# Kavanaugh AC

## Advantage

#### TW: Non-Graphic Discussions of sexual assault,

#### Some cards bracketed for clarity, gendered language, and offensive language.

#### Welcome to Kavanaugh’s America, where everything has been made so GreatTM, that a history of sexual violence is now viewed as a qualification. A lack of transparency and accountability has allowed sexual assault in politics to reach epidemic levels, with the powerful silencing survivors to create a cycle of dehumanization.

Erin Bacon, Reporter, Predatory Behavior: The Dark Side of Capitol Hill, Feb 2, 2017, <https://www.rollcall.com/news/predatory-behavior-capitol-hill-sexual-harassment> ///AHS PB

Congress has taken no steps to tighten its controls even as the issue has exploded again into the national arena with high-profile alleged perpetrators. During the campaign, nearly a dozen women accused Trump of sexual assault, and dozens more have gone public saying entertainer Bill Cosby assaulted them. Media mogul Roger Ailes was forced to resign as president of Fox News last summer following complaints about sexual harassment. In Washington, lawyers and activists say that sexual abuse is drastically underreported on Capitol Hill, where they say political pressure and job uncertainty, combined with a weak system to make claims, keep[s survivors] victims quiet. A Roll Call review of annual reports from the Office of Compliance found that the personal and committee offices of representatives and senators are less likely to file grievances or seek protections than support staffs, such as Architect of the Capitol or Capitol Police employees. Seeking “confidential counseling” with the Office of Compliance is the first step in the dispute resolution process set up by the 1995 Congressional Accountability Act. Of the over 2,100 requests for counseling filed with the Office of Compliance since its reporting began in 1996, through 2015, 44 percent came from employees of the Architect of the Capitol and 38 percent came from the U.S. Capitol Police while only 12 percent of the requests came from the House, and 5 percent from the Senate. That’s despite the fact that the Senate and House, with 13,689 staffers between them, employ more than three times as many workers as the Architect (2,103) and Capitol Police (2,100), according to the Brookings Institution’s most recent edition of “Vital Statistics on Congress.” “You’re dealing with high-profile people and people are really afraid,” said Kristin Alden, founder of a Washington firm that specializes in employment law. “The fear factor is tremendous, much stronger than we’ve found it to be in private sector or executive agencies.” And, Alden added, powerful people “are more inclined to think they can get away with it.” Hill pressure Debra Katz, an employment lawyer at Katz, Marshall & Banks in Washington, said the threat of political scandal is a huge incentive for workers to keep quiet. “There’s a lot of partisan pressure, too, of, ‘Don’t do this to the party, don’t do this to our leadership, don’t embarrass us,’” she said. This type of repressive culture abounds on Capitol Hill, as is the likelihood of retaliation from employers, said Rep. Jackie Speier, a California Democrat who has been pushing for mandatory training of all congressional employees to help prevent sexual harassment in the workplace. “You report this to an ethics office or to the [Office of Compliance] and you might as well write your pink slip up, because the chances of you getting another job in the building are slim to none,” Speier said. Katz said people working on Capitol Hill know that making a complaint “is career-ending.” “People tend to suck it up and live with harassment or try to get a position elsewhere rather than act bringing a case,” she said. Alden noted that many employees on the Hill are younger and may be less confident challenging harassment. “[They’re] more naive,” she said. “They aren’t as seasoned. They’re more afraid of the consequences.” To be sure, reporting sexual harassment and filing complaints against abusers is rare in business and government across the country. The Equal Employment Opportunity Commission, the authority on these complaints in the federal government and private sector, reported in 2015 that “approximately 90 percent” of people who are harassed — sexually or otherwise — never make a formal complaint. But based on anonymous surveys of workers, the report found that, conservatively, one in four women had been sexually harassed at work. Only 10 percent of the women who responded to CQ Roll Call’s survey in July said there was a structure in place for reporting allegations of harassment on Capitol Hill, suggesting either that they aren’t aware of the Office of Compliance or that they find it inadequate.

#### Thus, I affirm that In a democracy the public’s right to know if a candidate committed sexual assault ought to be valued above the right to privacy of candidates to public office to keep this information secret. A terminal lack of accountability ensures that the powerful can sweep misconduct under the rug and never face the consequences of their actions. The AC solves and ensures justice for survivors.

Kendra Arnold, Executive Director of the nonprofit Foundation for Accountability and Civic Trust (FACT), a non-partisan ethics watchdog group. Congressional sexual harassment will continue until settlements see the light of day, Dec. 14, 2017, <https://www.usatoday.com/story/opinion/2017/12/14/congressional-sexual-harassment-epidemic-continue-employer-holds-accountable-kendra-arnold-column/949227001/> ///AHS PB

After this week's special election in Alabama, it should be clear that character and ethics issues are decisive to voters. Ironically, this exactly explains both the absurd system for reporting sexual harassment in congress and, more importantly, why we don’t know the names of those elected officials who have used it to remain anonymous — and in power. In the midst of the numerous sexual harassment cases recently revealed, we cannot forget about our elected officials who have harassed employees and been allowed to keep their behavior a secret. While we now know that congress has utilized a system to hide sexual harassment complaints and that taxpayers have funded over $17 million in settlements over the past twenty years, we have no idea [those] which members of congress committed these acts. As a result they have escaped accountability. This is not a past problem — it will continue to have future repercussions unless we confront it now. In other sectors like the media and entertainment, we’ve witnessed a far different trajectory: Offenders have been publicly revealed and suffered serious consequences for their behavior. But in congress, too many perpetrators remain hidden. It is already difficult for victims to come forward against a powerful public official knowing they will likely suffer professionally. Yet congress designed a system that explicitly protects harassers and maintains secrecy. It is truly remarkable — and it allowed the behavior to continue. Everyone agrees that if a candidate commits sexual harassment or assault, it is relevant to voters and they have a right to know it. There is absolutely no argument to justify that sexual harassment or assault committed once elected is not just as relevant. Ironically, this is the underlying reason for those in power creating this arduous process — to hide facts from the voters and protect themselves and their power. There is nothing more un-American than that. Yet, even after the public became aware of it, the members who were protected remain anonymous and have not faced any consequences. There have been proposals to change the congressional system prospectively, but that is not adequate. The citizens are the “employers” of congress — we choose who to hire and fire and we pay their salary. Currently, a member who has sexually harassed an individual is not required to inform his employer, yet the employer is required to unknowingly pay for it. Bottom line: it is secrecy that has prevented accountability. Members have been permitted to harass and assault women in the workplace and suffer no liability. This scheme would not be tolerated in any other arena, and should not be tolerated here. The only way to have accountability is to inform the public. The name of every Member who has benefited from this system must be made immediately known. Anything otherwise simply excuses the behavior and mistreatment of women. It is clear they want to let the scandal blow over without addressing the harassment that has occurred. We should not let them. If we don’t unmask these people, then they don’t face consequences for their behavior — and the status quo will continue. The citizens have every right to know their identity. We must demand accountability and transparency from our “employees.” It’s sad that a common response to all these cases is that “society” cannot let this moment pass and we must use it to have a “conversation” and “dialogue” to achieve meaningful change. So long as we permit congress to continue covering up and protecting its members — calls to “conversation” ring more than hollow.

#### **And in order to combat a culture of sexual violence, we must reject the idea of a secret private sphere for the powerful. A right to privacy specifically for those in politics, empowers systems of domination.**

Louise Marie Roth, Assistant Professor of Sociology at the University of Arizona. The Right to Privacy Is Political: Power, the Boundary between Public and Private, and Sexual Harassment , Law & Social Inquiry, Vol. 24, No. 1 (Winter, 1999), pp. 45-7 <https://www.jstor.org/stable/828961> ///AHS PB

The rhetoric of rights to noninterference in private matters is embedded in the legal system, the labor market, and culture, even though the public/private boundary itself is arbitrary and changing. The most shift to defining privacy as an area of every person's life moves it to a micro level. If this [public private] boundary exists for each individual and is not related to stratification, then all individuals should be equally able to protect this privacy. However, control over the discursive boundary, and protection of privacy, differ by power. This shift to an individual-level boundary is where the issue of sexual harassment (in the form of unwanted sexual attention or sexual coercion) is related to the public/private boundary in two ways. First, it challenges the boundary itself, because it represents the occurrence of "private" (sexual) behavior in the "public sphere" of work and education. Second, sexual harassment is an issue that reveals the importance of social power in defining and defending one's privacy. As a communication issue, sexual harassment represents the extreme on a continuum of communication between status unequals: communication that manifests power and has implications for defining one's privacy. Feminist scholars have revealed that noninterference in the "private" realm has the effect of reinforcing power and powerlessness (MacKinnon 1989). Formal equality fails to engender real equality, and even reinforces inequality, because power relations from the public realm [to] operate with impunity in the arena of nonintervention. In guaranteeing a right to privacy in the private sphere to all citizens, the liberal state legitimates an area in which inequalities of power based on resources, knowledge, and symbolic attributions can act with impunity (MacKinnon 1989; Polan 1993; Hoff 1991). The development of a feminist critique of the legal and ideological division of private and public, of personal and political, led to the feminist mantra, "The personal is political." Not only is the personal political in the sense that the private sphere contains power relations that mirror those outside it, but systemic power also influences the right to privacy. The arbitrariness of the discursive boundary between public and private subjects it to the influence of social power.

#### She continues

While unwanted sexual attention and sexual coercion are behaviors that violate an individual's right to privacy, sexual harassment law challenges the definition of sexuality as private by acknowledging that sexual behavior occurs in civil settings such as employment and academic organi zations and sometimes warrants legal interference. The prohibition of come on sexual harassment represents the legal recognition that this type of sex al behavior is a matter of public concern that involves inequitable and potentially coercive uses of power. However, the ability of those with social power to protect[s] their privacy operates within the legal system as well, by protecting the privacy of the accused while exposing the private life of the [survivor] victim in the process of sexual harassment litigation. The legal system's treatment of sexual harassment cases has followed a similar approach to rape cases, which have traditionally put[ting their] victim's conduct, appearance, and history on trial (Dixon 1991). The legislative history of sexual harassment has been fraught with similar biases against female victims and has protected the privacy of harassers in excluding the accused's past and present conduct from the evidence, while including that of victims. In the case of Meritor Savings Bank, FSB v. Vinson (1986), which established sexual harassment contributing to a hostile work environment as an illegal form of sex discrimination, the Supreme Court ruled that sexually provocative speech or dress on the part of victims was relevant to whether or not the conduct was of fensive (Dixon 1991). Thus, greater scrutiny of women's private conduct in cases of sexual harassment, and protection of men's private lives, is instituted in law. Since the harasser exerts power over the victim in the act of harass ment in the first place, the burden of proof applied to sexual harassment in the courts serves to perpetuate social inequality (Smart 1989). Gender hierarchy is maintained by the privatization of practices like rape, sexual harassment, and domestic violence in the legal system (Fraser 1992). This privatization is ensured by the subtle but forceful promotion of victims' silence in the legal system by exposing victims' private lives and, concurrently, protecting the privacy of the accused (Lacour 1992; Fraser 1992; Smart 1989

#### We probably shouldn’t have to justify why electing rapists is bad but here are multiple impacts anyway. Giving abusers like Kavenaugh the ability to legislate over the very populations they view as disposable culminates in inequality and oppressive policies.

Jill Filipovic, Attorney and author, well-known for promoting feminist and progressive causes, Rapists have no place on the supreme court. Kavanaugh's accuser must be heard , Tue 18 Sep 2018 06.05 EDT, <https://www.theguardian.com/commentisfree/2018/sep/18/we-cannot-have-a-rapist-on-the-us-supreme-court> ///AHS PB

No one who has committed an act of violence against [survivors] women should be in a position to make decisions about [their] women’s lives – even if they were a reckless teenager when they attacked a woman; even if they’re very sorry; even if they are good people in myriad other ways. The promise of rehabilitation is always on the table, and people who do terrible things must always have the option of paying for their crimes, atoning fully and reintegrating into society. It’s not asking too much to say that [but] there should be a hard rule for judges: no rapists (or attempted rapists) allowed But Brett Kavanaugh isn’t a criminal who has done his time and simply wants to be able to support himself. He’s trying to sit on the highest court in the land. And it’s not asking too much to say that there should be a hard rule for judges: no rapists (or attempted rapists) allowed. As it stands, we of course don’t know if Kavanaugh is guilty of what Ford says he did. Testimony from both of them will not bring about perfect clarity either. And if this were a criminal case, Kavanaugh would almost certainly walk away being declared not guilty – if charges were brought at all. There simply isn’t much in the way of evidence beyond Ford’s word. But this isn’t a criminal case, and what’s at stake isn’t the deprivation of Kavanaugh’s life or liberty, but the privilege to hold one of the most important positions in the nation, for which good character and fair treatment of others is necessary. Kavanaugh has trotted out a slew of people attesting to his good character, making it clear that he and his Republican supporters believe who he is as a person is directly relevant to his fitness as a supreme court justice. Ford’s story, if true, would make him flat-out unfit to serve.

#### And the AC’s impact spills over. Failing to hold the most powerful accountable causes psychological violence against survivors and demonstrates too abusers there are NO consequences for ruining lives.

Kylie Cheung, Womxns rights journalist and Undergraduate activist at USC, One Year Later, We Face the Limits of #MeToo’s Powers, October 18, 2018, <https://www.yahoo.com/lifestyle/one-later-face-limits-metoo-225038208.html> ///AHS PB

Kavanaugh’s confirmation left many women and survivors with a visceral feeling of helplessness, despite all the well-meaning but reductive reminders that the next election was just one month away. From Fox executives’ removal of Roger Ailes and Bill O’Reilly shortly before #MeToo, to Netflix’s removal of Kevin Spacey from House of Cards, to , we were forced to realize how #MeToo’s success, insofar as accused men losing professional opportunities and clout, had been facilitated by yet other men in decision-making positions who either felt ashamed, or were simply afraid of PR disasters and boycotts. But as we’ve witnessed recently in politics, when men in decision-making positions, from President Trump to Sen. Mitch McConnell, don’t fear consequences — and certainly don’t feel shame — #MeToo faces an unsettling impasse. The truth is, #MeToo is severely dependent on whether powerful [abusers] men, who are far too often enablers or perpetrators of sexual abuse themselves, have consciences or moral backbones. As a result of severe underrepresentation of women in leadership across all industries, we’re often at the mercy of said powerful men choosing to do the right thing. Kavanaugh’s confirmation, the return of alleged abusers like Louis CK, and an overarching lack of legal consequences for the majority of famous accused men reveal that for all men’s claims of #MeToo ruining their lives, the movement’s power has generally been limited to social repercussions. Contrary to men’s appropriation of victimhood narratives, legal recourse for survivors remains severely limited. And on top of most accused men being untouched by legal accountability, men like Fox News’ Bill Shine, who allegedly helped hide sexual misconduct at Fox for years, have had no difficulty continuing to find work and professional success; just this summer, Shine was hired to the White House communications department. The challenges #MeToo faces are real and can’t be minimized. But progress is a long, often painfully slow arc, paved with lost fights, cruelty, and injustice. In the months and years to come, women and allies [survivors and allies] must continue to develop #MeToo, maintaining its undeniable social and cultural power, and expanding the movement into an electoral force to be reckoned with. The replacement of men like Trump, Pence, McConnell and the other elected officials responsible for Kavanaugh’s confirmation, with women and men who support survivors, would do more than prevent repeat incidents of confirming judges like Kavanaugh. It could also produce key policy change that could result in legal consequences and more meaningful accountability for abusers — in politics, Hollywood, and everywhere.

