

# 2025 Regional Case Set Intercollegiate Ethics Bowl

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# CASES

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## About the Case Set

This case set was developed for use in the 2025 APPE Intercollegiate Ethics Bowl® regional competitions. APPE IEB® is a unique, collaborative experience for undergraduate students that provides valuable educational experience in practical and professional ethics. Learn more at [appeieb.org](https://appeieb.org).

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## 1. A Pound of Flesh

In early 2023, Massachusetts lawmakers proposed a bill that would allow incarcerated individuals to donate organs or bone marrow in exchange for sentence reductions ranging from 60 days to one year.<sup>1</sup> One of the bill's sponsors, Representative Judith Garcia, argued that the bill was a step toward addressing health inequities disproportionately impacting Black and Hispanic communities. These communities experience higher rates of conditions, such as diabetes and heart disease, that require organ or marrow transplants, and yet face longer wait times.<sup>2</sup> These communities are also more likely to be imprisoned than their white counterparts. Black adults were imprisoned at five times the rate of White adults in 2020, making up 26% of the jail population, and hold longer average stays.<sup>3</sup>

There are over 100,000 people in the U.S. needing life-saving organs, nearly a third of whom are Black<sup>4</sup>, and a fifth Hispanic<sup>5</sup>. Members of these communities have less than a 50% chance of finding a bone marrow match, whereas 2 out of 3 white people find a match.<sup>6</sup> One factor contributing to their longer wait times is a lack of donors with compatible blood types and tissue markers. Organs are not matched via race and ethnicity, and it's common for a donor organ to be matched to a recipient of different ethnicity.<sup>7</sup> However, blood and tissue types—as well as immune system markers—are more likely to be matched among members of the same ethnicity. Individuals in need of an organ transplant with rare genetic markers are also more likely to find a compatible match among donors with the same ethnic background. The more diverse the pool of organ donors, the greater the potential access to lifesaving transplants for everyone—and the greater potential for a successful transplant.

While the Uniform Anatomical Gift Act of 1987 (UAGA) allows for an individual to authorize an organ donation after their death, or have a legal surrogate do so,<sup>8</sup> only a few states within the U.S. allow for posthumous organ donations by incarcerated persons. Massachusetts aimed to become the first state to provide incentive for living organ donation, but the bill has drawn scrutiny. Critics of the proposal argued that the sentence reduction in exchange for body parts violated the National Organ Transplant Act, which prohibits the sale of human organs in the U.S. Incarcerated individuals are also in an inherently constrained environment, which some argue limits their autonomy and gives them fewer choices than free citizens.<sup>9</sup> Some suggest that the

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<sup>1</sup> Leblanc, Steve. "Organs in Exchange for Freedom? Bill Raises Ethical Concerns." *The Independent*. February 8, 2023. Retrieved from <https://www.independent.co.uk/news/ap-massachusetts-bill-hispanic-boston-b2278576.html>.

<sup>2</sup> "Race, Ethnicity & Donation." *Donate Life America* (blog). Retrieved from <https://donatelife.net/donation/organ-donation-race-ethnicity/>.

<sup>3</sup> "Racial Disparities Persist in Many U.S. Jails." *Pew Center*. May 16, 2023. Via <https://pew.org/44DtVUh>.

<sup>4</sup> "Organ Transplants and Black/African Americans." *US DHHS Office of Minority Health*. Retrieved from <https://minorityhealth.hhs.gov/organ-transplants-and-blackafrican-americans>.

<sup>5</sup> "Organ Transplants and Hispanic/Latino Americans." *US DHHS Office of Minority Health*. Retrieved from <https://minorityhealth.hhs.gov/organ-transplants-and-hispaniclatino-americans>.

<sup>6</sup> Rosanwo, Tolulope. "Rates of Hematopoietic Stem Cell Transplantation, Racism, and the Aging Face of America." *JAMA Network Open* 7, no. 9 (Sep. 2024). <https://doi.org/10.1001/jamanetworkopen.2024.33124>.

<sup>7</sup> Barczy, Amy. "The Importance of Diverse Organ Donors." *MI Blue Daily*. July 7, 2022. Retrieved from <https://bcbsm.mibluedaily.com/stories/health-and-wellness/the-importance-of-diverse-organ-donors>.

<sup>8</sup> Glazier, Alexandra. "Organ Donation and the Principles of Gift Law." *Clinical Journal of the American Society of Nephrology* 13, no. 8 (August 2018): 1283. <https://doi.org/10.2215/CJN.03740318>.

<sup>9</sup> McCarthy, C.M. "Experimentation on Prisoners: The Inadequacy of Voluntary Consent." *The New England Journal on Criminal and Civil Confinement* 15, no. 1 (1989). Via <https://www.ojp.gov/ncjrs/virtual-library/abstracts/experimentation-prisoners-inadequacy-voluntary-consent>.

offer of a reduced sentence is coercive. Under this view, even if the offer appears voluntary, the nature of incarceration impairs one's ability to make fully informed and rational decisions, especially when incentivized with a reduced sentence. By contrast, some suggest that characterizing incarcerated individuals as irrational can be condescending and reinforce harmful stereotypes that undermine their agency and dignity as human beings.<sup>10</sup> However, supporters of such proposals argue that offering organ or bone marrow donation as an option could provide incarcerated individuals with an opportunity to contribute positively to society—whether to atone for past actions or to address inequities in the medical system. From this perspective, the choice to donate may be a voluntary and meaningful act, rather than purely a coerced one.

There is precedent for medical interventions in exchange for sentence reduction. Individuals are sometimes offered parole or reduced sentences if they undergo methadone therapy,<sup>11</sup> chemical castration,<sup>12</sup> or neurocorrectives.<sup>13</sup> These medical interventions are typically reversible, but are aimed at modifying an individual's behavior or desires. This highlights ongoing tensions between public health goals, prison reform, and the ethics of incentivized medical decisions. Though Massachusetts legislators have since walked back the bill, it continues to serve as a provocative example of how medical policy, criminal justice, and social equity can intersect.

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<sup>10</sup> Tubig, Paul. "Trading Time for Tissue: The Morality of Organ Donation Programs in Prisons." *Blog of the APA*. February 21, 2025. Retrieved from <https://blog.apaonline.org/2025/02/21/trading-time-for-tissue-the-morality-of-organ-donation-programs-in-prisons/>.

<sup>11</sup> D'Hotman, Daniel, Jonathan Pugh, and Thomas Douglas. "When Is Coercive Methadone Therapy Justified?" *Bioethics* 32, no. 7 (June 2018): 405–13. <https://doi.org/10.1111/bioe.12451>.

<sup>12</sup> Douglas, Thomas, Pieter Bonte, Farah Focquaert, Katrien Devolder, and Sigrid Sterckx. "Coercion, Incarceration, and Chemical Castration: An Argument from Autonomy." *Journal of Bioethical Inquiry* 10, no. 3 (June 2013): 393–405. <https://doi.org/10.1007/s11673-013-9465-4>.

<sup>13</sup> Pugh, Jonathan. "Coercion and the Neurocorrective Offer." In *Treatment for Crime: Philosophical Essays on Neurointerventions in Criminal Justice*, edited by David Birks and Thomas Douglas. Oxford University Press, October 2019. <https://doi.org/10.1093/oso/9780198758617.003.0005>.

## **~~2. Ashes to Ashes, Dust to... Soil?~~**

~~When Dennis~~ Cunningham, a longtime lawyer and activist, passed away, he wanted to ensure that his burial wishes aligned with the values he upheld in life, namely, to be environmentally conscious.<sup>14</sup> His children provided for his body to be composted, a process that turns human remains into soil. This new technology, which can be seen as an alternative to other forms of handling human remains, like full body burials and cremation, has been proposed as a more environmentally conscious option.

Mr. Cunningham died in his home state of California, where human composting is still illegal, and therefore could not undergo this process at home. Instead, his children had to organize for the travel of his remains to Washington state, where human composting is already legal. Once his remains arrived, Mr. Cunningham was able to be composted into soil to be spread and returned to the environment.

The increase in the popularity of human composting is not unique to California, as several states have recently passed legislation legalizing the practice. Still more states have passed legislation waiting to take effect, including California, as well as have proposed bills in their respective state legislatures.

Some people argue this process is an environmentally friendly burial option that avoids the use of harmful chemicals or fixative agents like formalin, typically used in the embalming process. Others, however, see this process as an opportunity to remedy the shrinking space available for traditional full-body burials or the increase in air pollution caused by the practice of cremation, particularly during the COVID-19 pandemic, which saw an increase in the processing of human remains for burial and thus an increase in carbon emissions, which sometimes violated local air quality laws and regulations.

Although opposition to this new burial practice seems minimal, opponents highlight that some legislation relies on the singular study by a university research group showing that all harmful byproducts of the process, like chemotherapy treatments or dental implants, had been completely removed from the soil left behind by human composting. However, some also object on religious grounds. For some, the practice fails to properly uphold the dignity and respect that they say ought to be shown to human remains. Typically, composted human remains are spread in open land or forested areas, without the presence of a grave marker or other way of recording the location of the remains. These individuals hold the practice to be “undignified,” with the repeated spread of composted remains in the same area equivalent to a mass grave.

