Delbarton's
THE FORUM

VOLUME 2

ONLY THE BEST QUALITY.
On Drugs in the United States

Jackson Doherty ’13
In his article, Doherty analyzes major flaws of drug prohibition. Pointing out the major contradiction that exists by allowing the use of harmful alcohol, he explains the adverse effects that such prohibition has. Most notably, Doherty asserts that prohibition of many drugs actually only makes them more widely used; that is, the black markets and gang violence that exist are largely influenced by such illegal products.

Michael Cuppari ’14
Cuppari focusses on the negatives of generally consuming drugs, instead of looking to the actual implications of such consumption. Using a plethora of scholarly sources, he seeks to portray that the effect of drugs is simply too harmful to allow them to be used commonly in society. Citing the reckless danger that drug users create when they consume such drugs, Cuppari ultimately shows his opposition to drug legalization.

Thomas Hartke ’13
Hartke advances his ever-apparent libertarian views by advocating even more freedom in the hands of all citizens. Regarding drugs, he acknowledges their inherent harms, but also explains the further harms which might result from banning drug use. Governments ought to ensure freedom for their citizens, and avoid unnecessary control over these people whenever possible.

Kabbas Azmar ’13
In stark opposition to Cuppari’s article, Kabbas admits that, sometimes, drugs are detrimental, but he advances that drugs have some very beneficial uses. Citing a variety of examples in which consuming drugs like LSD and Ecstasy actually are the most effective means of treating certain disorders, Kabbas draws a simple conclusion: at least some drugs ought to be used, for health purposes.

Zachary Ullman ’13
In his article, Ullman looks to current U.S. foreign policy in the Middle East. He criticizes many aspects of this policy, advocating that the U.S. either change its policies or cut them off. Looking to the enormous costs in the range of trillions of dollars, he finds no benefits, and instead a large increase in anti-American sentiments. These losses are compounded by increased alliances in opposition to the U.S., further harming U.S. interests.

Ryan Teehan ’14
Using a largely philosophical viewpoint, Teehan presents a comprehensive analysis of plea bargaining in the U.S. In terms of the actual purpose of the criminal justice system, he finds that its purpose is to punish criminals proportionately to an offense, if proven guilty. Since plea bargaining subverts this very purpose in and of itself, Teehan finds plea bargaining largely harmful.

Conor Ryan ’13
By citing a variety of examples in which Apple has exhibited less than admirable behavior, Ryan seeks to show Apple in the worst light possible. Applying these examples to Apple’s general behavior, he suggests that Apple is one of the worst companies in the world. Through this view, Ryan comes to a simple yet strong conclusion: because of Apple’s despicable behavior, one should look to other options for purchasing his next device.

Matthew Chuckran ’13
In this article, Chuckran seeks to explain why scientists in general find fulfillment with what they do in life. By quoting famous sources like Carl Sagan and Neil deGrasse Tyson, Chuckran proposes the common idea that humans seem rather insignificant in the comparably large world. In response, he cites the continuity within the universe as the reason why he feels very important.

From The Forum’s editors and staff, we wish you a Merry Christmas and a Happy New Year. We hope you enjoy this issue.
Drug legalization is an issue that is impossible to ignore in the United States. In recent history, Americans from all states have protested the criminalization of recreational drugs, the most common being marijuana. In certain states, the use of certain drugs for recreation has already been decriminalized, while in other states there have only been propositions to do so. Does drug criminalization fall victim to the same flaws as alcohol prohibition? By controlling these substances, does the government truly do society any good? Does outlawing self-harm such as drug use violate personal rights, or do drugs have too much of a collateral effect on society to be legal? A highly debated social issue that has become a major talking point for progressives, drug legalization is surely interesting to learn about. This month, we present you a wide array of opinions concerning recreational drug use and legalization, including opinions on the effects, the morality, and the future of such laws. Enjoy being bombarded by our continuous and extreme bias as you read these featured articles. Also check out our other content on various interesting topics from space to plea bargaining to indict of Apple.

