



SUMMER
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RETHINKING DOCTRINE, POWER & JUSTICE



RED TAP E

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CHAIR'S NOTE

"Education is our passport to the future, for tomorrow belongs to the people who prepare for it today" - Malcom X

The exploration of law does not exist without the diverse, complex and revolutionary case studies that helped shape it. What we examine in this journal, are the existing gaps or failures of the law, that leaves itself and those it proposes to protect vulnerable. By examining ongoing cases, we hope to contribute to the necessary evolution of the law, and ultimately strengthen it.

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OPEN SUBMISSION

BY: MARTA LIDUMA

THE FORGED SIGNATURE:

INFANT BODY

MODIFICATION AND THE
FICTION OF PROSPECTIVE
RATIFICATION

Parental authorisation for invasive body modification on infants, whether circumcision, ear piercing, or the surgical normalisation of intersex genitalia, **is conventionally defended as proxy consent exercised in the child's best interests.** The defence is doctrinally tidy and conceptually empty. An infant has no interests of the kind consent protects, and a parent cannot stand in for an autonomy that does not yet exist. The law knows this. What it actually does is stranger than the proxy-consent label suggests, and the standard reply, that such modifications narrow the child's "open future," only partly captures the problem.

The legal architecture treats the modification as prospectively ratified by the autonomous adult the infant will one day become. **The future self is conscripted as a silent co-signatory:** their presumed eventual acquiescence, that they will not sue, that they will absorb



the result of this, is treated as retroactively curing the absence of consent at the moment of cutting. Bodily autonomy is honoured by anticipation. **The autonomous subject is asked to ratify a decision they had no capacity to refuse**, on a body whose contours were settled before they existed as a chooser. The result is an autonomy debt without a debtor: an obligation incurred by a person not yet present, payable on a body already altered.

This is a categorical error, rather than a balancing problem. The very thing **bodily autonomy** is meant to secure, the capacity to decide whether to undergo a modification, is precisely what irreversible modification extinguishes before the autonomous subject arrives. Parental discretion can carry the weight of religious meaning, cultural transmission, and aesthetic preference; it cannot carry the weight of a signature that its purported author cannot give.

Where **modification is reversible, parental discretion is defensible**. Where it is not, the law's permission rests on a signature it has forged in advance, countersigned by acquiescence, and presented to the future adult as already paid.



GIRLS JUST WANNA HAVE CULTS

THE FUNDAMENTALIST CHURCH OF JESUS CHRIST OF
LATTER-DAY SAINTS (FLDS) AND THE PARADOX OF
CRIMINAL CULPABILITY

SARAH ZELIFAN

“A rat in a maze is free to go
anywhere, as long as it stays
inside the maze.”

-Margaret Atwood, *The
Handmaid's Tale*

The **Fundamentalist Church of Jesus Christ of Latter-Day Saints (FLDS)**, a radical polygamist sect that splintered from mainstream Mormonism in the 1980s, is often classified as a cult or extremist religious group. Isolated and controversial, the FLDS remains entrenched in communities across Arizona and Utah, USA.

Its former leader, Warren Jeffs—currently serving a life sentence for the aggravated sexual assault of a child in 2011—positioned himself as the mouthpiece of God. Through his self-proclaimed prophetic authority, Jeffs imposed a regime of strict patriarchal control, societal separation, and the practice of plural marriage, frequently involving underage girls.

While male leaders such as Jeffs and Samuel Bateman (arrested in 2024 for child sex abuse and trafficking) dominate national headlines, the legal treatment of FLDS women presents a far more nuanced and ethically fraught dilemma.

Raised under totalistic control—deprived of television, the internet, secular education, and private property—members, particularly women and children, are systematically shielded from mainstream society. Absolute obedience to male leaders, referred to as "prophets," is instilled as divine mandate, framing child marriages as the will of God. The sect enforces compliance through shunning, excommunication, and the threat of eternal damnation, creating a climate of fear where disobedience risks not only spiritual condemnation but also the loss of family and community.

THE NORMALIZATION OF ABUSE & THE CYCLE OF VICTIMIZATION

The most disturbing aspect of the FLDS is the normalization of abuse, particularly against women. Girls as young as 12–14 are routinely married to significantly older men; Warren Jeffs himself took at least 78 wives, with 24 confirmed to be underage at the time of marriage. Briell Decker, a former wife of Jeffs, poignantly captured the impossible choice faced by these women: *"To say no would mean I could lose everything, even my children. To say yes... would mean the end of me, my sanity, dignity, and self-respect."*

Victims of indoctrination—many of whom were child brides or survivors of abuse—often later participate in

arranging the marriages of their own daughters, perpetuating the cycle. This participation is framed not as criminal complicity but as divine duty, the fulfillment of God's law. Refusal to comply risks exile from the community and separation from their children, reinforcing their captivity.

The arrests of male leaders like Jeffs and Bateman raised critical questions about the culpability of the wives. In 2022, following Bateman's arrest for child sex abuse and trafficking, federal and state authorities conducted sweeping arrests. Several adult wives were charged with evidence tampering, obstruction of justice, and kidnapping children from state custody, primarily under Bateman's direction. While their sentences of 2–3 years in federal prison are significantly shorter than the 30+ year terms imposed on male leaders, they expose a gaping hole in criminal law:

How should the legal system address individuals who commit harm while raised in coercive, totalistic environments that impair their autonomy, moral reasoning, and perception of legality?

