Case Study #1: Ethics & New York Cycling

Read the ethics section in our text and the attached op-ed piece from the *New York Times*, then answer the following questions. **The completed assignment should be three 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 each supporting quote should be no longer than one or two short sentences. All quotes must be from primary literature (the philosopher in question) and *not* from Solomon’s secondary commentary or any other non-primary source. Quotes must be cited and all you need do is indicate the page from the text. Please separate and number each response as shown in the example attached. This exercise is worth a total of 105 points. **This is due on the 20th (M/W) / 21st (T/Th) of March.**

*Keep Scrolling Down – Detailed instructions, rubrics and a sample are on the pages following the Background!*

**Questions:**

1. Paraphrase the argument put forth by Randy Cohen in the attached article. (15 points)

2. Prior to determining whether Mr. Cohen’s premises are acceptable and his argument is well grounded, what sort of research information would you need? 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. Think about facts that, if known might help determine how one should or could respond to the issues identified. (20 points)

3. Do you agree with Mr. Cohen that Kant would approve of his actions? Explain your answer including specific details from Kant’s deontology including a discussion of the categorical and practical imperatives. Does Kant allow exceptions to rules? (Note that Mr. Cohen does distinguish between what is moral and what is legal.) (30 points)

   3b. Cite a quote from Kant supporting your answer. (5 points)

4. Briefly explain Mill’s utilitarian approach to ethics. Include in your explanation, a discussion of Mill’s definition of the good. How would Mill respond to Mr. Cohen’s argument that it is moral to run red lights when cycling? For Mill does it make sense to institute exceptions to rules and if so, under what circumstances? (30 points)

   4b. Cite a quote from Mill supporting your answer. (5 points)
The New York Times

Sunday Review | The Opinion Pages

OPINION
If Kant Were a New York Cyclist

By RANDY COHEN

Published: August 4, 2012

THE rule-breaking cyclist that people decry: that’s me. I routinely run red lights, and so do you. I flout the law when I’m on my bike; you do it when you are on foot, at least if you are like most New Yorkers. My behavior vexes pedestrians, drivers and even some of my fellow cyclists. Similar conduct has stuck cyclists with tickets and court-ordered biking education classes.

1 Please note that you are not limited to the background offered – you may feel free to use any credible/reliable source as evidence for your arguments. Please provide full citation for all research.
2 http://www.nytimes.com/2012/08/05/opinion/sunday/if-kant-were-a-new-york-cyclist.html?ref=ethics&_r=0
But although it is illegal, I believe it is ethical. I’m not so sure about your blithely ambling into the intersection against the light while texting and listening to your iPod and sipping a martini. More or less.

I roll through a red light if and only if no pedestrian is in the crosswalk and no car is in the intersection — that is, if it will not endanger myself or anybody else. To put it another way, I treat red lights and stop signs as if they were yield signs. A fundamental concern of ethics is the effect of our actions on others. My actions harm no one. This moral reasoning may not sway the police officer writing me a ticket, but it would pass the test of Kant’s categorical imperative: I think all cyclists could — and should — ride like me.

I am not anarchic; I heed most traffic laws. I do not ride on the sidewalk (O.K., except for the final 25 feet between the curb cut and my front door, and then with caution). I do not salmon, i.e. ride against traffic. In fact, even my “rolling stops” are legal in some places.

Paul Steely White, the executive director of Transportation Alternatives, an advocacy group of which I am a member, points out that many jurisdictions, Idaho for example, allow cyclists to slow down and roll through stop signs after yielding to pedestrians. Mr. White e-mailed me: “I often say that it is much more important to tune into the pedestrians rather than tune into the lights, largely because peds jaywalk so much!”

If my rule-breaking is ethical and safe (and Idaho-legal), why does it annoy anyone? Perhaps it is because we humans are not good at weighing the dangers we face. If we were, we’d realize that bicycles are a tiny threat; it is cars and trucks that menace us. In the last quarter of 2011, bicyclists in New York City killed no pedestrians and injured 26. During the same period, drivers killed 43 pedestrians and injured 3,607.

