

Indiana Jones cases

It's near the end of *Raiders of the Lost Ark*. You've got a bazooka pointed at the Ark of the Covenant. Do you blow it up?

YES

1) Everything we know tells us that the Ark is a source of immense power and “the army that carries the Ark before it is invincible”. If the Nazis are allowed to open the Ark and unleash its power, they will be invincible and take over the world. And the Nazis are evil. They kill babies, and killing babies is wrong. Or at least *we* think so.

They've got a skilled archaeologist on their side and know how to use it. In fact, they're about to conduct the opening ceremony.

2) After all the trouble you've gone through, it's crazy to give up now. (i.e., the “you're you” argument... by single-handedly fighting the Nazis in airplanes, trucks, etc. against near-impossible odds, you've proven that you're willing to do whatever it takes to keep them from harnessing the power of the Ark.)

3) It would guarantee your escape from the island. Once you've blown up this contingent of Nazis, it would be a simple matter to single-handedly infiltrate the Nazi submarine base and steal a boat – that's the easy part.

Also, it would kill Nazis standing nearby as a bonus. And killing Nazis is good, since Nazis are bad.

NO

1) The Ark might not work.

Counter: The Ark's already proven its supernatural abilities, by initiating the sandstorm that destroyed Tanis.

2) Even if the Ark works, it might not work for the Nazis since they're evil. Look at how it rubbed out the Nazi logo.

Counter: (a) Indiana Jones hasn't appeared to have noticed that the Ark rubbed out the Nazi logo. Any you're you. (b) Jews have been beaten down for centuries, while their persecutors grew fat from the spoils. You can't rely upon the wrath of God to smite your enemies. Get real!

3) Firing your bazooka might kill Marion.

Counter: Eh, it looks like she's standing far enough away. Also, there's a good chance she'll survive the explosion – she has before!

4) You're you – Indiana Jones is an archaeologist who couldn't bear to destroy such a precious artifact.

Counter: Not if the relic has power and will be used for evil. You also hate evil.

5) Antagonizing the Nazis increases your personal risk. Instead of taking you captive, they'll try to kill you.

Counter: (a) First of all, you've antagonized the Nazis plenty already. You've killed dozens of the bastards. Clearly they'll kill you at the first opportunity – they want revenge, plus they're monsters, after all. Plus they've learned their lesson from keeping you alive – see the Well of the Souls. They'd be crazy to take you prisoner. (b) Actually, it's killing all the Nazis that truly decreases your personal risk. They can't harm you when they're dead. You can easily dispose of the survivors, then escape from the island.

Similar case: You're Indiana Jones. You've just escaped from being buried alive only to find that the Nazis plan to fly the Ark of the Covenant out of Egypt to Berlin on this aircraft. Your original plan is to try to sneak aboard the aircraft, quite predictably fail, and in the ensuing fight blow up the entire airstrip. We say, instead you should simply sabotage the landing gear. (Assume for the purposes of case that this guarantees that once the plane tries to land it will be destroyed, taking the Ark with it and destroying the Ark.)

Observation: There's no way we can reclaim the Ark from half the Nazi army. So we have a choice: destroy the Ark, or let the Nazis have it.

1) Destroying the Ark is preferable to letting the Nazis have it. Everything we know tells us that the Ark is a source of immense power and "the army that carries the Ark before it is invincible". If the Nazis are allowed to open the Ark and unleash its power, they will be invincible and take over the world. And the Nazis are evil. They kill babies, and killing babies is wrong. Or at least *we* think so.

They've got a skilled archaeologist on their side and know how to use it. In fact, they're about to conduct the opening ceremony.

2) If we try to blow up the airplane, we'll alert the Nazis that we're still alive. Valuable source of information to them, ruins the key element of surprise which is our only hope. Plus, the Nazis would redouble security around the Ark, put it on a truck or something, and our one chance of destroying it is lost. This is the only chance.