Lifelong indoctrination in the FLDS undermines the foundational assumptions of autonomy in criminal law, creating a paradox where victims of childhood indoctrination are prosecuted as perpetrators despite **non-culpable moral ignorance**.

This issue is distinct from cases where individuals join extremist groups in adulthood. While adult recruits may still experience coercion, those raised in the FLDS are indoctrinated from infancy, with their worldview, morality, and sense of agency shaped before they could exercise independent judgment. The absence of exposure to alternative perspectives or the opportunity to develop critical thinking renders their situation uniquely complex, as their developmental autonomy is stunted from the outset.

CRIMINAL DOCTRINE: THE ASSUMPTIONS OF RESPONSIBILITY

Criminal responsibility traditionally rests on four foundational assumptions regarding the defendant:

1. Meaningful exposure to mainstream legal or moral norms
2. Ordinary developmental autonomy
3. Realistic exit opportunities
4. The ability to recognize illegality independent of community conditioning

Unlike classic cult scenarios where coercion occurs in adulthood or at the moment of offending, FLDS women experience developmental socialization and impaired autonomy formation from childhood. Deprived of access to books, the internet, or interactions with outsiders, they lack the opportunity to develop

normative competence or exposure to competing moral frameworks—the very building blocks of autonomy.

The coercive control in the FLDS extends beyond physical confinement to epistemic, economic, and psychological captivity, establishing a chronic and systemic coercion rather than an imminent threat. Their ability to recognize illegality is further distorted by the belief that God's law supersedes state law—if they are even aware of state law at all.

THE PHILOSOPHICAL FRAMEWORK: AUTONOMY AND MORAL AGENCY

Retributivism, or "desert-based" punishment, assumes moral agency—a concept explored in H.L.A. Hart's *Punishment and Responsibility*. Hart's "**Fair Opportunity**" principle posits that individuals should not be punished unless they had both the normal capacity to understand and control their behavior and a realistic chance to exercise those capacities to obey the law. In essence, the defendant must have had a fair chance to avoid wrongdoing, allowing for excuses such as insanity or duress.

Michael Moore's *Placing Blame* further argues that culpability requires normative competence. Combined with the "Fair Opportunity" principle, these theories establish the framework for moral agency.

However, indoctrination disrupts autonomy by depriving individuals of the fair opportunity to develop moral reasoning. This phenomenon is termed **Non-Culpable Moral Ignorance** (Brink & Nelkin, 2021).

Indoctrination's impact on decision-making is well-documented and recognized in international law, such as in cases involving child soldiers under the International Criminal Court and the Trafficking Victims Protection Act. Traditional duress defenses often focus on imminent threats, but the coercion in the FLDS is systemic and lifelong, representing a distinct formulation of the "no exit" defense based on psychological feasibility.

THE FLDS AND THE FAILURE OF LEGAL FRAMEWORKS

Adult FLDS women, who might have been considered pure victims if analyzed years earlier, often find themselves classified as co-conspirators for enabling the leaders and perpetrators of crimes. As established, these women largely fail to meet the criteria for autonomy and duress, as the coercion they experience is chronic rather than situational—a form of coercive control rather than an immediate threat.

Legally, many wives plead guilty to conspiracy or are framed as co-perpetrators, with no indoctrination-

based mitigation considered by the courts. While there are global precedents for mitigation—such as insanity defenses, economic coercion negating voluntariness, or the Battered Woman Syndrome defense—the application of these defenses remains inconsistent and largely at the discretion of prosecutors, who operate without clear guidelines.

CONCLUSION: BRIDGING THE GAP IN CRIMINAL LAW

If autonomy is the foundation of criminal responsibility, then the law must account for those who were never given the chance to develop it.

The case of the FLDS exposes a **critical gap** in criminal law: the failure to address the victim-perpetrator overlap in cases of lifelong indoctrination. The current legal framework punishes individuals for harm committed under developmentally impaired agency, ignoring the reality that their autonomy, moral reasoning, and perception of legality have been systematically undermined. Addressing this paradox requires a reevaluation of how criminal law accounts for coercive control, non-culpable moral ignorance, and the long-term effects of indoctrination.



ACCESS FOR SALE: DEMOCRACY FOR HIRE

RETHINKING THE BOUNDARY BETWEEN LEGITIMATE
POLITICAL PARTICIPATION AND INSTITUTIONAL
CORRUPTION

NIKI SETOODEH-MANESH

"Only the rich can corrupt legally."

This is a blunt viewpoint often held by critics of money in politics, and is most relevant in corporate lobbying. While lobbying may be controversial, it is in itself not illegal. At its core, it is simply an attempt to influence legislation and decisions of government officials by a group, serving as a fundamental link between corporations, organisations and industries and the government. Yet its perpetuation still raises serious concerns regarding so-called **"legalised corruption."**

The growing concentration of influence by various lobby groups, perceived by most as advocating for specific private interests, justly solicits critical inquiries into the fairness, equity, and integrity of the democratic process. These concerns become even bolder when lobbying and the "revolving door" overlap. Today's lobbyist was yesterday's regulator. The "revolving door" phenomenon, in which former public officials transition to the private sector, taking on lucrative corporate lobbying roles and using their political connections to their advantage, blurs the line between legitimate influence and institutional corruption.