## Framework

#### Status quo debate encourages a race towards abstraction in order to avoid important conversations about everyday violence. You have an obligation as an educator to focus on material issues. Thus the standard and role of the ballot is to endorse the best strategy to combat material instances of oppression.

Smith 13 [Elijah, NDT and CEDA Champion. “A Conversation in Ruins: Race and Black Participation in Lincoln Douglas Debate” 2013]

At every tournament you attend this year look around the cafeteria and take note of which students are not sitting amongst you and your peers. Despite being some of the best and the brightest in the nation, many students are alienated from and choose to not participate in an activity I like to think of as homeplace. In addition to the heavy financial burden associated with national competition, the exclusionary atmosphere of a debate tournament discourages black students from participating. Widespread awareness of the same lack of participation in policy debate has led to a growing movement towards alternative styles and methods of engaging the gatekeepers of the policy community, (Reid-Brinkley 08) while little work has been done to address or even acknowledge the same concern in Lincoln Douglas debate. Unfortunately students of color are not only forced to cope with a reality of structural violence outside of debate, but within an activity they may have joined to escape it in the first place. We are facing more than a simple trend towards marginalization occurring in Lincoln Douglas, but a culture of exclusion that locks minority participants out of the ranks of competition. It will be uncomfortable, it will be hard, and it will require continued effort but the necessary step in fixing this problem, like all problems, is the community as a whole admitting that such a problem with many “socially acceptable” choices exists in the first place. Like all systems of social control, the reality of racism in debate is constituted by the singular choices that institutions, coaches, and students make on a weekly basis. I have watched countless rounds where competitors attempt to win by rushing to abstractions to distance the conversation from the material reality that black debaters are forced to deal with every day. One of the students I coached, who has since graduated after leaving debate, had an adult judge write out a ballot that concluded by “hypothetically” defending my student being lynched at the tournament. Another debate concluded with a young man defending that we can kill animals humanely, “just like we did that guy Troy Davis”. Community norms would have competitors do intellectual gymnastics or make up rules to accuse black debaters of breaking to escape hard conversations but as someone who understands that experience, the only constructive strategy is to acknowledge the reality of the oppressed, engage the discussion from the perspective of authors who are black and brown, and then find strategies to deal with the issues at hand. It hurts to see competitive seasons come and go and have high school students and judges spew the same hateful things you expect to hear at a Klan rally. A student should not, when presenting an advocacy that aligns them with the oppressed, have to justify why oppression is bad. Debate is not just a game, but a learning environment with liberatory potential. Even if the form debate gives to a conversation is not the same you would use to discuss race in general conversation with Bayard Rustin or Fannie Lou Hamer, that is not a reason we have to strip that conversation of its connection to a reality that black students cannot escape. Current coaches and competitors alike dismiss concerns of racism and exclusion, won’t teach other students anything about identity in debate other than how to shut down competitors who engage in alternative styles and discourses, and refuse to engage in those discussions even outside of a tournament setting. A conversation on privilege and identity was held at a debate institute I worked at this summer and just as any theorist of privilege would predict it was the heterosexual, white, male staff members that either failed to make an appearance or stay for the entire discussion. No matter how talented they are, we have to remember that the students we work with are still just high school aged children. If those who are responsible for participants and the creation of accessible norms won’t risk a better future for our community, it becomes harder to explain to students who look up to them why risking such an endeavor is necessary. As a student provided with the opportunity and privilege of participation by the Jersey Urban Debate League, I can remember plenty of tournaments in high school where the only black students at the tournament were individuals from my high school. It was a world shattering experience; no one spoke to us first and those we did approach didn’t have to acknowledge the fact that, every weekend, our failures and successes made us the representatives of black America in the minds of students and judges that never had to freely associate with black people. The irony of participation for black students is that to understand your existence in an academic, usually white, space throws that very space into question. They are both told that joining debate will make you smarter, more personable, and better able to communicate; however those who are already there don’t speak to them, they don’t vote for them, and they don’t associate with them. The unanswered question, then, is “For which bodies does LD exist?” Continuing to parade LD under the guise of neutrality will reproduce the problem at hand. Hiring practices, Judge Preferences /Strike Sheets, invitations to Round Robins, and who coaches don’t require their students to associate with all contribute to the problem at hand because they “accidentally” forget to include people of color. When only two major debate workshops bothered to hire anyone black to work with their students this summer it spoke to the reality of which bodies are seen as being competent enough to teach. Their skills as pedagogues weren’t dismissed because they aren’t qualified, but because they are black. If we are to confront structural discrimination against the black community, we can’t retreat to a defense of neutrality but have to take strides in addressing and ending the cycle of exclusion. If black students do not feel comfortable participating in LD they will lose out on the ability to judge, coach, or to force debate to deal with the truth of their perspectives

#### And Ethics is divided between ideal and non-ideal theory – ideal theories are abstracted to the universal while non-ideal theory is grounded in empirical considerations. Ideal theory glosses over issues of structural domination – that reifies oppressive power structures and skews ethical theorizing. Mills 5

\*\*Edited for ableist language

Charles Mills, “Ideal Theory” as Ideology, 2005.

Now what distinguishes ideal theory is not merely the use of ideals, since obviously nonideal theory can and will use ideals also (certainly it will appeal to the moral ideals, if it may be more dubious about the value of invoking idealized human capacities). What distinguishes ideal theory is the reliance on idealization to the exclusion, or at least marginalization, of the actual. As O’Neill emphasizes, this is not a necessary corollary of the operation of abstrac- tion itself, since one can have abstractions of the ideal-as-descriptive-model type that abstract without idealizing. But ideal theory either tacitly represents the actual as a simple deviation from the ideal, not worth theorizing in its own right, or claims that starting from the ideal is at least the best way of realizing it. Ideal theory as an approach will then utilize as its basic apparatus some or all of the following concepts and assumptions (there is necessarily a certain overlap in the list, since they all intersect with one another):¶ • An idealized social ontology. Moral theory deals with the normative, but it cannot avoid some characterization of the human beings who make up the society, and whose interactions with one another are its subject. So some overt or tacit social ontology has to be presupposed. An idealized social ontology of the modern type (as against, say, a Platonic or Aristotelian type) will typically assume the abstract and undifferentiated equal atomic individuals of classical liberalism. Thus it will abstract away from relations of structural domination, exploitation, coercion, and oppression, which in reality, of course, will profoundly shape the ontology of those same individuals, locating them in superior and inferior positions in social hierarchies of various kinds.¶ • Idealized capacities. The human agents as visualized in the theory will also often have completely unrealistic capacities attributed to them—unrealistic even for the privileged minority, let alone those subordinated in different ways, who would not have had an equal opportunity for their natural capacities to develop, and who would in fact typically be disabled in crucial respects.¶ • Silence on oppression. Almost by definition, it follows from the focus of ideal theory that little or nothing will be said on actual historic oppression and its legacy in the present, or current ongoing oppression, though these may be gestured at in a vague or promissory way (as something to be dealt with later). Correspondingly, the ways in which systematic oppression is likely to [it] shape[s] the¶ Charles W. Mills 169¶ basic social institutions (as well as the humans in those institutions) will not be part of the theory’s concern, and this will manifest itself in the absence of ideal-as-descriptive-model concepts that would provide the necessary macro- and micro-mapping of that oppression, and that are requisite for understanding its reproductive dynamic.¶ • Ideal social institutions. Fundamental social institutions such as the family, the economic structure, the legal system, will therefore be conceptualized in ideal-as-idealized-model terms, with little or no sense of how their actual work- ings may systematically disadvantage women, the poor, and racial minorities.¶ • An idealized cognitive sphere. Separate from, and in addition to, the idealization of human capacities, what could be termed an idealized cognitive sphere will also be presupposed. In other words, as a corollary of the general ignoring of oppression, the consequences of oppression for the social cognition of these agents, both the advantaged and the disadvantaged, will typically not be recognized, let alone theorized. A general social transparency will be presumed, with cognitive obstacles minimized as limited to biases of self-interest or the intrinsic difficulties of understanding the world, and little or no attention paid to the distinctive role of hegemonic ideologies and group-specific experience in distorting our perceptions and conceptions of the social order.¶ • Strict compliance. Finally, some theorists, such as, famously, John Rawls in A Theory of Justice, also endorse “ideal theory” in the sense of “strict compliance as opposed to partial compliance theory”: the examination of “the principles of justice that would regulate a well-ordered society. Everyone is presumed to act justly and to do his part in upholding just institutions.” Rawls concedes that “the problems of partial compliance theory are the pressing and urgent matters. These are the things that we are faced with in everyday life.” But, he argues, “The reason for beginning with ideal theory is that it provides, I believe, the only basis for the systematic grasp of these more pressing problems” (Rawls 1999, 8). Since Rawls’s text is widely credited with reviving postwar Anglo- American normative political theory, and of being the most important book of the twentieth century in that tradition, this methodological decision can plausibly be argued to have been a significant factor in influencing the whole subsequent direction of the field, though I would also claim that his decision and its general endorsement also reflect deeper structural biases in the profession.¶ Now look at this list, and try to see it with the eyes of somebody coming to formal academic ethical theory and political philosophy for the first time. Forget, in other words, all the articles and monographs and introductory texts you have read over the years that may have socialized you into thinking that this is how normative theory should be done. Perform an operation of Brechtian defamiliarization, estrangement, on your cognition. Wouldn’t your spontaneous reaction be: How in God’s name could anybody think that this is the appropriate way to do ethics?

#### Further, we must evaluate the nonideal standpoint epistemology of the oppressed first – so called universal truths only reflect the ethics of those in power, making true analysis of ideal reality impossible. Mills 2

\*\*Edited for ableist language

Charles Mills, “Ideal Theory” as Ideology, 2005.

The crucial common claim—whether couched in terms of ideology and fetishism, or androcentrism, or white normativity—is that all theorizing, both moral and nonmoral, takes place in an intellectual realm dominated by concepts, assumptions, norms, values, and framing perspectives that reflect the experience and group interests of the privileged group (whether the bourgeoisie, or men, or whites). So a simple empiricism will not work as a cognitive strategy; one has to be self-conscious about the concepts that “spontaneously” occur to one, since many of these concepts will not arise naturally but as the result of social structures and hegemonic ideational patterns. In particular, it will often be the case that dominant concepts will obscure certain crucial realities, blocking them from sight, or naturalizing them, while on the other hand, concepts necessary for accurately mapping these realities will be absent. Whether in terms of concepts of the self, or of humans in general, or in the cartography of the social, it will be necessary to scrutinize the dominant conceptual tools and the way the boundaries are drawn. This is, of course, the burden of standpoint theory—that certain realities tend to be more visible from the perspective of the subordinated than the privileged (Harding 2003). The thesis can be put in a strong and implausible form, but weaker versions do have considerable plausibility, as illustrated by the simple fact that for the most part the crucial conceptual innovation necessary to map nonideal realities has not come from the dominant group. In its ignoring of oppression, ideal theory also ignores the consequences of oppression. If societies are not oppressive, or if in modeling them we can abstract away from oppression and assume moral cognizers of roughly equal skill, then the paradigmatic moral agent can be featureless. No theory is required about the particular group-based obstacles that may block the vision of a particular group. By contrast, nonideal theory recognizes that people will typically be cognitively affected by their social location, so that on both the macro and the more local level, the descriptive concepts arrived at may be misleading. Think of the original challenge Marxist models of capitalism posed to liberalism’s social ontology: the claim that to focus on relations of aparently equal exchange, free and fair, among equal individuals was illusory, since at the level of the relations of production, the real ontology of worker and capitalist manifested a deep structure of constraint that limited proletarian freedom. Think of the innovation of using patriarchy to force people to recognize, and condemn as political and oppressive, rather than natural, apolitical, and unproblematic, male domination of women. Think of the recent resurrection of the concept of white supremacy to map the reality of a white domination that has continued in more subtle forms past the ending of de jure segregation. These are all global, high-level concepts, undeniable abstractions. But they map accurately (at least arguably) crucial realities that differentiate the statuses of the human beings within the systems they describe; so while they abstract, they do not idealize. Or consider conceptual innovation at the more local level: the challenge to the traditional way the public/private distinction was drawn, the concept of sexual harassment. In the first case, a seemingly neutral and innocuous conceptual divide turned out, once it was viewed from the perspective of gender subordination, as contributing to the reproduction of the gender system by its relegation of “women’s issues” to a seemingly apolitical and naturalized space. In the case of sexual harassment, a familiar reality—a staple of cartoons in men’s magazines for years (bosses chasing secretaries around the desk and so on)—was reconceptualized as negative (not something funny, but something morally wrong) and a contributor to making the workplace hostile for women. These realizations, these recognitions, did not spontaneously crystallize out of nowhere; they required conceptual labor, a different map of social reality, a valorization of the distinctive experience of women. As a result of having these concepts as visual aids, we can now see better: our perceptions are no longer [ignorant] blinded to realities to which we were previously obtuse. In some sense, an ideal observer should have been able to see them—yet they did not, as shown by the nonappearance of these realities in male-dominated philosophical literature.

#### Thus the AC outweighs: Moral theories can’t be leveraged against non-ideal theory because they start from a skewed perspective – without the view of the oppressed; we lack the full information to make claims about morality.

#### And consequences come first:

#### [A] Intention based theories justify morally repugnant actions like slavery if the slave owner intended well. That is a side constraint on any ethical framework

#### [B] Only consequentialism explains degrees of wrongness—if I break a promise to meet up for lunch, that is not as bad as breaking a promise to take a dying person to the hospital. Only the consequences of breaking the promise explain why the second one is much worse than the first.