3) Personal safety (i.e., the alternative is much worse). The landing gear sabotage is easy and safe. The other plan carries more risk: (a) You'll get beaten up in a fistfight by wrench-wielding mechanics and this huge German dude. (b) You might get shot by the pilot. (c) You might blow yourself up what with all the loose fuel tanks. (d) You'll bring the entire Nazi army down on your head. Don't tell me they wouldn't notice. (e) Then, you'll still have to search out and recapture the Ark from swarms of additional Nazis.

Other side:

1) The Ark might not work. No harm in letting the Nazis have it.

Counter: The Ark's already proven its supernatural abilities, by initiating the sandstorm that destroyed Tanis.

2) Even if the Ark works, it might not work for the Nazis since they're evil. Look at how it rubbed out the Nazi logo.

Counter: (a) Indiana Jones hasn't appeared to have noticed that the Ark rubbed out the Nazi logo. Any you're you. (b) Jews have been beaten down for centuries, while their persecutors grew fat from the spoils. You can't rely upon the wrath of God to smite your enemies. Get real!

3) Destroying a precious artifact is just plain wrong.

4) You're you – even if you accept that destroying an artifact is OK, Indiana Jones is an archaeologist who couldn't bear to destroy such a precious artifact.

Counter: Not if the relic has power and will be used for evil. You also hate evil.

You're Indiana Jones. Don't overturn the Cairo people's baskets looking for Marion.

1. Harm to the West's international image. Doing this plays into the stereotype of the imperialist/racist Anglo/American. Arab public opinion is important, especially vis-à-vis the Nazis. And you are nothing if not patriotic.

2. Societal harms. On a more basic level, this inconveniences these people and violates their property rights. Undermines the fabric of society.

3. Individual harms. What you are doing is against the law. [You might have to repay the losses.] You'll be blacklisted by the Egyptian government. There are lots of important archaeological sites in Egypt. You are an archaeologist, so this is bad.

Subpoint: Not only does it interfere with all future missions, but it interferes with your current mission, which is very important. We don't want some petty dispute with the Egyptian government to stand in the way of the Nazis taking over the world, which they will if you don't stop them.

4. Alternatives. There will be future opportunities to rescue Marion. We know where they're taking her – to enemy HQ, to be debriefed. Given your past accomplishments, it should be pretty easy to infiltrate that and rescue her, without incurring the collateral damage and harms we describe.

Opps:

1. You need to save Marion.

Counter: (1) Indy doesn't like her all that much. He's proven that he values this mission over her. (2) Even if you accept that he does want to save her, this isn't the best way to do it. (a) Chasing after the bad guys might provoke them into doing something rash, like blowing her up. Remember, they're evil. (b) If we fail at rescuing her immediately, being chased after by Egyptian police is gonna hinder future rescue attempts. (c) If Marion's captured, you'll probably drown your sorrows in drink and/or cheap prostitutes – getting wasted will impair your ability to get the Ark.

2. You're you. You're this hotheaded guy who doesn't give a damn about what the Arabs think of you, so of course you'll chase after the bad guys.

Counter: We know you have some self-control. You're a college professor, and you surrendered this idol to your fiercest enemy without a fight.

In a somewhat similar vein: Indiana Jones is facing this swordsman who's challenging him to a fight. He's tempted to just shoot the bastard. But we say, Indy shouldn't shoot him.

1. It's just not fair/sporting. Morals and ethics.

Subpoint: Also, it's *murder*... which brings me to my second point.

2. Individual harms. Remember, Indy is committing murder. (It's not self-defense – this guy is some ways away from Indy and he's just twirling a sword around. Maybe he's just preparing to put on an entertaining juggling show.) What Indy is doing is against the law. He'll be blacklisted by the Egyptian government. There are lots of important archaeological sites in Egypt. He is an archaeologist, so this is bad.

Subpoint: Not only does it interfere with all future missions, but it interferes with Indy's current mission, which is very important. We don't want some petty dispute with the Egyptian government to stand in the way of the Nazis taking over the world, which they will if Indy doesn't stop them.