Lobbying is not left completely unregulated; there are legal frameworks in place. Lobbying laws differ across jurisdictions, establishing diverse boundaries, but generally pursue the same goal: transparency. In the United States (US), the main federal legal instruments governing lobbying are the **Lobbying Disclosure Act (LDA) of 1995** and the **Honest Leadership and Open Government Act (HLOGA)** of 2007. These laws require professional lobbyists to register with Congress and disclose details about their clients, the issues they aim to influence, and their spending. Similarly, the **European Union (EU)** employs a database, **"Transparency Register"**, which requires lobbyists and interest representatives to register and disclose information regarding their activities, objectives, and financial backing if they seek access to EU institutions.

Although both systems aim to promote transparency, they differ in scope. US federal law mainly targets direct contact with lawmakers and high-level executive officials, whereas the EU system applies more broadly across institutions and strives for inter-institutional transparency. Importantly, both systems are distinct from anti-bribery and corruption laws, which criminalise direct exchanges of money, favours, or gifts for official action; the classic **"quid pro quo."** However, because modern corruption

laws are primarily focused on direct and explicit exchanges; more subtle forms of influence can remain entirely legal. This raises concerns over disproportionate access and unfair, biased influence over policy outcomes in favour of powerful private interests.

These laws aim to address transparency and undue influence, but are far from comprehensive. Importantly, the regulations fail to fully tackle the **underlying power imbalance** that allows wealthy groups and corporations to exert far greater political influence than that of ordinary citizens. The **"revolving door"** highlights a pivotal nexus where apprehensions regarding legitimate political influence converge with fears of undue advantage. This term refers to the constant movement of individuals between public office and lobbying firms/corporate roles. Supporters argue that these transitions could plausibly serve as important connections of industry expertise and insider knowledge into the policy discourse. Critics, however, argue that the "revolving door" inherently creates unavoidable conflicts of interest as former officials leverage privileged connections and insider knowledge they gained in public office for their own benefit. In many cases, the public office becomes a form of private leverage. Thus, it conceivably results in and further bolsters the perception or reality of regulatory capture.

There is also a growing concern that the anticipation of future career opportunities after government roles, specifically lucrative private-sector employment, may subtly shape officials' decisions while in office. There is a risk that officials may regulate industries in ways they deem favourable to their future endeavours, rather than solely upholding the public interest. Some jurisdictions have introduced cooling-off periods as an attempt to **install safeguards against the “revolving door”**.

The US and the EU, for example, have various post-employment restrictions for departing senior executives and Commissioners. However, these safeguards remain limited in duration and are narrow in scope, often criticised as insufficient to prevent more subtle forms of influence enabled by the “revolving door”. This dynamic nonetheless undermines public confidence in the impartiality of governance and raises reasonable doubt about the fairness and transparency of actions that may be legal in and of themselves.

THE JACK ABRAMOFF LOBBYING SCANDAL

The concerns raised by many are far from abstract; there are endless examples of scandals involving corrupt lobbying, exemplifying the deeply intertwined issue.

An infamous case in the US is the Jack Abramoff lobbying scandal, which demonstrates how easily legal influence can slide into outright corruption, as well as the subtle mechanisms by which this boundary can be crossed.

In the early 2000s, Abramoff forged extensive connections with lawmakers and built a sprawling network of influence through a tangled web of gifts, lavish trips, and political donations on behalf of his clients. He would grossly overbill his clients, specifically Native American tribes seeking help with casino-related lobbying. While aggressive, his actions were initially within the bounds of what was considered legitimate lobbying at the time. Investigators later started uncovering a pattern of fraud, bribery, and overbilling, and he eventually pled guilty to a series of criminal charges related to the scheme.

The Abramoff case was not only that of lobbying corruption, but included aspects of the “revolving door”: congressional staffers such as Tony Rudy, a former aide to a House Majority Leader, moved into Abramoff's lobbying network, and the scandal showed **how fluid the boundary between public service and private influence had become**. Another case that drew attention and criticism associated with the phenomenon was that of Billy Tauzin,

who chaired the House Committee on Energy and Commerce that shepherded the 2003 Medicare Modernisation Act through Congress. He subsequently became president of PhRMA, the pharmaceutical industry's leading lobby group, where he earned an annual salary of \$2 million. Together, these cases demonstrate that the problem is not confined to a single form of abuse or even clear-cut criminality, but **pervades the broader ecosystem of money, access, and political power.**

COUNTERARGUMENT

Like anything, lobbying has both proponents and adversaries, and although the prevailing narrative tends to accentuate its loopholes, recognising its crucial role in improving policymaking cannot go unmentioned. It is important to remember that lobbying is a general term, encompassing various groups advocating for a range of different interests that go beyond simply seeking profit.

Furthermore, **it is imperative to consider** what would be lost if lobbying were curtailed more significantly. Organisations such as the American Heart Association, Doctors Without Borders, and Greenpeace advocate for funding and research into diseases and health, as well as environmental protections, vaccines, and other humanitarian aid.