## Method

#### Its urgent to change how we evaluate risk. Modern debate drives out minority participation by ignoring discussion of systemic violence in favor of high magnitude disads that can be assigned a risk of 0 on face

Cohn 13 [Nate Cohn is a domestic correspondent for The Upshot at The New York Times, previously worked as a staff writer for The New Republic, as a research associate at The Henry L. Stimson Center and a debate coach at Whitman college, 12-12-2013, <http://www.cedadebate.org/forum/index.php?topic=5416.0;wap2> //BWSWJ]

For years, I’ve heard it’s problematic to require certain debaters, particularly black debaters, to grapple with an irredeemably racist federal government. Most of the Facebook discussions seem to be proceeding under the assumption that this is the main reason for non-topicality, the main reason why non-traditional debaters feel excluded. To be blunt, I find this a little hard to believe. I’m open to the possibility that an extraordinarily small number of debaters are troubled by “USFG should.” But if I went up to an Oklahoma or Towson debater and asked “should the judicial/legislative branch restrict the president’s authority for targeted killing?” I find it pretty hard to imagine that they would say, “Sorry, can’t think about the USFG, it’s irredeemably racist, traumatic for me to engage it, and it’s racist for you to ask.” And if that question was “should the legislative branch do XYZ reforms (suppose XYZ are supported by the debaters) to the prison system?” I’m all but positive they wouldn’t offer the response we see in debate. When I’ve indicated these reservations to people on the other side of the “aisle,” I’ve basically been told to “take the debaters at their word.” Fair enough. But on the other hand, Leaders for a Beautiful Struggle clearly supports engaging and reforming the government. Dayvon ran for office. Oklahoma agreed to a switch side resolution with Northwestern over government policy. Most of these students attend public schools and compete with public dollars. I’ve also noticed something similar on Facebook. Since I wrote that paragraph, Rashad said the argument that black debaters can’t defend the USFG is a tactical argument to get past framework, not the real problem with debate. If true, I find that pretty upsetting. These arguments have been framed as authentic narratives. As a result, they’ve been shielded from scrutiny and they earned additional and apparently undo credibility. So although I’m open to the possibility that a very small number of people genuinely feel conflicted about discussing federal policy, I just don’t think the actual evidence is consistent with the arguments in the debate round. And so far, most (though not all) of the people aggressively pushing passive voice topics are white “critique” debaters and coaches, not black “project” or “performance” students and coaches. And quite frankly, I’m just not as interested in what relatively traditional, white coaches and debaters have to say about this issue. So let me genuinely ask black debaters and coaches: What do you feel comfortable debating or not, and why? Let me add a critical point of clarification: I’m not doubting the authenticity of the broader criticisms of debate or the debate community. I am extremely sympathetic to most of the critiques of modern policy debate. It is undeniable that modern policy debate makes sophisticated discussions of white supremacy and injustice extremely difficult. The confluence of ideology and race has undoubtedly and predictably reinforced whiteness in the debate community, including de facto interpersonal segregation and the consignment of a disproportionate share of black judges to the strike zone. The part I’m doubting is whether active voice topics and “USFG should” is really the problem here, or whether “passive voice” solves anything. -- I am open to changing “USFG should.” But so far, the “new idea” is an old and, in my view, bad one: “passive voice.” I don’t think “passive voice” is a compelling alternative: it would either fail to address our problem or it would be a catastrophe. Look, I get why “passive voice” seems appealing: the affirmative could defend either federal or personal action. But if the community continues to write resolutions that can be affirmed with single examples, and the resolution doesn’t specify an agent, then the affirmative can affirm the resolution with any example by any agent. Take “resolved: the death penalty should be opposed,” which Justin Green floated. Any example of any agent—not just the USFG or the debaters—who should oppose the death penalty would justify an affirmative ballot. Maybe you don’t think teams would read “X candidate should oppose the death penalty to get an ACLU endorsement in the primary,” but you’re wrong. Everyone plays around at what they perceive as the edge of the topic if it advances their chances of winning. That’s not going to change. One alternative is a more precise, but still passive voice topic. It would make the desired outcome the object of the resolution. For example, “resolved: there should not be a death penalty in the United States” is passive voice and limits the agent, de facto, by requiring a more specific outcome. Or, it arguably removes agent and process from the discussion entirely, since defending a topical outcome is sufficient to affirm the resolution. Yet that would make topicality a question of solvency for teams who choose to engage an actor, not just the prescribed outcome. That would all but preclude “non-traditional” affirmatives (at least by the literal standards of the policy community). My assumption, then, is that this proposal is a non-starter—a “compromise” that makes no one happy and puts us in the same spot next November. So I am not optimistic about “passive voice.” And to be clear, this isn’t a matter of “USFG”—it’s a matter of active voice and agent specification good. I want topics that force clash and in-depth preparation. Specifying an agent or an outcome is, so far, the only proposal that does this. I’d rather have “The NAACP should oppose the death penalty” than “the death penalty should be opposed.” I’d rather debate “The city of Baltimore should make X changes to Y police practices” than “Y police practices should be opposed.” This also illustrates why the policy people support the “USFG should.” It’s not that I think the USFG is the only interesting agent. Far from it. I’m just not sure there’s enough literature to support a full year of rigorous, in-depth, research-intensive policy debates for most alternative actors. I’m totally willing to consider another actor, by the way, and strongly prefer another actor to “passive voice,” but overcoming the literature issue is important. I don’t think we can sustain a year-long topic about Baltimore’s police practices, for instance. I’m hopeful that the community’s smartest minds can craft a solution. But since I have doubts about whether “we can’t talk about USFG should” is the problem, and since I think the main alternative is fatally flawed, I can’t help but have doubts. -- So let me offer another possibility: the problem isn’t the topic, but modern policy debate. The unrealistic scenarios, exclusive focus on policy scholarship, inability to engage systemic impacts and philosophical questions. And so long as these problems characterize modern policy debate, teams will feel compelled to avoid it. It might be tempting to assign the blame to “USFG should.” But these are bugs, not features of plan-focused, USFG-based, active voice topics. These bugs result from practices and norms that were initially and independently reasonable, but ultimately and collectively problematic. I also believe that these norms can and should be contested. I believe it would be possible for me to have a realistic, accessible, and inclusive discussion about the merits of a federal policy with, say, Amber Kelsie. Or put differently, I’m not sure I agree with Jonah that changing the topic is the only way to avoid being “a bunch of white folks talking about nuke war.” The fact that policy debate is wildly out of touch—the fact that we are “a bunch of white folks talking about nuclear war”—is a damning indictment of nearly every coach in this activity. It’s a serious indictment of the successful policy debate coaches, who have been content to continue a pedagogically unsound game, so long as they keep winning. It’s a serious indictment of policy debate’s discontents who chose to disengage. That’s not to say there hasn’t been any effort to challenge modern policy debate on its own terms—just that they’ve mainly come from the middle of the bracket and weren’t very successful, focusing on morality arguments and various “predictions bad” claims to outweigh. Judges were receptive to the sentiment that disads were unrealistic, but negative claims to specificity always triumphed over generic epistemological questions or arguments about why “predictions fail.” The affirmative rarely introduced substantive responses to the disadvantage, rarely read impact defense. All considered, the negative generally won a significant risk that the plan resulted in nuclear war. Once that was true, it was basically impossible to win that some moral obligation outweighed the (dare I say?) obligation to avoid a meaningful risk of extinction. There were other problems. Many of the small affirmatives were unstrategic—teams rarely had solvency deficits to generic counterplans. It was already basically impossible to win that some morality argument outweighed extinction; it was totally untenable to win that a moral obligation outweighed a meaningful risk of extinction; it made even less sense if the counterplan solved most of the morality argument. The combined effect was devastating: As these debates are currently argued and judged, I suspect that the negative would win my ballot more than 95 percent of the time in a debate between two teams of equal ability. But even if a “soft left” team did better—especially by making solvency deficits and responding to the specifics of the disadvantage—I still think they would struggle. They could compete at the highest levels, but, in most debates, judges would still assess a small, but meaningful risk of a large scale conflict, including nuclear war and extinction. The risk would be small, but the “magnitude” of the impact would often be enough to outweigh a higher probability, smaller impact. Or put differently: policy debate still wouldn’t be replicating a real world policy assessment, teams reading small affirmatives would still be at a real disadvantage with respect to reality. . Why? Oddly, this is the unreasonable result of a reasonable part of debate: the burden of refutation or rejoinder, the responsibility of debaters to “beat” arguments. If I introduce an argument, it starts out at 100 percent—you then have to disprove it. That sounds like a pretty good idea in principle, right? Well, I think so too. But it’s really tough to refute something down to “zero” percent—a team would need to completely and totally refute an argument. That’s obviously tough to do, especially since the other team is usually going to have some decent arguments and pretty good cards defending each component of their disadvantage—even the ridiculous parts. So one of the most fundamental assumptions about debate all but ensures a meaningful risk of nearly any argument—even extremely low-probability, high magnitude impacts, sufficient to outweigh systemic impacts. There’s another even more subtle element of debate practice at play. Traditionally, the 2AC might introduce 8 or 9 cards against a disadvantage, like “non-unique, no-link, no-impact,” and then go for one and two. Yet in reality, disadvantages are underpinned by dozens or perhaps hundreds of discrete assumptions, each of which could be contested. By the end of the 2AR, only a handful are under scrutiny; the majority of the disadvantage is conceded, and it’s tough to bring the one or two scrutinized components down to “zero.” And then there’s a bad understanding of probability. If the affirmative questions four or five elements of the disadvantage, but the negative was still “clearly ahead” on all five elements, most judges would assess that the negative was “clearly ahead” on the disadvantage. In reality, the risk of the disadvantage has been reduced considerably. If there was, say, an 80 percent chance that immigration reform would pass, an 80 percent chance that political capital was key, an 80 percent chance that the plan drained a sufficient amount of capital, an 80 percent chance that immigration reform was necessary to prevent another recession, and an 80 percent chance that another recession would cause a nuclear war (lol), then there’s a 32 percent chance that the disadvantage caused nuclear war. I think these issues can be overcome. First, I think teams can deal with the “burden of refutation” by focusing on the “burden of proof,” which allows a team to mitigate an argument before directly contradicting its content. Here’s how I’d look at it: modern policy debate has assumed that arguments start out at “100 percent” until directly refuted. But few, if any, arguments are supported by evidence consistent with “100 percent.” Most cards don’t make definitive claims. Even when they do, they’re not supported by definitive evidence—and any reasonable person should assume there’s at least some uncertainty on matters other than few true facts, like 2+2=4. Take Georgetown’s immigration uniqueness evidence from Harvard. It says there “may be a window” for immigration. So, based on the negative’s evidence, what are the odds that immigration reform will pass? Far less than 50 percent, if you ask me. That’s not always true for every card in the 1NC, but sometimes it’s even worse—like the impact card, which is usually a long string of “coulds.” If you apply this very basic level of analysis to each element of a disadvantage, and correctly explain math (.4\*.4\*.4\*.4\*.4=.01024), the risk of the disadvantage starts at a very low level, even before the affirmative offers a direct response. Debaters should also argue that the negative hasn’t introduced any evidence at all to defend a long list of unmentioned elements in the “internal link chain.” The absence of evidence to defend the argument that, say, “recession causes depression,” may not eliminate the disadvantage, but it does raise uncertainty—and it doesn’t take too many additional sources of uncertainty to reduce the probability of the disadvantage to effectively zero—sort of the static, background noise of prediction. Now, I do think it would be nice if a good debate team would actually do the work—talk about what the cards say, talk about the unmentioned steps—but I think debaters can make these observations at a meta-level (your evidence isn’t certain, lots of undefended elements) and successfully reduce the risk of a nuclear war or extinction to something indistinguishable from zero. It would not be a factor in my decision. Based on my conversations with other policy judges, it may be possible to pull it off with even less work. They might be willing to summarily disregard “absurd” arguments, like politics disadvantages, on the grounds that it’s patently unrealistic, that we know the typical burden of rejoinder yields unrealistic scenarios, and that judges should assess debates in ways that produce realistic assessments. I don’t think this is too different from elements of Jonah Feldman’s old philosophy, where he basically said “when I assessed 40 percent last year, it’s 10 percent now.” Honestly, I was surprised that the few judges I talked to were so amenable to this argument. For me, just saying “it’s absurd, and you know it” wouldn’t be enough against an argument in which the other team invested considerable time. The more developed argument about accurate risk assessment would be more convincing, but I still think it would be vulnerable to a typical defense of the burden of rejoinder. To be blunt: I want debaters to learn why a disadvantage is absurd, not just make assertions that conform to their preexisting notions of what’s realistic and what’s not. And perhaps more importantly for this discussion, I could not coach a team to rely exclusively on this argument—I’m not convinced that enough judges are willing to discount a disadvantage on “it’s absurd.” Nonetheless, I think this is a useful “frame” that should preface a following, more robust explanation of why the risk of the disadvantage is basically zero—even before a substantive response is offered. There are other, broad genres of argument that can contest the substance of the negative’s argument. There are serious methodological indictments of the various forms of knowledge production, from journalistic reporting to think tanks to quantitative social science. Many of our most strongly worded cards come from people giving opinions, for which they offer very little data or evidence. And even when “qualified” people are giving predictions, there’s a great case to be extremely skeptical without real evidence backing it up. The world is a complicated place, predictions are hard, and most people are wrong. And again, this is before contesting the substance of the negative’s argument(!)—if deemed necessary.