3. Alternatives. Just because someone's getting in your way doesn't mean you have to shoot them! (a) Why not just run away. He's this very large heavy man and almost surely runs slower than you do. Just keep chasing after Marion. (b) Or, why not use your awesomely-cool whip to whip the sword out of the dude's hands. We know Indy can do this, he's done it twice before. (c) Or both! Whip the sword out of his hands, then run away. The alternatives are endless. (By which I mean, three.)

4. Harm to the West's international image. Doing this plays into the stereotype of the imperialist/racist Anglo/American. Arab public opinion is important, especially vis-à-vis the Nazis. And Indy is nothing if not patriotic.

Other side:

1) Need to save Marion, so need to deal with this guy as fast as possible.

2) This is self-defense. It's perfectly acceptable.

3) Even if you don't buy that it's self-defense, why don't you shoot *to wound* him. (Aha!)

4) You're you. You're this hotheaded guy who doesn't give a damn about Arabs or what the Arabs think of you, so of course you'll kill this guy.

You're Indiana Jones. Once you've acquired the Headpiece to the Staff of Ra that is the only thing that gives the Ark's location, you should destroy the headpiece rather than try to excavate the Ark immediately.

Key arguments:

1. It's morally the right thing to do. Denying the Ark to the Nazis is the most important thing. The Nazis want to use the Ark to kill millions of people, and killing people is bad. Destroying the headpiece assures us of denying the Ark to the Nazis, while excavating it, in the heart of enemy territory, means there's a pretty good chance they'll get ahold of it.

2. It's scientifically the right thing to do. If we dig up the Ark now, there's a good chance it will get damaged or destroyed in all the fighting that will inevitably break out over it. If we must dig it up, why not wait until later, when it's safe.

3. It's theologically the right thing to do to leave the Ark in its resting place. That's what God wants. Last time the Ark was removed from here there was this giant sandstorm. I think God has made his intentions clear on this matter. Crossing God is bad – he might smite you.

Counter: God would understand. Those Nazis are an evil bunch.

Other side:

1) There's an excellent chance that, left to their own devices, the Nazis will find the Ark. They've got all these diggers. You need to pre-empt them.

2) You have a professional obligation to retrieve the Ark.

a) To your boss, who's counting on you to retrieve the Ark for the university museum.

b) To the U.S. government, who's counting on you to retrieve the Ark for national security reasons.

3) Maybe the only way the U.S. can beat the evil Nazis is with the Ark's powers, so it's not enough for the Ark to remain neutral.

You're Indiana Jones. You've just dug up the Well of the Souls, where you know the Ark is resting. You've just seen that the room is filled – really, I mean packed – with snakes. You fear/hate snakes. You should give up and turn back (concealing all evidence of your excavation beforehand, so the Nazis don't find it), maybe to come back later (i.e., months or years later, not the next day), maybe not.

Key arguments:

1. It's clear that you're in way over your head. There's no way you'll be able to fight through all these snakes to retrieve the Ark in the few precious hours of darkness you have. Since it's impossible for you to retrieve the Ark and get away, we're really facing two choices here: Get the Ark, but then get captured at dawn when the Nazis wake up; or, turn back. We think letting the Nazis get the Ark is very bad since they would use it to kill millions of people, and killing millions of people is wrong.

Why not come back later, when the Nazis are gone.

2. You're you. And you fear snakes. Why inflict this psychological trauma on yourself.
3. You are facing almost certain death. Let's remember what it is we're facing here. It's a room filled with snakes. Many of which are deadly cobras. Face it, if you go down there, you die. Even if you don't buy anything else we've said, surely you must agree that your self-preservation instinct (as admittedly weak as it is) must win the day.

Counter to the “you've come all this way” argument... Two words: Sunk costs.

