# Terrorism

# Solvency

# K

## Framework

The Role of the Ballot is Policy Simulation—Effective decision making and TESTING of their ethic requires you to evaluate their material manifestation—The alternative is voting for an FYI without a mechanism to resolve their link arguments

Hodson 10 Derek, professor of education – Ontario Institute for Studies @ University of Toronto, “Science Education as a Call to Action,” Canadian Journal of Science, Mathematics and Technology Education, Vol. 10, Issue 3, p. 197-206

\*\*note: SSI = socioscientific issues

The final (fourth) level of sophistication in this issues-based approach is concerned with students findings ways of putting their values and convictions into action, helping them to prepare for and engage in responsible action, and assisting them in **developing the skills**, attitudes, and values **that will enable them to** take control of their lives, **cooperate with others to bring about change**, and work toward a more just and sustainable world in which power, wealth, and resources are more equitably shared. Socially and environmentally responsible behavior will not necessarily follow from knowledge of key concepts and possession of the “right attitudes.” As Curtin (1991) reminded us, it is important to distinguish between caring about and caring for. It is almost always much easier to proclaim that one cares about an issue than to do something about it. Put simply, our values are worth nothing until we live them. Rhetoric and espoused values will not bring about social justice and will not save the planet. We must change our actions. A politicized ethic of care (caring for) entails active involvement in a local manifestation of a particular problem or issue, exploration of the complex sociopolitical contexts in which the problem/issue is located, and attempts to resolve conflicts of interest. FROM STSE RHETORIC TO SOCIOPOLITICAL ACTION Writing from the perspective of environmental education, Jensen (2002) categorized the **knowledge** that is **likely to promote sociopolitical action** and encourage pro-environmental behavior into four dimensions: (a) **scientific and technological knowledge** that informs the issue or problem; (b) knowledge about the underlying social, political, and economic issues, conditions, and structures and how they contribute to creating social and environmental problems; (c) knowledge about how to bring about changes in society through direct or indirect action; and (d) knowledge about the likely outcome or direction of possible actions and the **desirability of those outcomes.** Although formulated as a model for environmental education, it is reasonable to suppose that Jensen's arguments are applicable to all forms of SSI-oriented action. Little needs to be said about dimensions 1 and 2 in Jensen's framework beyond the discussion earlier in the article. With regard to dimension 3, students need knowledge of actions that are likely to have positive impact and knowledge of how to engage in them. **It is essential** that they gain robust knowledge of the social, legal, and **political system(s)** that prevail in the communities in which they live and develop a clear understanding of how **decisions** are **made within** local, regional, and **national government** and within industry, commerce, and the military. Without knowledge of where and with whom power of decision making is located and awareness of the **mechanisms by which decisions are reached**, **intervention is not possible.** Thus, the curriculum I propose requires a concurrent program designed to achieve a measure of political literacy, including knowledge of how to engage in collective action with individuals who have different competencies, backgrounds, and attitudes but share a common interest in a particular SSI. Dimension 3 also includes knowledge of likely sympathizers and potential allies and strategies for encouraging cooperative action and group interventions. What Jensen did not mention but would seem to be a part of dimension 3 knowledge is the nature of science-oriented knowledge that would enable students to appraise the statements, reports, and arguments of scientists, politicians, and journalists and to present their own supporting or opposing arguments in a coherent, robust, and convincing way (see Hodson [2009b] for a lengthy discussion of this aspect of science education). Jensen's fourth category includes awareness of how (and why) others have sought to bring about change and entails formulation of a vision of the kind of world in which we (and our families and communities) wish to live. It is important for students to explore and develop their ideas, dreams, and aspirations for themselves, their neighbors and families and for the wider communities at local, regional, national, and global levels—a clear overlap with futures studies/education. An essential step in cultivating the critical scientific and technological literacy on which **sociopolitical action depends** is the application of a social and political critique capable of challenging the notion of technological determinism. We can control technology and its environmental and social impact. More significantly, we can control the controllers and redirect technology in such a way that adverse environmental impact is substantially reduced (if not entirely eliminated) and issues of freedom, equality, and justice are kept in the forefront of discussion during the **establishment of policy**.

**Simulation is key to decision-making skills, education, and empathy**

**Lantis 08** (Jeffrey S. Lantis is Professor in the Department of Political Science and Chair of the

International Relations Program at The College of Wooster, “The State of the Active Teaching and Learning Literature”, <http://www.isacompss.com/info/samples/thestateoftheactiveteachingandlearningliterature_sample.pdf>)

**Simulations**, games, **and role-play** represent a third important set of active teaching and learning approaches. Educational objectives include deepening conceptual understandings of a particular phenomenon, sets of interactions, or socio-political processes by using student interaction to bring **abstract concepts to life**. They provide students with a real or imaginary environment within which to act out a given situation (Crookall 1995; Kaarbo and Lantis 1997; Kaufman 1998; Jefferson 1999; Flynn 2000; Newmann and Twigg 2000; Thomas 2002; Shellman and Turan 2003; Hobbs and Moreno 2004; Wheeler 2006; Kanner 2007; Raymond and Sorensen 2008). The aim is to enable students to **actively experience**, rather than read or hear about, the “constraints and motivations for action (or inaction) experienced by real players” (Smith and Boyer 1996:691), or to think about what they might do in a particular situation that the instructor has dramatized for them. As Sutcliffe (2002:3) emphasizes, “Remote theoretical concepts can be given life by placing them in a situation with which students are familiar.” Such exercises capitalize on the strengths of active learning techniques: creating memorable experiential learning events that tap into multiple senses and emotions by utilizing visual and verbal stimuli. Early examples of simulations scholarship include works by Harold Guetzkow and colleagues, who created the Inter-Nation Simulation (INS) in the 1950s. This work sparked wider interest in political simulations as teaching and research tools. By the 1980s, scholars had accumulated a number of sophisticated simulations of international politics, with names like “Crisis,” “Grand Strategy,” “ICONS,” and “SALT III.” More recent literature on simulations stresses opportunities to reflect dynamics faced in the real world by individual decision makers, by small groups like the US National Security Council, or even global summits organized around international issues, and provides for a focus on contemporary global problems (Lantis et al. 2000; Boyer 2000). Some of the most popular simulations involve modeling international organizations, in particular United Nations and European Union simulations (Van Dyke et al. 2000; McIntosh 2001; Dunn 2002; Zeff 2003; Switky 2004; Chasek 2005). Simulations may be employed in one class meeting, through one week, or even over an entire semester. Alternatively, they may be designed to take place outside of the classroom in local, national, or international competitions. The scholarship on the use of games in international studies sets these approaches apart slightly from simulations. For example, Van Ments (1989:14) argues that **games are structured systems of competitive play** with **specific defined endpoints** or solutions that incorporate the material to be learnt. They are similar to simulations, but contain **specific structures or rules** that dictate **what it means to “win**” the simulated interactions. Games place the participants in positions to make choices that 10 affect outcomes, but do not require that they take on the persona of a real world actor. Examples range from interactive prisoner dilemma exercises to the use of board games in international studies classes (Hart and Simon 1988; Marks 1998; Brauer and Delemeester 2001; Ender 2004; Asal 2005; Ehrhardt 2008) A final subset of this type of approach is the role-play. Like simulations, roleplay places students within a structured environment and asks them to take on a specific role. Role-plays differ from simulations in that rather than having their actions prescribed by a set of well-defined preferences or objectives, role-plays provide more leeway for students to think about how they might act when placed in the position of their slightly less well-defined persona (Sutcliffe 2002). Role-play allows students to create their own interpretation of the roles because of role-play’s less “goal oriented” focus. The primary aim of the role-play is to dramatize for the students the relative positions of the actors involved and/or the challenges facing them (Andrianoff and Levine 2002). This dramatization can be very simple (such as roleplaying a two-person conversation) or complex (such as role-playing numerous actors interconnected within a network). The reality of the scenario and its proximity to a student’s personal experience is also flexible. While few examples of effective roleplay that are clearly distinguished from simulations or games have been published, some recent work has laid out some very useful role-play exercises with clear procedures for use in the **international studies classroom** (Syler et al. 1997; Alden 1999; Johnston 2003; Krain and Shadle 2006; Williams 2006; Belloni 2008). Taken as a whole, the applications and procedures for simulations, games, and role-play are well detailed in the active teaching and learning literature. Experts recommend a set of core considerations that should be taken into account when designing effective simulations (Winham 1991; Smith and Boyer 1996; Lantis 1998; Shaw 2004; 2006; Asal and Blake 2006; Ellington et al. 2006). These include building the simulation design around **specific educational objectives**, carefully selecting the situation or topic to be addressed, establishing the needed roles to be played by both students and instructor, providing clear rules, specific instructions and background material, and having debriefing and assessment plans in place in advance. There are also an increasing number of simulation designs published and disseminated in the discipline, whose procedures can be adopted (or adapted for use) depending upon an instructor’s educational objectives (Beriker and Druckman 1996; Lantis 1996; 1998; Lowry 1999; Boyer 2000; Kille 2002; Shaw 2004; Switky and Aviles 2007; Tessman 2007; Kelle 2008). Finally, there is growing attention in this literature to assessment. Scholars have found that these methods are particularly effective in bridging the gap between academic knowledge and everyday life. Such exercises also lead to **enhanced student interest** in the topic, the development of **empathy**, and **acquisition and retention** of **knowledge**.