Previously, researchers at Washington State University conducted studies on human remains donated for research purposes. These researchers determined that, in the right conditions,

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<sup>14</sup> Dembosky, April. “The ultimate green burial? Human composting lets you replenish the earth after death.” *NPR*. March 22, 2024. Retrieved from <https://www.npr.org/sections/health-shots/2024/03/22/1240080757/the-ultimate-green-burial-human-composting-lets-you-replenish-the-earth-after-de>.

human remains can fully decompose in around four weeks, producing about 1 cubic yard of soil in the process.<sup>15</sup>

This process can also be expensive. With a final price tag of around \$7,000, the cost of human composting is higher than that of cremation. However, it is still less than what Americans typically pay for full-body burials.

Individuals like Mr. Cunningham, and their families, choose to pursue human composting as a means of both aligning their burial practices with their lived values and as a way of continuing the cycle of life far beyond their own death, namely in the planting of remembrance trees or other plants. Current government regulations prevent individuals from pursuing these methods in their home state, or even limit where and when the soil produced by human composting can be deposited. Luckily for residents of California, like Mr. Cunningham, recently passed legislation to make the process legal will take effect in 2027.

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<sup>15</sup> Hassan, Adeel. "Ashes to Ashes. Dust to Dust. Or, in Washington State, You Could Now Be Compost." *The New York Times*. May 5, 2019. Retrieved from <https://www.nytimes.com/2019/05/22/us/human-composting-washington.html>.

### 3. Curb Your Overtourism

Japan, Spain, and a slew of other countries have experienced record high numbers of tourists over the past few years. There have been negative effects of the influx of tourism, including an increase in litter, noise disturbances, overcrowding, and cultural disrespect. Locals in cities like Barcelona and Amsterdam are being priced out of their homes, and there is an overall strain on infrastructure during periods of overtourism, causing inconvenience for the people who live in these tourist destinations.

One solution to overtourism is tourist taxes, and while this concept isn't new, its prevalence is rising.<sup>16</sup> These taxes have various purposes: to decrease visitation to overly toured sites and thereby decrease the problems that tourism brings, to encourage travelers to explore more rural areas that would benefit more from tourism than bigger cities, generating funds to allocate to local causes such as environmental protection, and many more. The reasoning and specific policies differ from city to city, though many say these taxes are not enough to mitigate overtourism.

Tourism taxes are often levied at individuals, rather than companies. For instance, a new tourist fee will be imposed on cruise passengers traveling to Mexico. While cruise lines must participate in the Hecho en Mexico program by buying products from Mexico and increasing routes to less popular destinations like Alcapulco, travel companies are often not the ones asked to pay tourism fees, individual travelers are, perhaps in part to control the flow of tourists throughout the year. Another factor regarding individuals' responsibilities to travel ethically is that there has been a growing critical discussion among the public about the importance of "ethical tourism." Traveling to impoverished areas, mission and charity trips (voluntourism), and ignorance of local customs have drawn criticism from proponents of "ethical tourism," though the definition of that phrase can vary from environmental considerations to cultural awareness. While the public has not settled on what constitutes "ethical tourism," the importance of individual responsibility should not be underwritten when addressing solutions to overtourism.

In addition to tourist taxes, other obstacles to control tourism have also become more common. Views of popular sites, such as Mt. Fuji, are being strategically blocked to discourage the crowds of tourists that flock to these areas that create a burden on locals.<sup>17</sup> Tourists in Barcelona are taking more direct action by actively protesting over tourism and confronting tourists, sometimes with water guns.<sup>18</sup> The anger of locals is mostly fueled by the rising costs of housing due the rise in short term rental services, such as Airbnb. Some describe locals' anger as misguided and potentially xenophobic. The ire toward tourism being directed at individual tourists, and then into a broader perspective of "tourists = bad" can lead into overly nationalistic,

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<sup>16</sup> Morelli, Olivia. "Hawaii Is the Latest Place to Consider a Tourist Tax—Here's Where Else Travelers Need to Pay to Enter." *Condé Nast Traveler*. February 21, 2024. Retrieved from <https://www.cntraveler.com/story/tourist-taxes-around-the-world>.

<sup>17</sup> Ryall, Julian. "Can Japan solve its growing overtourism crisis?" *Deutsche Welle*. February 10, 2025. Retrieved from <https://www.dw.com/en/visit-japan-tokyo-overtourism-crisis-v2/a-71561020>.

<sup>18</sup> Goodman, Al. "Barcelona finally turned on its crowds of tourists. Now the city faces a major problem." *CNN Travel*. March 22, 2025. Retrieved from <https://www.cnn.com/travel/barcelona-reckons-with-overtourism-summer-2025/index.html>.

anti-outsider rhetoric, when many say the true target of the discontent should be the government.<sup>19</sup>

Denmark has taken a completely different approach to overtourism with the launch of the CopenPay program, which aims to incentivize tourists with access to free transport and other experiences in exchange for time volunteering to clean up trash or engage in other beneficial activities.<sup>20</sup> Programs like this are similar to the tourist tax recently implemented in Hawaii, which will use funds sourced from the tax to protect the environment after the devastating Lahaina fires. Being intentional about using tourist taxes to fund environmental efforts, or getting tourist participation in these projects directly, could help lessen the negative impacts of overtourism, potentially turning it into a net positive.

Even so, these initiatives have a long way to go if they are to combat large-scale concerns, such as pollution from cruise liners and the like. Additionally, rising costs via tourist taxes can make travel inaccessible for lower and middle-class travelers, leaving the privilege of travel to high-class travelers, as the world saw in the case of Jeff Bezos and Lauren Sanchez's Venice wedding. In cases like these, while it is somewhat clear where responsibility falls for the causes of overtourism, it is less clear who is responsible for solving the ills.

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<sup>19</sup> Loudis, Jessica. "'Overtourism' Is Driving Europeans Crazy." *The Nation*. September 18, 2018. Retrieved from <https://www.thenation.com/article/archive/overtourism-is-driving-europeans-crazy/>.

<sup>20</sup> Nielsen, Adrienne Murray. "Copenhagen's new 'CopenPay' scheme rewards tourists – but does it actually work?" *BBC*. July 31, 2024. Retrieved from <https://www.bbc.com/travel/article/20240730-copenhagens-new-copenpay-scheme-rewards-tourists-but-does-it-actually-work>.



#### 4. Shutting Out Le Pen

In many democracies around the world, one might expect—even regrettably—some corruption in their government. From sizable campaign donations, to various in-office scandals, to the revolving door between industry and government, the potential for corruption in a democracy is undeniable. If a political candidate was convicted of a crime, what would be the right way to handle their current or future candidacy? Do certain crimes make more sense in disqualifying candidates?

Former French presidential candidate Marine Le Pen was convicted of embezzling the campaign funds of the far-right *Rassemblement National* party.<sup>21</sup> This money was not used to enrich herself, but rather to pay party staff members using funds intended for aides to European lawmakers. While the case is otherwise ordinary in terms of its judgment, including fines and a period of jail time to be served under house arrest, Le Pen's conviction carried an additional stipulation: that she not be allowed to hold public office for five years. Le Pen claims that the conviction is politically motivated, especially given the disqualification from holding public office, but the court claims that it is simply holding Le Pen accountable in the same way it would hold any other citizen accountable given the circumstances. Ineligibility for public office is not typically a punishment given for embezzlement, not even for politicians, so this case has raised interest and concern.

On the one hand, it could be argued that an embezzlement charge raises concerns about a potential candidate's character, and a high-profile figure such as Le Pen—one who might hold the highest political office in the country—should be subject to higher standards of scrutiny. Even Le Pen herself advocated for political ineligibility as a punishment for embezzlement, following revelations of embezzlement in a different French political party in 2013.<sup>22</sup> If the judicial branch of a democracy is to be a check against the power of other political offices, instituting specific penalties like disqualification from public office might be justified as a deterrent to political corruption.

On the other hand, the special punishment has been interpreted by many as a means to keep opposition parties from holding power, thereby limiting the ability for French citizens to freely elect and choose their leaders. Additionally, if one can claim a right to hold public office in virtue of their citizenship within a democracy, a judgment that suspends this right could be interpreted as ignorance to a founding principle of democracies: that citizens, collectively, hold the power. Corrupt systems can write corrupt laws, and laws can be used to suppress political adversaries.

In contrast to Le Pen, the conviction of Donald Trump for falsifying business records did not carry similar penalties for his ability to hold public office.<sup>23</sup> While the falsification was tied to

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<sup>21</sup> Cohen, Roger and Aurelien Breeden. "Marine Le Pen Barred From French Presidential Run After Embezzlement Ruling." *The New York Times*. March 31, 2025. Retrieved from

<https://www.nytimes.com/2025/03/31/world/europe/france-marine-le-pen-embezzlement-2027-election-ban.html>

<sup>22</sup> "Condamnation de Marine Le Pen: quand la cheffe de file du RN voulait une justice plus sévère." *France Info*. April 3, 2025. Retrieved from [https://www.franceinfo.fr/politique/marine-le-pen/condamnation-de-marine-le-pen-quand-la-cheffe-de-file-du-rn-voulait-une-justice-plus-severe\\_7167897.html](https://www.franceinfo.fr/politique/marine-le-pen/condamnation-de-marine-le-pen-quand-la-cheffe-de-file-du-rn-voulait-une-justice-plus-severe_7167897.html). Note: This article is published in French.