#### Cognitive biases overvalue large impact/low risk arguments---err against assigning meaningful probability to the DA

Herbeck 92 – Dale Herbeck, Professor and Chair in the Department of Communication at Boston College, “The Use and Abuse of Risk Analysis in Policy Debate”, Paper presented at the Annual Meeting of the Speech Communication Association, October, <http://files.eric.ed.gov/fulltext/ED354559.pdf>

Unfortunately, we believe that the illusion of objectivity masks several serious problems with risk analysis as it is presently utilized in academic debate. While a number of problems might be identified, in this paper we argue first that risk analysis artificially assigns probability to arguments and second, that risk analysis overvalues arguments with large impacts. The "Tyranny of Illusory Precision."8 At the outset, it should be noted that it is extremely difficult to assess probability. In an article on risk which appeared in Psychology Today, Dr. J. Frank Yates observed that "the average person has problems identifying potential risks and deciding how likely they are to occur."9 In addition, Yates suggests that most of us overestimate the value of our own judgment in matters of common knowledge.10 It might of course, be argued that debate judges trained in the use of risk analysis are better able to assess risks. This, however, is frequently not the case. In one of the few articles on risk analysis in the forensic literature, Vincent Follert offered this example drawn from the final round of the 1978 National Debate Tournament: After exposure to the same information, each judged reached what appeared to be substantially different estimates of the probability that the plan would prompt government cuts in the biomedical research budget: "Biomedical research would probably be cut as a result of the plan," "the affirmative goes a long way towards eliminating the risks . . . of cuts," "I am left with a substantial risk," and "the risk of cuts seems less significant than the case."11 Those of us who judge debate with some frequency know that while it is difficult to quantify probabilities, risk analysis forces us to assign probabilities to all arguments in a debate. As a result, we may come under, as John Holdren would call "the tyranny of illusory precision." This phenomenon occurs whenever we take qualitative judgments, decouple them from their context, and then use these judgments to assign a probability which is used to justify conclusions. Even if we resist the temptation to assign unwarranted risks, a related problem is that decision makers often fall prey to the fallacy of the golden mean. According to Edward Damer, this "fallacy consists in assuming that the mean or middle view between two extremes must be the best or right one simply because it is the middle view."12 In other words, rather than assess zero probability to an impact, a judge might assume that the probability necessarily lies somewhere between the two positions advocated in the debate. Recognizing this tendency, advocates have become quite adept at framing their arguments to justify the attribution of some amount or probability. Consider, for example, the following quotation from Unberto Saffiotti of the National Cancer Institute: "The most 'prudent' policy is to consider all agents, for which the evidence is not clearly negative under accepted minimum conditions of observation as if they were positive."13 Of course, the implication is that we must assess some probability of carcinogenicity absent proof to the contrary. Evidence such as this, when invoked in debate, is often used to justify the claim that there must be some risk of the impact. The "Zero-Infinity Problem."14 A second problem with risk analysis is that the magnitude of the impact has come to dominate questions of probability. The result, according to Ehrlich and Ehrlich, is the "zero-infinity problem." Although the probability of some events is infinitesimally small, the impacts may be so grave that the risk becomes significant. To illustrate this point, the Ehrlich's cite the example of pancreatic cancer. Although the probability of getting this form of cancer is extremely small, it is almost always fatal. Accordingly, the fear of contracting pancreatic cancer might be sufficient to warrant measures which would be unlikely to decrease the incidence of this deadly disease. It is easy to translate the zero-infinity problem to the debate context. Consider the following risks: probability impact risk 99 in 100 100,000 lives = 99,000 lives 1 in 100 10,000,000 = 100,000 lives Of course, the conclusion that can be drawn trom the above example is that a low probability/high impact argument would generally outweigh a high probability/low impact argument. Being perceptive by nature, debaters are well aware of this fact. It is, therefore, not surprising that the vast majority of all debate arguments eventually culminate in a nuclear war. By offering the penultimate of impacts, the skilled advocate can effectively moot the importance of probability. For the purpose of illustration, assume that a nuclear war would kill exactly one billion people, which may in fact be a conservative assessment. The incredible argumentative power of this staggering impact is evident in the following statement of risks: probability impact risk 1 in 100 (.01) 1,000,000,000 = 10,000,000 lives 1 in 1000 (.001) 1,000,000,000 = 1,000,000 lives 1 in 10,000 (.0001) 1,000,000,000 = 100,000 lives 1 in 100,000 (.00001) 1,000,000,000 = 10,000 lives 1 in 1,000,000 (.000001) 1,000,000,000 = 1,000 lives In other words, a 1 in 10,000 chance of a disadvantage culminating in nuclear war would be the equivalent of an affirmative saving 100,000 lives. Not surprisingly, low probability/high impact arguments have come to dominate contemporary debate. Indeed, if a stranger should hear a debate upon this year's intercollegiate policy topic, they would probably conclude that any change in development policy, no matter how small, is likely to culminate in a nuclear war. As Star Muir has observed: This takes form in two disturbing tendencies: an unwillingness to examine more real world impacts of policies, and a jaded view of global devastation. That first is apparent in the unwillingness of the debaters to argue that a recession, per se, is bad; that a regional war, not escalating to superpower conflict, would be a horrible thing. A global recession would probably not cause a nuclear war, but it doubtless would cause untold suffering and human anguish. A regional war in Africa could cc 'undreds of thousands of lives, easily enough to outweigh a properly mitigated set of case scenarios. The problem is that debaters won't tell these stories, but they will take the easy way out and read a blurb on World War III.15 Of course, the problem with such argumentation is that it frequently borders on the absurd. Improving Risk Analysis It is easy to indict the use of risk analysis in policy debate. The more difficult task is to frame an alternative. As a tool, risk analysis offers a uniquely valuable method of assessing and comparing a variety of competing policy alternatives. It is, simply put, difficult to imagine how you could evaluate without some notion of risk analysis. Recognizing this fact, Vincent Follert offered the following guidelines in his article critiquing the use of risk analysis in debate: Each disputant should justify numerical estimates of the probability and valence of outcomes. Debaters could give more attention to the analytical assumptions made by their opponents. Such tests may also be applied to the evidence offered in the debate. Statistical tests may also be applied to the evidence and models used. Finally, the disputants should argue in favor of a particular perspective which allows the critic to make comparisons of dissimilar alternatives.16 While we appreciate the spirit and intent of Follert's suggestions, we question their workability in the debate setting. How could debaters meaningfully measure the probability associated with some of the arguments in debate? How can assumptions, seldom expressed in the debate, be factored into the decision? How would statistical tests be applied? While risk analysis would be improved if these questions were addressed, it seems impossible to address them meaningfully within current debate formats. At a more fundamental level, we believe that Follert's guidelines fail to address many of our concerns. Even if a debater could quantify the probability, defend the assumptions underlying that assessment, and apply statistical tests to prove that the risks were statistically significant, we still fear that debate would be ~~enslaved~~ to low probability/high impact scenarios. We believe that a better approach to addressing this problem would be to rehabilitate our notion of probability. First, and foremost, we need to realize that some risks are so trivial that they are simply not meaningful. This is not to argue that all low probability/high impact arguments should be ignored, but rather to suggest that there is a point beneath which probabilities are meaningless. The problem with low probability arguments in debate is that they have taken on a life of their own. Debate judges routinely accept minimal risks which would be summarily dismissed by business and political leaders. While it has been argued that our leaders should take these risks more seriously, we believe that many judges err in assessing any weight to such speculative arguments.

#### Prioritize structural impacts – worst-case scenario predictions are based on threat exaggeration – distorts rational decision-making and justify preemptive warfare

Mueller & Stewart ’11 [John, Woody Hayes National Security Studies and Professor of Political Science @ Ohio State University, Mark, Professor of Civil Engineering and Director of the Centre for Infrastructure Performance and Reliability at the University of Newcastle in Australia, “Terror, Security, and Money”, page numbers below]

Focusing on Worst-Case Scenarios Cass Sunstein, who seems to have invented the phrase "probability neglect," assesses the version of the phenomenon that comes into being when "emotions are intensely engaged." Under that circumstance, he argues, "people’s attention is focused on the bad outcome itself and they are inattentive to the fact that it is unlikely to occur." Moreover, they are inclined to "demand a substantial governmental response-even if the magnitude of the risk does not warrant the response." It may be this phenomenon that Treverton experienced. Playing to this demand, government officials are inclined to focus on worst-case scenarios, presumably in the knowledge, following Sunstein's insight, that this can emotionally justify just about any expenditure, no matter how unlikely the prospect the dire event will actually take place. Accordingly; there is a preoccupation with "low probability/ high consequence" events, such as the detonation of a sizable nuclear device in midtown Manhattan. The process could be seen in action in an article published in 2008 by Secretary of Homeland Security (DHS) Michael Chertoff. He felt called upon to respond to the observation that the number of people who die each year from international terrorism, while tragic, is actually exceedingly small. "This fails to consider," he pointed out, "the much greater loss of life that Weapons of mass destruction could wreak on the American people." That is, he was justifying his entire budget-only a limited portion of which is concerned with Weapons of mass destruction by the WMD threat, even while avoiding assessing its likelihood. It is sometimes argued that conventional risk analysis breaks down under extreme conditions because the risk is now a very large number (losses) multiplied by a very small number (attack probability). But it is not the risk analysis methodology that is at fault here, but our ability to use the information obtained from the analysis for decision making. A "high consequence" event has been defined to be a "disaster" or "catastrophe" resulting in "great human costs in life, property environmental damage, and future economic activity" However, depending on how one weighs the words in that definition, there may have been only one terrorist event in all of history that qualifies for inclusion. Moreover, the vast bulk of homeland security expenditures is not focused on events that fit a definition like that, but rather on comparatively low-consequence ones, like explosions set off by individual amateur jihadists. Analyst Bruce Schneier has written penetratingly of worst-case thinking. He points out that it , involves imagining the worst possible outcome and then acting as if it were a certainty. It substitutes imagination for thinking, speculation for risk analysis, and fear for reason. It fosters powerlessness and vulnerability and magnifies social [immobilization] ~~paralysis~~. And it makes us more vulnerable to the effects of terrorism. It leads to bad decision making because it's only half of the cost-benefit equation. Every decision has costs and benefits, risks and rewards. By speculating about what can possibly go wrong, and then acting as if that is likely to happen, worst-case thinking focuses only on the extreme but improbable risks and does a poor job at assessing outcomes. It also assumes "that a proponent of an action must prove that the nightmare scenario is impossible," and it "can be used to support any position or its opposite. If we build a nuclear power plant, it could melt down. If we don't build it, We will run short of power and society will collapse into anarchy" And worst, it "validates ignorance" because, "instead of focusing on what we know, it focuses on what we don't know-and what we can imagine." In the process, "risk assessment is devalued" and "probabilistic thinking is repudiated in favor of possibilistic thinking."

 As Schneier also notes, worst-case thinking is the driving force behind the precautionary principle, a decent working definition of which is "action should be taken to correct a problem as soon as there is evidence that harm may occur, not after the harm has already occurred." It could be seen in action less than a week after 9/11, when President George W Bush outlined his new national security strategy: "We cannot let our enemies strike first . . . [but must take] anticipatory action to defend ourselves, even if uncertainty remains as to the time and place of the enemy's attack. To forestall or prevent such hostile acts by our adversaries, the United States, will, if necessary act preemptively \_ . . America will act against such emerging threats before they are fully formed." The 2003 invasion of Iraq, then, was justified by invoking the precautionary principle based on the worst-case scenario in which Saddam Hussein might strike. If, on the other hand, any worst-case thinking focused on the potential for the destabilizing effects a war would have on Iraq and the region, the precautionary principle would guide one to be very cautious about embarking on war. As Sunstein notes, the precautionary principle "offers no guidance-not that it is wrong, but that it forbids all courses of action, including regulation." Thus, "taken seriously it is paralyzing, banning the very steps that it simultaneously requires."9 It can be invoked in equal measure to act or not to act. There are considerable dangers in applying the precautionary principle to terrorism: on the one hand, any action taken to reduce a presumed risk always poses the introduction of countervailing risks, while on the other, larger, expensive counterterrorism efforts will come accompanied by high opportunity costs." Moreover "For public officials no less than the rest of us, the probability of harm matters a great deal, and it is foolish to attend exclusively to the worst case scenario." A more rational approach to worst-case thinking is to establish the likelihood of gains and losses from various courses of action, including staying the current course." This, of course, is the essence of risk assessment. What is necessary is due consideration to the spectrum of threats, not simply the worst one imaginable, in order to properly understand, and coherently deal with, the risks to people, institutions, and the economy The relevant decision makers are professionals, and it is not unreasonable to suggest that they should do so seriously. Notwithstanding political pressures (to be discussed more in chapter 9), the fact that the public has difficulties with probabilities when emotions are involved does not relieve those in charge of the requirement, even the duty to make decisions about the expenditures of vast quantities of public monies in a responsible manner. [page 14-17]

#### Focus on existential risks is whiteness and is based on a epistemologically flawed logic that allows modern-day genocides

* X-risk has a massive nerdy white dude problem
* It’s messed up to say reducing existential risk by .0000001% outweighs genocide
* We should do good things for people – ending global poverty would be good
* Pascal’s Mugging – if someone came up to you and said give me $20 or I’ll cause extinction, it would be absurd to comply, but that framing would say the risk of being wrong mandates it
* Repugnant conclusion (parfit) – it assumes maximizing the number of lives outweighs anything even if those lives are miserable even if they’re barely worth living

Matthews 15 bracketed [Dylan Matthews; Aug 10, 2015; “I spent a weekend at Google talking with nerds about charity. I came away … worried.”; <https://www.vox.com/2015/8/10/9124145/effective-altruism-global-ai>; \*bracketed for verbal statistical clarity\* //BWSWJ]

Lavigne was addressing attendees of the Effective Altruism Global conference, which she helped organize at Google's Quad Campus in Mountain View the weekend of July 31 to August 2. Effective altruists think that past attempts to do good — by giving to charity, or working for nonprofits or government agencies — have been largely ineffective, in part because they've been driven too much by the desire to feel good and too little by the cold, hard data necessary to prove what actually does good.

It's a powerful idea, and one that has already saved lives. GiveWell, the charity evaluating organization to which effective altruism can trace its origins, has pushed philanthropy toward evidence and away from giving based on personal whims and sentiment. Effective altruists have also been remarkably forward-thinking on factory farming, taking the problem of animal suffering seriously without collapsing into PETA-style posturing and sanctimony.

Effective altruism (or EA, as proponents refer to it) is more than a belief, though. It's a movement, and like any movement, it has begun to develop a culture, and a set of powerful stakeholders, and a certain range of worrying pathologies. At the moment, EA is very white, very male, and dominated by tech industry workers. And it is increasingly obsessed with ideas and data that reflect the class position and interests of the movement's members rather than a desire to help actual people.

In the beginning, EA was mostly about fighting global poverty. Now it's becoming more and more about funding computer science research to forestall an artificial intelligence–provoked apocalypse. At the risk of overgeneralizing, the computer science majors have convinced each other that the best way to save the world is to do computer science research. Compared to that, multiple attendees said, global poverty is a "rounding error."

I identify as an effective altruist: I think it's important to do good with your life, and doing as much good as possible is a noble goal. I even think AI risk is a real challenge worth addressing. But speaking as a white male nerd on the autism spectrum, effective altruism can't just be for white male nerds on the autism spectrum. Declaring that global poverty is a "rounding error" and everyone really ought to be doing computer science research is a great way to ensure that the movement remains dangerously homogenous and, ultimately, irrelevant.

Should we care about the world today at all?

EA Global was dominated by talk of existential risks, or X-risks. The idea is that human extinction is far, far worse than anything that could happen to real, living humans today.

To hear effective altruists explain it, it comes down to simple math. About 108 billion people have lived to date, but if humanity lasts another 50 million years, and current trends hold, the total number of humans who will ever live is more like 3 quadrillion. Humans living during or before 2015 would thus make up only 0.0036 percent of all humans ever.

The numbers get even bigger when you consider — as X-risk advocates are wont to do — the possibility of interstellar travel. Nick Bostrom — the Oxford philosopher who popularized the concept of existential risk — estimates that about 10^54 human life-years (or 10^52 lives of 100 years each) could be in our future if we both master travel between solar systems and figure out how to emulate human brains in computers.

Even if we give this 10^54 estimate "a mere 1% chance of being correct," Bostrom writes, "we find that the expected value of reducing existential risk by a mere one billionth of one billionth of one percentage point is worth a hundred billion times as much as a billion human lives."