Breaks the wall of simulation –an informed legal provides a new voice against executive excess—it’s a unique and valuable training ground

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(Jeffrey, “Bridging Competitive Debate and Public Deliberation on Presidential War Powers,” http://public.cedadebate.org/node/14)

Taken together, the connection between tournament competition and a public collaboration reorients the pedagogical function of debate. Gordon Mitchell and his colleagues comment on this possibility, “The debate tournament site’s potential to work as a translational pipeline for scholarly research presents unique opportunities for colleges and universities seeking to bolster their institutional infrastructure for undergraduate research” (Mitchell et al, 2010, p. 15). Indeed, the debate series affords competitors the opportunity to become part of the discussion and inform policymakers about potential positions, as opposed to the traditional reactionary format of hosting public debates at the season’s end. Empirically, these events had the effect of “giv[ing] voice to previously buried arguments” that “subject matter experts felt reticent to elucidate because of their institutional affiliations” (Mitchell, 2010, p. 107). Given the timeliness of the topic, these debates provide a new voice into the ongoing deliberation over war powers and help make the fruits of competitive research have a public purpose. The second major function concerns the specific nature of deliberation over war powers. Given the connectedness between presidential war powers and the preservation of national security, deliberation is often difficult. Mark Neocleous describes that when political issues become securitized; it “helps consolidate the power of the existing forms of social domination and justifies the short-circuiting of even the most democratic forms.” (2008, p. 71). Collegiate debaters, through research and competitive debate, serve as a bulwark against this “short-circuiting” and help preserve democratic deliberation. This is especially true when considering national security issues. Eric English contends, “The success … in challenging the dominant dialogue on homeland security politics points to efficacy of academic debate as a training ground.” Part of this training requires a “robust understanding of the switch-side technique” which “helps prevent misappropriation of the technique to bolster suspect homeland security policies” (English et. al, 2007, p. 224). Hence, competitive debate training provides foundation for interrogating these policies in public. Alarmism on the issues of war powers is easily demonstrated by Obama’s repeated attempts to transfer detainees from Guantanamo Bay. Republicans were able to launch a campaign featuring the slogan, “not in my backyard” (Schor, 2009). By locating the nexus of insecurity as close as geographically possible, the GOP were able to instill a fear of national insecurity that made deliberation in the public sphere not possible. When collegiate debaters translate their knowledge of the policy wonkery on such issues into public deliberation, it serves to cut against the alarmist rhetoric purported by opponents. In addition to combating misperceptions concerning detainee transfers, the investigative capacity of collegiate debate provides a constant check on governmental policies.

A new trend concerning national security policies has been for the government to provide “status updates” to the public. On March 28, 2011, Obama gave a speech concerning Operation Odyssey Dawn in Libya and the purpose of the bombings. Jeremy Engels and William Saas describe this “post facto discourse” as a “new norm” where “Americans are called to acquiesce to decisions already made” (2013, p. 230). Contra to the alarmist strategy that made policy deliberation impossible, this rhetorical strategy posits that deliberation is not necessary. Collegiate debaters researching war powers are able to interrogate whether deliberation is actually needed. Given the technical knowledge base needed to comprehend the mechanism of how war powers operate, debate programs serve as a constant investigation into whether deliberation is necessary not only for prior action but also future action. By raising public awareness, there is a greater potential that “the public’s inquiry into potential illegal action abroad” could “create real incentives to enforce the WPR” (Druck, 2010, p. 236). While this line of interrogation could be fulfilled by another organization, collegiate debaters who translate their competitive knowledge into public awareness create a “space for talk” where the public has “previously been content to remain silent” (Engels & Saas, 2013, p. 231). Given the importance of presidential war powers and the strategies used by both sides of the aisle to stifle deliberation, the import of competitive debate research into the public realm should provide an additional check of being subdued by alarmism or acquiescent rhetorics. After creating that space for deliberation, debaters are apt to influence the policies themselves. Mitchell furthers, “Intercollegiate debaters can play key roles in retrieving and amplifying positions that might otherwise remain sedimented in the policy process” (2010, p. 107). With the timeliness of the war powers controversy and the need for competitive debate to reorient publicly, the CEDA/Miller Center series represents a symbiotic relationship that ought to continue into the future. Not only will collegiate debaters become better public advocates by shifting from competition to collaboration, the public becomes more informed on a technical issue where deliberation was being stifled. As a result, debaters reinvigorate debate.

## Law

#### Debating the law teaches us how to make it better – rejection is worse

Todd **Hedrick 12**, Assistant Professor of Philosophy at Michigan State University, Sept 20**12**, Democratic Constitutionalism as Mediation: The Decline and Recovery of an Idea in Critical Social Theory, Constellations Volume 19, Issue 3, pages 382–400