- Matthew Chuckran and Conor Ryan
Editors in Chief

### Freedom to Harm

**Thomas Hartke**

The use of drugs is immoral. It distorts the senses and impairs reason and judgment.

Nevertheless, if you truly believe in the freedom of every individual to make his own choices about his lifestyle, health, well-being, and priorities in life, then you must recognize that this unequivocally includes the right to harm or impair oneself. You as an observer may not see the reasoning behind their choice to use drugs or the value in it; nor do I. But that choice is not mine to make for them.

Most would agree that the purpose of government is to protect the people’s rights and freedoms. However, “to what degree do we protect freedom in exchange for security, peace, and morality?” is often the question posed.

The job of a government that protects freedom is not to make citizens moral. It is to protect their freedom in all aspects possible where the exercise of their freedom does not result in undue harm to other individuals.

If we aren’t free to choose what to put into our own bodies, what to do on our own free time, with our own money and our own skills and talents, then we are not free. If we are not free, then are we truly human?

By depriving others of the choice to abstain from drugs, we do them no good service. We begin the long road to serfdom. Freedom cannot be sacred to a government and a people that do not understand the limits of power such as this.

Thomas Paine, in his introduction to Common Sense, wrote, “Perhaps the sentiments contained in the following pages are not yet sufficiently fashionable to procure them general favor; a long habit of not thinking a thing wrong, gives it a superficial appearance of being right, and raises at first a formidable outcry in defense of custom. But the tumult soon subsides. Time makes more converts than reason.”

Our society has been long in the habit of “not thinking”: accepting the government’s assertion that it knows best, that it alone can bring us to a peaceful and moral society. It cannot. Only freedom can.
sive to successfully sell, and large drug monopolies are able to freely dictate prices in this underground industry absent of free market competition. Consequently, poor people who are addicted to drugs resort to theft, prostitution, and other crimes in order to pay for their drugs. Heavy taxation to raise the price of legalized drugs would thus be a counterproductive policy.

Gang crime also exists because of drug prohibition. The vast majority of gang funding comes from the illegal drug market, a billion dollar industry. The sale of drugs has become so profitable that its business is the primary reason why gangs are formed in the first place. Gang warfare often begins over drug territory disputes, with thousands killed including many innocent bystanders. Milton Friedman, a renowned economist, once released a study that concluded that if drugs were legalized, 10,000 lives a year in the United States would be saved.

Gang life also has adverse effects on other aspects of society, such as education, and contributes to an ever-growing cycle of poverty. Many teenagers are tempted to abandon their education and enter what they see to be a life of money and power. The effects on the black community are startling; 37% of black high school dropouts have a prison record. Such prison records lower wages and make holding jobs difficult. About three-quarters of high school dropouts with prison records never rise out of the bottom income quintile.

The violence and terror in inner cities fueled by the sale of drugs begs the question of whether it is truly worth it to keep drugs illegal. Critics of drug legalization would have to argue that legalization would cause such a rampant increase in drug use that society could not bear it. Yet, whether legalizing drugs would increase drug use at all is highly debatable. Many teenagers find marijuana easier to obtain through the black market than alcohol, which requires photo identification to purchase. Examples of drug legalization and decriminalization in other countries such as Portugal have led to less drug use and fewer drug overdose deaths, most significantly for younger people. Yet, year after year drug enforcement costs rise in the United States while use remains stagnant. Today, 53% of federal prisoners are held for drug violations, and taxpayers are forced to pick up the bill. In 2010, the United States spent $15 billion dollars on the “War on Drugs,” and state and local governments spent another $25 billion. Politicians from both sides of the spectrum have called for policy change.