Put another way: The number of future humans who will never exist if humans go extinct is so great that reducing the risk of extinction by 0.00000000000000001 percent can be expected to save 100 billion more lives than, say, preventing the genocide of 1 billion people. That argues, in the judgment of Bostrom and others, for prioritizing efforts to prevent human extinction above other endeavors. This is what X-risk obsessives mean when they claim ending world poverty would be a "rounding error."

Why Silicon Valley is scared its own creations will destroy humanity

There are a number of potential candidates for most threatening X-risk. Personally I worry most about global pandemics, both because things like the Black Death and the Spanish flu have caused massive death before, and because globalization and the dawn of synthetic biology have made diseases both easier to spread and easier to tweak (intentionally or not) for maximum lethality. But I'm in the minority on that. The only X-risk basically anyone wanted to talk about at the conference was artificial intelligence.

The specific concern — expressed by representatives from groups like the Machine Intelligence Research Institute (MIRI) in Berkeley and Bostrom's Future of Humanity Institute at Oxford — is over the possibility of an "intelligence explosion." If humans are able to create an AI as smart as humans, the theory goes, then it stands to reason that that AI would be smart enough to create itself, and to make itself even smarter. That'd set up a process of exponential growth in intelligence until we get an AI so smart that it would almost certainly be able to control the world if it wanted to. And there's no guarantee that it'd allow humans to keep existing once it got that powerful. "It looks quite difficult to design a seed AI such that its preferences, if fully implemented, would be consistent with the survival of humans and the things we care about," Bostrom told me in an interview last year.

This is not a fringe viewpoint in Silicon Valley. MIRI's top donor is the Thiel Foundation, funded by PayPal and Palantir cofounder and billionaire angel investor Peter Thiel, which has given $1.627 million to date. Jaan Tallinn, the developer of Skype and Kazaa, is both a major MIRI donor and the co-founder of two groups — the Future of Life Institute and the Center for the Study of Existential Risk — working on related issues. And earlier this year, the Future of Life Institute got $10 million from Thiel's PayPal buddy, Tesla Motors/SpaceX CEO Elon Musk, who grew concerned about AI risk after reading Bostrom's book Superintelligence.

And indeed, the AI risk panel — featuring Musk, Bostrom, MIRI's executive director Nate Soares, and the legendary UC Berkeley AI researcher Stuart Russell — was the most hyped event at EA Global. Musk naturally hammed it up for the crowd. At one point, Russell set about rebutting AI researcher Andrew Ng's comment that worrying about AI risk is like "worrying about overpopulation on Mars," countering, "Imagine if the world's governments and universities and corporations were spending billions on a plan to populate Mars." Musk looked up bashfully, put his hand on his chin, and smirked, as if to ask, "Who says I'm not?"

Russell's contribution was the most useful, as it confirmed this really is a problem that serious people in the field worry about. The analogy he used was with nuclear research. Just as nuclear scientists developed norms of ethics and best practices that have so far helped ensure that no bombs have been used in attacks for 70 years, AI researchers, he urged, should embrace a similar ethic, and not just make cool things for the sake of making cool things.

What if the AI danger argument is too clever by half?

What was most concerning was the vehemence with which AI worriers asserted the cause's priority over other cause areas. For one thing, we have such profound uncertainty about AI — whether general intelligence is even possible, whether intelligence is really all a computer needs to take over society, whether artificial intelligence will have an independent will and agency the way humans do or whether it'll just remain a tool, what it would mean to develop a "friendly" versus "malevolent" AI — that it's hard to think of ways to tackle this problem today other than doing more AI research, which itself might increase the likelihood of the very apocalypse this camp frets over.

The common response I got to this was, "Yes, sure, but even if there's a very, very, very small likelihood of us decreasing AI risk, that still trumps global poverty, because infinitesimally increasing the odds that 10^52 people in the future exist saves way more lives than poverty reduction ever could."

The problem is that you could use this logic to defend just about anything. Imagine that a wizard showed up and said, "Humans are about to go extinct unless you give me $10 to cast a magical spell." Even if you only think there's a, say, [1e-17] 0.00000000000000001 percent chance that he's right, you should still, under this reasoning, give him the $10, because the expected value is that you're saving 10^32 lives.

Bostrom calls this scenario "Pascal's Mugging," and it's a huge problem for anyone trying to defend efforts to reduce human risk of extinction to the exclusion of anything else. These arguments give a false sense of statistical precision by slapping probability values on beliefs. But those probability values are literally just made up. Maybe giving $1,000 to the Machine Intelligence Research Institute will reduce the probability of AI killing us all by 0.00000000000000001. Or maybe it'll make it only cut the odds by 0.00000000000000000000000000000000000000000000000000000000000000001. If the latter's true, it's not a smart donation; if you multiply the odds by 10^52, you've saved an expected 0.0000000000001 lives, which is pretty miserable. But if the former's true, it's a brilliant donation, and you've saved an expected 100,000,000,000,000,000,000,000,000,000,000,000 lives.

I don't have any faith that we understand these risks with enough precision to tell if an AI risk charity can cut our odds of doom by [1e-17] 0.00000000000000001 or by only [1e-65] 0.00000000000000000000000000000000000000000000000000000000000000001. And yet for the argument to work, you need to be able to make those kinds of distinctions.

The other problem is that the AI crowd seems to be assuming that people who might exist in the future should be counted equally to people who definitely exist today. That's by no means an obvious position, and tons of philosophers dispute it. Among other things, it implies what's known as the Repugnant Conclusion: the idea that the world should keep increasing its population until the absolutely maximum number of humans are alive, living lives that are just barely worth living. But if you say that people who only might exist count less than people who really do or really will exist, you avoid that conclusion, and the case for caring only about the far future becomes considerably weaker (though still reasonably compelling).

Doing good through aggressive self-promotion

To be fair, the AI folks weren't the only game in town. Another group emphasized "meta-charity," or giving to and working for effective altruist groups. The idea is that more good can be done if effective altruists try to expand the movement and get more people on board than if they focus on first-order projects like fighting poverty.

This is obviously true to an extent. There's a reason that charities buy ads. But ultimately you have to stop being meta. As Jeff Kaufman — a developer in Cambridge who's famous among effective altruists for, along with his wife Julia Wise, donating half their household's income to effective charities — argued in a talk about why global poverty should be a major focus, if you take meta-charity too far, you get a movement that's really good at expanding itself but not necessarily good at actually helping people.

And you have to do meta-charity well — and the more EA grows obsessed with AI, the harder it is to do that. The movement has a very real demographic problem, which contributes to very real intellectual blinders of the kind that give rise to the AI obsession. And it's hard to imagine that yoking EA to one of the whitest and most male fields (tech) and academic subjects (computer science) will do much to bring more people from diverse backgrounds into the fold.

The self-congratulatory tone of the event didn't help matters either. I physically recoiled during the introductory session when Kerry Vaughan, one of the event's organizers, declared, "I really do believe that effective altruism could be the last social movement we ever need." In the annals of sentences that could only be said with a straight face by white men, that one might take the cake.

Effective altruism is a useful framework for thinking through how to do good through one's career, or through political advocacy, or through charitable giving. It is not a replacement for movements through which marginalized peoples seek their own liberation. If EA is to have any hope of getting more buy-in from women and people of color, it has to at least acknowledge that.

#### Critique is useless without a concrete policy that solves for the harms that you discuss. Even if fiat is illusory, proposing real world alternatives is key.

Bryant ‘12 (Levi Bryant is currently a Professor of Philosophy at Collin College. In addition to working as a professor, Bryant has also served as a Lacanian psychoanalyst. He received his Ph.D. from Loyola University in Chicago, Illinois, where he originally studied 'disclosedness' with the Heidegger scholar Thomas Sheehan. Bryant later changed his dissertation topic to the transcendental empiricism of Gilles Deleuze, “Critique of the Academic Left”, http://larvalsubjects.wordpress.com/2012/11/11/underpants-gnomes-a-critique-of-the-academic-left/)

Unfortunately, **the academic left falls prey to its own form of abstraction. It’s good at carrying out critiques that denounce various social formations, yet very poor at proposing any sort of realistic constructions of alternatives. This because it thinks abstractly in its own way, ignoring how networks, assemblages, structures, or regimes of attraction would have to be remade to create a workable alternative.** Here I’m reminded by the “underpants gnomes” depicted in South Park:¶ The underpants gnomes have a plan for achieving profit that goes like this:¶ Phase 1: Collect Underpants¶ Phase 2: ?¶ Phase 3: Profit!¶ They even have a catchy song to go with their work:¶ Well this is sadly how it often is with the academic left. Our plan seems to be as follows:¶ Phase 1: Ultra-Radical Critique¶ Phase 2: ?¶ Phase 3: Revolution and complete social transformation!¶ Our problem is that we seem perpetually stuck at phase 1 without ever explaining what is to be done at phase 2. Often the critiques articulated at phase 1 are right, but there are nonetheless all sorts of problems with those critiques nonetheless. In order to reach phase 3, we have to produce new collectives. In order for new collectives to be produced, people need to be able to hear and understand the critiques developed at phase 1. Yet this is where everything begins to fall apart. Even though these critiques are often right, we express them in ways that only an academic with a PhD in critical theory and post-structural theory can understand. How exactly is Adorno to produce an effect in the world if only PhD’s in the humanities can understand him? Who are these things for? **We seem to always ignore these things and then look down our noses with disdain** at the Naomi Kleins and David Graebers of the world. **To make matters worse, we publish our work in expensive academic journals that only universities can afford, with presses that don’t have a wide distribution, and give our talks at expensive hotels at academic conferences attended only by other academics**. Again, who are these things for? Is it an accident that so many activists look away from these things with contempt, thinking their more about an academic industry and tenure, than producing change in the world? If a tree falls in a forest and no one is there to hear it, it doesn’t make a sound! Seriously dudes and dudettes, what are you doing?¶ But finally, and worst of all, us Marxists and anarchists all too often act like assholes. **We denounce others, we condemn them, we berate them for not engaging with the questions we want to engage with, and we vilify them when they don’t embrace every bit of the doxa that we endorse. We are every bit as off-putting and unpleasant as the fundamentalist minister or the priest of the inquisition** (have people yet understood that Deleuze and Guattari’s Anti-Oedipus was a critique of the French communist party system and the Stalinist party system, and the horrific passions that arise out of parties and identifications in general?). This type of “revolutionary” is the greatest friend of the reactionary and capitalist because they do more to drive people into the embrace of reigning ideology than to undermine reigning ideology. These are the people that keep Rush Limbaugh in business. Well done!¶ But this isn’t where our most serious shortcomings lie. Our most serious shortcomings are to be found at phase 2. **We almost never make concrete proposals for how things ought to be restructured, for what new material infrastructures and semiotic fields need to be produced**, and when we do, our critique-intoxicated cynics and skeptics immediately jump in with an analysis of all the ways in which these things contain dirty secrets, ugly motives, and are doomed to fail. How, I wonder, are we to do anything at all when we have no concrete proposals? We live on a planet of 6 billion people. These 6 billion **people are dependent on a certain network of production and distribution to meet the needs of their consumption. That network of production and distribution does involve the extraction of resources, the production of food, the maintenance of paths of transit and communication, the disposal of waste, the building of shelters, the distribution of medicines,** etc., etc., etc.¶, **are proposing alternatives. Instead we prefer to shout and denounce**. Good luck with that.

#### Oppression is created by social systems so only a focus on material conditions can solve. Johnson

no date Allan Johnson (PhD in sociology, he joined the sociology department at Wesleyan University) http://www.cabrillo.edu/~lroberts/AlanJohnsonWhatCanWeDO001.pdfJW

**Privilege is a feature of** social **systems, not individuals. People have or don't have privilege depending on the system they're in and the social categories other people put them in. To say,** then, **that I have race privilege says less about me** personally **than it does about the society we** all **live in** and how it is organized to assign privilege on the basis of a socially defined set of racial categories that change historically and often overlap. The challenge facing me as an individual has more to do with how I participate in society as a recipient of race privilege and how those choices oppose or support the system itself. **In dealing with** the problem of **privilege, we have to get used to** being surrounded by **paradox.** Very often those who have privilege don't know it, for example, which is a key aspect of privilege. Also paradoxical is the fact that privilege doesn't necessarily lead to a "good life," which can prompt people in privileged groups to deny resentfully that they even have it. But **privilege doesn't equate with being happy. It involves having what others don't have** and the struggle to hang on to it at their expense, neither of which is a recipe for joy, personal fulfillment, or spiritual contentment.... **To be a**n effective **part of the solution, we have to realize that privilege and oppression[‘s]** are not a thing of the past. It's **happening** right **now.** It isn't just a collection of wounds inflicted long ago that now need to be healed. The wounding goes on as I write these words and as you read them, and **unless people work to change the system that promotes it, personal healing** by itself **cannot be the answer. Healing wounds is no more a solution to the oppression that causes the wounding than military hospitals are a solution to war**. Healing is a necessary process, but it isn't enough.... **Since privilege is rooted** primarily **in systems**—such as families, schools, and workplaces—**change isn't simply a matter of changing people. People**, of course, **will have to change in order for systems to change, but the most important point is that changing people isn't enough. The solution also has to include entire systems**, such as capitalism, **whose paths of least resistance shape how we feel, think, and behave as individuals, how we see ourselves and one another.**

#### Policymaking simulations which force students to defend plans of action empirically increase empathy for oppressed groups and deconstruct privilege.