Habermas’ alleged abandonment of immanent critique, however, is belied by the role that the democratic legal system comes to play in his theory. While in some sense just one system among others, it has a special capacity to shape the environments of other systems by regulating their interaction. Of course, the legal system is not the only one capable of affecting the environments of other systems, but law is uniquely open to inputs from ordinary language and thus potentially more pliant and responsive to democratic will formation: “Normatively substantive messages can circulate throughout society only in the language of law … . Law thus functions as the ‘transformer’ that guarantees that the socially integrating network of communication stretched across society as a whole holds together.”55 This allows for the possibility of consensual social regulation of domains ranging from the economy to the family, where actors are presumed to be motivated by their private interests instead of respect for the law, while allowing persons directed toward such interests to be cognizant that their privately oriented behavior is compatible with respect for generally valid laws. While we should be cautious about automatically viewing the constitution as the fulcrum of the legal order, its status as basic law is significant in this respect. For, recalling Hegel's broader conception of constitutionalism, political constitutions not only define the structure of government and “the relationship between citizens and the state” (as in Hegel's narrower “political” constitution); they also “implicitly prefigure a comprehensive legal order,” that is, “the totality comprised of an administrative state, capitalist economy, and civil society.”56 So, while these social spheres can be conceived of as autonomous functional subsystems, their boundaries are legally defined in a way that affects the manner and degree of their interaction: “The political constitution is geared to shaping each of these systems by means of the medium of law and to harmonizing them so that they can fulfill their functions as measured by a presumed ‘common good’.”57 Thus, constitutional discourses should be seen less as interpretations of a positive legal text, and more as attempts to articulate legal norms that could shift the balance between these spheres in a manner more reflective of generalizable interests, occurring amidst class stratification and cultural pluralism. A constitution's status as positive law is also of importance for fundamentally Hegelian reasons relating to his narrower sense of political constitutionalism: its norms must be public and concrete, such that differently positioned citizens have at least an initial sense of what the shared hermeneutic starting points for constitutional discourse might be. But these concrete formulations must also be understood to embody principles in the interest of all citizens, so that constitutional discourse can be the site of effective democratic will formation concerning the basic norms that mediate between particular individuals and the general interests of free and equal citizens. This recalls Hegel's point that constitutions fulfill their mediational function by being sufficiently positive so as to be publicly recognizable, yet are not exhausted by this positivity – the content of the constitution is instead filled in over time through ongoing legislation. In order to avoid Hegel's foreshortened conception of public participation in this process and his consequent authoritarian tendencies, Habermas and, later, Benhabib highlight the importance of being able to conceive of basic constitutional norms as themselves being the products of public contestation and discourse. In order to articulate this idea, they draw on legal theorists like Robert Cover and Frank Michelman who characterize this process of legal rearticulation as “jurisgenesis”58: a community's production of legal meaning by way of continuous rearticulation, through reflection and contestation, of its constitutional project. Habermas explicitly conceives of the democratic legal order in this way when, in the context of considering the question of how a constitution that confers legitimacy on ordinary legislation could itself be thought to be democratically legitimate, he writes: I propose that we understand the regress itself as the understandable expression of the future-oriented character, or openness, of the democratic constitution: in my view, a constitution that is democratic – not just in its content but also according to its source of legitimation – is a tradition-building project with a clearly marked beginning in time. All the later generations have the task of actualizing the still-untapped normative substance of the system of rights.59 A constitutional order and its interpretive history represent a community's attempt to render the terms under which they can give themselves the law that shapes their society's basic structure and secure the law's integrity through assigning basic liberties. Although philosophical reflection can give us some grasp of the presuppositions of a practice of legitimate lawmaking, this framework of presuppositions (“the system of rights”) is “unsaturated.”60 In Hegelian fashion, it must, to be meaningful, be concretized through discourse, and not in an one-off way during a founding moment that fixes the terms of political association once and for all, but continuously, as new persons enter the community and as new circumstances, problems, and perspectives emerge. The stakes involved in sustaining a broad and inclusive constitutional discourse turn out to be significant. Habermas has recently invoked the concept of dignity in this regard, linking it to the process through which society politically constitutes itself as a reciprocal order of free and equal citizens. As a status rather than an inherent property, “dignity that accrues to all persons equally preserves the connotation of a self-respect that depends on social recognition.”61 Rather than being understood as a quality possessed by some persons by virtue of their proximity to something like the divine, the modern universalistic conception of dignity is a social status dependent upon ongoing practices of mutual recognition. Such practices, Habermas posits, are most fully instantiated in the role of citizens as legislators of the order to which they are subject. [Dignity] can be established only within the framework of a constitutional state, something that never emerges of its own accord. Rather, this framework must be created by the citizens themselves using the means of positive law and must be protected and developed under historically changing conditions. As a modern legal concept, human dignity is associated with the status that citizens assume in the self-created political order.62 Although the implications of invoking dignity (as opposed to, say, autonomy) as the normative core of democratic constitutionalism are unclear,63 plainly Habermas remains committed to strongly intersubjective conceptions of democratic constitutionalism, to an intersubjectivity that continues to be legally and politically mediated (a dimension largely absent from Honneth's successor theory of intersubectivity). What all of this suggests is a constitutional politics in which citizens are empowered to take part and meaningfully impact the terms of their cultural, economic, and political relations to each other. Such politics would need to be considerably less legalistic and precedent bound, less focused on the democracy-constraining aspects of constitutionalism emphasized in most liberal rule of law models. The sense of incompleteness and revisability that marks this critical theory approach to constitutionalism represents a point where critical theories of democracy may claim to be more radical and revisionary than most liberal and deliberative counterparts. It implies a sharp critique of more familiar models of bourgeois constitutionalism: whether they conceive of constitutional order as having a foundation in moral rights or natural law, or in an originary founding moment, such models a) tend to be backward-looking in their justifications, seeing the legal order as founded on some exogenously determined vision of moral order; b) tend to represent the law as an already-determined container within which legitimate ordinary politics takes place; and c) find the content of law to be ascertainable through the specialized reasoning of legal professionals. On the critical theory conception of constitutionalism, this presumption of completeness and technicity amounts to the reification of a constitutional project, where a dynamic social relation is misperceived as something fixed and objective.64 We can see why this would be immensely problematic for someone like Habermas, for whom constitutional norms are supposed to concern the generalizable interests of free and equal citizens. If it is overall the case for him that generalizable interests are at least partially constituted through discourse and are therefore not given in any pre-political, pre-discursive sense,65 this is especially so in a society like ours with an unreconciled class structure sustained by pseudo-compromises. Therefore, discursive rearticulation of basic norms is necessary for the very emergence of generalizable interests. Despite offering an admirably systematic synthesis of radical democracy and the constitutional rule of law, Habermas’ theory is hobbled by the hesitant way he embraces these ideas. Given his strong commitment to proceduralism, the view that actual discourses among those affected must take place during the production of legitimate law if constitutionalism is to perform its mediational function, as well as his opposition to foundational or backward-looking models of political justification, we might expect Habermas to advocate the continuous circulation in civil society of constitutional discourses that consistently have appreciable impact on the way constitutional projects develop through ongoing legislation such that citizens can see the links between their political constitution (narrowly construed), the effects that democratic discourse has on the shape that it takes, and the role of the political constitution in regulating and transforming the broader institutional backbone of society in accordance with the common good. And indeed, at least in the abstract, this is what the “two track” conception of democracy in Between Facts and Norms, with its model of discourses circulating between the informal public sphere and more formal legislative institutions, seeks to capture.66 As such, Habermas’ version of constitutionalism seems a natural ally of theories of “popular constitutionalism”67 emerging from the American legal academy or of those who, like Jeremy Waldron,68 are skeptical of the merits of legalistic constitutionalism and press for democratic participation in the ongoing rearticulation of constitutional norms. Indeed, I would submit that the preceding pages demonstrate that the Left Hegelian social theoretic backdrop of Habermas’ theory supplies a deeper normative justification for more democratic conceptions of constitutionalism than have heretofore been supplied by their proponents (who are, to be fair, primarily legal theorists seeking to uncover the basic commitments of American constitutionalism, a project more interpretive than normative.69) Given that such theories have very revisionary views on the appropriate method and scope of judicial review and the role of the constitution in public life, it is surprising that Habermas evinces at most a mild critique of the constitutional practices and institutions of actually existing democracies, never really confronting the possibility that institutions of constitutional review administered by legal elites could be paternalistic or extinguish the public impetus for discourse he so prizes.70 In fact, institutional questions concerning where constitutional discourse ought to take place and how the power to make authoritative determinations of constitutional meaning should be shared among civil society, legislative, and judiciary are mostly abstracted away in Habermas’ post-Between Facts and Norms writings, while that work is mostly content with the professional of administration of constitutional issues as it exists in the United States and Germany. This is evident in Habermas’ embrace of figures from liberal constitutional theory. He does not present an independent theory of judicial decision-making, but warmly receives Dworkin's well-known model of “law as integrity.” To a certain extent, this allegiance makes sense, given Dworkin's sensitivity to the hermeneutic dimension of interpretation and the fact that his concept of integrity mirrors discourse theory in holding that legal decisions must be justifiable to those affected in terms of publicly recognizable principles. Habermas does, however, follow Michelman in criticizing the “monological” form of reasoning that Dworkin's exemplary Judge Hercules employs,71 replacing it with the interpretive activities of a specialized legal public sphere, presumably more responsive to the public than Hercules. But this substitution does nothing to alleviate other aspects of Dworkin's theory that make a match between him and Habermas quite awkward: Dworkin's standard of integrity compels judges to regard the law as a complete, coherent whole that rests on a foundation of moral rights.72 Because Dworkin regards deontic rights in a strongly realistic manner and as an unwritten part of the law, there is a finished, retrospective, “already there” quality to his picture of it. Thinking of moral rights as existing independently of their social articulation is what moves Dworkin to conceive of them as, at least in principle, accessible to the right reason of individual moral subjects.73 Legal correctness can be achieved when lawyers and judges combine their specialized knowledge of precedent with their potentially objective insights into deontic rights. Fashioning the law in accordance with the demands of integrity thereby becomes the province of legal elites, rendering public discourse and the construction of generalizable interests in principle unnecessary. This helps explain Dworkin's highly un-participatory conception of democracy and his comfort with placing vast decision-making powers in the hands of the judiciary.7 There is more than a little here that should make Habermas uncomfortable. Firstly, on his account, legitimate law is the product of actual discourses, which include the full spate of discourse types (pragmatic, ethical-political, and moral). If the task of judicial decision-making is to reconstruct the types of discourse that went into the production of law, Dworkin's vision of filling in the gaps between legal rules exclusively with considerations of individual moral rights (other considerations are collected under the heading of “policy”75) makes little sense.76 While Habermas distances himself from Dworkin's moral realism, calling it “hard to defend,”77 he appears not to appreciate the extent to which Dworkin links his account of legal correctness to this very possibility of individual insight into the objective moral order. If Habermas wishes to maintain his long held position that constitutional projects involve the ongoing construction of generalizable interests through the democratic process – which in my view is really the heart of his program – he needs an account of legal correctness that puts some distance between this vision and Dworkin's picture of legal elites discovering the content of law through technical interpretation and rational intuition into a fixed moral order. Also puzzling is the degree of influence exercised by civil society in the development of constitutional projects that Habermas appears willing to countenance. While we might expect professional adjudicative institutions to play a sort of yeoman's role vis-à-vis the public, Habermas actually puts forth something akin to Bruce Ackerman's picture of infrequent constitutional revolutions, where the basic meaning of a constitutional project is transformed during swelling periods of national ferment, only to resettle for decades at a time, during which it is administered by legal professionals.78 According to this position, American civil society has not generated new understandings of constitutional order that overcome group divisions since the New Deal, or possibly the Civil Rights era. Now, this may actually be the case, and perhaps Habermas’ apparent acquiescence to this view of once-every-few-generations national conversations is a nod to realism, i.e., a realistic conception of how much broad based, ongoing constitutional discourse it is reasonable to expect the public to conduct. But while a theory with a Left Hegelian pedigree should avoid “the impotence of the ought” and utopian speculation, and therefore ought not develop critical conceptions of legal practice utterly divorced from present ones, such concessions to realism are unnecessary. After all, critical theory conceptions of constitutionalism will aim to be appreciably different from the more authoritarian ones currently in circulation, which more often than not fail to stimulate and sustain public discourse on the basic constitution of society. Instead, their point would be to suggest how a more dynamic, expansive, and mediational conception of constitutionalism could unlock greater democratic freedom and rationally integrated social identities. Given these problems in Habermas’ theory, the innovations that Benhabib makes to his conception of constitutionalism are most welcome. While operating within a discourse theoretic framework, her recent work more unabashedly recalls Hegel's broader conception of the constitution as the basic norms through which a community understands and relates to itself (of which a founding legal document is but a part): a constitution is a way of life through which individuals seek to connect themselves to each other, and in which the very identity and membership of a community is constantly at stake.79 Benhabib's concept of “democratic iterations,” which draws on meaning-as-use theories, emphasizes how meaning is inevitably transformed through repetition: In the process of repeating a term or a concept, we never simply produce a replica of the original usage and its intended meaning: rather, very repetition is a form of variation. Every iteration transforms meaning, adds to it, enriches it in ever-so-subtle ways. In fact, there is really no ‘originary’ source of meaning, or an ‘original’ to which all subsequent forms must conform … . Every iteration involves making sense of an authoritative original in a new and different context … . Iteration is the reappropriation of the ‘origin’; it is at the same time its dissolution as the original and its preservation through its continuous deployment.80 Recalling the reciprocal relationship that Hegel hints at between the narrow “political” constitution and the broader constitution of society's backbone of interrelated institutions, Benhabib here seems to envision a circular process whereby groups take up the conceptions of social relations instantiated in the legal order and transform them in their more everyday attempts to live with others in accordance with these norms. Like Cover and Michelman, she stresses that the transformation of legal meaning takes place primarily in informal settings, where different groups try (and sometimes fail) to live together and to understand themselves in their relation to others according to the terms they inherit from the constitutional tradition they find themselves subject to.81 Her main example of such democratic iteration is the challenge Muslim girls in France raised against the head scarf prohibition in public schools (“L’Affaire du Foulard”), which, while undoubtedly antagonistic, she contends has the potential to felicitously transform the meaning of secularity and inclusion in the French state and to create new forms of togetherness and understanding. But although Benhabib illustrates the concept of democratic iterations through an exemplary episode, this iterative process is a constant and pervasive one, which is punctuated by events and has the tendency to have a destabilizing effect on authority.82 It is telling, however, that Benhabib's examples of democratic iterations are exclusively centered on what Habermas would call ethical-political discourses.83 While otherwise not guilty of the charge,84 Benhabib, in her constitutional theory, runs afoul of Nancy Fraser's critical diagnosis of the trend in current political philosophy to subordinate class and distributional conflicts to struggles for cultural inclusion and recognition.85 Perhaps this is due to the fact that “hot” constitutional issues are so often ones with cultural dimensions in the foreground, rarely touching visibly on distributional conflicts between groups. This nonetheless is problematic since much court business clearly affects – often subtly and invisibly – the outcomes of these conflicts, frequently with bad results.86 For another reason why centering constitutional discourse on inclusion and cultural issues is problematic, it is useful to remind ourselves of Habermas’ critique of civic republicanism, according to which the main deficit in republican models of democracy is its “ethical overburdening” of the political process.87 To some extent, republicanism's emphasis on ethical discourse is understandable: given the level of cooperativeness and public spirit that republicans view as the font of legitimate law, political discourses need to engage the motivations and identities of citizens. Arguably, issues of ethical self-understanding do this better than more abstract or arid forms of politics. But it is not clear that this is intrinsically so, and it can have distorting effects on politics. In the American media, for example, this amplification of the cultural facets of issues is very common; conflicts over everything from guns to taxes are often reduced to conflicts over who is a good, real American and who is not. It is hard to say that this proves edifying; substantive issues of rights and social justice are elided, politics becomes more fraudulent and conflictual. None of this is to deny a legitimate place for ethical-political discourse. However, we do see something of a two-steps-forward-one-step-back movement in Benhabib's advancement of Habermas’ discourse theory of law: although her concept of democratic iterations takes center stage, she develops the notion solely along an ethical-political track. Going forward, critical theorists developing conceptions of constitutional discourse should work to see it as a way of integrating questions of distributional justice with questions of moral rights and collective identities without subordinating or conflating them. 4. Conclusion Some readers may find the general notion of reinvigorating a politics of constitutionalism quixotic. Certainly, it has not been not my intention to overstate the importance or positive contributions of constitutions in actually existing democracies, where they can serve to entrench political systems experiencing paralysis in the face of long term fiscal and environmental problems, and where public appeals to them more often than not invoke visions of society that are more nostalgic, ethno-nationalistic, authoritarian, and reactionary than what Habermas and Benhabib presumably have in mind. Instead, I take the basic Hegelian point I started this paper with to be this: modern persons ought to be able to comprehend their social order as the work of reason; the spine of institutions through which their relations to differently abled and positioned others are mediated ought to be responsive to their interests as fully-rounded persons; and comprehending this system of mediation ought to be able to reconcile them to the partiality of their roles within the universal state. Though modern life is differentiated, it can be understood, when seen through the lens of the constitutional order, as a result of citizens’ jointly exercised rationality as long as certain conditions are met. These conditions are, however, more stringent than Hegel realized. In light of this point, that so many issues deeply impacting citizens’ social and economic relations to one another are rendered marginal – and even invisible – in terms of the airing they receive in the public sphere, that they are treated as mostly settled or non-questions in the legal system consitutues a strikingly deficient aspect of modern politics. Examples include the intrusion of market logic and technology into everyday life, the commodification of public goods, the legal standing of consumers and residents, the role of shareholders and public interests in corporate governance, and the status of collective bargaining arrangements. Surely a contributing factor here is the absence of a shared sense of possibility that the basic terms of our social union could be responsive to the force that discursive reason can exert. Such a sense is what I am contending jurisgenerative theories ought to aim at recapturing while critiquing more legalistic and authoritarian models of law. This is not to deny the possibility that democratic iterations themselves may be regressive or authoritarian, populist in the pejorative sense. **But the denial of their legitimacy or possibility moves us in the direction of authoritarian conceptions of law and political power and the isolation of individuals and social groups wrought by a political order of machine-like administration** that Horkheimer and Adorno describe as a main feature of modern political domination. Recapturing some sense of how human activity makes reason actual in the ongoing organization of society need not amount to the claim that reason culminates in some centralized form, as in the Hegelian state, or in some end state, as in Marx. It can, however, move us to envision the possibility of an ongoing practice of communication, lawmaking, and revision that seeks to reconcile and overcome positivity and division, without the triumphalist pretension of ever being able to fully do so.

