-type only the first part of the question (the portion in bold type). Please number each response corresponding to the assigned questions. Papers should be 2 pages, using 12pt. fonts and 1 inch margins all around. There should be an extra space separating your responses to each question. Again, please reference the completed sample case study and follow the format exemplified.

III. Tone/Voice
Ever since George Carlin pointed out that “using your own words” would result in a private and hence meaningless expressions, I’ve had to give up on the phrase, however a certain degree of originality is still important. Your task is to explain a concept as if you were the Teaching Assistant for this class. If you simply repeat the text or my lecture, you haven’t helped your imaginary student. You need to clarify the argument/concept in a way that demonstrates that you really understand it and can express the same ideas in a way that is different than has already been explained by the text or by me.

IV. Adequate and Balanced Defense of Your Argument
In question three, you are asked to make an argument using the philosopher we’re studying. You should be clear in your thesis early in the paragraph. It is important

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5 Please note that these guidelines are for my class assignments. Individual instructors may have other format preferences and you should consult with your teacher for the details before completing your assignment.
to ensure that your application is consistent with the philosopher’s theory and that you support that application with a well-thought-out defense. You should include counter-considerations that are relevant to that theory and could impact the philosopher’s conclusions.

V. Quotes
Quoting is a way of supporting your interpretation of an argument or theory. Relevance to your response and to the question asked is critical. Quotes can be edited but be careful not to take the quote out of context, thus altering the intent of the author. The length of the quote must be appropriate to the length of the assignment: short papers require shorter quotes. All quotes must come from the original author’s works, neither from the secondary commentary of the author of our text nor from my lectures or power points. Quotes need only be cited with the page in our text where it was found (see sample completed assignment).

VI. Length
Part of the criteria for success is efficient use of the space allowed. If you write a single sentence for a one/third page assignment, you have not satisfied this criterion. However, this is not an invitation to use the additional space for stream-of-consciousness or irrelevant information not pertinent to the assigned issue. If you are having difficulties with the length, it is usually because you have not recognized or developed sufficiently the various issues involved. Conversely, if your draft is too long, you need to whittle it down to just the relevant essentials, perhaps editing out the anecdotes or redundancies; more is not always better! I am very willing to help if you submit drafts sufficiently before the due date.

VII. Rough Drafts
I have invited all of you to bring rough drafts of your completed assignment in for a preview reading. I do not offer re-writes after I have graded your papers. Rough drafts are brought in during my office hours or by appointment and I only read them in person - with the student present. Please do not submit rough drafts electronically nor should you drop them off in my box.

I support pro-active measures that encourage preparation and thought and with rough draft readings, both the student and I should benefit with the end result being a better final draft. If your work satisfies my criteria (see rubrics following) for “A” level work, and if the draft is formatted and printed in final draft format, I will sign off on the draft, guaranteeing those students somewhere between 100% and 90% of the points possible for this assignment. Your cut-off for rough draft submissions is 24 hours prior to the due date; I will read no rough drafts the day of or the day prior to the due date.

Keep scrolling down for rubrics and a sample completed assignment!
Standards (Rubrics) for Grading Case Studies

The excellent paper (100-90% of points) will exhibit the following qualities:

Question 2:
- All items are listed as normatively neutral questions. No immediate bias is evidenced.
- All critical questions have been raised given the space allowed.
- Questions are relevant to the case and would be likely to be relevant to the philosophers/theories being applied to the case in the third section.
- Questions are likely to drive effective and informative research. The questions should be answerable (at least in terms of probabilities or projections backed up with historical data).
- Questions are grammatically correct and are presented in a bulleted list.

Question 3:
- A clear thesis statement is made at the beginning of the response.
- Argument is focused on the key issues.
- Argument is clear and well organized.
- Argument is effectively supported with relevant reasons.
- Sufficient detail from the philosopher’s theory is provided.
- Argument is effectively supported with relevant quotes from the philosopher’s primary work & all quotes are cited properly.
- Responses reflect careful and detailed consideration of background material provided.
- No immediate personal bias is evidenced.

Question 4:
- Core critical barriers are identified.
- All critical barriers raised are reflective of real-world practical considerations.

Question 5:
- All barriers raised in the fourth section have responses.
- Solutions proposed should be reasonably and humanly applicable (e.g. not asking for divine intervention).
- Solutions proposed should be well supported given the space allowed.

Overall Impressions:
- Study presents evidence of a thoughtful and deliberative approach.
- Language is clear and explanations/arguments are original.
- Effective use has been made of space allowed.
• Study reflects careful consideration of background material provided.
• There is good logic flow from one response to another – issues raised in earlier questions must link logically with responses to later questions.
• The study is scholarly, with effective use of the essays and relevant philosophical theory. All quotes and references are properly cited.
• Assignment format has been followed.

**Good (89-80% points)**
The good paper will demonstrate all the above qualities but perhaps to a lesser degree or, will demonstrate some of the above qualities excellently, but not all of the qualities will be presented at a consistently high level.

**Satisfactory (79-70% points)**
The satisfactory paper will present all of the above qualities but not as strongly as the good paper or, some qualities may be stronger with some not as strong. Insight is not usually present.