**Chad Raymond Salve Regina University, Tina Zappile Stockton University Daniel J. Beers Knox College, Promoting Global Empathy and Engagement through Real-Time Problem-Based Simulations: Outcomes from a Policymaking Simulation set in Post-Earthquake Haiti, pub Spring 3-2016,** [**https://digitalcommons.salve.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=1059&context=fac\_staff\_pub**](https://digitalcommons.salve.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=1059&context=fac_staff_pub) **///AHS PB**

**One of the great strengths of this simulation is its adaptability** to other global political crises. While focused on post-earthquake Haiti, this format of a real-time problem-based **policymaking simulation is readily adaptable** to other global crises. The only firm requirement for adapting the simulation to an alternative setting is to identify a conflict that is currently in-process (i.e. it has not been resolved) in which identifiable factions with competing interests disagree about the best course of action. Of course, the 22 more background knowledge the instructor can bring to the assignment, the better. However, it is not necessary for an instructor to have intimate knowledge of the conflict to run a successful simulation. Not only does **the** real-time nature of the **simulation** stimulate student interest, **it allows students to research and identify new information and resources as part of the assignment. Rather than relying on the instructor** for a carefully curated set of background materials, the **students can become “experts” themselves, teaching each other** and the instructor **about the topic as the simulation plays** out. For example, the creator of this Haiti-specific **simulation** is adapting the assignment to focus on the ongoing Syrian refugee crisis in the Middle East. The specific stakeholder groups will be modified to include key players in the policy process—namely, the governments of major refugee host countries (esp. Jordan, Turkey and Lebanon), and the Office of the United Nations High Commissioner for Refugees (UNHCR), which coordinates and oversees international aid to refugees. Further, the fictionalized policy proposal for addressing the crisis will be adapted to the specific conditions of the Syrian crisis. However, the fundamental core of the assignment—**which requires students to adopt a** stakeholder perspective, develop **a policy position, and defend that position** during the final symposium—will remain unchanged. Conclusions In addition to familiarizing students with the complex decisions facing local and international actors in humanitarian emergencies, our study aims to test whether an inclass simulation **can produce measurable gains in** global engagement among student participants. Based on data gathered from three campuses, the results suggest that simulations like the one described here can be useful tools to encourage greater **awareness of global issues** and promote **feelings of global citizenship**. Specifically, our findings suggest that such simulations can strengthen **students’ global empathy and** successfully **mitigate** attitudes associated with **the white-savior industrial complex** (Cole 2012). Significantly, this outcome appears to be closely related to the duration of the simulation and the content of the course in which it is applied, though we cannot conclusively say which of these factors led to greater positive results in the courses where they were tested. While short-term **simulations have been found to positively affect long 23 term attitudes** (Mills and Smith 2004), **[when] students** may not reap the full benefits of a ‘realtime’ problem-based simulation without ample time to **immerse themselves in the scenario**. It is clear that relevant course content is critical to enhancing the benefits of this type of simulation. Building a strong base of related knowledge may make students better equipped to make connections between theory and practice and to immerse themselves in the “complexities of process” (Wedig 2010), shifting the burden of learning from content to process while completing assignments and participating in activities during the active phase of the simulation. That said, the desired learning outcomes of this simulation are strongly correlated with learning outcomes for the courses in which it was implemented. Therefore while our experimental design allows us to identify the effects of the simulation over time, we cannot isolate the effect of good course instruction, as both course objectives and timeframe align with the simulation’s timeframe It may be possible that the teaching effectiveness of the instructors on Campuses A, B, and C enhanced students’ ability to achieve particular learning outcomes independent of the simulation. 4. Engaging within the state structure is inevitable and can be effective. Simulating legislative action can create real change by promoting active learning of public policy and advocacy skills.

#### And Policy ed is uniquely valuable for debate

Coverstone ‘5 Alan Coverstone (masters in communication from Wake Forest, longtime debate coach) “Acting on Activism: Realizing the Vision of Debate with Pro-social Impact” Paper presented at the National Communication Association Annual Conference November 17th 2005

An important concern emerges when Mitchell describes reflexive fiat as a contest strategy capable of “eschewing the power to directly control external actors” (1998b, p. 20). Describing debates about what our government should do as attempts to control outside actors is debilitating and disempowering. Control of the US government is exactly what an active, participatory citizenry is supposed to be all about. After all, if democracy means anything, it means that citizens not only have the right, they also bear the obligation to discuss and debate what the government should be doing.Absent that discussion and debate, much of the motivation for personal political activism is **also** lost**.** Those who have co-opted Mitchell’s argument for individual advocacy often quickly respond that nothing we do in a debate round can actually change government policy, and unfortunately, an entire generation of debaters has now swallowed this assertion as an article of faith. The best most will muster is, “Of course not, but you don’t either!” The assertion that nothing we do in debate has any impact on government policy is one that carries the potential to undermine Mitchell’s entire project. If there is nothing we can do in a debate round to change government policy, then we are left with precious little in the way of pro-social options for addressing problems we face. At best, we can pursue some Pilot-like hand washing that can purify us as individuals through quixotic activism but offer little to society as a whole. It is very important to note that Mitchell (1998b) tries carefully to limit and bound his notion of reflexive fiat by maintaining that because it “views fiat as a concrete course of action, it is bounded by the limits of pragmatism” (p. 20). Pursued properly, the debates that Mitchell would like to see are those in which the relative efficacy of concrete political strategies for pro-social change is debated. In a few noteworthy examples, this approach has been employed successfully, and I must say that I have thoroughly enjoyed judging and coaching those debates. The students in my program have learned to stretch their understanding of their role in the political process because of the experience. Therefore, those who say I am opposed to Mitchell’s goals here should take care at such a blanket assertion. However, contest debate teaches students to combine personal experience with the language of political power. Powerful personal narratives unconnected to political power are regularly co-opted by those who do learn the language of power. One need look no further than the annual state of the Union Address where personal story after personal story is used to support the political agenda of those in power. The so-called role-playing that public policy contest debates encourage promotes active learning of the vocabulary and levers of power in America**.** Imagining the ability to use **our own** arguments to influence government action is one of the great virtues of academic debate. Gerald Graff (2003) analyzed the decline of argumentation in academic discourse and found a source of student antipathy to public argument in an interesting place. I’m up against…their aversion to the role of public spokesperson that formal writing presupposes. It’s as if such students can’t imagine any rewards for being a public actor or even imagining themselves in such a role. This lack of interest in the public sphere may in turn reflect a loss of confidence in the possibility that the arguments we make in public will have an effect on the world. Today’s students’ lack of faith in the power of persuasion reflects the waning of the ideal of civic participation that led educators for centuries to place rhetorical and argumentative training at the center of the school and college curriculum. (Graff, 2003, p. 57) The power to imagine public advocacy that actually makes a difference is one of the great virtues of the traditional notion of fiat that critics deride as mere simulation. Simulation **of success in the public realm** is far more empowering **to students** than completely abandoning all notions of personal power in the face of governmental hegemony by teaching students that “nothing they can do in a contest debate can ever make any difference in public policy.”

#### Scenario Analysis is uniquely key to teaching critical decision making

Barma 16 [May 2016, [Advance Publication Online on 11/6/15], Naazneen Barma, PhD in Political Science from UC-Berkeley, Assistant Professor of National Security Affairs at the Naval Postgraduate School, Brent Durbin, PhD in Political Science from UC-Berkeley, Professor of Government at Smith College, Eric Lorber, JD from UPenn and PhD in Political Science from Duke, Gibson, Dunn & Crutcher, Rachel Whitlark, PhD in Political Science from GWU, Post-Doctoral Research Fellow with the Project on Managing the Atom and International Security Program within the Belfer Center for Science and International Affairs at Harvard, “‘Imagine a World in Which’: Using Scenarios in Political Science,” International Studies Perspectives 17 (2), pp. 1-19, <http://www.naazneenbarma.com/uploads/2/9/6/9/29695681/using_scenarios_in_political_science_isp_2015.pdf>]

What Are Scenarios and Why Use Them in Political Science? Scenario analysis is perceived most commonly as a technique for examining the robustness of strategy. It can immerse decision makers in future states that go beyond conventional extrapolations of current trends, preparing them to take advantage of unexpected opportunities and to protect themselves from adverse exogenous shocks. The global petroleum company Shell, a pioneer of the technique, characterizes scenario analysis as the art of considering “what if” questions about possible future worlds. Scenario analysis is thus typically seen as serving the purposes of corporate planning or as a policy tool to be used in combination with simulations of decision making. Yet scenario analysis is not inherently limited to these uses. This section provides a brief overview of the practice of scenario analysis and the motivations underpinning its uses. It then makes a case for the utility of the technique for political science scholarship and describes how the scenarios deployed at NEFPC were created. The Art of Scenario Analysis We characterize scenario analysis as the art of juxtaposing current trends in unexpected combinations in order to articulate surprising and yet plausible futures, often referred to as “alternative worlds.” Scenarios are thus explicitly not forecasts or projections based on linear extrapolations of contemporary patterns, and they are not hypothesis-based expert predictions. Nor should they be equated with simulations, which are best characterized as functional representations of real institutions or decision-making processes (Asal 2005). Instead, they are depictions of possible future states of the world, offered together with a narrative of the driving causal forces and potential exogenous shocks that could lead to those futures. Good scenarios thus rely on explicit causal propositions that, independent of one another, are plausible—yet, when combined, suggest surprising and sometimes controversial future worlds. For example, few predicted the dramatic fall in oil prices toward the end of 2014. Yet independent driving forces, such as the shale gas revolution in the United States, China’s slowing economic growth, and declining conflict in major Middle Eastern oil producers such as Libya, were all recognized secular trends that—combined with OPEC’s decision not to take concerted action as prices began to decline—came together in an unexpected way. While scenario analysis played a role in war gaming and strategic planning during the Cold War, the real antecedents of the contemporary practice are found in corporate futures studies of the late 1960s and early 1970s (Raskin et al. 2005). Scenario analysis was essentially initiated at Royal Dutch Shell in 1965, with the realization that the usual forecasting techniques and models were not capturing the rapidly changing environment in which the company operated (Wack 1985; Schwartz 1991). In particular, it had become evident that straight-line extrapolations of past global trends were inadequate for anticipating the evolving business environment. Shell-style scenario planning “helped break the habit, ingrained in most corporate planning, of assuming that the future will look much like the present” (Wilkinson and Kupers 2013, 4). Using scenario thinking, Shell anticipated the possibility of two Arab-induced oil shocks in the 1970s and hence was able to position itself for major disruptions in the global petroleum sector. Building on its corporate roots, scenario analysis has become a standard policymaking tool. For example, the Project on Forward Engagement advocates linking systematic foresight, which it defines as the disciplined analysis of alternative futures, to planning and feedback loops to better equip the United States to meet contemporary governance challenges (Fuerth 2011). Another prominent application of scenario thinking is found in the National Intelligence Council’s series of Global Trends reports, issued every four years to aid policymakers in anticipating and planning for future challenges. These reports present a handful of “alternative worlds” approximately twenty years into the future, carefully constructed on the basis of emerging global trends, risks, and opportunities, and intended to stimulate thinking about geopolitical change and its effects.4 As with corporate scenario analysis, the technique can be used in foreign policymaking for long-range general planning purposes as well as for anticipating and coping with more narrow and immediate challenges. An example of the latter is the German Marshall Fund’s EuroFutures project, which uses four scenarios to map the potential consequences of the Euro-area financial crisis (German Marshall Fund 2013). Several features make scenario analysis particularly useful for policymaking.5 Long-term global trends across a number of different realms—social, technological, environmental, economic, and political—combine in often-unexpected ways to produce unforeseen challenges. Yet the ability of decision makers to imagine, let alone prepare for, discontinuities in the policy realm is constrained by their existing mental models and maps. This limitation is exacerbated by well-known cognitive bias tendencies such as groupthink and confirmation bias (Jervis 1976; Janis 1982; Tetlock 2005). The power of scenarios lies in their ability to help individuals break out of conventional modes of thinking and analysis by introducing unusual combinations of trends and deliberate discontinuities in narratives about the future. Imagining alternative future worlds through a structured analytical process enables policymakers to envision and thereby adapt to something altogether different from the known present. Designing Scenarios for Political Science Inquiry The characteristics of scenario analysis that commend its use to policymakers also make it well suited to helping political scientists generate and develop policy-relevant research programs. Scenarios are essentially textured, plausible, and relevant stories that help us imagine how the future political-economic world could be different from the past in a manner that highlights policy challenges and opportunities. For example, terrorist organizations are a known threat that have captured the attention of the policy community, yet our responses to them tend to be linear and reactive. Scenarios that explore how seemingly unrelated vectors of change—the rise of a new peer competitor in the East that diverts strategic attention, volatile commodity prices that empower and disempower various state and nonstate actors in surprising ways, and the destabilizing effects of climate change or infectious disease pandemics—can be useful for illuminating the nature and limits of the terrorist threat in ways that may be missed by a narrower focus on recognized states and groups. By illuminating the potential strategic significance of specific and yet poorly understood opportunities and threats, scenario analysis helps to identify crucial gaps in our collective understanding of global politicaleconomic trends and dynamics. The notion of “exogeneity”—so prevalent in social science scholarship—applies to models of reality, not to reality itself. Very simply, scenario analysis can throw into sharp relief often-overlooked yet pressing questions in international affairs that demand focused investigation. Scenarios thus offer, in principle, an innovative tool for developing a political science research agenda. In practice, achieving this objective requires careful tailoring of the approach. The specific scenario analysis technique we outline below was designed and refined to provide a structured experiential process for generating problem-based research questions with contemporary international policy relevance.6 The first step in the process of creating the scenario set described here was to identify important causal forces in contemporary global affairs. Consensus was not the goal; on the contrary, some of these causal statements represented competing theories about global change (e.g., a resurgence of the nation-state vs. border-evading globalizing forces). A major principle underpinning the transformation of these causal drivers into possible future worlds was to “simplify, then exaggerate” them, before fleshing out the emerging story with more details.7 Thus, the contours of the future world were drawn first in the scenario, with details about the possible pathways to that point filled in second. It is entirely possible, indeed probable, that some of the causal claims that turned into parts of scenarios were exaggerated so much as to be implausible, and that an unavoidable degree of bias or our own form of groupthink went into construction of the scenarios. One of the great strengths of scenario analysis, however, is that the scenario discussions themselves, as described below, lay bare these especially implausible claims and systematic biases.8 An explicit methodological approach underlies the written scenarios themselves as well as the analytical process around them—that of case-centered, structured, focused comparison, intended especially to shed light on new causal mechanisms (George and Bennett 2005). The use of scenarios is similar to counterfactual analysis in that it modifies certain variables in a given situation in order to analyze the resulting effects (Fearon 1991). Whereas counterfactuals are traditionally retrospective in nature and explore events that did not actually occur in the context of known history, our scenarios are deliberately forward-looking and are designed to explore potential futures that could unfold. As such, counterfactual analysis is especially well suited to identifying how individual events might expand or shift the “funnel of choices” available to political actors and thus lead to different historical outcomes (Nye 2005, 68–69), while forward-looking scenario analysis can better illuminate surprising intersections and sociopolitical dynamics without the perceptual constraints imposed by fine-grained historical knowledge. We see scenarios as a complementary resource for exploring these dynamics in international affairs, rather than as a replacement for counterfactual analysis, historical case studies, or other methodological tools. In the scenario process developed for NEFPC, three distinct scenarios are employed, acting as cases for analytical comparison. Each scenario, as detailed below, includes a set of explicit “driving forces” which represent hypotheses about causal mechanisms worth investigating in evolving international affairs. The scenario analysis process itself employs templates (discussed further below) to serve as a graphical representation of a structured, focused investigation and thereby as the research tool for conducting case-centered comparative analysis (George and Bennett 2005). In essence, these templates articulate key observable implications within the alternative worlds of the scenarios and serve as a framework for capturing the data that emerge (King, Keohane, and Verba 1994). Finally, this structured, focused comparison serves as the basis for the cross-case session emerging from the scenario analysis that leads directly to the articulation of new research agendas. The scenario process described here has thus been carefully designed to offer some guidance to policy-oriented graduate students who are otherwise left to the relatively unstructured norms by which political science dissertation ideas are typically developed. The initial articulation of a dissertation project is generally an idiosyncratic and personal undertaking (Useem 1997; Rothman 2008), whereby students might choose topics based on their coursework, their own previous policy exposure, or the topics studied by their advisors. Research agendas are thus typically developed by looking for “puzzles” in existing research programs (Kuhn 1996). Doctoral students also, understandably, often choose topics that are particularly amenable to garnering research funding. Conventional grant programs typically base their funding priorities on extrapolations from what has been important in the recent past—leading to, for example, the prevalence of Japan and Soviet studies in the mid-1980s or terrorism studies in the 2000s—in the absence of any alternative method for identifying questions of likely future significance. The scenario approach to generating research ideas is grounded in the belief that these traditional approaches can be complemented by identifying questions likely to be of great empirical importance in the real world, even if these do not appear as puzzles in existing research programs or as clear extrapolations from past events. The scenarios analyzed at NEFPC envision alternative worlds that could develop in the medium (five to seven year) term and are designed to tease out issues scholars and policymakers may encounter in the relatively near future so that they can begin thinking critically about them now. This timeframe offers a period distant enough from the present as to avoid falling into current events analysis, but not so far into the future as to seem like science fiction. In imagining the worlds in which these scenarios might come to pass, participants learn strategies for avoiding failures of creativity and for overturning the assumptions that prevent scholars and analysts from anticipating and understanding the pivotal junctures that arise in international affairs.