**They cause extinction**

**Small 06** (Jonathan, former Americorps VISTA for the Human Services Coalition,“Moving Forward,” *The Journal for Civic Commitment*, Spring, http://www.mc.maricopa.edu/other/engagement/Journal/Issue7/Small.jsp)

What will be the challenges of the new millennium? And how should we equip young people to face these challenges? While we cannot be sure of the exact nature of the challenges, we can say unequivocally that humankind will face them together. If the end of the twentieth century marked the triumph of the capitalists, individualism, and personal responsibility, the new century will present challenges that require collective action, unity, and enlightened self-interest. Confronting global warming, depleted natural resources, global super viruses, global crime syndicates, and multinational corporations with no conscience and no accountability will require cooperation, openness, honesty, compromise, and most of all solidarity – ideals not exactly cultivated in the twentieth century. We can no longer suffer to see life through the tiny lens of our own existence. Never in the history of the world has our collective fate been so intricately interwoven. Our very existence depends upon our ability to adapt to this new paradigm, to envision a more cohesive society. With humankind’s next great challenge comes also great opportunity. Ironically, modern individualism backed us into a corner. We have two choices, work together in solidarity or perish together in alienation. Unlike any other crisis before, the noose is truly around the neck of the whole world at once. Global super viruses will ravage rich and poor alike, developed and developing nations, white and black, woman, man, and child. Global warming and damage to the environment will affect climate change and destroy ecosystems across the globe. Air pollution will force gas masks on our faces, our depleted atmosphere will make a predator of the sun, and chemicals will invade and corrupt our water supplies. Every single day we are presented the opportunity to change our current course, to survive modernity in a manner befitting our better nature. Through zealous cooperation and radical solidarity we can alter the course of human events. Regarding the practical matter of equipping young people to face the challenges of a global, interconnected world, we need to teach cooperation, community, solidarity, balance and tolerance in schools. We need to take a holistic approach to education. Standardized test scores alone will not begin to prepare young people for the world they will inherit. The three staples of traditional education (reading, writing, and arithmetic) need to be supplemented by three cornerstones of a modern education, exposure, exposure, and more exposure. How can we teach solidarity? How can we teach community in the age of rugged individualism? How can we counterbalance crass commercialism and materialism? How can we impart the true meaning of power? These are the educational challenges we face in the new century. It will require a radical transformation of our conception of education. We’ll need to trust a bit more, control a bit less, and put our faith in the potential of youth to make sense of their world. In addition to a declaration of the gauntlet set before educators in the twenty-first century, this paper is a proposal and a case study of sorts toward a new paradigm of social justice and civic engagement education. Unfortunately, the current pedagogical climate of public K-12 education does not lend itself well to an exploratory study and trial of holistic education. Consequently, this proposal and case study targets a higher education model. Specifically, we will look at some possibilities for a large community college in an urban setting with a diverse student body. Our guides through this process are specifically identified by the journal Equity and Excellence in Education. The dynamic interplay between ideas of social justice, civic engagement, and service learning in education will be the lantern in the dark cave of uncertainty. As such, a simple and straightforward explanation of the three terms is helpful to direct this inquiry. Before we look at a proposal and case study and the possible consequences contained therein, this paper will draw out a clear understanding of how we should characterize these ubiquitous terms and how their relationship to each other affects our study. Social Justice, Civic Engagement, Service Learning and Other Commie Crap Social justice is often ascribed long, complicated, and convoluted definitions. In fact, one could fill a good-sized library with treatises on this subject alone. Here we do not wish to belabor the issue or argue over fine points. For our purposes, it will suffice to have a general characterization of the term, focusing instead on the dynamics of its interaction with civic engagement and service learning. Social justice refers quite simply to a community vision and a community conscience that values inclusion, fairness, tolerance, and equality. The idea of social justice in America has been around since the Revolution and is intimately linked to the idea of a social contract. The Declaration of Independence is the best example of the prominence of social contract theory in the US. It states quite emphatically that the government has a contract with its citizens, from which we get the famous lines about life, liberty and the pursuit of happiness. Social contract theory and specifically the Declaration of Independence are concrete expressions of the spirit of social justice. Similar clamor has been made over the appropriate definitions of civic engagement and service learning, respectively. Once again, let’s not get bogged down on subtleties. Civic engagement is a measure or degree of the interest and/or involvement an individual and a community demonstrate around community issues. There is a longstanding dispute over how to properly quantify civic engagement. Some will say that today’s youth are less involved politically and hence demonstrate a lower degree of civic engagement. Others cite high volunteer rates among the youth and claim it demonstrates a high exhibition of civic engagement. And there are about a hundred other theories put forward on the subject of civic engagement and today’s youth. But one thing is for sure; today’s youth no longer see government and politics as an effective or valuable tool for affecting positive change in the world. Instead of criticizing this judgment, perhaps we should come to sympathize and even admire it. Author Kurt Vonnegut said, “There is a tragic flaw in our precious Constitution, and I don’t know what can be done to fix it. This is it: only nut cases want to be president.” Maybe the youth’s rejection of American politics isn’t a shortcoming but rather a rational and appropriate response to their experience. Consequently, the term civic engagement takes on new meaning for us today. In order to foster fundamental change on the systemic level, which we have already said is necessary for our survival in the twenty-first century, we need to fundamentally change our systems. Therefore, part of our challenge becomes convincing the youth that these systems, and by systems we mean government and commerce,have the potential for positive change.Civic engagement consequently takes on a more specific and political meaning in this context. Service learning is a methodology and a tool for teaching social justice, encouraging civic engagement, and deepening practical understanding of a subject. Since it is a relatively new field, at least in the structured sense, service learning is only beginning to define itself. Through service learning students learn by experiencing things firsthand and by exposing themselves to new points of view. Instead of merely reading about government, for instance, a student might experience it by working in a legislative office. Rather than just studying global warming out of a textbook, a student might volunteer time at an environmental group. If service learning develops and evolves into a discipline with the honest goal of making better citizens, teaching social justice, encouraging civic engagement, and most importantly, exposing students to different and alternative experiences, it could be a major feature of a modern education. Service learning is the natural counterbalance to our current overemphasis on standardized testing. Social justice, civic engagement, and service learning are caught in a symbiotic cycle. The more we have of one of them; the more we have of all of them. However, until we get momentum behind them, we are stalled. Service learning may be our best chance to jumpstart our democracy. In the rest of this paper, we will look at the beginning stages of a project that seeks to do just that.