<sup>23</sup> Charalambous, Peter. "Trump was convicted of 34 felonies a year ago. He's still battling the case." *ABC News*. May 30, 2025. Retrieved from <https://abcnews.go.com/US/anniversary-hush-money-conviction-trump-continues-fight-criminal/story?id=122325361>.

influencing his chances in a political election, it might be argued that the crimes he was convicted of are of less political worry than Le Pen's embezzlement charges. The difference in cases might also be a matter of legal precedent. United States election law is inclusive with respect to candidacy and criminality, and the only disqualifying convictions are impeachments<sup>24</sup> or insurrections.<sup>25</sup> An important virtue of such protections is that they provide greater freedom for candidacy and provide citizens with an ability to elect any representative they so choose, regardless of how the law views that candidate. With the rise of advanced, subtle ways of influencing election outcomes and the persistence of corruption in many democratic governments, however, these protections might also be exploited by bad actors to keep themselves and their allies in power.

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<sup>24</sup> US Constitution, art. 1, sec. 3.

<sup>25</sup> US Constitution, art. 14, sec. 3.

## 5. Inclusion or Erasure?

In recent years, Disney live-action remakes have been the topic of news headlines and 1-star Letterboxd reviews alike. In 2023, however, one particular live-action remake would spark a heated debate over more than others. The live-action remake of *Snow White and The Seven Dwarves* would be incomplete without the titular dwarves. The company initially considered hiring actors with dwarfism, aligning with the original and subsequent animated portrayals of the characters in the animated film. The portrayal of disabilities has been the center of debate for multiple franchises, including critiques for the 2020 adaptation of Roald Dahl's novel *The Witches*. This film depicted a villain with limb differences, drawing critique for encouraging children to see those with missing fingers as witches.<sup>26</sup>

Actors with disabilities have progressed in how they are represented in the film industry. Troy Kotsur, born deaf, recently won an Oscar for his performance in *CODA*, making him the first male deaf actor, and second deaf actor in general (after Marlee Matlin) to win an acting Oscar. The Marvel Cinematic Universe recently introduced its first deaf superhero, played by deaf American actor Lauren Ridloff. While these films were praised for representing not only deaf characters but also for providing opportunities for deaf actors, the community of actors with dwarfism was divided on *Snow White and The Seven Dwarves*. Peter Dinklage, best known for his role on *Game of Thrones*, is a person with dwarfism. He publicly criticized Disney for perpetuating stereotypes by using actors with dwarfism for the *Snow White* remake. In response, Disney opted to use CGI to represent the dwarves, staying true to their representation in the original animated film. This choice, however, was still met with critique. While Peter Dinklage enjoys popular fame and is a recognized thespian based on his many award nominations and wins, other lesser-known actors with dwarfism argued that roles remain few and far between. These actors argue that by using CGI for the seven dwarves, actors were deprived of a rare employment opportunity.

This controversy has sparked legal debate, with some arguing that the decision to omit actors with dwarfism might violate the Americans with Disabilities Act (ADA), which mandates equal employment opportunities for people with disabilities. While 30% of the U.S. population identify as having a disability, they remain underrepresented in the acting industry. Studies have found that only 21% of characters with disabilities on network television are portrayed by individuals who themselves have a disability.<sup>27</sup> This points to a broader systemic issue: disabled actors face barriers to inclusion even in roles they identify with. This leads not only to fewer employment opportunities for individuals with disabilities, but also inauthentic portrayals of their lived experiences. Some critics also argue that casting non-disabled actors to portray disability turns disability into a costume, reinforcing harmful stereotypes and reducing lived experience to spectacle. Acting traditionally involves stepping into experiences beyond one's own

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<sup>26</sup> "The Witches: Backlash over Film's Portrayal of Limb Impairments." *BBC*. November 4, 2020. Retrieved from <https://www.bbc.com/news/entertainment-arts-54799930>.

<sup>27</sup> Minton, Matt. "Most TV Characters With Disabilities Are Played by Able-Bodied Actors, Study Finds." *Variety* (blog). May 6, 2025. Retrieved from <https://variety.com/2025/tv/news/tv-characters-disabilities-played-able-bodied-actors-1236387320/>.

experiences, leading some to ask whether actors should be limited to roles that match their exact identity.

Debates around representation in media continue beyond the screen. In France, an adaptation of *Beauty and the Beast* for a children's book recently lost government funding. This particular adaptation featured Black protagonists, rejecting the original representation of the story and the cultural makeup of France. The fairy tale was initially published in 1740, but now France has the largest black population in Europe, with more than half of Black Europeans living in France. In 2023, a live adaptation of *The Little Mermaid* was launched with a similar twist: Ariel was played by a Black woman. This led to similar backlash from U.S. audiences and abroad.<sup>28</sup> Likewise, the casting of a Latina actress as Snow White drew controversy from those who felt the casting veered too far from the "traditional" image of the character—despite the story's fictional roots and evolving cultural meaning.

These are beloved stories which have maintained through generations, leading some to argue that their authenticity should be maintained by preserving the physical and cultural traits the authors originally intended. Others argue that contemporary values should be applied to these stories, allowing them to grow as societies do. Perhaps we are existing within Plato's cave—trapped in our own limited experiences with ideas of what diversity and representation "should" look like, just as the authors of these stories were trapped within their own experiences when writing.

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<sup>28</sup> Gammon, Thi, and Anh Ngoc Quynh Phan. "Too Black to Be The Little Mermaid? Backlash against Disney's 2023 The Little Mermaid – Continuity of Racism, White Skin Preference and Hate Content in Vietnam." *Feminist Media Studies* (April 2024): 1–7. <https://doi.org/10.1080/14680777.2024.2344102>.

## ~~6. Tamil Autonomy~~

On November 21, 2024, the anti-establishment political coalition NPP (National People's Power) won a landslide victory in the Sri Lankan presidential election, securing 159 seats in parliament—more than any other party in Sri Lanka's history.<sup>29</sup> Many were moved to vote for the NPP following severe economic fallout in the country two years before and accusations of corruption against the prior ruling party. While the NPP and its leader, Anura Kumara Dissanayake, have pledged to restore national unity in order to resolve the economic difficulties faced by Sri Lankans at large, there remain concerns for such unity of a non-economic nature. In particular, Tamil-majority regions have long insisted upon political autonomy and are somewhat resistant to the unifying efforts of the NPP.

The Tamils of Sri Lanka are an ethnolinguistic group that share a religious and cultural identity and have had a historic and well-established presence in the region. They differ substantially from the Sinhalese, the majority ethnolinguistic group within Sri Lanka. From 1989 to 2009, the militant organization LTTE (Liberation Tigers of Tamil Eelam) fought a civil war for the independence of a Tamil state due to, among other things, the alleged racial, cultural, and religious discrimination by the Sinhalese majority. A law following Sri Lanka's independence from Britain, which denied Sri Lankan citizenship to Tamils living in the newly independent region, serves as a historical example of such discrimination. The civil war ended with the defeat of the LTTE and shifting goals for Tamil-representative political parties, who adopted new goals of legal reform rather than independent statehood.

The NPP is a radical newcomer to power in Sri Lanka, which has soothed the spirits of some Tamils as the NPP has less political "baggage" to bring in. Additionally, Dissanayake has promised various concessions to Tamil-majority areas, such as a return of land appropriated for state agencies.<sup>30</sup> The hope with these concessions is that Sri Lanka will remain unified as a political entity, consistent with the NPP's ambitions for a national economic revival.

Some commentators have lauded the unifying efforts of the NPP as a testament to a renewed sense of shared national identity among Sri Lankan citizens.<sup>31</sup> With a fresh start, the new leading political party can recognize and appreciate religious, cultural, and linguistic differences without giving up on democratic ideals of a common will and civic solidarity. The NPP even won a majority of parliamentary seats in the city of Jaffna, the eponymous capital of the Jaffna District and longtime political stronghold for Tamil-representative political parties. This could be an indication that even in Tamil-majority areas, the NPP's vision of a national unity has given hope to a long-marginalized population. The successes of the NPP might show the victory of democratic institutions in restoring shared self-governance to citizens in the wake of political

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<sup>29</sup> Ondaatjie, Anusha. "Sri Lanka Leftists Win Supermajority in Rebuke of Old Guard." *BNN Bloomberg*. November 14, 2024. Retrieved from <https://www.bnnbloomberg.ca/business/international/2024/11/14/sri-lanka-presidents-bloc-takes-early-lead-in-parliament-polls/>. Note: This article can be accessed via archive.org.