#### Using the state as Heuristic is key to deconstructing statist power

Dr. Laura **Zanotti** is an Associate Professor of Political Science at Virginia Tech. Her research and teaching include critical political theory as well as international organizations, UN peacekeeping, democratization and the role of NGOs in post-conflict governance.“Governmentality, Ontology, Methodology: Re-thinking Political Agency in the Global World” – Alternatives: Global, Local, Political – vol 38(4):p. 288-304,. A little unclear if this is late 2013 or early **2014** – The Stated “Version of Record” is Feb 20, 2014, but was originally published online on December 30th, 2013. Obtained via Sage Database.

By questioning substantialist representations of power and subjects, inquiries on the possibilities of political agency are reframed in a way that focuses on power and subjects’ relational character and the contingent processes of their (trans)formation in the context of agonic relations. **Options for resistance to governmental scripts are [is] not limited to ‘‘rejection,’’ ‘‘revolution,’’ or ‘‘dispossession’’ to regain a pristine ‘‘freedom from all constraints’’ or an immanent ideal social order. It is found instead in multifarious and contingent struggles that are constituted within the scripts of governmental rationalities and at the same time exceed and transform[s] them.** This approach questions oversimplifications of the complexities of liberal political rationalities and of their interactions with non-liberal political players and nurtures a radical skepticism about identifying universally good or bad actors or abstract solutions to political problems. International power interacts in complex ways with diverse political spaces and within these spaces it is appropriated, hybridized, redescribed, hijacked, and tinkered with. Gov**ernmentality as a heuristic focuses on performing complex diagnostics of events. It invites historically situated explorations and careful differentiations rather than overarching demonizations of ‘‘power,’’** romanticizations of the ‘‘rebel’’ or the ‘‘the local.’’ More broadly, theoretical formulations that conceive the subject in non-substantialist terms and focus on processes of subjectification, on the ambiguity of power discourses, and on hybridization as the terrain for political transformation, open ways for reconsidering political agency beyond the dichotomy of oppression/rebellion. **These alternative formulations also foster an ethics of political engagement, to be continuously taken up through plural and uncertain practices, that demand continuous attention to ‘‘what happens’’ instead of fixations on ‘‘what ought to be.’**’83 **Such ethics of engagement would not await the revolution to come or hope for a pristine ‘‘freedom’’ to be regained. Instead, it would constantly attempt to twist the working of power by playing with whatever [the] cards are available and would require intense processes of reflexivity on the consequences of political choices.** To conclude with a famous phrase by Michel Foucault ‘‘my point is not that everything is bad, but that everything is

#### Scenario planning and debate about macro-political action are pedagogically valuable. We need to develop skills to challenge specific, contingent conditions – since we can’t know everything in advance, these are the critical skills for effective advocacy and engagement. Williams ‘13[[1]](#footnote-1)

Such a future is only going to be possible with significant transformations in the radical Left. The Euro-American Left’s current obsessions with localism, direct action, and deliberative democracy are ill-matched when confronted with the acephalous monstrosity that is global capital today. What is therefore necessary is the constitution of a Left comfortable with globality, complexity, mediation, quantification, and technology, rather than sentimentalized modes of action and organization more suited to generating an affective sensation of feeling good in pious defeat, rather than efficacious action. The fetishization of localized horizons of direct democracy must be replaced by a more substantive conception of collective self-mastery, wherein the more we are able to harness our knowledge of the social and technical world, the better we will be able to effectively rule ourselves. This Promethean politics of maximal mastery over society and its environment will necessarily be highly experimental in nature. The older forms of mastery more traditionally associated with Enlightenment thinking stressed a Laplacian absolute knowledge, fit for a clockwork Newtonian universe. Today, our knowledge of non-trivial complex systems means that any attempts at mastering our world entail developing a mode of action which is more capable of metabolizing contingency, able to use the technical tools at its disposal to model the range of possible outcomes to any interventions.16

# Cards to Cut

Kendra Arnold, Executive Director of the nonprofit Foundation for Accountability and Civic Trust (FACT), a non-partisan ethics watchdog group. Congressional sexual harassment will continue until settlements see the light of day, Dec. 14, 2017, <https://www.usatoday.com/story/opinion/2017/12/14/congressional-sexual-harassment-epidemic-continue-employer-holds-accountable-kendra-arnold-column/949227001/> ///AHS PB

After this week's special election in Alabama, it should be clear that character and ethics issues are decisive to voters. Ironically, this exactly explains both the absurd system for reporting sexual harassment in congress and, more importantly, why we don’t know the names of those elected officials who have used it to remain anonymous — and in power. In the midst of the numerous sexual harassment cases recently revealed, we cannot forget about our elected officials who have harassed employees and been allowed to keep their behavior a secret. While we now know that congress has utilized a system to hide sexual harassment complaints and that taxpayers have funded over $17 million in settlements over the past twenty years, we have no idea which members of congress committed these acts. As a result they have escaped accountability. This is not a past problem — it will continue to have future repercussions unless we confront it now. In other sectors like the media and entertainment, we’ve witnessed a far different trajectory: Offenders have been publicly revealed and suffered serious consequences for their behavior. But in congress, too many perpetrators remain hidden. It is already difficult for victims to come forward against a powerful public official knowing they will likely suffer professionally. Yet congress designed a system that explicitly protects harassers and maintains secrecy. It is truly remarkable — and it allowed the behavior to continue. Everyone agrees that if a candidate commits sexual harassment or assault, it is relevant to voters and they have a right to know it. There is absolutely no argument to justify that sexual harassment or assault committed once elected is not just as relevant. Ironically, this is the underlying reason for those in power creating this arduous process — to hide facts from the voters and protect themselves and their power. There is nothing more un-American than that. Yet, even after the public became aware of it, the members who were protected remain anonymous and have not faced any consequences. There have been proposals to change the congressional system prospectively, but that is not adequate. The citizens are the “employers” of congress — we choose who to hire and fire and we pay their salary. Currently, a member who has sexually harassed an individual is not required to inform his employer, yet the employer is required to unknowingly pay for it. Bottom line: it is secrecy that has prevented accountability. Members have been permitted to harass and assault women in the workplace and suffer no liability. This scheme would not be tolerated in any other arena, and should not be tolerated here. The only way to have accountability is to inform the public. The name of every Member who has benefited from this system must be made immediately known. Anything otherwise simply excuses the behavior and mistreatment of women. It is clear they want to let the scandal blow over without addressing the harassment that has occurred. We should not let them. If we don’t unmask these people, then they don’t face consequences for their behavior — and the status quo will continue. The citizens have every right to know their identity. We must demand accountability and transparency from our “employees.” It’s sad that a common response to all these cases is that “society” cannot let this moment pass and we must use it to have a “conversation” and “dialogue” to achieve meaningful change. So long as we permit congress to continue covering up and protecting its members — calls to “conversation” ring more than hollow.

Kylie Cheung, Womxns rights journalist and Undergraduate activist at USC, One Year Later, We Face the Limits of #MeToo’s Powers, October 18, 2018, <https://www.yahoo.com/lifestyle/one-later-face-limits-metoo-225038208.html> ///AHS PB

Kavanaugh’s confirmation left many women and survivors with a visceral feeling of helplessness, despite all the well-meaning but reductive reminders that the next election was just one month away. From Fox executives’ removal of Roger Ailes and Bill O’Reilly shortly before #MeToo, to Netflix’s removal of Kevin Spacey from House of Cards, to , we were forced to realize how #MeToo’s success, insofar as accused men losing professional opportunities and clout, had been facilitated by yet other men in decision-making positions who either felt ashamed, or were simply afraid of PR disasters and boycotts. But as we’ve witnessed recently in politics, when men in decision-making positions, from President Trump to Sen. Mitch McConnell, don’t fear consequences — and certainly don’t feel shame — #MeToo faces an unsettling impasse. The truth is, #MeToo is severely dependent on whether powerful men, who are far too often enablers or perpetrators of sexual abuse themselves, have consciences or moral backbones. As a result of severe underrepresentation of women in leadership across all industries, we’re often at the mercy of said powerful men choosing to do the right thing. Kavanaugh’s confirmation, the return of alleged abusers like Louis CK, and an overarching lack of legal consequences for the majority of famous accused men reveal that for all men’s claims of #MeToo ruining their lives, the movement’s power has generally been limited to social repercussions. Contrary to men’s appropriation of victimhood narratives, legal recourse for survivors remains severely limited. And on top of most accused men being untouched by legal accountability, men like Fox News’ Bill Shine, who allegedly helped hide sexual misconduct at Fox for years, have had no difficulty continuing to find work and professional success; just this summer, Shine was hired to the White House communications department. The challenges #MeToo faces are real and can’t be minimized. But progress is a long, often painfully slow arc, paved with lost fights, cruelty, and injustice. In the months and years to come, women and allies [survivors and allies] must continue to develop #MeToo, maintaining its undeniable social and cultural power, and expanding the movement into an electoral force to be reckoned with. The replacement of men like Trump, Pence, McConnell and the other elected officials responsible for Kavanaugh’s confirmation, with women and men who support survivors, would do more than prevent repeat incidents of confirming judges like Kavanaugh. It could also produce key policy change that could result in legal consequences and more meaningful accountability for abusers — in politics, Hollywood, and everywhere.

Stacie Taranto, Associate Professor of History at Ramapo College of New Jersey, where her teaching and research focus on post-1945 U.S. political and women’s history. She holds an A.B. in history from Duke University and an A.M. and Ph.D. in history from Brown University, Why women’s rights have been dividing American politics since the 1970s, October 20 2018, <https://www.thelily.com/why-womens-rights-have-been-dividing-american-politics-since-the-1970s/> ///AHS PB

It wasn’t always this way. For much of American history, abortion and sexual assault were considered private issues — not discussed in polite company, let alone in front of a national television audience or on the stump. A woman defending her right to end a pregnancy or publicly naming a man who had victimized her body was simply unthinkable. This silence stemmed from the idea that men were entitled to unquestioned sexual freedom, including free rein over women’s bodies. Women’s sexuality, on the other hand, existed so they could procreate as part of monogamous marriages. The notion that women should focus on motherhood and domesticity was a major factor in denying them political and legal rights at the nation’s founding. And it continued to be true for more than a century and a half, at least for white men and women. All of that changed by the late 1960s and early 1970s, as emerging feminist groups sought to make, as one popular slogan declared, “the personal political” through new laws and public awareness campaigns. Sexual assault and the desire to end a pregnancy were no longer experiences to be privately borne by women in shame, silence and danger. Feminists argued that, like that of men, women’s sexuality no longer needed to be tethered to procreation; they had a right to control their bodies, which included ending a pregnancy, for any reason, under safe and legal conditions. Men no longer had an absolute right to women’s bodies, and they should be exposed and held legally accountable when they acted as though they did. This new feminist consciousness and accompanying activism led 17 states to legalize abortion in some form before the Supreme Court did so at the federal level in 1973. It also resulted in more rigorous sexual assault laws that, for example, limited the ability to question victims about past sexual behavior and classified marital and partner rape as crimes. Although both major parties were initially receptive to such ideas, feminist policy proposals became enshrined in Democratic Party orthodoxy, because of its internal McGovern-Frasier reforms (1969-1972). These changes opened up space for new voices to determine party priorities and migrate into leadership roles, clearing a path for feminists to become a key Democratic constituency. Feminists sought to give women rights and choices beyond compulsory motherhood, making the legal right to choose whether to be a mother perhaps the most fundamental woman’s right. Gradually, supporting legal abortion became almost a prerequisite for being a feminist (and a Democrat). At the same time, an opposing politics of conservative “family values” — or a retreat to heteronormative gender roles and the traditional nuclear family — took root in the GOP as moderates, most of whom supported legal abortion, began losing ground. Opposition to abortion was at the core of this politics, helping to win over religious (mostly evangelical and Catholic) former Democrats, who abandoned the party over its support for legal abortion. The antiabortion family values agenda also appealed to (mostly white) women who felt that feminists and their Democratic allies were dismissive of homemaking and motherhood, despite feminists’ insistence and policy proposals to the contrary. They saw feminism as an assault on their way of life and an attempt to force women out of their homes and into the workforce. While abortion moved to the center of these party dynamics, the politics of sexual assault and misconduct remained largely submerged. The Anita Hill-Clarence Thomas hearings in 1991 sparked a fierce debate about sexual harassment. A year later, fury over Hill’s treatment by the all-male Senate Judiciary Committee prompted a record number of women to run for office. But otherwise these discussions remained out of the political limelight. The election of Donald Trump — who bragged about sexual assault on tape and faced 22 allegations of sexual assault and misconduct — changed that. Within a year, movements like #MeToo and #TimesUp were shining a bright spotlight on gender inequality and sexual assault and harassment. Powerful men in business, Hollywood, government and the media stood accused and lost their jobs; a few faced criminal charges. The Kavanaugh allegations emerged in this context of heightened feminist consciousness and played out in a manner that echoed decades of abortion debates. Over the past month, women channeled the abortion “speak outs” that feminists held in the 1970s. Back then, women advocated for legal abortion by sharing their own, often terrifying, experiences with illegal abortions. Today, in solidarity with Ford, women confronted lawmakers and began recounting their own assaults, many for the first time. By making the personal political in this way, Kavanaugh’s detractors hoped to expose widespread systemic abuses and exert some control over situations in their own pasts where they had none. Like with abortion, they and their Democratic allies rallied around two ideas: allowing women more personal autonomy, and ensuring that the law — or a Supreme Court justice — does not get in the way of that pursuit. Republicans and other defenders, including Trump, argued that Kavanaugh was the real victim, targeted by dishonest women who had damaged his reputation. This line of argument mirrors claims that legal abortion dangerously opens the door for women to seek “abortions on demand,” with male partners and the unborn becoming the victims of their choices. [ Politicians are divided over the Kavanaugh allegations. Women across the country are, too.] Whether by seeking the right to legally end a pregnancy or by calling men’s behavior into question, women are seen as out of step with the maternal obligations and gender power dynamics upon which the Republican family values agenda is built. In both cases, family values conservatives also think the demand for greater personal autonomy from women would undermine other sacred values. In the case of Kavanaugh, the American emphasis on due process and justice; in the case of abortion, innocent lives.