## Noble

#### No link and turn --- Focusing on drones doesn’t preclude criticisms of targeted killing policy and is a critical prerequisite to the alternative.

**Noble 12**

Noble July 19th 2012

Doug, activist with Occupy Rochester NY and Rochester Against War, Assassination Nation: Fifty Years of US Targeted ‘Kill Lists’: From the Phoenix Program to Predator Drones, http://www.informationclearinghouse.info/article31925.htm

The purpose of this article is to reframe the current attention on killer drones and Obama’s “kill list” within an historical perspective. The goal here is not to discourage the escalating protest against killer drones or against Obama’s targeted assassination program around the globe. As stated at the outset, the unprecedented visibility of these nefarious activities and of the outraged public response to them is precisely what is needed at this time. This heightened awareness also affords a perfect opportunity to revisit the extraordinary history of US assassination and targeted killing that has led directly and explicitly to these activities.

## Perm

**The Delimited Context of the Word Terrorism in the War on Terror is What Creates the Conditions Where the Police State Emerges as an Oppressive Tool – Moderating Discussions is Key to Change How These Labels Function**

Arthur **Rizer &** Joseph **Hartman** nov 7 **2011** Arthur Rizer, a former Washington state peace officer who earned a Bronze Star and Purple Heart while serving with the U.S. Army in Iraq, currently works at the U.S. Department of Justice. Joseph Hartman, a Ph.D. candidate in government at Georgetown University, practices law in Arlington, Virginia. How the War on Terror Has Militarized the Police http://www.theatlantic.com/national/archive/2011/11/how-the-war-on-terror-has-militarized-the-police/248047/

Over the past 10 years, **law enforcement officials have begun to look and act more and more like soldiers.** Here's why we should be alarmed. ¶ Danny Moloshok / Reuters¶ At around 9:00 a.m. on May 5, 2011, officers with the Pima County, Arizona, Sheriff's Department's Special Weapons and Tactics (S.W.A.T.) team surrounded the home of 26-year-old José Guerena, a former U.S. Marine and veteran of two tours of duty in Iraq, to serve a search warrant for narcotics. As the officers approached, Guerena lay sleeping in his bedroom after working the graveyard shift at a local mine. When his wife Vanessa woke him up, screaming that she had seen a man outside the window pointing a gun at her, Guerena grabbed his AR-15 rifle, instructed Vanessa to hide in the closet with their four-year old son, and left the bedroom to investigate. ¶ Within moments, and without Guerena firing a shot--or even switching his rifle off of "safety"--he lay dying, his body riddled with 60 bullets. A subsequent investigation revealed that the initial shot that prompted the S.W.A.T. team barrage came from a S.W.A.T. team gun, not Guerena's. Guerena, reports later revealed, had no criminal record, and no narcotics were found at his home.¶ Sadly, the Guerenas are not alone; **in recent years we have witnessed a proliferation in incidents of excessive, military-style force by police S.W.A.T. teams**, which often make national headlines due to their sheer brutality. **Why has it become routine** for police departments to deploy black-garbed, body-armored S.W.A.T. teams for routine domestic police work? **The answer to this question requires a closer examination of post-9/11 U.S. foreign policy and the War on Terror.**¶ Ever **since** September 14, 2001, when President **Bush declared war on terrorism, there has been a crucial**, yet often **unrecognized, shift** in United States policy. Before 9/11, law enforcement possessed the primary responsibility for combating terrorism in the United States. Today, the military is at the tip of the anti-terrorism spear. **This shift appears to be permanent**: in 2006, the White House's National Strategy for Combating Terrorism confidently announced that the United States had "broken old orthodoxies that once confined our counterterrorism efforts primarily to the criminal justice domain."¶ In an effort to remedy their relative inadequacy in dealing with terrorism on U.S. soil, police forces throughout the country have purchased military equipment, adopted military training, and sought to inculcate a "soldier's mentality" among their ranks. Though the reasons for this increasing militarization of American police forces seem obvious, the dangerous side effects are somewhat less apparent.¶ Undoubtedly, **American police departments have substantially increased their use of military-grade equipment and weaponry to perform their counterterrorism duties**, adopting everything from body armor to, in some cases, attack helicopters. The logic behind this is understandable. If superior, military-grade equipment helps the police catch more criminals and avert, or at least reduce, the threat of a domestic terror attack, then we ought deem it an instance of positive sharing of technology -- right? Not necessarily. Indeed, **experts in the legal community have raised serious concerns that allowing civilian law enforcement to use military technology runs the risk of blurring the distinction between soldiers and peace officers**.¶ This is especially true in cases where, much to the chagrin of civil liberty advocates, **police departments have employed their newly acquired military weaponry not only to combat terrorism but also for everyday patrolling.** Before 9/11, the usual heavy weaponry available to a small-town police officer consisted of a standard pump-action shot gun, perhaps a high power rifle, and possibly a surplus M-16, which would usually have been kept in the trunk of the supervising officer's vehicle. Now, police officers routinely walk the beat armed with assault rifles and garbed in black full-battle uniforms. When one of us, Arthur Rizer, returned from active duty in Iraq, he saw a police officer at the Minneapolis airport armed with a M4 carbine assault rifle -- the very same rifle Arthur carried during his combat tour in Fallujah. ¶ The extent of this weapon "inflation" does not stop with high-powered rifles, either. In recent years, police departments both large and small have acquired bazookas, machine guns, and even armored vehicles (mini-tanks) for use in domestic police work.¶ To assist them in deploying this new weaponry, police departments have also sought and received extensive military training and tactical instruction. Originally, only the largest of America's big-city police departments maintained S.W.A.T. teams, and they were called upon only when no other peaceful option was available and a truly military-level response was necessary. Today, virtually every police department in the nation has one or more S.W.A.T. teams, the members of whom are often trained by and with United States special operations commandos. Furthermore, with the safety of their officers in mind, these departments now habitually deploy their S.W.A.T. teams for minor operations such as serving warrants. In short, "special" has quietly become "routine."¶ RELATED STORY¶ ¶ Asking Our Soldiers to Do Police Work: Why It Can Lead to Disaster¶ **The most serious consequence of the rapid militarization of American police forces**, however, **is the subtle evolution in the mentality of the "men in blue" from "peace officer" to soldier.** **This development is absolutely critical and represents a fundamental change in the nature of law enforcement.** The primary mission of a police officer traditionally has been to "keep the peace." Those whom an officer suspects to have committed a crime are treated as just that - suspects. **Police officers are expected**, under the rule of law, **to protect the civil liberties** of all citizens, even the "bad guys." For domestic law enforcement, a suspect in custody remains innocent until proven guilty. Moreover, police officers operate among a largely friendly population and have traditionally been trained to solve problems using a complex legal system; the deployment of lethal violence is an absolute last resort.¶ **Soldiers**, by contrast, **are trained to identify people they encounter as belonging to one of two group**s -- the enemy and the non-enemy -- **and they often reach this decision while surrounded by a population that considers the soldier an occupying force. Once this identification is made, a soldier's mission is stark and simple: kill the enemy,** "try" not to kill the non-enemy. Indeed, the Soldier's Creed declares, "I stand ready to deploy, engage, and destroy the enemies of the United States of America in close combat." This is a far cry from the peace officer's creed that expects its adherents "to protect and serve.