<sup>30</sup> Srinivasan, Meera. "Sri Lanka President Anura Dissanayake promises return of Tamils' land grabbed by state agencies." *The Hindu*. November 10, 2024. Retrieved from <https://www.thehindu.com/news/international/sri-lanka-president-anura-dissanayake-promises-return-of-tamils-land-grabbed-by-state-agencies/article68852893.ece>.

<sup>31</sup> "NPP's Historic Victory Sparks Hope and Unity." *Groundviews*. November 16, 2024. Retrieved from <https://groundviews.org/2024/11/16/npps-historic-victory-sparks-hope-and-unity/>.

differences and religio-cultural divisions. The NPP hopes that these successes will lead to an economic revitalization for Sri Lanka.

Other commentators are unconvinced, however. The success of the NPP in Tamil-majority areas has also been attributed to the disdain of Tamils (and Sri Lankans more generally) to the old political order.<sup>32</sup> A series of mass protests in 2022 led to the ousting of former president Gotabaya Rajapaksa, and claims of corruption and cronyism have been attributed to the political elite of Sri Lanka. A deep desire for an upheaval of the old political system shows in the newly elected representatives across Sri Lanka, as 146 of parliamentarians, more than half of Parliament, will be first-timers.<sup>33</sup> The success of the NPP in Tamil-majority areas, rather than a success of its vision for Sri Lanka, might simply be a lucky consequence of voters protesting against the political establishment in general. If this is true, then it is unclear how a universal political unity for Sri Lankans can be achieved alongside true political autonomy for Sri Lankan Tamils. Favorable economic conditions for the entire country may not matter to the Tamils who have frequently been marginalized in the name of progress.

A push for Tamil independence, especially in a potentially turbulent political climate, may fragment the nation further and introduce yet more economic hardship in a country still reeling from the aftermath of two economic crises. For Sri Lankan Tamils, however, it may be the very project of political unification that leads to the discrimination and standardization that they want to free themselves from.

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<sup>32</sup> Arulthas, Mario. "No, Sri Lanka's Tamil question has not been resolved." *Al Jazeera*. January 9, 2025. Retrieved from <https://www.aljazeera.com/opinions/2025/1/9/no-sri-lankas-tamil-question-has-not-been-resolved>.

<sup>33</sup> Waravita, Pamodi. "NPP sweeps the polls including the Tamil majority areas signalling a deep political shift in island politics." *CIR*. November 18, 2024. Retrieved from <https://cir.lk/2024/11/18/npp-sweeps-the-polls-including-the-tamil-majority-areas-signalling-a-deep-political-shift-in-island-politics/>.

## 7. It's All Gravy, Baby

On an exceptionally warm day during the Ramadan season, Carrie, an observant Muslim, was on a train home from work and looking forward to breaking her fifteen-hour fast. The timing for beginning and ending of a fast is strict for observant Muslims, either preceded or followed by a prayer. While on the train, she got disturbing news of a close friend who had suddenly passed. Overwhelmed by the news and exhausted from heat, hunger, and thirst, Carrie took the wrong exit from her train station. In a haze, she proceeded to walk home, taking a shortcut through a private courtyard. Nearby officers, responding to an unrelated report of intrusion, noticed Carrie and arrested her for trespassing. Carrie informed the officers throughout the detention process that she would need to break her fast at sundown. Officers explained they were required to follow standard procedure during the arrest, but would arrange for something when the process was complete, as they were unable to accommodate “people on a diet.”

Law enforcement agencies have procedures that must be followed when responding to suspicious circumstances or outright criminal acts, and among these are investigative holds. During an investigative hold, the suspect is not free to leave, may be handcuffed for officer safety, and may even be frisked (briefly searched) for weapons. This is often referred to as a “Terry stop,” named for the U.S. Supreme Court decision, *Terry v. Ohio* (1968). Proponents argue that these stops ensure due process, the safety for officers, and the safety of those detained. Allowing religious exemptions to override these procedures could mean an exception to due process or a risk to others and officer safety. Officers, therefore, have a legitimate reason to refuse special treatment in certain cases, especially when doing so would imperil due process or risk the safety of those involved.

In Carrie’s case, despite several attempts to convey the time-sensitive and religious reasons for breaking her fast, officers continued to follow procedures like the “Terry stop” for four hours past sunset, potentially violating Carrie’s religious freedoms. First Amendment protections guarantee religious freedom in the United States, and cannot prevent the “free exercise” of religion.<sup>34</sup> Exceptions have been provided in the form of various standards, such as the “compelling governmental interest” standard<sup>35</sup> and the “valid and neutral law” standard.<sup>36</sup> In general, however, the state cannot interfere with the free exercise of religion and cannot institute laws (or state-approved procedures) that cause such interference.

Carrie’s case bears similarities to cases like that of Rumeysa Ozturk, a Turkish woman with an international student visa who was arrested by DHS agents on her way to an iftar party. Family, friends, and counsel for Rumaysa did not know about her whereabouts for over 24 hours or when she was able to break her fast.

Muslims who face administrative holds and incarcerations have often raised concerns that the fundamental right to practice religion, and what it entails, follows a different standard for them

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<sup>34</sup> US Constitution, amend. 1.

<sup>35</sup> *Sherbert v. Verner* (1963)

<sup>36</sup> *Employment Division, Dept. of Human Resources of Oregon v. Smith* (1990)



than it does for others. From family visitation on Eid<sup>37</sup> to denying meals at appropriate hours,<sup>38</sup> and ignoring requests for reasonable accommodations,<sup>39</sup> there are several cases that have sought judicial intervention to affirm the right of prisoners to freely practice the Islamic religion. Religious practices are protected activities and extend to prisoners in jail, who can hold space for religious prayers and have access to chaplains, rabbis, and imams. Respect for religious beliefs is also factored into prisons accommodating dietary needs. The Bureau of Prisons has a certified religious meal menu that details the requirements of religious dietary needs and relies on certified suppliers like kosher slaughter houses to make these meals for the observant prisoners.<sup>40</sup> Muslim inmates, however, argue that there is no halal menu that accommodates their religious beliefs. While both kosher and halal menus avoid pork and pork products, there are additional differences that make them distinct. Incarcerated Muslims and their advocates argue that if the Bureau of Prisons can accommodate kosher meals, they should accommodate halal meals as a matter of fair and equal respect towards religious beliefs.

Many legal judgments have stressed that effective prison management must be balanced with the constitutional rights of the inmates. This discretion has allowed the Arizona prison board to replace all religious meals with vegan food, based on their review that a plant-based meal meets all halal, kosher, and vegan standards.

As for Carrie, she waited for another four hours before an officer approached her to offer water and a ham sandwich.

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<sup>37</sup> Nanguneri, Shaanth. "Oregon prisons face lawsuit over denial of Muslim inmates' halal meals, holiday visits." *Oregon Capital Chronicle*, July 14, 2025. Retrieved from <https://oregoncapitalchronicle.com/2025/07/14/oregon-prisons-face-lawsuit-over-denial-of-muslim-inmates-halal-meals-holiday-visits/>.

<sup>38</sup> Jaafari, Joseph Darius. "They put me in solitary for having oranges". *PA Post*, May 15, 2020. Retrieved from <https://www.witf.org/2020/05/15/they-put-me-in-solitary-for-having-oranges-muslim-inmates-struggle-during-ramadan/>.

<sup>39</sup> "CAIR, CAIR-Georgia Secure \$95K Settlement in Jail Religious Accommodation Case" *CAIR-Georgia*, February 21, 2024. Retrieved from <https://cairgeorgia.org/press-releases/cair-cair-georgia-secure-95k-settlement-in-jail-religious-accommodation-case/>.

<sup>40</sup> "Fiscal Year 2021 Certified Religious Diet Menu." *Federal Bureau of Prisons*. n.d. Retrieved from [https://www.bop.gov/foia/docs/Certified\\_Religious\\_Diet\\_FY2021\\_\(Halal-Kosher\).pdf](https://www.bop.gov/foia/docs/Certified_Religious_Diet_FY2021_(Halal-Kosher).pdf).



## ~~8. And Now You Care?~~

Animal rights activists have raised objections to so-called “factory farming,” which entails large facilities often with unsanitary and abusive conditions. On average, about 300 cattle, pigs, or chickens are slaughtered every second in the United States.<sup>41</sup> According to industry insiders, the highly efficient processes employed in today’s industry occasionally result in the inhumane, and sometimes abusive, treatment of animals. An undercover investigator recorded videos inside of slaughterhouses showing the apparent butchering of still-alive cattle, while others claim to have witnessed the slow suffocation of pigs when the process employed by a slaughterhouse is botched.

Many governments take great care to regulate the meatpacking industry. While more laws and regulations have led to a remarkable change in practice in the industry over the last several decades, from animal welfare to environmental waste disposal, it appears to some that more regulations might be necessary to fully protect animals.

Dutch artist Marco Evaristti tried to bring awareness to the abuse of animals in the industry through a performance art piece, titled “And Now You Care?,” an art installation in the Meatpacking District of Copenhagen, Denmark. This exhibit was subject to intense backlash and ridicule from politicians and animal rights activists alike—which is exactly what Evaristti intended.<sup>42</sup>

To raise awareness and hopefully stop pigs from being abused, Evaristti planned to subject three piglets, caged inside two shopping carts, to death by starvation. The intense backlash, he suggested, would hopefully shed light on the meatpacking industry in Denmark and bring the public inside an industry he denounces as barbaric.