Drug use does harm more than the individual; it has a negative effect on society. Yet, prohibition has created a black market monster and severe unintended consequences. Drugs should be legalized and treated like alcohol and tobacco. Drug television and magazine advertisements should be illegal. And the billions of dollars that we spend on drug enforcement should be put towards policies that are actually effective in reducing drug use, such as education and rehab facilities.
Criminalizing Cannabis

Michael Cuppari

With recent legislation in Colorado and Washington decriminalizing cannabis for recreational use, a new debate has erupted over federal policy on marijuana. Opponents of decriminalization have long maintained that marijuana (alternatively known as pot, hemp, grass or weed) has several negative effects that harm both the user and society at large. In contrast, those in favor of marijuana stipulate that it provides numerous benefits to the smoker and that it is no worse or addictive than alcohol or tobacco. In this article, I intend to prove the former: that from both individual and societal perspective marijuana is exceedingly damaging and should continue to be banned.

Despite the claims of pro-marijuana advocates, scientific evidence has consistently shown that pot has destructive effects on the user. In particular, recent studies have challenged the notion that marijuana does not harm an individual’s cognitive function. A study by Johns Hopkins Medical School recently found that participants who were “high” on marijuana suffer from memory impairment and slow reaction times.6 Examining the broader implications of this finding, another study by RTI (Research Triangle Institution) concluded that, after isolating factors, marijuana users are 2.3 times more likely to drop out of school compared to non-users.7 These findings are absolutely critical to the marijuana debate: they demonstrate the drug’s devastating effect on the mind and education. Even worse than its effect on the brain, marijuana’s damaging impact on the lungs has been repeatedly proven. Describing the result of cannabis use on the lungs, the European Respiratory Journal found that, even when compared with tobacco, pot increases the chances of lung cancer by 10%.8 Explaining the reasoning for this increase, a similar study that compared with smoking tobacco noted that smoking marijuana causes a fivefold increase in the blood carbon level, a threefold increase in the amount of tar inhaled, and the retention of one third more of that tar.9 These studies are interesting not just because they show that cannabis harms the lungs but also because they debunk the myth that marijuana is only as harmful as tobacco. This latter point is especially important because it refutes the argument that marijuana activists always resort to and which, when taken from a factual standpoint, is simply false.

As just as important as its individual effects, marijuana’s impact on society is equally damaging. This impact is especially clear in areas of public safety, where pot would wreak havoc if legalized. In particular, the drug greatly increases motor vehicle accidents, which are four times more likely to occur when the driver has smoked even a low dose of marijuana.10 Although both alcohol and tobacco also have this risk, pot is far more dangerous because it can have an effect on drivers even when they are not fully intoxicated. In addition, an added harm of marijuana is that emboldens its user to act recklessly. As one Colorado doctor noted, the youth are particularly at risk: “The more often teenagers use and the greater the dose, the more reckless their behavior becomes... regular marijuana use puts them at greater risk for dropping out of school, engaging in risky sex behaviors and getting in accidents, the leading cause of death for adolescents.” Ultimately, I agree with the doctor; marijuana is just too dangerous to be legalized.

A Different Look: Drugs

Kabbas Azhar

A certain substance exists that holds the unique quality of being both an anesthetic and a vasconstricting agent. Incidentally, it also happens to be the only substance of its kind that exhibits both of these qualities. The dual qualities of numbing pain while constricting blood vessels to decrease bleeding would seem to be incredibly useful, would it not? I think now would be a good time to tell you that we are talking about cocaine.

Drugs—however you view them—have become a staple of popular culture. Whether or not you approve of their use, we see a widespread impact on our social lives because of their existence. Now, I’m not endorsing any deviant drug behavior here, but I do think that drugs are often unfairly judged for one use prescribed to them. Often, instead of evaluating the substance on a holistic basis, judgment is passed based on one domineering factor. What I mean to say is, of course snorting cocaine (or any variation thereof with names like Aunt Nora, Batman, Snow, Stardust, Candy C and the like)
109 is extremely bad for your health. Yet, there are other applications for these substances that don’t merit full out disparagement.

PTSD (Post-Traumatic Stress Disorder) is primarily caused by incredibly traumatic and stressful events as the name seems to suggest. Often enough, PTSD can last for the victim’s entire life, characterized by violent behavior, paranoia, flashbacks to the traumatic event, and a general loss in quality of life. Traditional methods of treatment such as PE (Prolonged Exposure) cause obvious concern among patients who do not wish to revisit their trauma, and have an effectiveness of approximately 50%, with symptoms being “alleviated” in about 80% of the cases.