Cars also harm us insidiously, in slow motion. Auto emissions exacerbate respiratory problems, erode the facades of buildings, abet global warming. To keep the oil flowing, we make dubious foreign policy decisions. Cars promote sprawl and discourage walking, contributing to obesity and other health problems. And then there’s the noise.

Much of this creeping devastation is legal; little of it is ethical, at least where, as in Manhattan, there are real alternatives to the private car. But because we’ve so long let cars dominate city life, we take them, and their baleful effects, for granted. The surge in cycling is a recent phenomenon: we’re alert to its vagaries.

But most of the resentment of rule-breaking riders like me, I suspect, derives from a false analogy: conceiving of bicycles as akin to cars. In this view, bikes must be regulated like
cars, and vilified when riders flout those regulations, as if we were cunningly getting away with something. But bikes are not cars. Cars drive three or four times as fast and weigh 200 times as much. Drive dangerously, you’re apt to injure others; ride dangerously, I’m apt to injure myself. I have skin in the game. And blood. And bones.

Nor are cyclists pedestrians, of course (at least not while we’re pedaling). We are a third thing, a distinct mode of transportation, requiring different practices and different rules. This is understood in Amsterdam and Copenhagen, where nearly everyone of every age cycles. These cities treat bikes like bikes. Extensive networks of protected bike lanes provide the infrastructure for safe cycling. Some traffic lights are timed to the speed of bikes rather than cars. Some laws presume that in a bike-car collision, the heavier and more deadly vehicle is at fault. Perhaps as New York City’s bike share program is rolled out, these will become the case here.

Laws work best when they are voluntarily heeded by people who regard them as reasonable. There aren’t enough cops to coerce everyone into obeying every law all the time. If cycling laws were a wise response to actual cycling rather than a clumsy misapplication of motor vehicle laws, I suspect that compliance, even by me, would rise.

I choose my riding style mindful of my own safety and that of my neighbors, but also in pursuit of happiness. Uninterrupted motion, gliding silently and swiftly, is a joy. It’s why I ride. And it’s why Stephen G. Breyer says he rides, sometimes to work at the Supreme Court: “The advantages? Exercise, no parking problems, gas prices, it’s fun. An automobile is expensive. You have to find a place to park and it’s not fun. So why not ride a bicycle? I recommend it.” I don’t know if he runs red lights. I hope so.

*Randy Cohen was the original writer of The New York Times Magazine’s “Ethicist” column and the author of the forthcoming book “Be Good: How to Navigate the Ethics of Everything.”* 

*A version of this op-ed appeared in print on August 5, 2012, on page SR8 of the New York edition with the headline: If Kant Were a New York Cyclist.*

*Keep Scrolling Down – Detailed instructions, rubrics and a sample are on the following pages!*
General Suggestions for Writing Case Studies

How not to write your paper:

I. The Paragraph
Authors often complain that the most difficult sentence to write is the first one. Your opening sentence should tell your reader your thesis. Then you just need to answer the question as thoroughly and succinctly as possible given the length allowed. Look at the sample case study questions and responses following the rubrics.

II. Format
You do not need to re-type the question. Please number each response corresponding to the assigned questions. Place the corresponding quote below each response labeled appropriately – see example below. All papers should be three pages single spaced, using 12 pt. fonts and 1 inch margins all around.

III. Tone/Voice
Ever since George Carlin pointed out that “using your own words” would result in a private and hence meaningless expression, 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. 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

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3 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.
power points. Quotes, if they are drawn from our assigned text, need only be cited with the page where it was found (see example below). However any quotes from other sources must have full citation. A failure to cite will result in zero points for that section of this assignment.

V. 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.

VI. 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 specific rubrics and a sample partially 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
- 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 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 or irrelevant commentary is provided.