" ¶ The point here is not to suggest that police officers in the field should not take advantage of every tactic or piece of equipment that makes them safer as they carry out their often challenging and strenuous duties. Nor do I mean to suggest that a police officer, once trained in military tactics, will now seek to kill civilians. It is far too easy for Monday-morning quarterbacks to unfairly second-guess the way police officers perform their jobs while they are out on the streets waging what must, at times, feel like a war.¶ Notwithstanding this concern, however, Americans should remain mindful bringing military-style training to domestic law enforcement has real consequences. **When police officers are dressed like soldiers, armed like soldiers, and trained like soldiers, it's not surprising that they are beginning to act like soldiers.** **And remember: a soldier's main objective is to kill the enemy.**¶

## Extinction

**Extinction is bad and we should prevent it**

**Bostrom 12** (Mar 6, Nick, director of the Future of Humanity Institute at Oxford, recipient of the 2009 Gannon Award, “We're Underestimating the Risk of Human Extinction,” interview with Ross Andersen, freelance writer in D.C., [http://www.theatlantic.com/technology/archive/2012/03/were-underestimating-the-risk-of-human-extinction/253821/)\*\*we](http://www.theatlantic.com/technology/archive/2012/03/were-underestimating-the-risk-of-human-extinction/253821/)**we) reject any offensive language used in this evidence

Some have argued that we ought to be directing our resources toward humanity's existing problems, rather than future existential risks, because many of the latter are highly improbable. You have responded by suggesting that existential risk mitigation may in fact be a dominant moral priority over the alleviation of present suffering. Can you explain why? Bostrom: Well suppose you have a moral view that counts future people as being worth as much as present people. You might say that fundamentally it doesn't matter whether someone exists at the current time or at some future time, just as many people think that from a fundamental moral point of view, it doesn't matter where somebody is spatially---somebody isn't automatically worth less because you move them to the moon or to Africa or something. A human life is a human life. If you have that moral point of view that future generations matter in proportion to their population numbers, then you get this very stark implication that existential risk mitigation has a much higher utility than pretty much anything else that you could do. There are so many people that could come into existence in the future if humanity survives this critical period of time---we might live for billions of years, our descendants might colonize billions of solar systems, and there could be billions and billions times more people than exist currently. Therefore, even a very small reduction in the probability of realizing this enormous good will tend to outweigh even immense benefits like eliminating poverty or curing malaria, which would be tremendous under ordinary standards.

## Carson

#### Civilian drone use will be impossible absent the affs deconstruction of the terrorist, Makes watching the government impossible

Kevin Gosztola, 3-27-12 (“And the ‘Terrorists Might Use Drones’ Myth Was Born”, <http://firedoglake.com/2012/03/27/and-the-terrorists-might-use-drones-myth-was-born/>)

Hysterical and improbable, it may be, but John Villasenor, a senior fellow at the Brookings Institution, is convinced that the oncoming proliferation of drone use in the United States will mean Americans have to fear terrorists might use drones.**¶** In an op-ed published by the Los Angeles Times, the think tanker notes the sweeping new Federal Aviation Authority (FAA) bill that opens up US domestic airspace and how much of the concern has focused on privacy issues. He then adds there is another issue: “the threat that they could be used to carry out terrorist attacks.”**¶** How would “terrorists” use drones to attack Americans? Villasenor, who also happens to be an electrical engineer affiliated with UCLA, provides a detailed explanation:¶ The technology exists to build drones that fit into a backpack and are equipped with a video camera and a warhead so they can be flown, cruise missile style, into a target. In fact, in September 2011 it was announced that the U.S. Army had signed a nearly $5-million contract with a California company, AeroVironment Inc., for the purchase of its Switchblade drones. A Switchblade launches from a tube roughly 2 feet long, sprouts wings immediately after exiting the tube and is then controlled by an operator who looks into a shoe-box-shaped viewer displaying video from the drone. It is equipped with an electric motor that is quiet even when running, and that can be switched off to enable a completely silent glide in the final moments of an approach.¶ Is it certain that this convoluted scenario could play out? According to Villasenor, “There’s really no dispute that it is a question of when and not if. The day will come when such drones are available to almost anyone who wants them badly enough.” And why is Villasenor so certain?¶ There is ample evidence that terrorist groups have already experimented with drones. As far back as the mid-1990s — practically ancient history in drone terms — the Japanese Aum Shinrikyo sect that carried out the sarin gas attack in the Tokyo subway reportedly considered drones. So too have Al Qaeda and the Colombian insurgent group FARC.¶ Nations with a record of close ties to terrorists are another concern. Iran unveiled a drone in August 2010 that President Mahmoud Ahmadinejad managed to describe as an “ambassador of death” and a “message of peace and friendship” in the same sentence.¶ The closest Villasenor can come to evidence is that these terror organizations almost, maybe or possibly considered the use of drones. They didn’t use them, but that doesn’t factor into Villasenor’s hyping of this “threat.” There is no cited incident or attack in his paragraph alleging terrorists have a history of use. And, on top of that, Iran’s possession of a drone to deter aggression from countries like the US or Israel that have publicly stated they are considering military strikes is lumped into this talk about a “threat” from “terrorist” use of drones.¶ Villasenor seems to be the only one out there right now warning about this “threat.” [cont'd]He went on NPR’s Fresh Air weeks ago and said:¶ It doesn’t take too much imagination to understand that a drone is very hard to stop. It flies low and it isn’t stopped by all of the infrastructure we have in place to make sure people don’t go to the places they’re not supposed to go to. Fences and walls and gates and barriers, it simply goes over those things. … As these drones get cheaper, more prevalent, easier to get, attract less attention, it raises the risks that they will fall into the wrong hands and be used inappropriately.¶ Prior to Villasenor, the Department of Homeland Security (DHS) put out a bulletin on this “threat” in 2004 that suggested:¶ Recent intelligence reporting confirms terrorist interest in the use of Remotely Piloted Vehicles (RPV). RPVs fall into two categories; Unmanned Aerial Vehicles (UAVs), which are military hardware, or Remote Controlled Aircraft (RCAs), which are hobby model aircraft or commercial remote controlled aircraft. We have no specific information to indicate an imminent attack in the United States using such vehicles, but it is important to ensure that the above-named recipients are fully aware of these capabilities…¶ …Use of RPVs represent a potentially viable tactic against some targets defended by standard protection measures. Although RCAs have not been used by terrorists to date, because of their novel capabilities it is prudent to consider the possibility from the point of view of potential consequences, use scenarios, and indicators of such use. Terrorists may find the use of these vehicles attractive because they are relatively quiet, have a low radar signature, are easy to operate and typically have a useful payload capacity.¶ To sum up the warning: terrorists have not used drones yet but DHS has “intelligence reporting” that “terrorists” are “interested” and department staff imagined a scenario where “terrorists” could use them, and so the DHS will proceed as if it is 100% possible that a terror attack could occur, even if improbable.¶ The Association for Unmanned Vehicle Systems International (AUVSI) looked at this myth in 2009 in their magazine. Wayne Morse, president of American Dynamic Flight Systems, which produces UAVs, said it’s unlikely that terrorists would choose UAVs. “It doesn’t make sense. UAVs are very complex and terrorists want to terrorize. How can you best do that? If you have people willing to kill themselves, that’s what terrorizes. So why aim UAVS at the Super Bowl when you can have somebody walk up and self-detonate before they go through stadium security and cause mass panic?”¶ \*¶ It looks like Americans are in for another instance in history where a myth becomes truth. Like the ticking time bomb scenario that Bush Administration officials cited to promote support for torture, the minds of establishment and political think tanks will promote the fear of terrorists using drones.**¶** How will this fear be used for mendacious or even nefarious purposes? Villasenor says in his op-ed that the “model aircraft” provision in the new FAA bill allowing “hobbyists to operate drones weighing up to 55 pounds with essentially no government oversight” is “inconsistent” when it comes to “anti-terrorism policy.” The hysteria could be used to make it harder for US citizens from having their own drones for civilian use. They could be required to go through a licensing system.¶ This is what Tim Pool, the Occupy Wall Street livestreamer who engineered the “OccuCopter,” has argued:¶ I believe it is inevitable that civilian drone use will be restricted by expensive permits, putting the ability into the hands of those who can afford the liabilities — not the average civilian. Drones will most likely have to be registered at some point, so that the owner or controller can be identified via wireless signal.¶ He thinks that civilians must be able to use drones as a “crucial counterbalance” to the “surveillance state.” Noting that many police departments already use drones, he says, “Who watches the watchmen?” While I do not endorse the use of drones, this hysteria could be used to make it harder for citizens or consumers to use drones in the future.

## Drones Used on Alt

#### Failure to restrict drones to only AQAP inevitably means they will be used domestically to target people dissenting the government and oppression – they’ll be used on the alt

Swander 11 [Richard, staff writer, “Policing the Herd: Domestic Drones for Domestic Terrorists” Sott, Dec 10, 2011, <http://www.sott.net/article/238796-Policing-the-Herd-Domestic-Drones-for-Domestic-Terrorists>] CPO

With some form of martial law becoming an increasingly likely prospect in the US, and with the country being declared a battlefield, dissenting Americans now face indefinite military detention with no legal process, it is no longer science fiction that that face-recognising drones will be used to target anyone voicing opposition. We may not yet see tent-city Occupy protesters at City Hall being drone-tased from above, but with Facebook and Google+ integrating facial recognition apps into their social networks, it doesn't take a rocket scientist to see how the data you put on social media networks could be piped automatically to a drone hovering over your neighbourhood, tasers (and worse) locked and loaded to avenge any dissenting tweets. ¶ It will not be as in-your-face as that to begin with, so in order to win at least some public acceptance of the widespread roll-out of domestic drones I think we can expect to see gangs or drug dealers targeted initially - or maybe some more cow thieves. Who cares about them eh? Ironically (or opportunistically, depending on how you look at it), while the US military guards and assists the lucrative opium trade from Afghanistan, the authorities can use their 'War on Drugs' as an excuse to acclimatise US citizens to the use of drones targeting domestic 'terrorists'.