There exists another alternative though, currently undergoing extensive testing. MDMA’s have demonstrated tremendous success in treating PTSD and alleviating the symptoms in mere weeks, compared to months of intensive therapy that often mark a PE session. In addition, the reduction in symptoms are much more dramatic, resulting in a better treatment option overall. For those who don’t know, MDMA’s are also known by a more popular name: Ecstasy.

There are other medical uses for other controlled substances as well. Heroin’s use relieves intense pain, notably during childbirth. Primarily used by the National Health Service, Heroin is more effective than morphine at pain management in most situations. LSD (Liseric Acid Diethylamide) can be used to help alcoholics with a potentially ruinous addiction. Trials show that only one dose of LSD can help 50% of patients with alcoholism to a significant degree.

Despite their tremendous medical benefits, these substances have been controlled to such a degree that actual scientific research into their medical uses has been stagnated significantly in the past three decades. Only recently has there been a surge in actual research dedicated to exploitation of the various medical benefits afforded by these drugs, and, because of a few arbitrary social mores, we have lagged behind in such critical areas. The extensive federal restrictions imposed certainly have not helped the matter at all.

At this point, some of you might be thinking “So, we should legalize all drugs? You’re such an idiot.” Yet, the point remains that reasons for more lax restrictions on certain drugs exist beyond mere politicking that permeates today’s media. I am not necessarily endorsing an open free street market to sell drugs, but rather limited use in a more medicinal sense. Will individuals exploit all possible avenues to obtain drugs for recreational use? Yes, but that happens right now too. I would prefer to help improve one person’s life with treatment that they could procure, rather than impose regulation for the sake of some idiots who cannot see beyond their next fix.

Illegal Saves lives

In the Post 9/11 era, when Fox News and CNN rant daily about the instability in the Middle East, blaming opposing political parties for problems across the globe, citizens of the United States underestimate the political and social significance of the Middle East. Since the Middle Ages, people of the Middle East have helped create the foundation for the world we live in. Take, for example, the pen, which was invented in Egypt for the Sultan in 953 as a device that would not stain one’s hands or clothes, or that water bottle that many Delbarton students use religiously, which only exists because Jabir ibn Hayyan invented the process of distillation. Today, Americans treat the Middle East as if it is a homeless man on the street or a wild animal at the zoo, acting as onlookers to a situation that we, in fact, are entangled in. The United States Department of Defense notes in 2012 that the United States stations 23 naval ships in the Persian Gulf and monitors the air with 150 F-35A jets along with hundreds of billions of...
After an Election...

After a well-fought race against President Obama for the presidency, former Governor Mitt Romney lost with 206 Electoral College votes. Rather than pause work, Romney is returning to business as a member of the board of directors at Marriott International. Romney announced, “It is an honor to once again be able to serve in the company of leaders like Bill Marriott and Arne Sorenson and to support the work of the Marriott and Arne Sorenson the renowned associates who make Marriott International the renowned success that it is.” This will be the third time Romney will be on the board.

Gay Marriage Returns to Court

The Supreme Court agreed to hear two cases related to gay marriage on Friday, December 7th. The cases both challenge state and federal laws, which consider marriage as a union between a man and a woman. The case from California challenges Proposition 8, and could either promote or reject the possibility of gay marriage, while the second case from New York contests the federal government’s role in benefits to homosexual couples. While some in the gay community praise these cases as a sign of change, others are wary of the possible outcomes.

Employment Report

According to the United States Labor Department, the unemployment rate has fallen from 7.9 percent to 7.7 percent thanks to the addition of 146,000 jobs. While Democrats gloated of their success, claiming that the numbers were outstanding considering the effects of Hurricane Sandy and fear of the fiscal cliff, Republicans grimly attack the Democratic fiscal plan. While unemployment appears to be down, much more change is needed before declaring America firmly on the path of normalcy.