- 1) You've come all this way. Even if you accept that those are sunk costs, you're you – you're not a theoretical economist, and your gut flinches at having to turn back now.
- 2) The only way you can overcome your fear of snakes is to face them now. It's like pulling a tooth. If you can do this, then you'll never fear snakes again.
- 3) Cost/benefit. It's easy to get the Ark now – just dump in some gas, ignite it, and pull the Ark out. By contrast, it will be very difficult to get the Ark later, when the Nazis will have almost surely discovered your excavation and taken the Ark (of course they'll find it, they've got a skilled archaeologist who would notice the signs).

You're Belloq, Indiana Jones's archnemesis. You've got him cornered in a bar, drunk/smashed, and surrounded by your machine-toting henchmen... right where you want him. But then these children (like, 6 to 10 year olds) come in, surround him, and they move towards the exit. The bar patrons burst into laughter. Opp choice, do you open fire [at Indiana Jones, we would not be attempting to target the children]?

Note: Hopefully, the opp picks not to open fire. Then we win – point #3 is almost irrefutable and makes the case tight.

Key arguments:

1. You want to kill Indiana Jones very badly. (a) He's your longtime enemy. (b) He's the one thing that stands between you and the Ark, which you really want for personal reasons. And to please the Nazis – who will have you killed if you show any signs of failing or squeamishness. (So do the extent you do feel moral qualms, they'll be overridden by your own personal incentive not to die gruesomely at the hands of the Gestapo.)

Counter: Killing these children will turn Arab public opinion against you and the Nazis, damaging your ability to achieve your goals.

2. You're you. (a) Evil. In case construct. You don't care about killing children – you only care about getting the Ark, and taking out your main archrival in the process. (b) A racist Frenchman. These are Arab children, you look down on them as dirty. Look at the long legacy of racism and oppression in Algeria, something I'm sure you wholeheartedly support.

3. Indiana Jones is like three feet taller than these kids. We can easily shoot him in the head. Case closed.

Counter: What if Indiana Jones ducks? Then the children die.

Counter counter: He's too drunk/trashed to duck in time. Slowed reaction time.

Counter: What if the henchmen miss? They're not very skilled, and you're you, and believe your Arab henchmen to be inferior.

Counter counter: How could they possibly miss.

Other side:

Observation: Letting Indiana Jones live isn't all bad. Remember that he's useful for retrieving artifacts that you later take from him. Granted, on balance, you probably want him dead – we're just pointing out that the net benefit of having him dead isn't as much as side opp would have you think.

- 1) Killing children is bad. Especially poor, dark children.
- 2) Killing these children will turn Arab public opinion against you and the Nazis, damaging your ability to achieve your goals. Even if the children somehow miraculously survive, the Arab Street™ will still be enraged that you so recklessly endangered their lives. This leads into point 3:

- 3) Personal safety. The public backlash will begin immediately, when the bar patrons side against you and attack you, endangering your life. You're surrounded by heavily armed bar patrons, who will kill you. You don't want to die.
- 4) Why not just send your men to follow Indiana Jones as he leaves? He's still drunk/trashed, and the children can't cling to him forever. Once you're safely outside the bar and away from the witnesses, then forcibly pry the children off him and then kill him.

You're Marion. Indiana Jones approaches you with a deal: give him this artifact and he'll give you \$3000. We say, don't take it.

Kay arguments:

Observation: The artifact must be important. This is very very suspicious. Why has Indy personally traveled all the way to Nepal just to get this artifact? Clearly the fact's that he's personally traveled all this way and is willing to offer \$3000 means that it's worth a lot. That said,

1. There are surely other interested parties. It's not just for some fusty old museum, but there must be some sort of intrinsic worth to it. Why not wait, and hold out for a better deal? Drive up the price through negotiation and bargaining.
2. You don't like Indy. He hurt you in the past. Even if the other party can't give you quite as good a deal, dealing with them might give you more personal satisfaction since you can get back at him.
3. Indy is a very shady character. He's a grave robber. (a) He's probably up to no good, plans to loot some Egyptian tomb or something. Morally wrong to allow him to do this. (b) By engaging in this deal, you're entangling yourself in his shady dealings. Indy has enemies, who are equally ruthless and might retaliate by burning down your bar, to take a random example.

