Case Study #1: Ethics & Deportation

Read the ethics section in our text and the attached articles from the CBS.Com and The Republic/Arizona Central News then answer the following questions. Each answer should be 1 paragraph long 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 label each quote as shown in the example attached. The completed assignment should be two pages long, using 12 pt. fonts and single spacing. Each question is worth 15 points and each quote is worth 5 points for a total of 105 points. This is due on the 27th of June.

Questions:

1. Discuss what makes a human life meaningful for Aristotle. How is the virtue of pride linked to living a worthy life?
2. Look closely at the criteria in the fourth paragraph of the CBS article. How do you think Aristotle would respond to this new policy?
   2b. Cite a quote from Aristotle supporting your answer.
3. Briefly explain Kant’s deontology including a discussion of the categorical and practical imperatives. Does Kant allow exceptions to rules?
4. Is there a difference between treating someone as an immigrant and a guest worker in terms of respect for persons? Is this new policy compatible with Kant’s command to always treat persons with respect? (Ignore the issue of the age - for the purposes of this question treat those who are affected as persons.) Is this new policy compatible with Kant’s deontological approach to rules?
   4b. Cite a quote from Kant supporting your answer.
5. Briefly explain Mill’s utilitarian approach to ethics. Include in your explanation, a discussion of Mill’s definition of the good. How does Mill resolve the problem of “tyranny of the majority?” For Mill does it make sense to institute exceptions to rules and if so, under what circumstances?
6. What information would Mill need to determine a response to Obama’s policy? Would Mill be likely to agree with the criteria in the fourth paragraph of the CBS article?
   6b. Cite a quote from Mill supporting your answer.
President Obama eased enforcement of immigration laws Friday, offering a chance for hundreds of thousands of illegal immigrants to stay in the country and work. Immediately embraced by Hispanics, the extraordinary step touched off an election-year confrontation with congressional Republicans.

"This is not amnesty; this is not immunity; this is not a path to citizenship; it's not a permanent fix," Mr. Obama said. "This is a temporary stopgap measure that lets us focus our resources wisely while giving a degree of relief and hope to talented, driven, patriotic young people. It is the right thing to do."

The policy change will affect as many as 800,000 immigrants who have lived in fear of deportation. It bypasses Congress and partially achieves the goals of the "DREAM Act," congressional legislation that would establish a path toward citizenship for young people who came to the United States illegally but who attend college or join the military.

Under the administration plan, illegal immigrants will be immune from deportation if they were brought to the United States before they turned 16 and are younger than 30, have been in the country for at least five continuous years, have no criminal history, graduated from a U.S. high school or earned a GED or served in the military. They also can apply for a work permit that will be good for two years with no limits on how many times it can be renewed.

Mr. Obama said the change would become effective immediately to "lift the shadow of deportation from these young people."

The move comes in an election year in which the Hispanic vote could be critical in swing states like Colorado, Nevada and Florida. While Mr. Obama enjoys support from a majority of Hispanic voters, Latino enthusiasm for the president has been tempered by the slow economic
recovery, his inability to win congressional support for a broad overhaul of immigration laws and by his administration's aggressive deportation policy.

The step, to be carried out by the Department of Homeland Security, comes one week before Mr. Obama plans to address the National Association of Latino Elected and Appointed Officials' annual conference in Orlando, Fla. Republican presidential challenger Mitt Romney is to speak to the group on Thursday.

In New Hampshire, Romney said Mr. Obama's decision will make it harder to solve the country's larger immigration problems. He did not say he would reverse the decision if elected. The plight of illegal immigrants who were brought to the U.S. as children is "an important matter to be considered," Romney said. But he said Mr. Obama's decision will make finding a long-term solution more difficult.

During the Republican presidential primaries, Romney said he would veto the DREAM Act.

"Many of these young people have already contributed to our country in significant ways," Homeland Security Secretary Janet Napolitano wrote in a memorandum describing the administration's action. "Prosecutorial discretion, which is used in so many other areas, is especially justified here."

Conrado Santo, of the Boston-based Student Immigrant Movement, which works with young illegal immigrants, may be affected by the policy change. He told CBS Radio News he was 13 years old when his parents brought him to the United States. They came on a tourist visa and stayed. He's 24 now and has been living undocumented in the United States for more than 10 years.

"This is just a moment of just joy and excitement for me, for all of the people around me and my family and everyone," Santo said.

Bruce Goldstein, president of the Washington-based group Farmworker Justice, supported the change but said more comprehensive reform is still needed.

"People who work in this country, especially those producing our food, should have the opportunity to be immigrants and not just be guest workers," Goldstein told CBSNews.com. "We are a nation of immigrants, not a nation of guest workers."