Whatever Happened to Julian Assange?

The controversial Australian journalist and activist currently resides in Ecuador in asylum thanks to the Ecuadorian government. Assange is famously known as the founder of WikiLeaks, a non-profit organization that releases secret, sometimes government-restricted information from anonymous sources. The Australian came under spotlight when some documents they released contained secret documents concerning United States foreign affairs. With the United States and British government hunting Assange down, Assange fled to Ecuador, in hopes of protection. Much to the dismay of the US and Britain, Ecuador complied. While reasons for Morsi, the streets erupted in protests, fearing that these amendments would be the first step towards a new dictatorship. With no other option, Morsi caved into the majority of demands. However, he still refuses to allow an “overhaul” of the proposed Constitution, which opposition leaders claim destroy individual rights.

Typhoon Devastates the Philippines

A typhoon devastated the southern Philippines, killing over 450 individuals and leaving more than 500 people still missing. According to some, the destruction was exacerbated due to poor planning, climate change, and deforestation. Approximately 393,000 are living in evacuation centers or using some form of government assistance during this time, according to a December 7 article by the New York Times.

Morsi Backs Down...or Did He?

Mohamed Morsi, Egypt’s president and champion for the Muslim Brotherhood, recently agreed to withdraw the majority of his edict from November 22. Upset with the court’s liberal-leaning opinions, Morsi created constitutional amendments that allowed him to make decisions without the approval of the court. According to Morsi, the judges in the court were loyalists of Hosni Mubarak (the deposed ex-leader of Egypt) or afraid of Islam. Due to these problems, he believed he should have the power to make his own decisions without any checks on his power. Unfortunately, Ecuador’s decision remain uncertain, many believe the move may have a political agenda.

Changing Politics in Italy

Italian Prime Minister recently announced that he would resign once the federal budget was passed. A technocratic government largely credited with the restoration of Italy’s economy was thrown in disarray when Silvio Berlusconi (the former prime minister of Italy)’s party withdrew parliamentary support. The reason for this sudden change of support can be found in Berlusconi, who announced he would run for prime minister for the fifth time. The former prime minister was forced to resign little over a year ago due to a widely covered sex scandal.

A New President for Mexico

Enrique Pena Nieto was inaugurated on December 1st as the new president of Mexico. After handily winning the election in July, Pena Nieto has been preparing for his new role by preparing a transitional committee that will help usher in a new era of Mexican democracy.
dollars spent in education and developmental aid. But with such high expenditures, the United States has largely failed, fostering anti-American sentiment through our imperialist attitude in a region overwhelmed by ethnic tensions.

On August 23, 1996, Osama bin Laden signed and issued the “Declaration of Jihad Against the Americans Occupying the Land of the Two Holy Mosques,” indicting the United States’ physical occupation of the Middle East as the central justification for anti-American terror. Thus the main source of terrorism against the United States has been our presence in the region and will not cease until we withdraw our offensive forces and fight a defensive battle. The Pew Research Center reported in July 2012 that anti-American sentiments have increased from 27% to 69% across the Middle East over the past year. Eric Neu- mayer of the London School of Economics estimated that this risen anti-American sentiment generates an increase in terrorism between 0.9%–11.4%.

With such ineffective results in repairing a region we did not damage, one begins to wonder why American policy is to waste money to dominate the Middle East as a hegemonic power.

Other than our physical presence in the region, our soft power has also proven counter-productive. The U.N. Security Council and the U.S. have imposed heavy economic sanctions against military purchases, trade, and financial transactions on all Iranian institutions. The central flaw with these sanctions is that although the sanctions are multilateral, they do not inhibit trade in any of the greatest world economies: India and China. Thus, Iran has only increased its alliances with countries that challenge United States power. Additionally, the House Committee on Foreign Affairs report in February 2012 that under US sanctions, Iran is also setting up joint programs with a number of anti-U.S. regimes in Latin America, notably Venezuela, Bolivia, Nicaragua and Ecuador, bringing proliferation to America’s backyard. The failure of the United States to act intelligently in the Middle East has resulted in harms that far exceed any minimal benefits.