At the same time, managing a large and developed country involves highly technical, complicated processes that require great expertise and collaboration across large groups and organisations. **Lobbying can serve practical functions in this regard,** informing policymakers of the benefits, drawbacks, or effects of legislation they create. Regulating semiconductor industries, deciding on export policy for certain goods, or establishing rules for complicated infrastructure or the aviation industry requires a level of expertise that is outside the bounds of government bureaucracy.

It can therefore be beneficial for companies or organisations that are directly involved and affected by such legislation to inform regulators of the effects their decisions may have. Without these various lobbying groups, achieving positive change in areas that lack attention or funding would be much more difficult, as **legislators would not necessarily be inclined to support** such initiatives of their own volition.

CONCLUSION

Lobbying serves a fundamental and substantial purpose in modern societies, allowing small and large groups to influence the decisions of government officials in far-reaching and sometimes contradictory ways. Still, the cynical exploitation of lobbying and the "revolving door" between government and private industry remain among the most controversial aspects of democratic governance. Corruption scandals and the movement of people between public office and private interests point to problems with fairness, transparency, and accountability that demand attention.

While laws are generally effective at addressing clear cases of bribery, they are less capable of addressing the broader problems, such as conflicts of interest, unequal access to policymakers, and the phenomenon of the "revolving door". This dynamic, in particular, can erode public trust in government, even without a clear crime necessarily being committed. **Until these fundamental issues are addressed by a comprehensive framework of laws, reform, and safeguards, the boundary between influence and corruption will remain not merely blurred, but drawn by those with the most to gain from its ambiguity.**



MERE 'WERTHER FEVER'?

ARTICLE 2 ECHR, EUTHANASIA, AND THE
"RIGHT TO DIE"

MICAH WADE

**"I AM RESOLVED TO DIE!
I MAKE THIS DECLARATION
DELIBERATELY AND COOLLY,
WITHOUT ANY ROMANTIC
PASSION, ON THIS MORNING
OF THE DAY WHEN I AM TO SEE
YOU FOR THE LAST TIME."**

Such were the words of young Werther to his love interest, Charlotte, in Johann Wolfgang von Goethe's controversial and seismic novel, which oversaw suicide as the resolution for heartbreak amidst the austerity of the emergent enlightenment period. The **'Werther fever'** that ensued encapsulated a long-standing fascination with the nature of suicide in modern society.

Therefore, when on the 20th of August 2001, applicant Diane Pretty applied for judicial review of the Director of Public Prosecutions' (DPP) decision before the European Court of Human Rights, suggesting that the DPP's decision of 8th August 2001 be quashed, essentially, **Pretty argued that under the law the "Right to Die" must be recognised as a human right.**

However, critics maintain that euthanasia constitutes a glamorised form of suicide, often invoking the **'slippery slope argument'** to suggest that a gross moral failure could arise from such legal permissiveness. Moreover, the European Court of Human Rights famously stated in

Article 2 of the European Convention on Human Rights (ECHR), "An Article with that effect cannot be interpreted as conferring a right to die", such that any interpretation of **Article 2** as enabling a "right" to die is flawed. What, then, distinguishes Diane Pretty's case, and many similar cases, from mere 'Werther fever', and is it categorically correct to suggest that there is a self-evident distinction between **legalised euthanasia** and suicide?

THE "SLIPPERY SLOPE" MODEL AND THE 'RESPONSIBLE' STATE:

Lewis argues that "Slippery slope arguments appear regularly whenever morally contested social change is proposed". It is this extremised end of the behaviour that is regarded as morally 'wrong', and is believed to be incentivised by legalising the less extreme, yet associated, conduct. As Lewis suggests, the "slope" is "slippery" given there are "claimed to be no plausible halting points between the initial commitment to a premise, action, or policy and the resultant bad outcome." The assumed acceleration along the road from a less morally dubious action (euthanasia) to the perceived resultant extreme action(s) (suicide) presupposes no distinction between the two aside from mere linguistics.

In simpler terms, **euthanasia leads inevitably to suicide becoming a norm in society** according to this model.

James Rachels explains that the logical and empirical faces of the slippery slope argument revolve around the concept that, at the logical level, we would be inclined to **accept the more extreme forms of a moral behaviour** on account of accepting the less extreme forms and their vague association with each other. Whereas, the empirical argument propounds that people will accept without question the extreme forms of a moral behaviour on account of a lack of stoic legal policy in this area and sociological conformity, or known colloquially as 'herd mentality'.

What, then, are the current statistics? As Lewis points out, "According to the three national survey [...] in the Netherlands, the cases in the 'termination of life without an explicit request' category represent less than one percent of all deaths."

However, "less than one percent" is not zero. **Pretty v The United Kingdom** illustrated such considerations, establishing four dominant ideas that inform the legal framework for permitting or disallowing euthanasia, some distinguishing suicide from euthanasia, and others (primarily libertarian and neo-libertarian considerations) finding no cause for such distinctions.

FIRST CONSIDERATION - Suicide as a legalised choice

The catastrophic effects for immediate and non-immediate family are generally held to posit suicide as necessitating an emotivist angle, but to the libertarian, little comment is usually made reflecting any moral reasoning substantive enough to outlaw it; reflective of need to evaluate the meta-ethical aspect of suicide and apply legal framework from there.