His provocative art installation would never see its intended conclusion of killing the piglets by starvation. Evaristti arrived at his installation one morning to see the piglets missing. To report the theft, Evaristti called the Copenhagen police, who, upon conducting their investigation, revealed to Evaristti that it was one of his own co-conspirators who had taken the piglets. Following the disappearances and the end of his exhibition, Evaristti still maintained that the people of Denmark needed to see piglets starve to death to remedy the injustices done by the meatpacking industry.

Marco Evaristti is no stranger to scandalous art installations, however. In 2000, Evaristti opened an exhibit at the Trapholt museum entitled *Helena*.<sup>43</sup> The work consisted of a room with ten blenders, each containing a singular goldfish. It would be up to the visitors of the exhibit to decide whether the fish should live or die, with nine blenders eventually being switched on by the time the installation was removed due to public backlash. While Evaristti’s newest work

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<sup>41</sup> Kristof, Nicholas. “Animals That Feel the Slice of the Knife.” *The New York Times*. April 12, 2025. Retrieved from <https://www.nytimes.com/2025/04/12/opinion/animal-slaughterhouse-meat.html>.

<sup>42</sup> Ho, Vivian. “Three piglets were left to starve in an art exhibition. Then they vanished.” *The Washington Post*. March 5, 2025. Retrieved from <https://www.washingtonpost.com/world/2025/03/05/piglets-denmark-animal-welfare-art/>

<sup>43</sup> Taheri, Mandy. “Marco Evaristti: The Artist Who Starves Piglets and Puts Goldfish in Blenders.” *Newsweek*. March 7, 2025. Retrieved from <https://www.newsweek.com/who-marco-evaristti-artist-piglets-goldfish-2041276>

hopes to sacrifice the lives of three piglets for the good of many more, *Helena* appears to be nothing more than a provocative art installation.

Although Evaristti's original plan was foiled, by one of his co-conspirators no less, he maintains that he is committed to the cause. He states that the citizens of Denmark and the rest of the world must understand the inhumane practices employed by the meatpacking industry at any cost, even the lives of three innocent piglets.

## 9. You Can't Sit With Us

Since the United States' "Global War on Terror" commenced following the 9/11 terrorist attacks, there have been countless efforts by the U.S. to establish Western-backed governments in the region. Many of these efforts have been misguided and resulted in more hostilities between civilians, regimes, and the U.S. governments. The failure of the U.S. to establish influence in one particular Middle Eastern country, Afghanistan, led to the extremist military and governmental group, the Taliban, to reclaim power after President Biden removed U.S. military presence in 2021.<sup>44</sup>

Since the Taliban regained power in Afghanistan following U.S. military withdrawal, Afghanistan has been shunned by many international organizations, such as the UN, who have not allowed the Taliban to participate in the international community on Afghanistan's behalf.<sup>45</sup> The Taliban, who hold *de facto* power in Afghanistan despite a lack of recognition from the larger international community, have recognized their infrastructure problem, particularly regarding healthcare, and have reached out to the international community at large for assistance. According to the UNHCR (United Nations High Commissioner for Refugees), a lack of medical infrastructure and worsening outbreaks of disease have led to nearly 23.7 million Afghan people requiring humanitarian assistance, which is more than half of Afghanistan's population.<sup>46</sup> Despite the international community's blockade of Afghanistan, organizations like UNICEF (United Nations Children's Fund) and USAID (United States Agency for International Development) continue to serve Afghans in need.

Both UNICEF and USAID have encountered uncertainty in terms of their ability or willingness to provide aid to Afghanistan. UNICEF has had its reservations about offering support due to the humanitarian offences the Taliban has committed since seizing power. Since 2021, when the Taliban regained control of Afghanistan, Afghan girls have been banned from receiving a primary education. In addition, the Taliban is now considering a ban on women receiving medical education, frustrating efforts to teach nursing, midwifery, and gynecology amid a worsening state of healthcare and shortage of staff. UNICEF has repeatedly demanded that the Taliban reverse such bans, as they constitute a violation of Afghan girls' right to education. Even so, UNICEF has continued to support the medical needs of the girls and women that have been marginalized by Taliban leaders.

Following a freeze on American foreign aid in January, the USAID withdrew support from Afghanistan, where they had previously been instrumental in supporting more than 200 health centers across the country. As a result, many of the health centers in Afghanistan that were supported by USAID have been forced to close. While the withdrawal of support is not a result of the Taliban's humanitarian violations, it does leave many Afghans without necessary services

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<sup>44</sup> Rasheed, Zaheena, Tamila Varshalomidze, and Mersiha Gadzo. "Biden defends Afghanistan pullout amid airport chaos." *Al Jazeera*. August 21, 2021. Retrieved from <https://www.aljazeera.com/news/2021/8/16/taliban-says-afghanistan-war-over-as-president-diplomats-flee>.

<sup>45</sup> Suifullah, Masood. "What does the suspension of US aid mean for Afghanistan?" *Deutsche Welle*. February 5, 2025. Retrieved from <https://www.dw.com/en/what-does-the-suspension-of-us-aid-mean-for-afghanistan/a-71514207>.

<sup>46</sup> "Figures at a Glance: Afghanistan." *UNHCR*. Via <https://www.unhcr.org/af/about-unhcr/figures>.

such as neonatal care, and the Taliban does not have the infrastructure to provide access to the healthcare that USAID was providing.

In addition to the weakening of infrastructure and human rights protections due to the Taliban's governance, Afghanistan is also experiencing severe and disproportionate effects of climate change, with leading experts claiming that "the country has experienced about twice as many droughts in recent years compared to previous decades, and just a single wet year in the past seven. In addition, Afghanistan has few resources to help it adapt to these changing conditions."<sup>47</sup> However, due to said humanitarian concerns, Afghanistan has been excluded from the UN climate conference for the past three years despite being one of the most vulnerable nations in regards to worsening climate conditions.<sup>48</sup>

The Taliban's place on the global stage is a complicated one. Many see withdrawing healthcare support as warranted, since it is Afghanistan's duty to its citizens to improve access to health services, and excluding Afghanistan from the global community provides them with an incentive to implement laws that protect their citizens' rights, which some argue is the role of the international community at large. Excluding or punishing governments that violate international codes of conduct could encourage, if not force, the violating governments to correct themselves in order to participate in global affairs, trade, and humanitarian involvement.

Others could argue that Afghanis should not be punished for the actions of their government, and that the aid that is being provided is critical to sustaining life and improving conditions in Afghanistan. This illuminates a broad spectrum of concerns, including countries' individual responsibilities and the role of charities and international groups like the UN.

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<sup>47</sup> Ikram, Qiyamud Din and Jocelyn Perry. "In Global Climate Talks, Let Afghanistan In." *Refugees International*. November 30, 2023. Retrieved from <https://www.refugeesinternational.org/perspectives-and-commentaries/in-global-climate-talks-let-afghanistan-in/>.

<sup>48</sup> Dickie, Gloria and Charlotte Greenfield. "Afghanistan excluded from COP28 as climate impacts hit home." *Reuters*. December 11, 2023. Retrieved from <https://www.reuters.com/world/afghanistan-excluded-cop28-climate-impacts-hit-home-2023-12-11/>.

## 10. All That Glitters

Around the world, many were rushing to immigration lawyers when the United States announced a “Golden Visa” program that would allow foreigners the ability to gain permanent residence and an eventual pathway to citizenship.<sup>49</sup> Priced at 5 million USD, this golden opportunity would allow foreigners an ability to live and work in the U.S. without the long wait times and procedural red tape that limit immigration. Current U.S. laws allow immigration based on certain criteria including immediate familial ties, marriage, or skilled labor that is in high demand. The announcement provided few details but did promise VIP perks, no federal taxes on overseas income, and an elite status that the president described as “privileges – plus.”<sup>50</sup>

Immigration and residency privileges based on investment are not a new concept and have surged in places where there is a high demand for citizenship-by-investment (CBI) and residency-by-investment (RBI) schemes. Portugal, Greece, and the United Kingdom, have all tried similar schemes where residency or citizenship is offered in exchange for “sizable investments.”<sup>51</sup> Commonly referred to as the “Golden Passport” and “Golden Visa,” these initiatives serve to create legal pathways for citizens of third-world countries to not only attain a legal right to work and live in highly desired countries, but also more favorable tax implications, political security, and opportunities that they may or may not enjoy in their home countries.

“Golden Visa” programs have garnered one set of reactions, wherein some argue that the policy might be beneficial to a country and its citizens in the long run. Countries that are seen as desirable for immigration and residence often attract wealthy migrants, and this might incentivize direct contributions to the country’s social services in the form of “Golden Visa” payments. Countries in the Arab Gulf like the United Arab Emirates, Qatar, Bahrain and Saudi Arabia have been an epicenter for investor migration, attracting multinational corporations and firms in the last decade, and wealthy individuals have been similarly pulled to these countries. Economically, a “Golden Visa” program can be a way to attract immigrants who are likely to contribute to a country’s social net rather than detract from it.