With such failures of United States policy in the Middle East, one may wonder what the opportunity cost of our policy overseas is. The high cost of maintaining US foreign policy in the Middle East undermines our domestic goals, and therefore security. The Fiscal Year 2012 budget requests a total of $18 billion in additional funding for the wars, of which over 100 billion is designated for operations in Afghanistan and over 10 billion designated for Iraq. These heavy budgetary requirements impact the other federal agencies. Chris Hellman of The Nation writes that recent congressional measures are only making matters worse, writing that, “the House recently passed legislation to spare the defense budget from cuts.” To avoid them, the House would instead pull money from the Children’s Health Insurance Program, Medicaid, food stamps and programs like the Social Services Block Grant. The impact to domestic security is massive. Aaron Carroll of the New England Journal of Medicine warns “a crude but intriguing cost-effectiveness calculation [of Medicaid costs found that] the cost per averted death is about $1 million.” Thus, had this money gone to Medicaid rather than the Department of Defense, up to 1 thousand annual deaths could have been prevented. After only analyzing the additional funds requested in 2012 and disregarding the base funds totaling trillions of dollars, it’s obvious that current U.S. operations foster adverse tradeoffs.

**Science as a Philosophy**

*Mattew Chuckran*

I’m a believer in the power of science. It has the ability to draw conclusions from observation, a more advanced and meticulous method of knowing about existence. It is philosophy with proof.

As such, I consider science a superb idea to pursue in life. But I only believe in its pursuit for its own end, not some other goal or ambition. If one pursues science for the goal of other things like wealth, they reduce a truly fulfilling experience to a purely pragmatic one. In this article, I want to offer some inspiration as to why I think scientists so often “get it” when it comes to life philosophies.

What I’m about to present to you is not a string of logic and syllogisms. It is an irrational, emotional interpretation of known facts about humanity that we so often forget. I will employ the musings of Carl Sagan and Neil deGrasse Tyson to accomplish this.

Dr. Sagan once produced a famous segment about the earth as a “pale blue dot.” He displayed a photograph taken by a space probe of the earth from incredibly far away, the entire planet reduced to one tiny bright pixel. He put it clearly: “From this distant vantage point, the Earth might not seem of any particular interest. But for us, it’s different. Consider again that dot. That’s here. That’s home. That’s us. On it everyone you love, everyone you know, everyone you ever heard of, every human being who ever was, lived out their lives.”

Looking at the Earth in this way might make you feel small. It might make you feel like you don’t really matter, and to that point, neither does humanit. However, what I think when I see something such as this is not any sort of judgment about humanity, but rather a dismissal of frivolous ambition, of desire for temporary, fleeting objects. No one can conquer any significant portion of the universe. Human-kind is limited in its ability to truly achieve material wealth in comparison to a vast world.

Dr. Tyson, in my opinion, did the best to reconcile natural feelings of worthlessness and insignificance in relation to a grand cosmos with the seemingly contradictory feeling that humanity really does possess what we call “reason”—a result of the universe’s happenings. This idea seems obvious and uninspiring, but when I really ponder this notion, I can recognize the true miracle that life is. I can appreciate the fact I exist by beautiful chance, and that I have the ability to examine the universe that created me. The Earth is tiny, insignificant, and worthless. But people aren’t. As we continue with our daily lives, it’s important to always remember the responsibility we have toward each other as living examples of this world’s brilliant, perfect plan. People who spend their days in cold laboratories analyzing confusing data can still feel fulfilled. They know that their lives are not dependent on some preset idea—they have the independence of thought that can free the soul. You don’t need anyone telling you what to think or what to feel for fear of some greater consequence to understand this. You just have to know your place.
Crime Without Punishment

Although plea-bargaining is an issue that has been somewhat forgotten both by the major media outlets and the general public, it remains an important problem for the criminal justice system. The prevalence of this practice can be traced back to a fundamental misunderstanding of both the role of society as well as the purpose of punishment and the systems that mete it out. Once one analyzes the true purpose of the penal system, it becomes clear that plea-bargaining should not exist.