SECOND CONSIDERATION- Euthanasia as an extension of suicide and (still) a legalised choice

The main crux of the euthanasia argument is whether the 'Sanctity of Life' or the 'Quality of Life' is the more legally and morally viable criterion for assessing the actions associated with 'euthanasia' as a whole.

Suicide as a choice follows from Mill's idea that "over himself, over his own body, and mind, the individual is sovereign". If freedom is the absolute that is to be pursued in this scenario, suicide is necessitated in that the individual should be able to choose when they die, as they cannot choose when they live. Therefore, this **enables true freedom amongst all men** and is paramount to autonomy. This argument also encompasses the principle of the quality of life; the idea that a quality threshold be attached to

tany voluntary and rational discussion when weighing up whether the individual chooses to pursue living or dying. Euthanasia, under this consideration, is a sub-categorical aspect of suicide, yet with tailored legal provisions.

THIRD CONSIDERATION - Suicide as a harm to be prevented, distinct from euthanasia which may be legalised but requires regulation

Here, such 'quality' of life is believed to be chronically underassessed in those pursuing suicide due to their mental state rendering them incapacitated in weighing up all prospects equally. This is the **cause for barring suicide** and yet, potentially, still allowing euthanasia, as they are held to be mutually exclusive due to the mental competency test involved in euthanasia, as it is not privatised in the manner suicide is. Legislation ensures a regulated approach.

FOURTH CONSIDERATION - Euthanasia as a harm, in the same manner suicide is, demanding illegality

Supporters of the model of the 'sanctity of life' - the idea that life is unique and precious and should be treated as such - argue that to pursue the termination of one's own life is not a right innate to mankind. The '**Sanctity of Life**' is a credible theory, with its foundations etched clearly into legal doctrine.

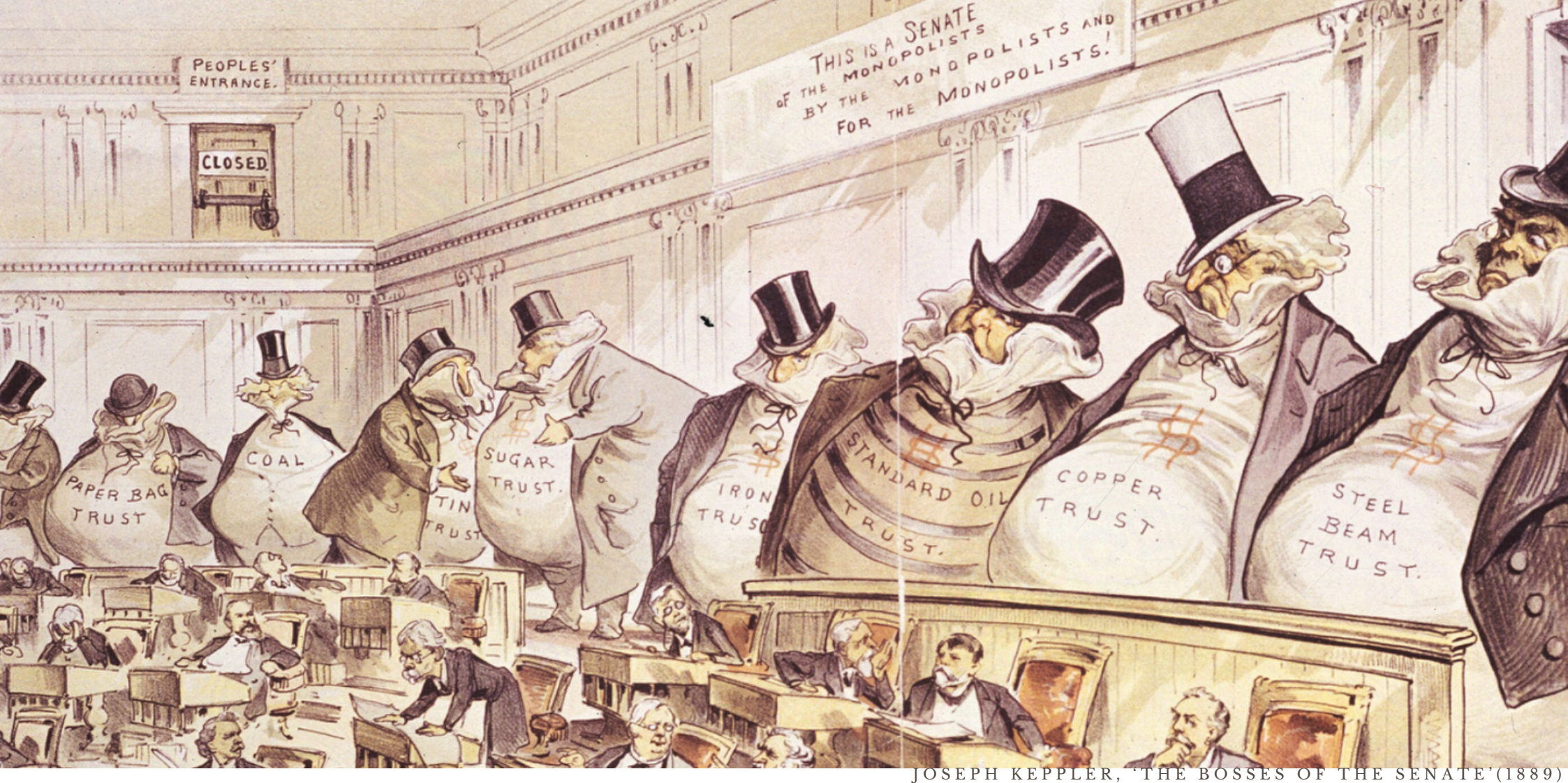
As Baranzke suggests, “In 1984, President Ronald Reagan proclaimed January 22—the anniversary of the U.S. Supreme Court’s **Roe v. Wade** (1973) decision—as the first ‘National Sanctity of Human Life Day.’ The overlap of arguments against both euthanasia and abortion is relative to the idea that the limits to humanity’s sovereignty are drawn on account of our inability to interfere with decisions about life-taking, nor to determine where and when life starts and ends. This argument tends to hint at a higher being having this right by binary opposition, yet non-religious adaptations of the sanctity of life argument have also gained traction in recent decades.