**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 to the issues identified in the first section and would be likely to be relevant to the philosopher/theory 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).

**Question 3 and 4:**
- Responses are sufficiently detailed and focused on the questions raised.
- Responses are consistent with the philosopher referenced.
- Sufficient detail from the philosopher’s theory is provided.
- Responses reflect careful consideration of background material provided.
- Responses are well supported with relevant reasons.
- No immediate personal bias is evidenced.

**Quotes in 3b and 4b:**
- Quote is from primary work & is cited properly.
- Quote is specifically relevant to the issue and is not too general.
- Length of quote is appropriate to the assignment.
- Quote supports the position maintained by the author in the 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 – with length of responses proportionate to the number of points for each question.
- Assignment format has been followed.

**The Good Paper (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.

**The Satisfactory Paper (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.

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

**The Paper that 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 partially completed assignment!*

**Sample Questions:**

1. *Explain our core moral obligations according to Ayn Rand. For Rand, do we have any obligations to others? (20 points)*

2. *Tony Hayward was the chief executive of oil giant BP, the leaseholder of the Deepwater Horizon oil rig when it exploded April 20, 2010. During this time he returned to England to participate in an elite Yacht Race and on May 31st, six weeks after the spill began, Mr. Hayward uttered on camera, “I’d like my life back.” In one paragraph, explain whether Ayn Rand would have supported Hayward’s actions and comments. (15 points)*

   2b. *Cite a supporting quote from the text to support your answer above. (5 points)*
Sample Case Study: Ethics, Tony Hayward & the *Deepwater Horizon*

1. Ayn Rand argued that one’s chief obligation was to oneself. She argued that each of us has a right to the products of our own labor and none of us has an obligation of charity. Value must be assigned in terms of what is most important to oneself and what is likely to result in one’s own happiness. Firstly, for Rand, the virtue of selflessness is impossible to apply. True selflessness is impossible because we can only act in a way that is consistent with what we want and value – we cannot act otherwise. To act selflessly implies that are not acting consistently with what we ourselves value but are acting instead in terms of some disinterested evaluation. For Rand, such a disinterested evaluation is nonsense. Secondly, selflessness also impedes production and development; it renders one subservient to the will of others and thus limits our ability to achieve great things. We can cooperate with and help others but only if we value them and recognize in them something that echoes in our own pursuit of greatness. We may even go to extraordinary lengths to help or save others but we always do so because they are deemed valuable to us and are necessary to our happiness – not because we think it is morally correct to sacrifice ourselves. Our moral obligation to our own happiness also implies making the most of ourselves for Rand. Rand divides the world into those who would produce and those who would steal from the production of others. For Rand we have a moral obligation to shrug off those who would sap our productive vitality and focus instead on becoming great achievers.

2. Ayn Rand would not have supported ex-CEO of BP, Tony Hayward’s actions or comments during the Deep Water Horizon Gulf disaster. Rand’s support of the idea that we have obligations only to the pursuit of our own happiness does not imply that we should gratify any and all desires we may have. Rand is primarily interested in those who are capable of innovation and invention – of excellence. Their happiness is not linked to merely making money or to the pursuit of witless pleasures. Hayward’s indulgence in yacht racing, his unconsidered public remarks and incompetence in his management of the oil spill and the subsequent media fallout did not result in his eventual happiness. Rand argues for the freedom from self-sacrifice in order to excel and become a powerful person of value. Her idea is to avoid becoming a sacrificial animal. Hayward certainly, in pursuing momentary pleasures, sacrificed his career and long-term pursuits. In the end, Hayward was fired from his BP position as CEO, demoted and transferred to Russia; not a country particularly well known for yacht racing!

2b. “*When you felt proud of the rail of the John Galt Line...what sort of men did you think of? Did you want to see that Line used by your equals – by giants of productive energy such as Ellis Wyatt, whom it would help to reach higher and still higher achievements of their own? Yes, said Reardon eagerly.*” (p.220)