Prior to addressing the question of plea-bargaining, one must understand the purpose for which society and the criminal justice system was created. Society arose, and can only be understood, as a system that governs the relations between humans, primarily in the form of rights claims. For example, a claim by a person A that a person B may not steal his chair is both arbitrary, since the notion of who owns the chair is unfounded, asymmetrically coercive, since A’s act does not give B the right to do the same, and indeterminate, since there is no actor which can correctly enforce rights claims in this context and ownership would rely upon one’s relative strength.

Those problems, while they may seem like only minor issues at first, undermine the very notion of ownership and rights in general. To resolve these problems, the two people in the example form a general will between them that can impartially judge the situation and also have power to justify the coercive enforcement of one’s rights. This necessarily entails a system which punishes offenders, not in order to deter others from offending, but to punish those who act against the general will. If one were to act solely based upon the consequence or deterrence, it would be most beneficial to either punish anyone remotely suspected of crime (assuming one believes punishment is the best form of deterrence), without the benefit of a trial, or to have all people monitored continuously in order to stop crimes. Neither of these situations describes a good society—i.e., one which promotes social cohesion, or one which correctly enforces and protects the rights of free and equal persons. Instead, the penal system must be centered on determining whether an actual violation has occurred and meting out a punishment that is equal to the crime and is based upon the violation of the law.

From that explanation, the failings of plea-bargaining as a policy for effectively punishing criminals as well as furthering the purpose of the criminal justice system are easy to see. The clearest violation of this purpose derives from the idea that one can plead guilty in order to secure a lesser sentence. This subverts the notion of equal punishment in many ways. First, it allows the defender to determine his or her sentence and, as such, eliminates the role of the general will from process of rectifying the crime. Given that the first role of the criminal justice system is to repay the offender through the general will, the act of plea-bargaining undermines the very foundation of a trial and of the penal system. Secondly, it eliminates the principle of equal punishment by granting lesser sentencing to those who plead guilty. Effectively, it allows justice to be subverted for the general welfare, which thus shows the link between punishment and the crime itself. As Immanuel Kant wrote:

“...woe to him who crawls through the windings of eudaemonism in order to discover something new of benefit to the commonwealth? A court would make on him and is lucky to let dangerous experiments be made on him and is lucky enough to survive them, so that in this way physicians learn promises, in accordance with the Pharisaical saying, "It is better for one man to die than for an entire people to perish." For if justice goes, there is no longer any value in men's living on the earth. What, therefore, should one think of the proposal to preserve the life of a criminal sentenced to death if he agrees to let dangerous experiments be made on him and is lucky enough to survive them, so that in this way physicians learn something new of benefit to the commonwealth? A court would reject with contempt such a proposal from a medical college, for justice ceases to be justice if it can be bought for any price whatsoever." Right cease to exist if they can be subverted or traded for profit. This subversion essentially eliminates the government as previously described in that it no longer upholds the coercive enforcement of rights. In this way, the rejection of plea-bargaining is essentially to “buy” a sentence that is more lenient. At that point, justice ceases to be justice in that it is constrained by prices and utility instead of the righting of wrongs. One might say, however, that the criminal justice system could be bound by the basic needs of justice, i.e., punishing the offender, and still determining the punishments in a consequential manner. This “solution,” however, erases the connection between the content of the punishment and the act of punishing. The only reason the punishment exists in the first place is to rectify the wrong committed against the general. If this purpose were to be taken away through a consequential method of punishment, then the action could no longer be called a punishment. In addition, the link between the guilt of the offender and the punishment would also be gone, since one's guilt is meant to factor into the equality of punishment. If that equality of punishment were eliminated, then the reason for determining guilt would be extremely diminished, and possibly non-existent.

