Causing Harm
Questions for classroom discussions

1) The students interviewed for this video disagree about which type of harm is the worst — physical, emotional, psychological, financial, reputational — which do you think is the worst and why?

2) Can you think of an example of when you have been harmed? Was this harm ethically justifiable? Was it not? Explain how.

3) The video claims that we should not cause harm to others unless we are willing to suffer the same harm ourselves. Do you agree?

4) In what situation(s) would you knowingly cause harm? How would the benefits outweigh the harm?

5) Do you think an institution such as a business or government can be held accountable for causing harm in the same way an individual can be? Support your position.

6) Are you supportive of governments or institutions taking actions that may cause harm to some but would likely benefit many? How is this justified? Why is it permissible?

7) Can you think of other instances when taking such actions is not ethical?
Case Study: Edward Snowden

In 2013, computer expert and former CIA systems administrator, Edward Snowden released confidential government documents to the press about the existence of government surveillance programs. According to many legal experts, and the US government, his actions violated the Espionage Act of 1917, which identified the leak of state secrets as an act of treason. Yet despite the fact that he broke the law, Snowden argued that he had a moral obligation to act. He gave a justification for his “whistleblowing” by stating that he had a duty “to inform the public as to that which is done in their name and that which is done against them.” According to Snowden, the government’s violation of privacy had to be exposed regardless of legality.

Many agreed with Snowden. Jesselyn Radack of the Government Accountability Project defended his actions as ethical, arguing that he acted from a sense of public good: “Snowden may have violated a secrecy agreement, which is not a loyalty oath but a contract, and a less important one than the social contract a democracy has with its citizenry.” Others argued that even if he was legally culpable, he was not ethically culpable because the law itself was unjust and unconstitutional.

The Attorney General of the United States, Eric Holder, did not find Snowden’s rationale convincing. Holder stated, “He broke the law. He caused harm to our national security and I think that he has to be held accountable for his actions.”

Journalists were conflicted about the ethical implications of Snowden’s actions. The editorial board of The New York Times stated, “He may have committed a crime...but he has done his country a great service.” In an Op-ed in the same newspaper, Ed Morrissey argued that Snowden was not a hero, but a criminal: “by leaking information about the behavior rather than reporting it through legal channels, Snowden chose to break the law.” According to Morrissey, Snowden should be prosecuted for his actions, arguing that his actions broke a law “intended to keep legitimate national-security data and assets safe from our enemies; it is intended to keep Americans safe.”
Resources:

Jesselyn Radack "Whistle-Blowers Deserve Protection Not Prison"

Josh Gerstein. "Eric Holder: If Edward Snowden were open to plea, we'd talk"

http://www.nytimes.com/2014/01/02/opinion/edward-snowden-whistle-blower.html?_r=0

Ed Morrissey, “Edward Snowden Broke the Law and should be Prosecuted”

Discussion Questions:

1) What values are in conflict in this case? What harm did Snowden cause? What benefits did his actions bring?
2) Do you agree that Snowden’s actions were ethically justified even if legally prohibited? Why or why not? Make an argument by weighing the competing values in this case.
3) If you were in Snowden’s position, what would you have done and why?
4) Would you change your position if you knew that Snowden’s leak would lead to a loss of life among CIA operatives? What about if it would save lives?
5) Is there a circumstance in which you think whistleblowing would be ethically ideal? How about ethically prohibited?
Case Study: Social Media and Cyber Harassment

In many ways, social media platforms have created great benefits for our societies by expanding and diversifying the ways people communicate with each other, and yet these platforms also have the power to cause harm. Posting hurtful messages about other people is a form of harassment known as cyberbullying. Some acts of cyberbullying may not only be considered slanderous, but also lead to serious consequences. In 2010, Rutgers University student Tyler Clementi jumped to his death a few days after his roommate used a webcam to observe and tweet about Tyler's sexual encounter with another man. Jane Clementi, Tyler's mother, stated, “In this digital world, we need to teach our youngsters that their actions have consequences, that their words have real power to hurt or to help. They must be encouraged to choose to build people up and not tear them down.”

In 2013, Idalia Hernández Ramos, a middle school teacher in Mexico, was a victim of cyber harassment. After discovering that one of her students tweeted that the teacher was a “bitch” and a “whore,” Hernández confronted the girl during a lesson on social media etiquette. Inquiring why the girl would post such hurtful messages that could harm the teacher’s reputation, the student meekly replied that she was upset at the time. The teacher responded that she was very upset by the student's actions. Demanding a public apology in front of the class, Hernández stated that she would not allow “young brats” to call her those names. Hernández uploaded a video of this confrontation online, attracting much attention.