Critics worry that these programs, which allow foreigners to enter into countries as a result of payment, may lead to criminals or similar bad actors bypassing vetting systems designed to keep citizens safe. CBI and RBI programs can attract not only industrious entrepreneurs who can jumpstart investment in remote rural areas or distressed urban development projects like the Hudson Yards in Manhattan,<sup>52</sup> but also criminal enterprises, and an OECD (Organisation for Economic Co-operation and Development) report states that these programs “allow criminals more global mobility and help them hide their identity and criminal activities behind shell

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<sup>49</sup> Smith, Tovia. “Trump’s \$5 million Gold Card offers the rich a fast lane to residency.” *NPR*. June 2, 2025. Retrieved from <https://www.npr.org/2025/06/02/nx-s1-5413517/trump-gold-card-visa-immigration-border-gold-green-card-migration-wealthy-five-million>.

<sup>50</sup> Upadhyay, Kripa, Jennifer Hermansky, Kristal Ozmun, and Phuong Le. “Think Immigration: Trying to Read the Tea Leaves: EB-5 Visas and President Trump’s ‘Gold Card’ Idea.” *AIPA*. March 7, 2025. Retrieved from <https://www.aipa.org/think-immigration-trying-to-read-the-tea-leaves-eb-5-visas-and-president-trump-s-gold-card-idea>.

<sup>51</sup> Moodie, Alison. “Trump Opens Waitlist for \$5M Investor Visa.” *Boundless* (blog). June 12, 2025. Retrieved from <https://www.boundless.com/blog/trump-gold-card-visa-launch/>.

<sup>52</sup> Grant, Peter. “Global Investors Pour Billions Into Hudson Yards in Major Bull Market Bet” *Wall Street Journal*. October 17, 2017. Retrieved from [https://www.related.com/news-articles/2017/12/01/global-investors-pour-billions-hudson-yards-major-bull-market-bet/WSJ-HudsonYards-investors%20\(2\).pdf](https://www.related.com/news-articles/2017/12/01/global-investors-pour-billions-hudson-yards-major-bull-market-bet/WSJ-HudsonYards-investors%20(2).pdf).

companies in other jurisdictions.”<sup>53</sup> Despite the economic contributions of “Golden Visa” recipients, citizens might nevertheless be endangered depending on who uses these programs.

Additionally, there is also a concern in what this proposal means for citizenship and residence in general. That these things might be “purchased” might seem to “cheapen” them—what does citizenship mean to the citizen who simply purchased the right? Naturalization processes in many countries require a knowledge of a nation’s history, culture, language, and laws in order to become a citizen. Residence in many countries is restricted based on familial connections to current citizens or the ability to contribute to a specialized industrial/commercial/academic sector. If these measures are designed to ensure that a country’s population is aligned with its values and/or goals, one might question whether a “Golden Visa” shortcut is capable of producing citizens or residents who are aligned in this way.

This, juxtaposed against several movements in Europe that aim to revoke citizenship for a range of crimes, including terrorism, threats to the state, and gang-related crime, warrant asking if the purchase of a “Golden Visa” grants citizenship as a right. U.S. Secretary of State Marco Rubio cited a provision of the Immigration and Nationality Act of 1952 to pursue the removal from the U.S. of a Columbia student, Mahmoud Khalil, solely on the basis of “personal determination” by the secretary of state that his presence posed a threat to the United States “foreign policy positioning”.<sup>54</sup> Whether citizenship is a *right* or a *privilege* will likely have implications on citizenship gained by way of a “Golden Visa.”

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<sup>53</sup> “Misuse of Citizenship and Residency by Investment Programmes.” *OECD*. November 22, 2023. Retrieved from [https://www.oecd.org/en/publications/misuse-of-citizenship-and-residency-by-investment-programmes\\_ae7ce5fb-en.html](https://www.oecd.org/en/publications/misuse-of-citizenship-and-residency-by-investment-programmes_ae7ce5fb-en.html).

<sup>54</sup> Popli, Nik. “What To Know About Mahmoud Khalil, and Why His Green Card Was Revoked” *Time*. March 12, 2025. Retrieved from <https://time.com/7266683/mahmoud-khalil-columbia-green-card/>.

## 11. Too Young to Rent a Car, Old Enough for Life?

In April 2025, the Michigan Supreme Court declared that life sentences without parole were unconstitutional for individuals who are ages 19 or 20 at the time of their crime. The justification for this decision: individuals at this age are not able to control their impulses or understand long-term consequences. One justice behind this decision, Justice Elizabeth Welch, cited neurological immaturity. A widely cited claim on neurological maturity is that the human brain isn't fully developed until age 25. While some neuroscientists caution this as an oversimplification, many agree that areas of the brain are not fully mature until the mid-twenties. These areas are responsible for regulating emotions, evaluating consequences, and inhibiting impulsive behavior.<sup>55</sup>

Under this new ruling, individuals currently sentenced to life without parole who were aged 19 or 20 at the time of their crime would have their cases re-evaluated. This may result in reduced sentences or the possibility of parole, though opponents argue that the families of victims of these individuals would be forced to reopen old wounds. Resentencing hearings may require them to testify again, revisit graphic case details, and face the prospect that individuals convicted of serious crimes could be released earlier than expected. Some critics further argue that legal responsibility should not be contingent on brain development or age, but rather on the severity and intentionality of the crime. On this view, adjusting punishment based on age could undermine justice and equal accountability under the law. Others emphasize the inconsistency in how age is treated across systems—young adults are expected to vote, serve in the military, and face other legal consequences, yet may be deemed too immature for a life sentence. This might suggest a deeper uncertainty about moral agency in early adulthood.

Similarly, neuroscientists warn against drawing legal conclusions from broad developmental trends. Brain development is not uniform across individuals, and the 25-year threshold may obscure as much as it reveals. Nevertheless, science has informed legal norms in the past. For example, medical and psychological research influenced the U.S. Supreme Court's decision in *Roper v. Simmons* (2005), which banned the death penalty for crimes committed before age 18. A similar case, *Miller v. Alabama* (2012) relied on medical research in developmental psychology and neuroscience to support the conclusion that children are less culpable for their actions, ruling that mandatory life sentences without parole for offenders under 17 were unconstitutional. Legal arguments rooted in science raise new complications: while developmental evidence may support lesser culpability, it also blurs distinctions between personal choice and biological constraint. The result is a legal landscape where moral responsibility is increasingly measured in gradients rather than absolutes.

Michigan is not the only state in the U.S. to extend these precedents to young adults. Illinois and Massachusetts have adopted similar policies, recognizing the differing developmental stage of

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<sup>55</sup> Mills, Kathryn L., Anne-Lise Goddings, Liv S. Clasen, Jay N. Giedd, and Sarah-Jayne Blakemore. "The Developmental Mismatch in Structural Brain Maturation during Adolescence." *Developmental Neuroscience* 36 no. 3–4 (July 2014): 147–60. <https://doi.org/10.1159/000362328>.



early adulthood.<sup>56</sup> Supporters of these policies argue that the policies are more human and scientifically informed. By acknowledging that the brain continues to mature into early adulthood, such laws allow for greater emphasis on rehabilitation and future reintegration into society. They also point to international precedents—many Western countries including Germany, Norway, and the Netherlands prohibit life sentences without parole entirely or reserve them for the most exceptional circumstances. In Norway, for instance, the common custodial sentence is imprisonment varying from 14 days to up to 15 years for first offenders.<sup>57</sup> To advocates, such measures reflect a justice system that treats growth and change as real possibilities rather than rhetorical ideals. Critics, however, argue that this approach risks turning punishment into a moving target—where outcomes depend less on what was done than on evolving scientific consensus.

Still, there remains significant debate about whether these international models are applicable to the U.S. context, given differences in crime rates, sentencing philosophies, and public attitudes towards punishment. Some question whether reforms rooted in neuroscience would erode public confidence in the justice system, while others argue that refusing to account for neurological development risks continuing excessively punitive punishments. Michigan's ruling reflects an effort to reconcile current understandings of brain development with the enduring challenge to punish crimes effectively and fairly. However, questions of responsibility, rehabilitation, and the limits of science in legal contexts remain. The deeper ethical conflict lies in how society chooses to balance accountability with compassion—and in how much uncertainty, scientific or moral, it is willing to absorb in that process.

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<sup>56</sup> Schoonover, Nika. 2023. "Bill Aims to Guarantee Youth Sentenced to Life in Prison a Chance at Parole after 40 Years." *Capitol News Illinois*. March 14, 2023. Via <https://capitolnewsillinois.com/news/bill-aims-to-guarantee-youth-sentenced-to-life-in-prison-a-chance-at-parole-after-40-years/>.