## Clark

#### The real test of our politics should be the ability to advocate for change on behalf of people who aren’t like us and whose experience we don’t share---they forfeit an opportunity to engage in policy deliberation on broader issues of concern to people who might be unlike ourselves---that’s a reason to prefer our framework for debate

Fred Clark 3-21, ethicist, journalist, former managing editor of Prism Magazine, 3/21/13, “For Sen. Portman, Sen. Kirk and the rest of us: The next big step is the important one,” <http://www.patheos.com/blogs/slacktivist/2013/03/21/for-sen-portman-sen-kirk-and-the-rest-of-us-the-next-big-step-is-the-important-one/>

Earlier this year, Sen. Mark Kirk, R-Ill., returned to Washington after a long, arduous recovery from the stroke he suffered in early 2012. In an interview with Natasha Korecki of the Chicago Sun-Times, Kirk said he:

[Plans] to take a closer look at funding of the Illinois Medicaid program for those with have no income who suffer a stroke, he said. In general, a person on Medicaid in Illinois would be allowed 11 rehab visits, he said.

“Had I been limited to that, I would have had no chance to recover like I did,” Kirk said. “So unlike before suffering the stroke, I’m much more focused on Medicaid and what my fellow citizens face.”

Kirk has the same federal health-care coverage available to other federal employees. He has incurred major out-of-pocket expenses, which have affected his savings and retirement, sources familiar with Kirk’s situation said.

Harold Pollack commended Kirk for those “wise words, sadly earned,” writing: “Such a profound physical ordeal – and one’s accompanying sense of profound privilege in securing more help than so many other people routinely receive — this changes a person.”

Steve Benen was also impressed with Kirk’s hard-won change of heart, but noted:

I do wish, however, that we might see similarly changed perspectives without the need for direct personal relevance. Many policymakers are skeptical about federal disaster relief until it’s their community that sees devastation. They have no interest in gay rights until they learn someone close to them is gay. And they’re unsure of the value of Medicaid until they see its worth up close.

Which brings us to this week, and the news that conservative Republican Sen. Rob Portman of Ohio now supports marriage equality for same-sex couples. The Cleveland Plain-Dealer’s headline for Sabrina Eaton’s report tells the story, “Sen. Rob Portman comes out in favor of gay marriage after son comes out as gay“:

Republican U.S. Sen. Rob Portman on Thursday announced he has reversed his longtime opposition to same-sex marriage after reconsidering the issue because his 21-year-old son, Will, is gay.

Portman said his son, a junior at Yale University, told him and his wife, Jane, that he’s gay and “it was not a choice, it was who he is and that he had been that way since he could remember.”

“It allowed me to think of this issue from a new perspective, and that’s of a Dad who loves his son a lot and wants him to have the same opportunities that his brother and sister would have — to have a relationship like Jane and I have had for over 26 years,” Portman told reporters in an interview at his office.

The conversation the Portmans had with their son two years ago led to him to evolve on the issue after he consulted clergy members, friends — including former Vice President Dick Cheney, whose daughter is gay — and the Bible.

This is a big deal. Portman is the first Republican senator to endorse marriage equality. And he wasn’t previously someone who seemed on the fence — he was adamantly, religiously opposed before.

So the first thing I want to say is congratulations, kudos, and thank you to Portman. I heartily second the commendations and praise he’s receiving from groups like the Human Rights Campaign, Freedom to Marry Ohio, and PFLAG.

For Portman, as for Kirk, an unbidden circumstance expanded his perspective of the world. That new, larger appreciation in turn expanded his understanding of what justice requires — of what justice requires for people who aren’t necessarily just like him.

This is one way we all learn — one way we all become bigger, better people. It is, for almost all of us, a necessary first step toward a more expansive empathy and a more inclusive understanding of justice. Even if it is only a first step, it is an unavoidable one, and we should celebrate the epiphany that challenging circumstance has allowed these senators.

What Steve Benen said about Kirk is still true for Portman. It is good to see his perspective change due to “direct personal relevance,” but it would be better if he could learn to expand his perspective even without it. That’s the next necessary step, the next epiphany awaiting these senators.

Kirk’s long recovery provided his “Aha!” moment when it comes to other people who are also recovering from a stroke. And Portman’s coming to grips with his son’s identity provided him with an “Aha!” moment when it comes to other LGBT people and their families. But it’s not yet clear that either senator has yet taken the next logical step — the next “Aha!” moment. The next step is the big one. It’s the realization that because I didn’t understand others’ situation or others’ perspective until I myself faced the same thing, I should then strive to listen and to learn and to see the world through others’ eyes so that I can better understand the world without having to experience every situation, every injustice, every ordeal personally.

This next step is necessary for justice, which can only come “When those who are not injured feel as indignant as those who are.”

That next step may seem obvious, but epiphanies always seem obvious in retrospect.

Until that next step occurs, though, the slightly expanded empathy of people like Kirk and Portman seems self-serving, like the “cowardice and hypocrisy” of the privileged, as Morf Morford describes it. They still seem to cling to a cramped, self-centered understanding of justice — one that can only grow when their own, personal interests require it to do so. It still lacks the ability to be “indignant” except when one is personally among the “injured.”

“Moral and political positions aren’t supposed to be something you only take when they’ll benefit you,” Mark Evanier wrote. Empathy becomes suspect when it coincides so closely with personal benefit. It begins to look like what Mark Schmitt calls “Miss America compassion“:

Their compassion seems so narrowly and literally focused on the specific misfortune that their family encountered. Having a child who suffers from mental illness would indeed make one particularly passionate about funding for mental health, sure. But shouldn’t it also lead to a deeper understanding that there are a lot of families, in all kinds of situations beyond their control, who need help from government? Shouldn’t having a son whose illness leads to suicide open your eyes to something more than a belief that we need more money for suicide help-lines? Shouldn’t it call into question the entire winners-win/losers-lose ideology of the current Republican Party?

If we take the first step without ever taking the next step — changing our perspective only when “direct personal relevance” demands it and not otherwise — we can fall into what Matthew Yglesias describes as “The Politics of Narcissism“:

Remember when Sarah Palin was running for vice president on a platform of tax cuts and reduced spending? But there was one form of domestic social spending she liked to champion? Spending on disabled children? Because she had a disabled child personally? Yet somehow her personal experience with disability didn’t lead her to any conclusions about the millions of mothers simply struggling to raise children in conditions of general poorness. Rob Portman doesn’t have a son with a pre-existing medical condition who’s locked out of the health insurance market. Rob Portman doesn’t have a son engaged in peasant agriculture whose livelihood is likely to be wiped out by climate change. Rob Portman doesn’t have a son who’ll be malnourished if SNAP benefits are cut. So Rob Portman doesn’t care.

… But if Portman can turn around on one issue once he realizes how it touches his family personally, shouldn’t he take some time to think about how he might feel about other issues that don’t happen to touch him personally? Obviously the answers to complicated public policy questions don’t just directly fall out of the emotion of compassion. But what Portman is telling us here is that on this one issue, his previous position was driven by a lack of compassion and empathy. Once he loo

ked at the issue through his son’s eyes, he realized he was wrong. Shouldn’t that lead to some broader soul-searching? Is it just a coincidence that his son is gay, and also gay rights is the one issue on which a lack of empathy was leading him astray? That, it seems to me, would be a pretty remarkable coincidence. The great challenge for a senator isn’t to go to Washington and represent the problems of his own family. It’s to try to obtain the intellectual and moral perspective necessary to represent the problems of the people who don’t have direct access to the corridors of power.

Senators basically never have poor kids. That’s something members of Congress should think about.

Will Femia notes that this widely shared observation prompted an insightful — and darkly funny — meme about “hypothetical Republican empathy.”

“If empathy only extends to your flesh and blood, we gotta start shoving people into those families,” Rachel Maddow said.

“Now all we need is 59 more gay Republican kids,” Dave Lartigue wrote.

“Perhaps if we could get the Republican caucus to adopt gay, black Hispanic illegal-immigrant children, who will grow up to be denied insurance due to pre-existing conditions, we’d make some more social progress,” mistermix wrote.

“Eventually one of these Republican congressmen is going to find out his daughter is a woman, and then we’re all set,” Anil Dash tweeted.

And Andy Borowitz chimed in with “Portman Inspires Other Republicans to Stop Speaking to Their Children.”

Endless variations of that joke circulated this week because that joke offers limitless possibilities — as limitless as the stunted “hypothetical empathy” of “Miss America compassion” is limited.

That joke and Yglesias’ argument are correct. An empathy that never moves beyond that first step and that first epiphany is morally indistinct from selfishness. To take that first step without the next one is only to move from “me first” to “me and mine first.” (David Badash and Jonathan Chait also have insightful posts making this argument.)

But no one can take that next big step until they take the first one. So I’m less interested in criticizing Portman or Kirk or anyone else in their position than I am in figuring out how we can urge and encourage them to take that next big step. How can we facilitate the next epiphany?

That’s the bigger issue, the more important challenge. Ari Kohen tackles this challenge in a bookish post building on Richard Rorty’s thoughts. Kohen is interested most of all in how “to accomplish this progress of sentiments, this expanding of our sense of solidarity”:

The best way to convince the powerful that their way of thinking about others needs to evolve is to show them the ways in which individuals they consider to be “Other” are, in fact, much more closely akin to them than they ever realized. It is, in short, to create a greater solidarity between the powerful and the weak based on personal identification.