All things considered, plea-bargaining goes against the fundamental principles of just punishment as well as principles of the criminal justice system as a whole. This practice opens the system to suspicion and functionally erases the link between justice and punishment. With a correct understanding of the role of the criminal justice system, one cannot advocate for plea-bargaining.
Apple: the Anti-Innovator

Conor Ryan

It’s no secret that I dislike Apple. In defense of the iPhone that I own (which I am soon getting rid of), I used to argue that only Mac products were second-rate. But lately it’s gotten to the point where pretty much everything that Apple does disgusts me. Whenever I posit this opinion in the faces of Delbarton’s sheepishly loyal Apple product owners, I usually get the same question: “But… why?”

In a fleeting glimpse of victory, they laugh lightly, thinking that I have probably never pondered this question. Then I frown, I tell them, “The list of reasons is...
demanded a one billion dollar settlement on Samsung’s part for seemingly stealing business from Apple through copying product designs, this decision does not necessarily indicate who was in the wrong here. Samsung’s defeat was more the result of a broken patent system that allows Apple to patent ridiculous things, many of which are hard to defend against. These unreasonable patents are exactly what I hate about Apple: not only is their decision to seek such patents unreasonable, but the fact that they act on these patents and further staunch innovation is simply despicable. I support patents when they actually protect something that others shouldn’t be able to copy, but too many of Apple’s are nonsensical. The one that infuriates me the most is, as reported by Business Insider, Apple’s patent D670,286 for “the ornamental design for a portable display device.” In other words, Apple patented the shape of its iPhone. Do they do the iPhone and iPad have? Not a distinguishing one, that’s for sure; Apple effectively won a patent dispute over the used of rounded corners. That's some innovation, for sure; who would have thought of a devise with rounded corners? Apple, apparently. Even better, they can bless the world with more innovation by crushing their competitors who provide exactly the same product (i.e., the phone’s hardware could not meet the demands of the operating system). In the end, those who upgraded usually ended up in the same place: the lovely Apple store, in which they were told that, not only was their device supposed to be this slow, but they couldn't down grade to the previous iOS. Only option? Spend some $200 on a brand new iPhone 4.

Not convinced? Then look to the time when Apple outright lied to its customers. Sometime back in 2011, some hackers released a nasty strain of malware called Mac Defender, which disguised itself as a security program. Faced with the first widespread and serious security threat to MacOS, Apple responded in the worst way possible: they outright denied its existence. When users went to their favorite Apple store seeking help, they again faced disappointment. Based on orders from Steve Jobs himself, employees—sorry, “Geniuses,” because that is what they clearly are—had to tell upset customers that nothing was wrong with their computers, as if they were imagining that their computers couldn’t turn on.

One more example: Apple’s recent change to support an 8-pin Lightning connector on the iPhone 5. Looking beyond the fact that all accessories instantly stopped working with the iPhone 5 since they have no means of connecting, let’s consider the only solution available. Conveniently, Apple offers a Lightning to 30-pin port adapter, but not with your new iPhone. This great chunk of plastic costs $30. The price is not only outlandish (it is very inexpensive technology), but the iPhone will only connect to this adapter from Apple since it is encoded to not accept third party alternatives. So, Apple knocks out its competition, steals $30 extra per iPhone 5, and makes accessory manufacturers happy, since every consumer will have to buy new accessories with the proper connector. The consumer—the most important party—loses (not that Apple cares). What can you gather from all of these examples? Hopefully, you realize that Apple is not the saint that everyone portrays it to be. In fact, Apple is far worse: it is a manipulative, money-hungry company that, while failing to provide innovation, also staunches the innovation of others, and then proceeds to keep the interests of their consumers—those from whom it makes money—as a second tier objective (if one at all). So, does that mean that the “old” Mac breaks you should bring it to the Apple store and pay for repairs? I ask you, at least consider ditching your iMac, iPhone, or i-whatever, you, at least consider ditching your iMac, iPhone, or i-whatever, and consider devices from other companies that actually try to please you, the consumer. I know, Apple has some neat commercials...