"Illinois Abolishes Life without Parole Sentences for Children; Legislators Introduce Bill to Make Youthful Parole Retroactive." *Restore Justice Foundation* (blog). February 13, 2023. Retrieved from <https://www.restorejustice.org/illinois-abolishes-life-without-parole-sentences-for-children-legislators-introduce-bill-to-make-youthful-parole-retroactive/>.

"Massachusetts First State to Ban Life without Parole for People Under 21." *The Sentencing Project* (blog). January 18, 2024. Retrieved from <https://www.sentencingproject.org/newsletter/massachusetts-first-state-to-ban-life-without-parole-for-people-under-21/>.

<sup>57</sup> "The Norwegian Penal System: Key Principles and Developments" *Sterk Law Firm*. April 16, 2025. Via <https://www.advokats.no/en/innsikt/frihetsstraffen-i-norge-sentrale-prinsipper-og-utvikling>.



## 12. Lady Justice

Giulia Cecchetti was a 22-year-old biomedical engineering student with a passion for drawing and a love of music. Just a few days before she was set to graduate, she was killed by her ex-partner.<sup>58</sup> Uyinene Mrwetyana was a 19-year-old student with a vibrant personality and a commitment to addressing social issues. While picking up a package from the post office, she was abducted and killed by an employee.<sup>59</sup> Karen Baldi was a 42-year-old policewoman and mother who aspired to organize running events in Croix-de-la-Rochette. After dropping her children off at daycare, she was attacked and killed by her ex-husband in broad daylight.<sup>60</sup> Lidia Gabriela Gómez was a 23-year-old woman with a passion for cosmetics. She was killed trying to escape from a taxi, when the driver refused to allow her to exit the vehicle.<sup>61</sup>

Femicide—the intentional murder of women because of their gender—is a worryingly ubiquitous crime across the world. Patriarchal norms, exacerbated by various social, religious, and cultural beliefs across regions, have given rise to a hostile environment for women that leads to gender-based violence and crime. In many of these cases, the crime is sudden and occurs in environments that are perceived to be safe, like post offices and residential streets. European countries, for instance, have seen cases of femicide remain high despite otherwise low homicide rates,<sup>62</sup> and activists have pushed their governments to adopt a stronger stance on gender-based violence.

In March, Italy joined a number of other nations in approving a draft law for femicide that is hoped to deter future crimes. Last May, South Africa proposed a different kind of legislative solution with the formation of a National Council to address gender-based violence.<sup>63</sup> In Mexico, the election of Claudia Sheinbaum, the first female president of the country, put femicide at center stage.<sup>64</sup> Sheinbaum has insisted upon more harshly punishing femicide, with the hope that stronger laws, as well as social programs, will deter gender-based violence. In all of these

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<sup>58</sup> Zampano, Giada. “Italy approves draft law targeting femicide with punishment of up to life in prison.” *AP News*. March 8, 2025. Retrieved from <https://apnews.com/article/italy-femicide-crime-life-prison-meloni-cecchetti-c253498f58502aeca1cfb3086ee4392>.

<sup>59</sup> Somdyala, Kamva. “‘Eliminate the fear’ – remembering Uyinene Mrwetyana five years on.” *University of Cape Town News*. August 27, 2024. <https://www.news.uct.ac.za/article/-2024-08-27-eliminate-the-fear-remembering-uyinene-mrwetyana-five-years-on>.

<sup>60</sup> Cattaneo, Tommy. “Féminicide à La Croix-de-la-Rochette : un trail organisé en hommage à Karen Baldi.” *Ici*. October 11, 2024. Retrieved from <https://www.francebleu.fr/infos/faits-divers-justice/feminicide-a-la-croix-de-la-rochette-un-trail-organise-en-hommage-a-karen-baldi-9820773>. Note: This article is published in French.

<sup>61</sup> Martínez, Óscar. “Dictan 52 años de prisión a taxista por femicidio de Lidia Gabriela.” *El Heraldo de México*. January 27, 2024. Retrieved from <https://heraldodemexico.com.mx/nacional/2024/1/27/dictan-52-anos-de-prision-taxista-por-femicidio-de-lidia-gabriela-573115.html>. Note: This article is published in Spanish.

<sup>62</sup> “Femicide remains all too common in Italy and Europe.” *European Data Journalism Network*. March 8, 2023. Retrieved from [https://www.europeandatajournalism.eu/cp\\_data\\_news/femicide-remains-all-too-common-in-italy-and-europe/](https://www.europeandatajournalism.eu/cp_data_news/femicide-remains-all-too-common-in-italy-and-europe/).

<sup>63</sup> “Tackling femicide in South Africa through laws, policies, and better policing.” *UN Women*. November 22, 2024. Retrieved from <https://open.unwomen.org/en/story/tackling-femicide-south-africa-through-laws-policies-and-better-policing>.

<sup>64</sup> Kloppe-Santamaría, Gema and Julia Zulver. “Mexico Elected its First Woman President: What Does this Mean for the Country’s Gender-Based Violence and Insecurity Crisis?” *The Wilson Center*. June 4, 2024. Retrieved from <https://www.wilsoncenter.org/article/mexico-elected-its-first-woman-president-what-does-mean-countrys-gender-based-violence-and>.

countries, a legislative change is thought to be an appropriate way forward in addressing and reducing gender-based violence.

Some believe, however, that the laws like Italy's, despite being a step in the right direction, are far too conservative of a response. Gender-based violence occurs, in large part, as a result of patriarchal norms which not only worsen gender-based violence but likely cause it as well. To combat femicide more effectively, they argue, what is needed is not simply more punishment to perpetrators but addressing the root causes of femicide and focusing government interventions there.<sup>65</sup> The South African government's approach to femicide has emphasized financial independence, built on the assumption that resolving economic hardship can help assuage the conditions that lead to femicides. Additionally, the Uyinene Mrwetyana Foundation leads community initiatives that include consent talks, "dignity drives" to deliver resources to women in need. Sheinbaum's proposed social programs to reduce youth crime target a different indirect cause of femicide. Laws and programs against femicide must be tailored to the specific national and cultural circumstances in which femicide occurs, but the frequency of femicide suggests that some of the root causes are broadly similar.

One might also think that such laws are far too radical of a response. A core principle of many modern legal systems is that similar punishments should be given to offenders committing similar crimes, regardless of who the offender or victim are. "Justice is blind," so the expression goes. If homicide is punished severely because it devalues a person or ignores their human dignity, one concern for special punishments in cases of femicide is that it may imply a disparity in inherent value between sexes. If perpetrators of crimes against women are punished more harshly, this would entail comparatively lesser punishments for crimes against men. Additionally, femicide legislation may raise questions about how to punish crimes against those who do not identify with either sex.

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<sup>65</sup> Carbonaro, Giulia. "Femicide: Is Italy doing enough to protect its women and girls - and those they leave behind?" *Euro News*. November 24, 2023. Via <https://www.euronews.com/2023/11/24/femicide-is-italy-doing-enough-to-protect-its-women-and-girls-and-those-they-leave-behind>.

### 13. Red Flags

In Hamtramck, MI, members of LGBTQ+ organizations have been rallying against a city ordinance, passed in 2023, that prohibits Pride flags from being flown on city property. Some residents of the town find the ban to be mistaken, and contrary to an image of the city's diversity and acceptance. Others, however, find the display of such flags on public property to be an illegitimate state endorsement of social values, especially as the values are offensive to a sizable proportion of the city's residents. The issue has persisted over years in Hamtramck, but goes back as far as 2013 when the city passed legislation to raise community funds and raise the flags of 18 different countries like Bosnia, Yemen, Bangladesh on city owned flagpoles on a street in the city.<sup>66</sup>

The debate over the flying of the LGBTQ+ Pride flag started in 2021, when then Mayor Karen Majewski flew the flag outside City Hall after a close vote about its approval. Majewski cast the tie-breaking vote in favor of it, which drew outrage from Hamtramck's Muslim community and Amer Ghalib, who made opposition to the flag part of his mayoral campaign platform. Ghalib defeated Majewski in the subsequent election and became mayor. Following this, Hamtramck Human Relations Commission member Russ Gordon put up a LGBTQ+ flag on a city sidewalk, drawing criticism from Ghalib and prompting the council to draft a resolution that would block Gordon and others from putting up the flag. Some of the community's Muslim residents have said that the flag contradicts or offends their faith, and all of Hamtramck's city council members and the mayor are Muslim.

In 2023, the city council unanimously approved a resolution that would ban "religious, ethnic, racial, political or sexual orientation group flags" on public property as a step towards neutrality on public land and buildings. The only flags permitted to fly on the city's public properties are the American flag, that of the state of Michigan, that of the city of Hamtramck, the prisoner of war flag, and various national flags.<sup>67</sup> Ghalib defended the resolution by releasing a statement that said "Our residents are all equally important to us, and we will continue to serve them equally without discrimination, favoritism or preferential treatment to any group."<sup>68</sup>

Many Hamtramck residents feel pride in belonging to a diverse community, and point to welcoming efforts that have ushered in demographic changes throughout history. The city of Hamtramck, MI has always been a magnet for immigrants. Home to a heavily Polish-Catholic population for a majority of the 20<sup>th</sup> century, demographics have changed in the past twenty years with an influx of Bangladeshi and Yemeni families who now represent a majority of the diaspora. Given the diversity of the community, critics of the ban see the flag restrictions as being intolerant, and contrary to the justification of the measure given by Ghalib.

