Case Study #1: Mill & Hostage Release

Read the section on J.S. Mill in our text and the attached article from *The Guardian*, and then answer the following questions. **The completed assignment should be two pages long, using 12 pt. fonts and single spacing with one inch margins.** Each answer should be proportionate to the number of points possible and supporting quotes should be no longer than one or two short sentences. Quotes must be cited and if pulled from our text all you need do is indicate the page – if not from our text, a full citation is required. Please separate and number each response as shown in the example attached. This study is worth a total of 60 points. **Your completed assignment is due on the 20th (MW)/ 21st (TTh) of October.**

*Keep scrolling down after the background for further instructions, general suggestions, grading rubrics, and a sample completed assignment!*

1. **Paraphrase** the argument made by the US government representatives (Rhodes & Harf) in the attached article from *The Guardian* regarding the US prohibition on paying ransom to terrorist groups. (5 points)

2. **Asking the right questions:** What facts would you need to know about his case to make a reasonably informed judgment? In this section, note that you should be raising questions such as government constitutional obligations to US citizens while on foreign soil, issues of national security, and the history and efficacy of paying ransom for hostages but **not** questions about Mill. **Provide as a bulleted list and pose in question form.** For this assignment, you do not have to do 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. No bias or prejudice should be evident and the questions should be non-normative (no “ought” or “should” questions). Think about facts that, if known might help determine how one should or could respond to the case. (15 points)

3. **Mill’s Position:** Pending the acquisition of this information, how do you think Mill would respond to this case; is the US morally justified in prohibiting the payment of ransom to terrorist groups holding US hostages? Be sure to provide citations from Mill (**primary source = Mill’s writings and does not include secondary commentary from Rosenstand or from me**) 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. (25 points)

4. **Critical Objection:** Identify one key counter consideration or objection to the argument you’ve made in section 3. This objection should come from a problem with the application of Mill’s version of Utilitarianism to this particular case. (10 points)

5. **Conclusion:** Having examined what you think Mill would say and possible objections to that position, where do you personally stand on this question of paying ransom to terrorist groups who hold US citizens hostage? Defend your answer without resorting to a repetition of points made in previous sections. (5 points)
Background\(^1\): Case Study #1

US denies paying ransom as Qatar secures release of journalist in Syria\(^2\)

- **Spencer Ackerman** in New York
- **theguardian.com**, Sunday 24 August 2014 16.36 EDT

Peter Theo Curtis is shown in an undated still frame taken from video courtesy of Al Jazeera.

Photograph: Reuters

The US has unequivocally denied paying any money at all to the Syrian extremist group that until Sunday held an American journalist hostage. Whatever prompted Jabhat al-Nusra, al-Qaida's chosen affiliate in Syria, to release Peter Theo Curtis, the government of Qatar, increasingly a regional power broker, was involved.

On Sunday a United Nations spokesman said the UN facilitated the handover of Curtis, which he said took place in Al Rafid village in the Golan Heights. The spokesman said Curtis was given a medical check-up and then handed over to US government representatives.

After the Islamic State (Isis) murdered US journalist James Foley, debate re-emerged challenging the wisdom of the US government's longstanding explicit and public prohibition on paying ransom to terrorist groups. Several European governments, including France, have broken with Washington on the ransom question, providing a policy discrepancy that the Obama administration as recently as Friday denounced as an incentive for kidnapping.

\(^1\) 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.


On Friday, deputy national security adviser Ben Rhodes forcefully rejected paying extremist groups to secure the release of US nationals.

“As a matter of policy,” he told reporters, “I think the US government remains absolutely committed to the notion that we will not provide funding for terrorist organizations that we believe that only creates perverse incentives for those terrorist organizations going forward, and a source of funding.”

On Sunday Marie Harf, a State Department spokeswoman, told the Guardian the US remained committed to its prohibition on ransom payments.

“The US government does not make concessions to terrorists, which includes paying ransom. We did not do so in this case,” Harf said.

“We also do not support any third party paying ransom, and did not do so in this case. We are unequivocal in our opposition to paying ransom to terrorists.”

Asked what prompted Curtis’ release after 22 months in captivity, Harf said she would let “Nusra speak for itself”. Harf said the State Department understood that Curtis’ release followed “a direct request from the Curtis family itself to the Qatari government for its assistance”.

Qatar, along with Saudi Arabia, maintains a weapons pipeline to Syrian resistance groups, flying cargo planes packed with small arms and shoulder-fired missiles to Turkey en route to the rebels. The weapons shipments provide the Qatars with a measure of influence amongst extremist groups the US formally considers terrorists and with whom it, formally at least, will not negotiate.

Qatar also served as the crucial middleman in the May trade of Army Sergeant Bowe Bergdahl, the only US prisoner of war in Afghanistan, for five senior Taliban members detained at Guantánamo Bay.

“We have over the past two years reached out to over two dozen countries asking for help from anyone who may have tools, influence, or leverage that can assist in securing the release of American citizens – including Theo – held hostage in Syria,” Harf said.

News of Curtis’s release came days after fellow journalist James Foley was killed.