Hernández was a victim of cyber harassment, but some felt she went too far by confronting the student in the classroom and posting the video for the public to see, raising concerns over the privacy and rights of the student. Sameer Hinduja, who writes for the Cyberbullying Research Center, notes, “We do need to remain gracious and understanding towards teens when they demonstrate immaturity.” Confronting instances of a teenager venting her anger may infringe upon her basic rights to freedom of speech and expression. Yet, as Hinduja explains, teacher and student were both perpetrators and victims of cyber harassment, whose concerns must all be considered, “The worth of one’s dignity should not be on a sliding scale depending on how old you are.”
Resources:

CNN World - Teacher suspended after giving student a twitter lesson

Campus Technology – Pros and Cons of Social Media in the Classroom

The Next Web – How to Use Twitter in the Classroom

Takepart – Twitter is Turning Into a Cyberbullying Playground
http://www.takepart.com/article/2012/08/08/twitter-turning-cyberbullying-playground

ASCD – Can Social Media and School Policies be “Friends”?

First Amendment Schools – What Are the Free Expression Rights of Students In Public Schools Under the First Amendment?

Cyberbullying Research Center – Teacher Shames Student in Classroom After Student Bullies Teacher on Twitter

Discussion Questions:

1. In trying to teach the student a lesson about taking responsibility for her actions, did the teacher go too far and become a bully? Why or why not? Does she deserve to be fired for her actions?

2. What punishment does the student deserve? Why?

3. Who is the victim in this case? The teacher or the student? Was one victimized more than the other?

4. Do victims have the right to defend themselves against bullies? What if they go through the proper channels to report bullying and it doesn’t stop?

5. How should compassion play a role in judging other’s actions?

6. How are factors like age and gender used to “excuse” unethical behavior? (ie. “Boys will be boys” or “She’s too young/old to understand what she did is wrong”) Can you think of any other factors that are sometimes used to excuse unethical behavior?

7. How is cyberbullying similar or different from face-to-face bullying? Is one more harmful than the other?

8. Do you know anyone who has been the victim of cyberbullying? What types of harm did this person experience?
Additional Resources

To gain a better understanding of when and how harms can be considered justified, watch the Ethics Unwrapped video Systematic Moral Analysis, which explores the moral dimensions we face when making ethical decisions.

Consider how causing harm complicates the relationship between what is lawful and what is ethical; see the Ethics Unwrapped video Legal Rights & Ethical Responsibilities for more information about the convergence and divergence between ethics and law.

Transcript of Narration
Written and Narrated by Deni Elliott

How can I harm thee? Let me count the ways: physically, psychologically or emotionally, financially, and, I can cause you reputational harm.

Occasionally, like when being deceived or cheated, people can go through a lifetime without knowing that they were harmed. But usually, people know that they've been harmed and how. What's tricky is getting the harm causer to acknowledge responsibility. And sometimes it's tricky just trying to figure out who is responsible for the harm. Harms rarely come isolated from one another. So, let's review the categories:

Physical harm is the easiest. It can be short-term, like, oh, being shoved out of the way and into a mud puddle by someone hurrying down the street. Or it can be long-term, like being injured in a car accident by a drunken driver.

Psychological and emotional harm may not carry any visible scars. But, they are true harms. Emotional harm is the short-term version. When we feel offended or embarrassed or humiliated, it may be due to emotional harm. Instances of emotional harm can evolve into the more longer-lasting psychological harm.

Psychological harm makes us feel unsure of our worth or lose confidence in ourselves; it can result from a trauma and haunt us from that point on. The tentative child or the volatile, explosive adult may be acting from a place of psychological harm.

Financial harm is important too. If I take advantage of you being naïve about investments and convince you to put your life savings into some get rich quick scheme that fails, I've caused you harm.

Last of all is reputational harm. This kind of harm has become more prevalent because of the wide reach of the Internet. If I say things about you that cause other people to think less of you, whether my remarks are true or not, I've caused you reputational harm. Cyber-bullying has led teenagers to commit suicide; false or mean-spirited reviews have led to professional ruin for individuals and for businesses.
Now causing harm can be justified, but the harm-causing action must first meet one of the following conditions:

Number one: The person harmed gave consent. Think of someone who agrees to go through a painful surgery so that he will be healthy again. That's consent to cause harm.

Number two: The harm caused was part of the harmer’s role-related responsibility. Sometimes causing justified harms is just part of the job. If a parent prevents her teenager from hanging out with friends until homework is done, she is fulfilling her role-related responsibility, no matter how much anguish she might cause her child at the moment.

Number three: A harm was caused to prevent an even greater harm to the community as a whole. For example, a government collects taxes, causing financial harm to some citizens, because without taxes the government could not provide services that benefit all citizens.

Then, after meeting one of these conditions, an act of justified harm must also need to pass a publicity test. The publicity test means that we’re willing for the exception to the general rule, “cause no harm,” to be widely and publicly known, and applied in all similar situations. The harm-causer in this case must also be willing to acknowledge that she or he might be the one hurt in the future by the same exception.

So, maybe I can harm you in a variety of ways. But, being the ethical person that I strive to be, I won’t harm you without justification. And, I won’t harm you unless I am willing to explain to you and the public at large why I am doing so. And, I won’t harm you without believing that you and everyone else is equally justified in causing the same kind of harm, even to me.