The crux of the opposition to this fourth idea is that life, in being “precious” and a “gift”, is not ours to take. Critics rightfully point out, however, that the death penalty in the United States, or the use of soldiers in war, still violates this Sanctity of Life principle. The sanctity of life argument rests on what **Ayer calls “boo-hurrah” theory** - no offerings are made as to whether the action itself is legally wrong, but considerations rest with moral emotivism.

To conclude, whilst the main element of individual freedom within a state revolves around the ‘Right to Life’, particularly the right to live as one pleases, this (arguably) ought to extend to the binary opposing,

yet equally legally valid right - the ‘Right to Die’. It seems, therefore, that the ECtHR is wrong to suggest that the right to die is not a valid legal right as a natural extension of the right to life. The exercise of the anthropic principle of taking one’s life into one’s own hands **follows naturally** from the assertion that all men must be free. The issue for contention and, at the present, the single barrier to this hypothetical being “hardened” into a right and becoming a civil right in the eyes of the law follows from the (il)logical deductions that (a) life is precious, and (b) life’s state of being “precious” necessitates protecting it from being taken by another, and (likewise) by the self. However, **vague statements about life being “precious”** cannot be an effective legal defence against allowing euthanasia and, by extension, morally and legally condemning euthanasia as a result. This evidential burden must also operate within the parameters of legal considerations, not merely quoting hyper-sentimental viewpoints on what life means and positing it as epistemologically and morally relevant, when it is not of the scholarly calibre to be assessed by a legal metric.

To synopsis, Pretty’s case goes beyond mere ‘Werther fever’ and expresses an uncomfortable truth that **no man is free until he can possess, in lieu of the right to live, the concurrent right to die.**



JOSEPH KEPPLER, 'THE BOSSES OF THE SENATE' (1889)

A BATTLE OF GIANTS

HOW CORPORATE MONOPOLIES ARE TAKING
OVER THE WORLD

SAMANTHA C. TOMILOWITZ

What is a corporate monopoly, if not a type of fiefdom? The United States of America (US) **does not suffer Kings or Queens**, and yet, the wheels of commerce, trade, and infrastructure are greased and dictated by heavily concentrated corporate giants. Untold lives and generations of families were lost in the pursuit of independence at the beginning of this country's founding. However, in the 21st Century, some of these self-proclaimed patriots find nourishment in bootlicking the coattails of the billionaire class. Make no mistake, a **class war** feeds and moves the undercurrent of every echelon of American civilian life. Neighbors pitted against one another when they yearn for the same things, the same kind of

decent, honest living. Yet enough people would rather live the invidious lie, shirking the harder path of upholding the truth out of fear or spite. Corporate dominance in America did not happen overnight; it's a systematic takeover decades in the making.

IN THE BEGINNING

It began when the riots did not erupt after the US Supreme Court's ruling in *Citizens United v. Federal Election Commission* (FEC), 558 U.S. 310 (2010), which **reversed century-old campaign finance prohibitions** and empowered corporations and other special-interest groups to engage in unlimited amounts of campaign spending. After *Citizens*

United, associations of citizens, such as corporations and labour unions, now possessed the same protected First Amendment free speech right to participate in the political process through independent financial expenditures. In the meager sixteen years since this ruling, nonprofit organisations and “super PACs”, a type of independent expenditure-only political action committee, **have funneled billions of dollars into local and federal elections.** In contrast, in the Netherlands, foreign and anonymous donations are banned, individual contributions are capped at €100,000 annually, and donors cannot hide behind a foundation since “ultimate beneficial owners” (UBOs) at the helm of the foundation must be disclosed.

Wealthy donor participation in elections is as ancient a practice as any. It isn’t even inherently immoral, so long as there are safeguards in place for the greater community. But in less than 2 decades, corporate power has expanded exponentially, fusing massive economic resources with direct, unlimited political influence. Titans of industry no longer scrounge for scraps from the sidelines, but are now given distinguished places around the table of governance and public order.

FEW ARE AS POWERFUL OR INFLUENTIAL AS THE E-COMMERCE GIANT AMAZON.COM, INC. (AMAZON).