Photograph: Carlo Allegri/Reuters

The Curtis family issued a statement on Sunday, asking for news organizations to respect its privacy. The statement said: “The Curtis family is deeply grateful to the governments of the United States and Qatar and to the many individuals, private and public, who helped negotiate the release of our son, brother and cousin.
“While the family is not privy to the exact terms that were negotiated, we were repeatedly told by representatives of the Qatari government that they were mediating for Theo’s release on a humanitarian basis without the payment of money.”
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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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 1:
- Conclusion is clearly identified in the first sentence.
- Major supporting premises are identified.
- Relevant and critical minor supporting premises are identified.
- Argument has been presented with good logical flow.
- Paraphrase has eliminated all irrelevant or unnecessary information.
- Paraphrase is original and not merely a verbatim repetition of original argument.
- Argument is clearly understood and consistent with the author’s intent.
- No critique, analysis or irrelevant commentary is provided.

Question 2:
- All items are listed as normatively neutral questions. No immediate bias is evidenced and no questions center on what “ought” or “should” be the case.
- 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 philosopher/theory being applied to the case.
- Questions are likely to drive effective and informative research. The questions should be factual and answerable (at least in terms of probabilities or projections backed up with historical data).
- Questions are not phrased in terms of what will or could happen but what has happened; remember one cannot gather data from events that have yet to occur.
- Questions are grammatically correct and are presented in a bulleted list.

Question 3:
- A clear thesis statement is made in the first sentence.
- Argument is focused on the key issues.
- Argument is clear and well organized.
- Argument is consistent with the assigned philosopher’s theory.
- Argument is effectively supported with relevant reasoned discussion.
- 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. (Note that in the example to make the most effective use of space allowed, endnotes were used; endnotes do not count as part of the 2 page limit.)
- Quotes provided are not too numerous or disproportionate to student’s original discussion; they play a supporting role not a starring role.
- Responses reflect thoughtful and detailed consideration of not only background material provided but also a further familiarity with the events and history surrounding the issue.
• No immediate personal bias is evidenced.

Question 4:
• Core objection/counter-consideration is clearly identified.
• Issue raised is reflective of the details in the assigned case study.
• Objection/counter-consideration is reflective of issues with the assigned philosopher’s theory.
• Objection is directly relevant to the case made in response to question three.

Question 5:
• Thesis is clearly stated in 1st sentence
• Reasons offered in support of thesis reflect a thoughtful and fair approach to the details of the case and the details of the assigned philosopher’s theory.
• Discussion is not repetitive of any previous section.

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.
• Study reflects that the author has explored the issue beyond the background material provided
• The study is scholarly, with effective use of the essays and relevant philosophical theory. All quotes and references are properly cited.
• There is good logic flow from one response to another – issues raised in earlier questions must link logically with responses to later questions.
• 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. **Paraphrase:** This film presents a condemnation of AZ House Bill 2281 which the makers of the film charge as targeting the teaching of ethnic studies in AZ high schools. The film argues that the funding of ethnic studies in the high schools is a critical and significant contributor to student success and fulfills the needs of underrepresented students that are not otherwise met in the conventional curriculum. Further it is argued that those supporting AZ HB2281 are motivated by a poor understanding of the ethnic studies program and at the very least a callous indifference to the needs of those underrepresented students. Lastly, it is argued that AZ HB2281 is tantamount to censorship.

2. **Asking the right questions:**
   - What is the population distribution by race/ethnicity of AZ high school students?
   - 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?
   - What impact has the institution of ethnic studies programs had on the students who participate in terms of completion, transfer and continuing success post-graduation in AZ and nationwide?
   - Are there statistical correlations between drop-out rates and unemployment, homelessness and crime?
   - What portion of tax revenue is spent on crime prevention and mediation in Arizona?
   - Are there estimates of lost tax revenue due to unemployment and homelessness in Arizona?
   - 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?
   - To what degree is the contribution of non-white persons included or recognized in current curriculum?
   - What was the ethnic/racial background of the students who participated in the program?
   - What is the ethnic/racial background of those who serve in the AZ House?
   - What is the ethnic/racial background of voter turnout in AZ as a proportion to total population?
   - Is the public funding of AZ schools very limited or decreasing & how does AZ per student spending compare to other states in the US?
   - Have there been significant changes to the tax revenue or apportionment towards education in the state of Arizona & how does the percentage of proportionment compare to other states in the US?

3. **Mill’s Position:**
   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 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 which is clearly consistent with Mill’s position on governmental overreach. 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.” 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.” 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. **Critical Objection:** Public school funds are always limited and special programs do tend to cost more per student and serve fewer students as a whole. Public schools across the nation are largely in a situation of economic triage – determining how to serve the majority of those who can succeed with moderate efforts expended, while allowing those who won’t succeed without significant intervention to languish and sacrificing the programs geared towards the upper tier of most excellent students. Since the utilitarian credo demands acting to promote the good for the greatest number of people and does not demand an egalitarian distribution, it might seem that the cash-strapped state of Arizona might make the same argument other schools have been forced to make regarding music, art and language courses. Less than perfect funding drives hard choices here & ethnic studies aren’t the only great programs to be cut.

5. **Conclusion:** I believe these programs need to be supported – as an addition and enhancement of students’ educational opportunities. The argument thus far, has been presented as a bit of a utilitarian false dilemma: either serve the majority at the sacrifice of the minority or serve the minority, thus diminishing the good to the majority. My answer is to serve all, and in doing so, increase the good for current and future generations. The means by which this can be accomplished is to increase school funding as AZ is one of the lowest states in per student spending in the nation. The small sacrifice of proportionately increased taxes for each individual will repay itself in terms of the flourishing of a better educated community.