Misc. counterarguments:

- 1) You don't really need the money, you're doing fine on your own. Look at this awesomely well-stocked bar you have going. Nightly parties and drinking contests. It's the place to be.
- 2) Indy can't flip out and try to take the artifact by force, because (a) he doesn't know where it is, (b) you can call in your giant Sherpas to take him out (they may all be drunk, but they can still pack a wallop).

Other side:

- 1) It's \$3000. You're broke. Take the money!
- 2) Pareto-efficient exchange. You are each made better off while losing nothing. Indy loses nothing, since the \$3000 is the U.S. government's. You lose nothing, since the artifact is worthless to you. So everyone gains and nobody loses.
- 3) Nobody loses, except... the Nazis! That's right, this artifact is needed to deny the Ark to the Nazis, who will use it for evil. You're losing the artifact one way or another – if you refuse, the Nazis will take it from you – and better to lose it to this morally shady guy who you know than to the evil, evil Nazis who kill children.

More possibles: Do you go after the truck? Once you've reclaimed the Ark, do you call in support from the U.S. government, hole up in Alexandria, and wait for a U.S. warship to take it away? As Marion, do you given in to Belloq in hopes of winning an ally? If you discover that this monkey is a Nazi spy, is it justified for you to kill the monkey in cold blood?

Last Crusade cases

Young Indiana Jones sees these fortune hunters digging up this artifact. He plans to steal the artifact to run off with it. We say, don't do that.

Key arguments (don't steal the artifact):

1. For all you know this artifact actually belongs to them. Despite their scruffy appearance, maybe they've been hired by a museum. You often need unsavory characters to do rough work like this. Property theft is bad.

Subpoint: These guys did all the work of finding it and digging it up. They're entitled to it.

Subpoint: If you hadn't stumbled across them, they'd have made off with it. The artifact can't be that important or there would be other parties involved. So it's low-stakes.

Subpoint: You yourself have no right to the artifact. It's not yours. And saying "my intentions are purer than theirs" is really a holier-than-thou argument.

2. Personal harms. These people are mean and tough, are grown men, and outnumber you. You don't have a chance. They'll just take the artifact back, and beat you up or kill you or castrate you or who knows what.

Subpoint: You're also jeopardizing the safety of everyone else in your Boy Scout troop. That's morally wrong. So morality goes to our side of the house.

Subpoint: Alternatives. Why not just follow these guys until the sheriff arrives. Or, why not reveal yourself to these guys (after taking off and/or muddying up your Boy Scout uniform =)), make friends with them, then we know where they are for sure and can alert authorities.

3. You are an impressionable child. You don't want to teach yourself that stealing (and running away from people, fighting, etc.) is justified. Think of the screwed-up life you're setting up for yourself. Think of the children!

Other side:

1) These guys are looters. Moral obligation to stop them. Society will be better off with that artifact in a museum.

The looters themselves stole this artifact, so it's not actually theirs. So it's not theft.

3) You're a kid, and you're you. It'll be fun!

Possibles:

Burn off all the oil *before* entering the sewers. Heckuvalot safer. And it wouldn't damage the tablet, which is made of stone. Wait a couple minutes for the oxygen to come back, then voila.

Opp: Burning oil is dangerous. Would alert people aboveground to your presence. Why do this since we don't know anyone's following us (counter: gave grail diary to Marcus, clearly he's suspicious – plus, his dad disappeared). Can sell oil for money.

You're Indiana Jones. Your father has just been shot by this evil villain who then forces you at gunpoint into this series of booby traps to retrieve the Holy Grail to save your dad. Do you save your dad and let the villain get the Grail, or do neither. (note: it's all or nothing, either the Grail works or it doesn't)

[Adam] came up to me before the round started. He begged me to for once run a case about a substantive issue. "Please, not another Indiana Jones case – anything but an Indiana Jones case."

I told him I'd think about it.

(put on Indy hat)

I lied.

You are Indiana Jones.

[aside] I've also got a whip back here [behind the podium].

[keep describing case construct]