Founded in a garage in 1994, **Amazon** was originally established as a simple online bookseller across all 50 US states and 45 countries worldwide. Jeff Bezos, the company’s founder and its current Executive Chairman, led the company from a small online business in the 90’s to a multinational technology giant and **the world’s largest e-commerce retailer in the 21st Century.** Ranked as the world’s 5th most valuable company, Amazon crossed \$2 trillion in market capitalization (cap) in 2024, its valuation steadily rising by over 40% in the last 12-month period. Amazon is a publicly traded company, meaning it’s a business that’s sold a portion of its ownership to the general public through shares of stock on a public stock exchange, allowing anyone to buy, sell, or trade them. For publicly traded companies, the market cap is the total market value of outstanding shares and is generally used to measure how much a company is worth. As of 2026, Amazon operates dedicated stores across North America, Asia-Pacific, the Middle East, and Africa, with delivery capabilities reaching more than 100 countries.

THE STAGE IS SET

In 2023, the US government took two separate, monumental swings at the retail giant. The first case, filed in June 2023 by the Federal Trade Commission (FTC), charged that Amazon enrolled unsuspecting

consumers into automatically renewing its Prime program and made it notoriously difficult for members to cancel. Faced with the alleged use of these “dark patterns” - manipulative, coercive, or deceptive user-interface designs - led to **Amazon’s agreement in late 2025 to a historic \$2.5 billion settlement to resolve these claims.** In addition to consumer restitution and a \$1 billion civil penalty, the consumer giant was required by law to significantly simplify its subscription and cancellation processes. The first swing struck a massive blow to the e-commerce monopolist by demonstrating that even the most preponderant forces can be restrained by the law.

Whether the second swing will land is yet to be determined. **The case to watch in 2026**, *FTC v. Amazon*, is a landmark battle between giants: a US federal government agency against the world’s largest company by revenue since 2026. Filed in September 2023, the FTC and attorneys general (AGs) from 17 states (later expanded to 19) accused Amazon of operating as an **illegal monopolist** that utilizes interlocking anti-competitive strategies to maintain retail dominance. The antitrust monopoly case is built on three allegations: anti-discounting measures, “pay-to-play” coercion, and algorithmic manipulation. Put simply, the complaint alleges that “Amazon

violates the law not because it is big, but because it engages in a course of exclusionary conduct that prevents current competitors from growing and new competitors from emerging.” John Newman, Deputy Director of the FTC’s Bureau of Competition, contends that, **“Seldom in the history of US antitrust law has one case had the potential to do so much good for so many people.”** This case is actively ongoing in the US District Court for the Western District of Washington, with the full trial scheduled to begin in October 2026. The FTC and the other plaintiffs are seeking a permanent injunction in federal court prohibiting Amazon from engaging in its unlawful conduct and structural remedies to their business model to unfasten their monopolistic control and restore competition. Amazon attempted to swat away the FTC’s complaint entirely, but a federal judge largely denied the motion, allowing the core federal antitrust claims to proceed.

EACH VOTE MATTERS

Federal elections in the US occur every four years. In these general elections, citizens in all 50 states cast their ballots for one **President and Vice President.** When people cast their vote, they are actually voting for a group of representatives known as electors. In all but two states, if a candidate receives a state’s majority vote, then that candidate will receive all of that state’s electoral votes. Each state is

assigned a certain number of electors according to its representation in Congress. A total of 538 electors are chosen according to each state's policy, with each elector casting a single vote, a process known as the Electoral College. **Certain competences are endowed to the President**, and only the President, through the US Constitution and federal legislation. One is the ability to nominate all five Commissioners of the FTC, including selecting one to act as Chair, though they're subject to Senate confirmation. Disproportionate campaign spending by a privileged cohort is an infringement on fair and free elections, one of the pillars of a healthy functioning democratic society. Hence why every election matters and every vote matters.

FOR THE FUTURE

For most people, myself included, all of this financial jargon and technical language is a pill to decipher. These cases are less glamorous, less publicized than, for example, capital punishment trials, and more onerous to wade through *by design*. **But understand this: antitrust lawsuits affect everyone.** Like the scale of different infinities, some antitrust lawsuits are greater, thereby more impactful, than others. The FTC's battle against Amazon is poised to be a landmark antitrust case because of the latter's dominance in world trade. The success of American antitrust lawsuits

in holding corporate monopolists accountable will have consequences for the entire world. World trade is dominated by the power of the US dollar, so **what happens in America ultimately impacts the entire world.** You need to be informed, you need to care, because apathy is a characteristic of the losing side.

Bibliography: Girls Just Wanna Have Cults

Brink D and Nelkin D, 'Fairness and the Architecture of Responsibility' in David Shoemaker (ed), Oxford Studies in Agency and Responsibility 1 (Oxford University Press 2013) 284–313

Boyle-Laisure R, 'Preventing Predatory Alienation by High-Control Groups: The Application of Human Trafficking Laws to Groups Popularly Known as Cults, and Proposed Changes to Laws Regarding Federal Immigration, State Child Marriage, and Undue Influence' (2021) 1(2) International Journal of Coercion, Abuse and Manipulation; St John's Legal Studies Research Paper No 21-0018, SSRN <<https://ssrn.com/abstract=3871858>>

Weigel CM, 'Trafficking Cults: Why Courts Should Adopt a Broad Reading of the Trafficking Victims Protection Act to Ensure Protection of Cult Victims' (2020) 30 Geo Mason U CR LJ 269

Hart HLA and Gardner J (2008) Punishment and responsibility

Moore MS, Placing Blame: A Theory of the Criminal Law (Oxford University Press 1997)