The policy closely tracks a proposal being drafted by Republican Sen. Marco Rubio of Florida, a potential vice presidential running mate for Romney, as an alternative to the DREAM Act, formally the Development, Relief and Education of Alien Minors Act.

While many Republican lawmakers decried the Mr. Obama administration's move, Rubio offered a tempered response.

"Today's announcement will be welcome news for many of these kids desperate for an answer, but it is a short-term answer to a long-term problem," Rubio said in a statement. "And by once
again ignoring the Constitution and going around Congress, this short-term policy will make it harder to find a balanced and responsible long-term one."

In Arizona, Maricopa County Sheriff Joe Arpaio - who, more than any other police boss, has pushed the bounds of local immigration enforcement - told CBS Radio News the policy change "looks like it's the beginning of amnesty."

"This seems to be politically motivated," said Arpaio. "Why now, just during the election year, and why not let Congress look at this next year?"

Mark Krikorian, executive director of the Washington-based Center for Immigration Studies, called the new policy "a lawless act."

"They get to stay here on a renewable two-year permit, and they get allowed to work," Krikorian told CBSNews.com. "The president has committed what is clearly an unconstitutional act, and Congress has a responsibility -- even those who oppose the DREAM Act have a responsibility -- to withhold funds to DHS (Department of Homeland Security)." The change drew a swift repudiation from Republican lawmakers, who accused Mr. Obama of circumventing Congress in an effort to boost his political standing and of favoring illegal immigrants over unemployed U.S. citizens.

"President Obama and his administration once again have put partisan politics and illegal immigrants ahead of the rule of law and the American people," Rep. Lamar Smith of Texas, GOP chairman of the House Judiciary Committee, said in a statement.

Republicans including Romney say they want tighter border security measures before they will consider changes in immigration law. Romney opposes offering legal status to illegal immigrants who attend college but has said he would do so for those who serve in the armed forces.

Praise for the new policy was also swift. Sen. Dick Durbin of Illinois, the No. 2 Senate Democrat, called the decision "an historic humanitarian moment" and compared it to the decision two decades ago to give political asylum to Cuban refugees fleeing the communist island. "This is at least a reflection of that moment in history."

In New York, Mayor Michael Bloomberg said, "Ending deportations of innocent young people who have the potential to drive tomorrow's economy is long overdue, as are many commonsense reforms needed to center our immigration policy around our economic needs."

Midway through his remarks, Mr. Obama was interrupted by a reporter from a conservative online publication, Neil Munro of the Daily Caller, who shouted, "Why do you favor foreigners over American workers?" Clearly irritated, Mr. Obama said that he was explaining the policy, not looking for an argument, and that the change was the "right thing to do for the American people."

Napolitano said Friday the decision "is well within the framework of our existing laws."
"We should not forget that we are a nation of laws and a nation of immigrants," she said. "With respect to these young people, deferred action, the decision I announced today, is simply the right thing to do."

The Obama administration's deportation policies have come under fire, and Latino leaders have raised the subject in private meetings with the president. In 2011, Immigration and Customs Enforcement deported a record 396,906 people and is expected to deport about 400,000 this year.

A December poll by the Pew Hispanic Center showed that 59 percent of Latinos disapproved of the president's handling of deportations.

The administration announcement comes ahead of an expected Supreme Court decision on Arizona's tough 2010 immigration law that, among other things, requires police to ask for immigration papers from anyone they stop or arrest and suspect is in the country illegally. The Obama administration has challenged the law.

The exact details of how the program will work, including how much immigrants will have to pay to apply and what proof they will need, still are being worked out.

Administration officials stopped short of calling the change an administrative DREAM Act, but the qualifications track with those laid out in a 2010 version that failed in the Senate after passing in the House. They said comprehensive overhaul of the immigration system remained an administration priority.

Illegal immigrant children won't be eligible to apply for the deportation waiver until they turn 16, but officials said younger children won't be deported, either.

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Gov. Jan Brewer: immigration announcement
"outrageous"

Governor says policy amounts to 'back-door amnesty'
by Alia Beard Rau - Jun. 15, 2012 04:35 PM
The Republic | azcentral.com

Gov. Jan Brewer criticized the Obama administration on Friday for what she called "blatant political amnesty" and said the president should instead focus on securing the border.

1 http://www.cbsnews.com/8301-201_162-57453916/u.s.-to-stop-deporting-young-illegal-immigrants/?tag=strip
"This was an outrageous announcement ... that intends to grant back-door amnesty," she said. "It doesn't take a cynic to recognize this action for what it is, blatant political pandering."