Rob Portman’s change of heart is a good example of the way in which we ultimately achieve a progress of sentiments that leads to the equal treatment of more and more people. Viewed in this way, it’s really not something people on the Left ought to be criticizing; it’s something we should be working to encourage for those without the sort of immediate personal connection that Portman fortunately had.

(Note that we are, yet again, confronted with the idea of ethics as a trajectory.)

The vital question, then, is how? How can we encourage “a progress of sentiments” along a trajectory “that leads to the equal treatment of more and more people”?

Part of the answer, I think, is to remember how we ourselves were encouraged along — how we ourselves each came to take that next step, how we ourselves came to have that second epiphany.

That’s the approach that Grace at Are Women Human? takes in a firm-but-generous post titled “Changes of heart and our better selves.” Grace highlights Portman’s case as an example of “the tensions between celebrating progress and recognizing that there’s still work to be done.” She draws on her own story and history for humility and perspective, and as a guide to helping others see and take the next steps in their journey:

How easy it is to say Portman … should have done better and forget that I wasn’t so different, not so long ago.

The honest truth: it was getting to know and love queer people that, more than anything else, led me away from the bigotry I’d been taught as faith. … It’s important for me not to forget this, or that it took the thought that my not-yet-born child might be transgender for me to realize that I needed to educate myself about gender identity. It would be dangerous to indulge the fiction that I’ve always held the moral “high ground.” …

That history — her own and that of others who have come to a more inclusive, expansive understanding of justice — informs the advice, and the warning, that follows:

Portman isn’t an exception in having, and indulging, the luxury of ignoring the consequences of politics that don’t affect him personally.

This is a feature, not a bug, of our culture and political system. Power is concentrated in the hands of people who routinely make policy on matters they have little experience or real stakes in. You don’t need any conscious malice in this setup to produce policy that has devastating effects on the communities these issues touch most directly (though there’s plenty of malice, too). All you need is a system run by people who can afford not to care that much about policies that mostly impact other people’s lives.

Which, I suppose, is why civil rights activism often depends on cultivating these very moments of identification with the “other,” on spontaneous and planned appeals to emotion and basic decency. Systemic lack of incentive to care has to be confronted with stories that get politicians or the public to care.

Emmitt Till’s open casket. Rosa Parks’ carefully planned protest of bus segregation – as a more “respectable” face of black resistance than Claudette Colvin. Hydeia Broadbent and Ryan White as the faces of children with HIV. DREAMers taking over public spaces, stories about families torn apart by racist, classist, unjust immigration policies.

… Rob Portman is not an exception. He’s the rule. I don’t say this to suggest that we cut him slack for finally arriving at a basic (and still incomplete) recognition of the humanity of queer people. Nor am I arguing that we shouldn’t critique the circumstances around his change of heart.

What I hope is that we don’t forget ourselves in these calls to do better. That we don’t fall into the deceptive confidence that because we know or do better, we’ve arrived…or forget how many of us had to change and grow to get to where we are now. We’re all capable of fooling ourselves into thinking our standpoints are clearly “rational” or “moral” when it comes to issues that don’t affect us.

## --Reform

#### WE can reform and fix problems – refusing to do so makes things worse and allows other to control what happens

Jones ‘99

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An even more troubling feature of Adorno and Horkheimer’s analysis is the downplaying of individual responsibility that is implicit in their argument. If Auschwitz is the inevitable outcome of enlightenment, and if instrumental rationality is too powerful to resist, then can we expect an individual Nazi to act in a different fashion? In the hermetic society the individual is a mere cipher, and if this is the case, can any individual really be blamed for his or her behavior? These questions highlight an ethical lacuna at the heart of Dialectic of Enlightenment. Despite the obvious intentions of the authors, their analysis generates a logic that renders them unable to differentiate meaningfully between different actions in the political realm. If “nothing complicitous with this world can have any truth,” then surely everything that exists in the real world must be judged equally untrue or false. But if this is so, how are we to evaluate efforts at securing change in contemporary society? Let us consider the ending of apartheid in South Africa. Although the citizens of that country cannot be adjudged to be free after the overthrow of the apartheid system, surely they are fre*er*. Although the establishment of liberal democracy there offers no panacea, it is a better system than the totalitarian one that it has replaced. But although Adorno and Horkheimer as individuals would almost certainly have rejoiced in the downfall of the apartheid system, as theoreticians they seem to be unable to provide us with any grounds for favoring one particular set of social institutions over another. Here we have a bizarre inversion of the relativism to which contemporary poststructuralist approaches are prone. By arguing that there are no grounds to choose between different accounts of reality, poststructuralists are inevitably forced to accept that all accounts of a given reality are true. They can make no judgment on these claims that is not arbitrary (Norris 1992; Hunter and Wyn Jones 1995). Similarly, by arguing that everything in the world is equally false, Adorno and Horkheimer can make no judgment as to why we might prefer some forms of behavior and some set of practices over others. Here the impasse into which the analysis of Dialectic of Enlightenment leads its authors stands in bold relief. The determinism and reductionism of their argument is ultimately paralyzing. It was, of course, Antonio Gramsci who popularized the injunction that all those intent on changing society should attempt to face the world with a combination of “pessimism of the intellect” and “optimism of the will.” This position has much to commend it given the propensity of radicals to view society with rose–tinted glasses. However, the limitations of this position are nowhere better illustrated than in Dialectic of Enlightenment, in which the pessimism is so thoroughgoing that it becomes absolutely debilitating. Any attempt to challenge the status quo already stands condemned as futile. The logical outcome of this attitude is resignation and passivity. Adorno attempted to make a virtue of the detached attitude that he and Horkheimer adopted toward the political struggles of their own age by claiming: “If one is concerned to achieve what might be possible with human beings, it is extremely difficult to remain friendly towards real people.” However, considering that it is only “real people” who can bring about a better society, Adorno’s “complex form of misanthropy” ultimately leads only to quiescence (Wiggershaus 1994: 268). Thus, despite the clear similarities in the influences and interests of the founding fathers of critical theory and Gramsci, the resignatory passivity of the authors of Dialectic of Enlightenment led them to a position on political practice far more akin to that of Oswald Spengler or Arthur Schopenhauer than to that adopted by the Sardinian Marxist Gramsci, even as he languished in a fascist prison. In view of the traditional Marxist emphasis on the unity of theory and practice, it is hardly surprising that Adorno and Horkheimer’s rejection of any attempt to orient their work toward political activity led to bitter criticism from other radical intellectuals. Perhaps the most famous such condemnation was that of Lukács, who acidly commented that the members of the Frankfurt School had taken up residence in the “Grand Hotel Abyss.” The inhabitants of this institution enjoyed all the comforts of the bourgeois lifestyle while fatalistically surveying the wreckage of life beyond its doors. Whereas Lukács’s own apologias for Stalinism point to the dangers of subordinating theoretical activity to the exigencies of day–to–day practical politics, Adorno and Horkheimer sunder theory and political practice completely, impoverishing the theoretical activity itself. Their stance leads to an aridity and scholasticism ill suited to any social theory that aspires to real–world relevance. Furthermore, the critical theorist’s position on political practice is based on an underestimation of the potential for progressive change that exists even in the most administered societies. It is instructive to contrast the attitude of Adorno and Horkheimer with that of Raymond Williams, who delivers the following broadside against “high culture Marxists” such as the members of the Frankfurt School: When the Marxists say that we live in a dying culture, and that the masses are ignorant, I have to ask them... where on earth they have lived. A dying culture, and ignorant masses, are not what I have known and see. (R. Williams 1989: 8) As I will discuss in Chapter 6, the evidence suggests that Williams is closer to the truth. People acting both individually and collectively, through social movements and state institutions, *can* actually influence the world around them in a progressive direction. Adorno and Horkheimer’s pessimism is unwarranted.

#### It also kills coalitions – making *forthcoming* solutions worse.

Farber ‘98

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Finally, and I think perhaps this is the most significant practical problem, the inherent racism approach is not a step toward bringing us to seriously confront the problems that our society has. In fact, I think it is taking us down a false path. The dynamics of the concept of inherent racism has several unfortunate effects. First of all, among even its adherents, it leads to a kind of "witch hunt" mentality, in which people are constantly searching for more and more subtle forms of racism among themselves, among their opponents in the legal system generally, and so forth. As a result, people invest their time combing the Internal Revenue Code for deductions that might seem [\*378] more favorable to one group than another group, rather than looking at what is the stark and overwhelming problem-not how people's income is taxed but who is earning how much and why. So we become more and more obsessed with looking for more and more subtle flaws. Furthermore, at least in the hands of some of the practitioners or adherents to this position, it leads to a breakdown in debate, even both among people who are essentially on the liberal side of the spectrum and indisputes with their opponents. For example, consider the attacks on liberals like Randy Kennedy, a black professor on the Harvard Law School faculty. We see how people, who are in some sense fundamentally allies, who all support affirmative action and think racial problems are very important, find it impossible to hold a discussion because of this search for motives, hidden agendas, and biases. We see the same thing within critical legal studies in which two figures in the movement, Mark Tushnet and Gary Peller, bludgeoned each other in the pages of the Georgetown Law Journal n25 about their motivations and potential racism, etc. I do not think that is the way we can move forward.