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<sup>66</sup> Rose, Kristin. "After years of non-use, Jos. Campau flagpoles come to life." *The Hamtramck Review*. June 22, 2013. Retrieved from <https://www.thehamtramckreview.com/after-years-of-non-use-jos-campau-flagpoles-come-to-life/>.

<sup>67</sup> City of Hamtramck. "City Council Meeting, June 13, 2023." June 23, 2023. Via YouTube from [https://www.youtube.com/live/RfwM\\_q9pFKs](https://www.youtube.com/live/RfwM_q9pFKs).

<sup>68</sup> Warikoo, Niraj. "Hamtramck Mayor Amer Ghalib fires back at politicians criticizing city's LGBTQ flag ban." *Detroit Free Press*. June 18, 2023. Retrieved from <https://www.freep.com/story/news/local/michigan/wayne/2023/06/18/hamtramck-mayor-amer-ghalib-lgbtq-flag-protest/70333600007/>.

A subsequent judgment in a federal court upheld the ban as a matter of viewpoint-neutrality.<sup>69</sup> In light of this, however, the controversy over the flag ban has survived. The neutral *enforcement* of the ban has been challenged, as a few days after the ban, the mayor allowed, and allegedly posed next to, a Pan-African flag at a Juneteenth celebration in a local park.<sup>70</sup> The Hamtramck Queer Alliance group denounced this as a selectively enforced flag ban, and Ghalib responded, saying that an exception was made for the flag because the event was planned long before the resolution passed. Other incidents of this type have not been reported since.

The neutrality of expression with respect to values is important for public institutions, though there are some values that a democratic institution will naturally be committed to—equal dignity and consideration by the state among them. The flag ban might be seen as a suppression of a certain groups' dignity, as the affirmation of dignity might require visibility and solidarity, but it might also be seen as a measure towards the equal consideration of citizens, that the state does not favor the values of one group over another. Notably, the flag ban, regardless of its neutrality, is at least somewhat representative of the community in which it has been instituted. While Hamtramck is demographically diverse, its mayor and city counsellors are the result of democratic procedures, and thus the ban might be defended as the will of the citizens. Community leaders like Mayor Pro Tem Mohammed Hassan reminded critics to respect the views of Hamtramck residents, quoting from Abraham Lincoln's Gettysburg Address about how government should be of the people, by the people, for the people.

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<sup>69</sup> Federal court paved way for dismissal of lawsuit accusing Hamtramck of anti-LGBTQ bias: Flag restrictions on public property deemed constitutional." *The Arab American News*. July 18, 2025. Retrieved from <https://arabamericannews.com/2025/07/18/federal-court-paved-way-for-dismissal-of-lawsuit-accusing-hamtramck-of-anti-lgbtq-bias-flag-restrictions-on-public-property-deemed-constitutional/>.

<sup>70</sup> Ikonomova, Violet. "Hamtramck mayor poses near Pan-African flag after gay pride controversy." *Detroit Free Press*. June 23, 2023. Retrieved from <https://www.freep.com/story/news/local/michigan/2023/06/23/hamtramck-mayor-pan-african-flag/70351354007/>.

## 14. Births of a Nation

Governments around the world are broadening the scope of their laws and policies on procreation. For surrogacy services, the influence of lawmakers on citizens' procreation is steadily increasing, leaving many to ask how justified these policies are and if they achieve their intended outcomes.

The promotion of childbearing and calls to increase birth, also called natalism, has become a conversation in many countries, including the United States, where a natalist conference took place at UT Austin as recently as March 2025. Natalist movements often have ties to extremist conservative policies, even reaching so far as eugenics, though natalism and eugenics are not always necessarily linked. Even without extremist political ties, proponents of natalism have criticized it as a political movement, stating that guilting or mocking people into procreating isn't effective and can have negative consequences, and that it should be a cultural cause instead.

One sector of procreating that governments have started to control is surrogacy. There are lax commercial surrogacy laws in certain countries, such as Ukraine, which has drawn criticism of exploitation due to the country being vulnerable due to the ongoing conflict with Russia. The concerns around exploitation seem to be taken more seriously by countries that used to be integral to the international surrogacy industry, as many have recently started tightening their restrictions. India used to be a significant participant in the global surrogacy economy, but has recently put a ban in place, along with other countries. "Procreative tourism" can be detrimental in countries that are disadvantaged in the international economy, as the surrogacy industry in these countries tends to be more predatory, leading to exploitation. However, many argue this violates bodily autonomy and leaves women in poorer countries worse off than if they were able to profit by participating in the surrogacy industry. It also begs the question of if individuals engaging in procreative tourism in order to seek cheaper surrogacy rates are engaging in immoral practices themselves.

Italy has gone so far as to create a law that criminalizes surrogacy, even outside of Italy's borders, and has begun to prosecute a gay couple who sought surrogacy in California. The penalty of Italy's new law "can lead to prison terms of up to two years and fines of between €600,000 and €1m (£500,000 and £840,000)".<sup>71</sup> Some fear that governments are overstepping on citizens' rights, while others argue that such limitations may be necessary to protect vulnerable groups.

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<sup>71</sup> Giuffrida, Angela. "Surrogate parents too afraid to return to Italy after 'procreative tourism' law." *The Guardian*. March 17, 2025. Retrieved from <https://www.theguardian.com/world/2025/mar/17/surrogate-parents-too-afraid-to-return-to-italy-after-procreative-tourism-law>.

## 15. Oh, Snap!<sup>72</sup>

The United States assists citizens who have very low or no income with food costs through the Supplemental Nutrition Assistance Program (SNAP). SNAP is funded by public tax money and those that receive SNAP benefits are often targeted to be enrolled in Medicaid.<sup>73</sup> This enrollment means that their healthcare is also paid in part by public funds. People with SNAP benefits can purchase vegetables, meat, and grains among many other kinds of food, including items that are not nutritionally valuable such as soda and candy. SNAP beneficiaries can also purchase seeds or plants that will grow food for their household to consume. One cannot use SNAP benefits to purchase non-food items such as alcohol, vitamins, or soap.<sup>74</sup>

Some people have advocated reforming the SNAP program to prevent these funds from being used to purchase unhealthy food. One proposal, for instance, is to stop people from purchasing soda with their benefits. Soda is not a necessary part of a healthy diet and is linked to obesity.<sup>75</sup> Obesity is a serious health issue in the United States and is linked to chronic diseases such as heart disease, cancer, and diabetes.<sup>76</sup> Obesity has a number of causes including poor nutrition, lack of physical activity, and genetic dispositions. Advocates of this reform argue that lowering soda consumption would help fight obesity. Not only would this be better for SNAP beneficiaries, but this would also help to reduce overall Medicaid costs. Some assert that it is unfair to expect taxpayers to help those on public assistance pay for their unhealthy choices and then also pay for the added healthcare costs associated with those choices.

Those who oppose this restriction argue that the hyper-management of the food choices of people in need is inappropriately controlling. People receiving public assistance should be able to exercise their autonomy in their food choices. Besides, where should such limits end? If health is the ultimate aim of SNAP, we can imagine many other additional constraints. Evaluating each food product for nutritional value would open the door to costly evaluation of all foods in order to sort them into those that can and cannot be purchased with SNAP. Additionally, if obesity is not a problem for a particular beneficiary, then they should not be restricted from moderate enjoyment of soda or other unhealthy foods. A complete ban on soda would not allow these beneficiaries to purchase soda using SNAP.

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<sup>72</sup> This case was developed by the Parr Center for Ethics for use in the National High School Ethics Bowl. It appears in NHSEB's 2017-2018 National Case Set, and is reproduced here with permission.

Editor's Note: Recently, a number of states have updated their restrictions on SNAP benefits as they pertain to processed foods. This case should be read with the changing of such benefits in mind.

<sup>73</sup> "Enrolling Thousands of Medicaid Beneficiaries is a Snap (Pun Intended!)" *Community Catalyst*. October 29, 2013. Retrieved from <https://communitycatalyst.org/posts/enrolling-thousands-of-medicaid-beneficiaries-is-a-snap-pun-intended/>.

<sup>74</sup> "What Can SNAP Buy?" *USDA Food and Nutrition Service*. Updated June 4, 2025. Retrieved from <https://www.fns.usda.gov/snap/eligible-food-items>.

<sup>75</sup> "Sugary Drinks." *Harvard T.H. Chan School of Public Health, The Nutrition Source*. Updated August 2023. Retrieved from <https://nutritionsource.hsph.harvard.edu/healthy-drinks/sugary-drinks/>.

<sup>76</sup> "How Overweight and Obesity Impacts Your Health." *CDC*. January 4, 2024. Retrieved from <https://www.cdc.gov/healthy-weight-growth/food-activity/overweight-obesity-impacts-health.html>.

Note: This citation has been modified, as the original citation leads to a nonexistent webpage. The original link redirects to the provided webpage.