When asked if she would challenge the decision, she replied, "Oh, I don't know. I will give that some thought."

On Friday, the Obama administration essentially enacted a version of the Dream Act. Effective immediately, undocumented immigrants who can prove they came to the country under the age of 16 and already have lived here at least five consecutive years would be allowed to stay in the country without fear of deportation. To qualify, the youth can't be older than 30 and must be either still in school or graduated from high school or obtained a general education development certificate, the Homeland Security Department announced.

The move comes before the U.S. Supreme Court rules on the legality of Arizona's tough 2010 immigration law known as Senate Bill 1070. The Supreme Court could issue a ruling in a matter of days. Brewer said the announcement was a preemptive strike against the anticipated ruling.

"The crux of SB 1070 is documentation. (The president is) going to give documentation to nearly 1 million people who have arrived in the country illegally," she said. "The timing is unbelievable."

SB 1070, among other things, makes it a state crime to be in the country illegally and requires an officer engaged in a lawful stop, detention or arrest to, when practicable, ask about a person's legal status when reasonable suspicion exists that the person is in the U.S. illegally. It's written goal is to deter the unlawful entry and presence of illegal immigrants in Arizona through a policy of "attrition through enforcement."

Brewer, a Republican, is an outspoken critic of Obama.

Earlier this month, Brewer criticized Obama during a GOP fundraiser in California. The topics ranged from the federal government's lawsuit challenging SB 1070 to unemployment.

Organizers displayed the infamous image of Brewer wagging her finger at Obama during his visit to the Valley in January. The phrase, "You go girl" was written under the photo.

"I had a couple of words for him," Brewer was quoted as saying. Then she told the audience of nearly 700 what she thought they should say to Obama if they get the chance.

"We don't need you," she was quoted in the Orange County Register as saying. "You're a failure."²

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General Suggestions for Writing Case Studies

How not to write your paper:

1. 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 following sample case study question and response.

Sample Question:

1. 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.

1b. Cite a supporting quote from the text to support your answer above.

A good response:

1. Ayn Rand would not have supported ex-CEO of BP, Tony Hayward’s actions or comments during the Deep Water Horizon Gulf disaster. Ayn Rand supports the idea that we have obligations only to the pursuit of our own happiness. This 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, 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

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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.
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 and transferred to Russia; not a country particularly well known for yacht racing.

1b. “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)

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 above.

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 power points. Quotes need only be cited with the page in our text where it was found (see example above).

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.
Standards (Rubrics) for Grading Case Studies

Excellent (100-90% of points):

- Well organized with strong structure:
  The paper provides adequate context and the paragraphs flow logically from one to the next with each paragraph taking on just one task. By “logical flow,” I mean that you should demonstrate how and why one premise leads to the next and directly relates to the conclusion.

- Clear focus
  No irrelevant or “garden path” excursions. The paper answers what the question is asking and keeps strictly to those issues.

- Complete – Fully answers the question and/or includes all relevant premises
  You will not get full credit if you answer only part of the question even if that part is really good! The excellent paper includes all the relevant premises – with no logical leaps or missing supports. The excellent answer is as thorough as possible making the most effective use of the space allowed.

- Texturally correct – Stays true to the author’s intent/argument
  While we don’t usually refer to philosophy answers as “right” or “wrong” (except on your objective exams!), strong mischaracterizations are possible. The excellent characterization of an argument is as close to the original intent as possible.

- Clear – Explains the answer comprehensibly
  The primary task of this assignment is to demonstrate that you have understood a theory or argument by explaining it clearly. The best papers will make something clearer – more understandable without oversimplifying or mischaracterizing the point.

- Effective use of language
  I value straightforward, clear writing with no undefined jargon, tortuous grammar or derivative language. I will not be awarding points for flowery style or effusive jargon. This means using ordinary, garden-variety language, which is as simple and straightforward as possible. This also means that you need to be using your own “voice” and not quoting or closely paraphrasing my lectures or the texts. The excellent paper cites all quotes and close paraphrasing and supports those with supplementary explanations.

- Well Supported
  Your central claims should be supported with reference to the text. These supports should be relevant and of appropriate length to the assignment – short assignments imply very short, pithy quotes. Quotes must be taken from the philosopher’s own works rather than from the secondary commentary or from lecture.

- Demonstrates insight into the issue
  I must admit that this is the most difficult to explain. The excellent paper will demonstrate a certain level of discernment or understanding which goes beyond just explaining the argument. Insight means that the paper documents the student really understanding what the issue is all about. To a certain extent, the student has taken ownership of the concepts and has presented an explanation that is uniquely their own.

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.