**Needs Work (69-60% points)**
This paper is weak on many of the desired qualities.

**Really Needs Work – Pretty Much Unacceptable (59-0% points)**
This paper presents few if any of the desired qualities.

*Keep scrolling down for a sample completed assignment!*
Case Study #1: Mill, Arizona & House Bill 2281

1. **What are the relevant ethical considerations for this case?**
   - Should teachers or legislators be responsible for making decisions about appropriate curriculum & by what criteria should public school programs be judged for funding and implementation?
   - Should public school curriculum reflect the ethnic diversity of the population it serves & is the public best served by encouraging a better understanding of ethnic identities, cultures & histories?

2. **What sort of further information would assist you in formulating a response to these issues?**
   - What was the drop-out rate for AZ Latino students before vs. during the program? How did the drop-out rate of students who participated in the program compare to the overall drop-out rates of the school district?
   - How have the students in the ethnic studies program performed on standardized tests as compared to the general population of students in the district?
   - Was there an increase in school violence or public disturbances linked to racial tension during the period the program was taught?
   - Have any studies been performed to link diversity of curriculum to student success?
   - What was the racial background of the students in the program?
   - Is the public funding of AZ schools very limited or decreasing? How does AZ per student spending compare to other states in the US?
   - How much does the ethnic studies program cost per student compared to the general courses taught and how many students as a percent of the total school district population does it serve?
   - In other states/cities/districts what impact has the institution of ethnic studies programs had on the students who participate?

3. **Pending the acquisition of this information, how do you think Mill would respond to this case?**
   There are three main reasons why Mill would have rejected Arizona’s House Bill 2281. First, Mill was a utilitarian and thus would weigh the moral worth of this bill in terms of outcomes and the number of people affected. From such a cost-benefit analysis, it appears that though the ethnic studies programs may have been more expensive and served a smaller population of students, the outcomes were significant in terms of greater retention and graduation rates, better scores on standardized exams, higher transfers to colleges, and a significantly more motivated student body who felt empowered to work towards issues of social justice and equal opportunities for Latinos. Under the old system, one must consider the cost of educating students who fail or drop-out. The waste of finite public resources, combined with the social cost of high school drop-outs in terms of quality of life, higher incidences of crime, unrealized potential and lost productivity cannot be disregarded. Secondly, Mill held there is a connection between education, a just society and the greatest good or ‘happiness’ as he called it. For Mill, happiness involved free will, empowered action, a sense of pride and most importantly, a kind of higher rational dignity. (p.266) He argued, “The present wretched education and wretched social arrangements are the only real hindrance to its being attainable by almost all.” (p.267) If it can be adequately shown that the ethnic studies do

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http://www.pbs.org/independentlens/precious-knowledge/
contribute to such qualities for a significant number of students – and anecdotal evidence supports this – then this is just the sort of program of which Mill would most approve. Many of the participants reported a significant change in their understanding of how their ancestors contributed to this country and that they had gained a real sense of empowerment and optimism about their own future. Finally, as a classic libertarian, Mill was opposed to excessive government intervention. (p.256) He wrote, “The only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others.” (p255) There appears to be little evidence to support that there was an active harm incurred through the teaching of ethnic studies. Contrarily, there is good evidence that an ethnically diverse curriculum is pedagogically defensible. The Arizona state legislators’ move has effectively curbed a cherished practice of academic freedom. Encyclopedia Britannica defines academic freedom as, “the freedom of teachers and students to teach, study, and pursue knowledge and research without unreasonable interference or restriction from law, institutional regulations, or public pressure. Its basic elements include the freedom of teachers to inquire into any subject that evokes their intellectual concern…and to teach in the manner they consider professionally appropriate.” (7) In order to justify this Bill, the legislators needed to demonstrate positive harms such as proving a clear link between an increase in racially motivated violence and the program. Mill argued strenuously against censorship in On Liberty, “if all mankind minus one, were of one opinion, and only one person were of the contrary opinion, mankind would be no more justified in silencing that one person, than he, if he had the power, would be justified in silencing mankind.” (8) It seems clear that, in this case, there are greater harms in censorship and the erosion of freedom than there are gains made in the name of consistency and standardization. When one includes the books that were also banned, this looks like a bad Bill likely to result in worse consequences.

4. Identify some of the barriers to acting ethically in this particular case?
   - Arizona’s history of increasing tension between Latinos and the white population tends to color many decisions made by legislators at the state & local level without adequate objective investigation.
   - The Latino population is traditionally underrepresented both in terms of voter turn-out and in campaign contributions; the representatives are consequently not as motivated to see Latinos as an important part of their constituency.
   - Public school funds are always limited and special programs do tend to cost more per student and serve fewer students as a whole.
   - Some believe that tailoring district curriculum to reflect the ethnicity of local populations would impede the perceived need for consistency - ensuring that all students graduate with the same basic skill sets.

5. Reply to the counter-considerations identified in #4.
   - Educators and school administrators need to lobby for more objective criteria for school program funding and further research needs to be done to look at the efficacy of ethnic studies nationwide.
   - Latino voters & politicians need to become more active with voter registration and turnout among the interested constituency. They can also work for campaign finance reform to reduce bias.
   - A set of standardized criteria need to be developed to evaluate the outcomes based on investment. School funding also needs to be increased as AZ is one of the lowest states in per student spending.
   - Further studies are needed to document how the institution of ethnic studies programs impact students' performance on standardized tests.

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7 http://www.britannica.com/EBchecked/topic/2591/academic-freedom