Sessions EM and Doherty B, "Cults," Coercion, and Control' (2023) 24 Implicit Religion

Bibliography: Access for Sale : Democracy for Hire

Commission Decision of 31 January 2018 on a Code of Conduct for the Members of the European Commission [2018] OJ C65/7

Interinstitutional Agreement of 20 May 2021 between the European Parliament, the Council of the European Union and the European Commission on a mandatory transparency register [2021] OJ L207/1

Lessig L, 'Institutional Corruption" Defined' [2013] 41(3) Journal of Law, Medicine & Ethics 553-555

Lessig L, Republic, Lost: How Money Corrupts Congress — and a Plan to Stop It (Twelve 2011)

Blumenthal P, 'The Legacy of Billy Tauzin: The White House-PhRMA Deal' (Sunlight Foundation, 12th February)

Harris P, 'Capitol Hill's dirty secrets laid bare in lobby scandal' The Guardian (6 January 2006) accessed 14 May 2026

Teachout Z, Corruption in America: from Benjamin Franklin's snuff box to Citizens United (Harvard University Press 2014)

Bibliography: Mere 'Werther Fever'?

- Alfred J A, Language, Truth and Logic (reprint edn, Courier Corporation 1936) Language, Truth and Logic - Alfred Jules Ayer - Google Books
- Binder, G and Chiesa, L, 'The Puzzle of Inciting Suicide' (2019) 56 Am Crim L Rev 65 <<https://heinonline-org.proxy-ub.rug.nl/HOL/Page?handle=hein.journals/amcrimlr56&id=70&collection=journals&index=>>>
- Baranzke H, "Sanctity-of-Life"—a Bioethical Principle for a Right to Life? [2012] 15 ETMP 295 <<https://doi.org/10.1007/s10677-012-9369-0>>
- Mill J S, On Liberty (2nd edn, J. W. Parker and Son 1859) On Liberty - John Stuart Mill - Google Books
- Pretty v. United Kingdom (Judgement) (Merits) [Chamber] ECtHR App No 2346/02, [29 April 2002] para 39 <<https://hudoc.echr.coe.int/eng?i=001-60448>>
- Penny L, 'The Empirical Slippery Slope from Voluntary to Non-Voluntary Euthanasia.' [2007] 35(1) ASLME 197 <<https://doi.org/10.1111/j.1748-720X.2007.00124.x>>

Bibliography: A Battle of Giants

- 'Big donors kept in check as election campaign heat up' *DutchNews.nl* (23 September 2025) <<https://www.dutchnews.nl/2025/09/big-donors-kept-in-check-as-election-campaign-heats-up/>>
- Federal Election Commission, 'Citizens United v FEC' (2010) <<https://www.fec.gov/legal-resources/court-cases/citizens-united-v-fec/>>
- Federal Trade Commission, 'Commissioners' <<https://www.ftc.gov/about-ftc/commissioners-staff/commissioners>>
- Federal Trade Commission v Amazon.com, Inc (Amazon eCommerce) (No 2:23-cv-01495, WD Wash, filed 26 September 2023)
- Federal Trade Commission v Amazon.com, Inc (ROSCA) (No 2:23-cv-00932, WD Wash, filed 21 June 2023)
- Federal Trade Commission, 'FTC Secures Historic \$2.5 Billion Settlement Against Amazon' (Press Release, 25 September 2025) <<https://www.ftc.gov/news-events/news/press-releases/2025/09/ftc-secures-historic-25-billion-settlement-against-amazon>>
- Federal Trade Commission, 'FTC Sues Amazon for Illegally Maintaining Monopoly Power' (Press Release, 26 September 2023) <<https://www.ftc.gov/news-events/news/press-releases/2023/09/ftc-sues-amazon-illegally-maintaining-monopoly-power>>
- Hopkins C, 'The History of Amazon and its Rise to Success' (2023) *Michigan Journal of Economics* <<https://sites.lsa.umich.edu/mje/2023/05/01/the-history-of-amazon-and-its-rise-to-success/>>
- 'Market Capitalization of Amazon (AMZN)' <<https://companiesmarketcap.com/amazon/marketcap/>>
- Mercadal T, 'Super PACs' (2022) <<https://www.ebsco.com/research-starters/political-science/super-pacs#full-article>>
- Nauman K, 'Amazon Is Now the No. 1 Company in the World by Revenue. Does that Make AMZN Stock a Buy Here?' (25 February 2026) <https://www.barchart.com/story/news/423565/amazon-is-now-the-no-1-company-in-the-world-by-revenue-does-that-make-amzn-stock-a-buy-here?utm_source=yahoo&utm_medium=syndication&utm_content=footer_link>
- Purdue Global Law School, 'Corporate Personhood: What It Means and How It Has Evolved' (6 January 2023) <<https://www.purduegloballawschool.edu/blog/news/corporate-personhood>>
- U.S. Mission Kazakhstan, 'Summary of the U.S. Presidential Election Process' <<https://kz.usembassy.gov/summary-of-the-u-s-presidential-election-process/>>
- Zulqarnain M, 'Does Amazon Ship Internationally from US? A Complete Global Shopping Guide by Global Shopaholics' (11 November 2025) <<https://globalshopaholics.com/blog/amazon-international-shipping/>>