Erin Bacon, Reporter, Predatory Behavior: The Dark Side of Capitol Hill, Feb 2, 2017, <https://www.rollcall.com/news/predatory-behavior-capitol-hill-sexual-harassment> ///AHS PB

Congress has taken no steps to tighten its controls even as the issue has exploded again into the national arena with high-profile alleged perpetrators. During the campaign, nearly a dozen women accused Trump of sexual assault, and dozens more have gone public saying entertainer Bill Cosby assaulted them. Media mogul Roger Ailes was forced to resign as president of Fox News last summer following complaints about sexual harassment. In Washington, lawyers and activists say that sexual abuse is drastically underreported on Capitol Hill, where they say political pressure and job uncertainty, combined with a weak system to make claims, keep[s survivors] victims quiet. A Roll Call review of annual reports from the Office of Compliance found that the personal and committee offices of representatives and senators are less likely to file grievances or seek protections than support staffs, such as Architect of the Capitol or Capitol Police employees. Seeking “confidential counseling” with the Office of Compliance is the first step in the dispute resolution process set up by the 1995 Congressional Accountability Act. Of the over 2,100 requests for counseling filed with the Office of Compliance since its reporting began in 1996, through 2015, 44 percent came from employees of the Architect of the Capitol and 38 percent came from the U.S. Capitol Police while only 12 percent of the requests came from the House, and 5 percent from the Senate. That’s despite the fact that the Senate and House, with 13,689 staffers between them, employ more than three times as many workers as the Architect (2,103) and Capitol Police (2,100), according to the Brookings Institution’s most recent edition of “Vital Statistics on Congress.” “You’re dealing with high-profile people and people are really afraid,” said Kristin Alden, founder of a Washington firm that specializes in employment law. “The fear factor is tremendous, much stronger than we’ve found it to be in private sector or executive agencies.” And, Alden added, powerful people “are more inclined to think they can get away with it.” Hill pressure Debra Katz, an employment lawyer at Katz, Marshall & Banks in Washington, said the threat of political scandal is a huge incentive for workers to keep quiet. “There’s a lot of partisan pressure, too, of, ‘Don’t do this to the party, don’t do this to our leadership, don’t embarrass us,’” she said. This type of repressive culture abounds on Capitol Hill, as is the likelihood of retaliation from employers, said Rep. Jackie Speier, a California Democrat who has been pushing for mandatory training of all congressional employees to help prevent sexual harassment in the workplace. “You report this to an ethics office or to the [Office of Compliance] and you might as well write your pink slip up, because the chances of you getting another job in the building are slim to none,” Speier said. Katz said people working on Capitol Hill know that making a complaint “is career-ending.” “People tend to suck it up and live with harassment or try to get a position elsewhere rather than act bringing a case,” she said. Alden noted that many employees on the Hill are younger and may be less confident challenging harassment. “[They’re] more naive,” she said. “They aren’t as seasoned. They’re more afraid of the consequences.” To be sure, reporting sexual harassment and filing complaints against abusers is rare in business and government across the country. The Equal Employment Opportunity Commission, the authority on these complaints in the federal government and private sector, reported in 2015 that “approximately 90 percent” of people who are harassed — sexually or otherwise — never make a formal complaint. But based on anonymous surveys of workers, the report found that, conservatively, one in four women had been sexually harassed at work. Only 10 percent of the women who responded to CQ Roll Call’s survey in July said there was a structure in place for reporting allegations of harassment on Capitol Hill, suggesting either that they aren’t aware of the Office of Compliance or that they find it inadequate.

Louise Marie Roth, Assistant Professor of Sociology at the University of Arizona. The Right to Privacy Is Political: Power, the Boundary between Public and Private, and Sexual Harassment , Law & Social Inquiry, Vol. 24, No. 1 (Winter, 1999), pp. 45-7 <https://www.jstor.org/stable/828961> ///AHS PB

The rhetoric of rights to noninterference in private matters is embedded in the legal system, the labor market, and culture, even though the public/private boundary itself is arbitrary and changing. The most shift to defining privacy as an area of every person's life moves it to a micro level. If this [public private] boundary exists for each individual and is not related to stratification, then all individuals should be equally able to protect this privacy. However, control over the discursive boundary, and protection of privacy, differ by power. This shift to an individual-level boundary is where the issue of sexual harassment (in the form of unwanted sexual attention or sexual coercion) is related to the public/private boundary in two ways. First, it challenges the boundary itself, because it represents the occurrence of "private" (sexual) behavior in the "public sphere" of work and education. Second, sexual harassment is an issue that reveals the importance of social power in defining and defending one's privacy. As a communication issue, sexual harassment represents the extreme on a continuum of communication between status unequals: communication that manifests power and has implications for defining one's privacy. Feminist scholars have revealed that noninterference in the "private" realm has the effect of reinforcing power and powerlessness (MacKinnon 1989). Formal equality fails to engender real equality, and even reinforces inequality, because power relations from the public realm operate with impunity in the arena of nonintervention. In guaranteeing a right to privacy in the private sphere to all citizens, the liberal state legitimates an area in which inequalities of power based on resources, knowledge, and symbolic attributions can act with impunity (MacKinnon 1989; Polan 1993; Hoff 1991). The development of a feminist critique of the legal and ideological division of private and public, of personal and political, led to the feminist mantra, "The personal is political." Not only is the personal political in the sense that the private sphere contains power relations that mirror those outside it, but systemic power also influences the right to privacy. The arbitrariness of the discursive boundary between public and private subjects it to the influence of social power.

She continues

While unwanted sexual attention and sexual coercion are behaviors that violate an individual's right to privacy, sexual harassment law challenges the definition of sexuality as private by acknowledging that sexual behavior occurs in civil settings such as employment and academic organi zations and sometimes warrants legal interference. The prohibition of come on sexual harassment represents the legal recognition that this type of sex al behavior is a matter of public concern that involves inequitable and potentially coercive uses of power. However, the ability of those with social power to protect their privacy operates within the legal system as well, by protecting the privacy of the accused while exposing the private life of the victim in the process of sexual harassment litigation. The legal system's treatment of sexual harassment cases has followed a similar approach to rape cases, which have traditionally put victim's conduct, appearance, and history on trial (Dixon 1991). The legislative history of sexual harassment has been fraught with similar biases against female victims and has protected the privacy of harassers in excluding the accused's past and present conduct from the evidence, while including that of victims. In the case of Meritor Savings Bank, FSB v. Vinson (1986), which established sexual harassment contributing to a hostile work environment as an illegal form of sex discrimination, the Supreme Court ruled that sexually provocative speech or dress on the part of victims was relevant to whether or not the conduct was of fensive (Dixon 1991). Thus, greater scrutiny of women's private conduct in cases of sexual harassment, and protection of men's private lives, is instituted in law. Since the harasser exerts power over the victim in the act of harass ment in the first place, the burden of proof applied to sexual harassment in the courts serves to perpetuate social inequality (Smart 1989). Gender hierarchy is maintained by the privatization of practices like rape, sexual harassment, and domestic violence in the legal system (Fraser 1992). This privatization is ensured by the subtle but forceful promotion of victims' silence in the legal system by exposing victims' private lives and, concurrently, protecting the privacy of the accused (Lacour 1992; Fraser 1992; Smart 1989

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https://www.vox.com/2018/9/14/17861350/dianne-feinstein-supreme-court-brett-kavanaugh-letter-sexual-assault-high-school

Feinstein seems to believe that what a powerful man has allegedly done in a bedroom, even criminal behavior, is irrelevant to what he might do in a courtroom. She’s stuck in an era that differentiated between “personal” and “public” conduct, even when the two clearly intersect, as they do in this case. Whether or not Kavanaugh committed a serious sex crime is directly relevant to the job. If confirmed, he is sure to review laws on sexual assault, domestic violence, workplace harassment, and other women’s rights issues, including reproductive health, in the coming decades. Assuming these allegations are true, has he ever taken responsibility? Has he contended with his behavior? Or does he reject the legal standard for this type of crime? The question of what is “private” conduct versus what is relevant to “public” life is one Democrats still grapple with when it comes to Al Franken. Some Democrats argue that too much weight was put on accusations by women who say he touched them inappropriately, rather than his contributions as a senator. Franken has said he’s unsure whether the accusations are true. He has denied some.

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Jill Filipovic, Attorney and author, well-known for promoting feminist and progressive causes, Rapists have no place on the supreme court. Kavanaugh's accuser must be heard , Tue 18 Sep 2018 06.05 EDT, <https://www.theguardian.com/commentisfree/2018/sep/18/we-cannot-have-a-rapist-on-the-us-supreme-court> ///AHS PB

No one who has committed an act of violence against [survivors] women should be in a position to make decisions about [their] women’s lives – even if they were a reckless teenager when they attacked a woman; even if they’re very sorry; even if they are good people in myriad other ways. The promise of rehabilitation is always on the table, and people who do terrible things must always have the option of paying for their crimes, atoning fully and reintegrating into society. It’s not asking too much to say that [but] there should be a hard rule for judges: no rapists (or attempted rapists) allowed But Brett Kavanaugh isn’t a criminal who has done his time and simply wants to be able to support himself. He’s trying to sit on the highest court in the land. And it’s not asking too much to say that there should be a hard rule for judges: no rapists (or attempted rapists) allowed. As it stands, we of course don’t know if Kavanaugh is guilty of what Ford says he did. Testimony from both of them will not bring about perfect clarity either. And if this were a criminal case, Kavanaugh would almost certainly walk away being declared not guilty – if charges were brought at all. There simply isn’t much in the way of evidence beyond Ford’s word. But this isn’t a criminal case, and what’s at stake isn’t the deprivation of Kavanaugh’s life or liberty, but the privilege to hold one of the most important positions in the nation, for which good character and fair treatment of others is necessary. Kavanaugh has trotted out a slew of people attesting to his good character, making it clear that he and his Republican supporters believe who he is as a person is directly relevant to his fitness as a supreme court justice. Ford’s story, if true, would make him flat-out unfit to serve.

Sexual Assualt effects everyone card preempts, K and Util calc

Hmm

https://repository.uchastings.edu/cgi/viewcontent.cgi?article=1003&context=hastings\_comm\_ent\_law\_journal

“[O]nly through diversity of opinion,” Mill averred, “is there, in the existing state of human intellect, a chance of fair play to all sides of the truth.”255 Justice Oliver Wendell Holmes, Jr., as Professor Stanley Ingber writes, is credited with introducing the marketplace of ideas “concept into American jurisprudence in his 1919 dissent to Abrams v. United States.”256 In Abrams, Holmes argued that “the best test of truth is the power of the thought to get itself accepted in the competition of the market.”257 Nearly a full century later, Justice Anthony Kennedy reaffirmed this maxim and the power of the marketplace metaphor in United States v. Alvarez,258 writing for the plurality that “[t]he theory of our Constitution is ‘that the best test of truth is the power of the thought to get itself accepted in the competition of the market.’”259 The subjective and normative nature of ethical and political debates like those surrounding the death penalty and lethal-injection procedures are highly contestable, in part because society needs a higher order of judgments based on perceptions of reality and human nature to resolve them.260 Just as the way the news media frame an issue affects how the public perceives it,261 a lack of information and knowledge about an issue can equally distort reality.262 Thus, the public requires knowledge of facts, procedures, ideas, and perspectives to reach a proper resolution in such ethical and political matters.

# Frontlines

### A2 Trump Das

Jennifer Rubin, Opinion writer reporting from a center-right perspective Education: University of California at Berkeley, BA in history; University of California at Berkeley, JD, The sexual assault epidemic is real , December 7, 2017 <https://www.washingtonpost.com/blogs/right-turn/wp/2017/12/07/the-sexual-assault-epidemic-is-real/?utm_term=.b98c972ea910> ///AHS PB

The Quinnipiac poll finds: Almost half of American women, 47 percent, say they’ve been sexually assaulted, according to a Quinnipiac University national poll released today. The independent Quinnipiac University Poll asked a random sample of 1,747 American adults: “Have you ever been sexually assaulted, meaning someone touched you in an inappropriate, sexual manner without your consent, or not?” Among all adults, 32 percent say they were assaulted, including 17 percent of men and 47 percent of women. The pattern is consistent across all age groups as 33 percent of people 18 to 34 years old, 30 percent of people 35 to 49 years old, 36 percent of people 50 to 64 years old and 34 percent of people over 65 years old say they were sexually assaulted. Given the broad definition of sexual assault — which could cover everything from rape to an unwelcome pat on the rear end, the percentage of those reporting sexual assault should not be surprising. (It’s disconcerting that we fail to make meaningful distinctions between vulgar behavior and criminal conduct, but that’s a whole other discussion.) Especially striking is how the avalanche of reports has affected Americans: People coming forward with stories of sexual harassment and sexual assault will change the nation for the better, 52 percent of Americans say, while 9 percent say it will make the situation worse and 33 percent say it will not have much impact. The media get the best grades for how it is handling sexual harassment and sexual assault in its industry, as Americans approve 48 – 42 percent. Approval for other groups are negative: 21 – 60 percent for how the Republican Party is handling sexual harassment and sexual assault in politics; 28 – 50 percent for the Democratic Party; [and] 38 – 51 percent for the entertainment industry.” Democrats are trying to sharpen the partisan divide by chasing out their own members such as former representative John Conyers (D-Mich.) and now Sen. Al Franken (D-Minn.) (The poll was completed before Franken’s announcement and mostly before Conyers’s resignation.) And President Trump will make the Democrats’ job a whole lot easier: Americans disapprove 63 – 22 percent of the way President Donald Trump is handling sexual harassment and sexual assault. Republicans approve 55 – 24 percent, the only party, gender, age or racial group to approve. It is hypocritical for President Trump to criticize men accused of sexual harassment, 73 percent of Americans say, while 16 percent say he has a right to criticize these men. The U.S. Congress should investigate accusations of sexual harassment against President Trump, Americans say 70 – 25 percent. [Emphasis added.] The White House should be panicking about now. Running on investigating Trump’s alleged sexual predation could be a winning message. If Republicans circle the wagons around Trump, they may pay a steep price and lose their majority in one or both houses. If the GOP decides it’s better to go along with the 70 percent, then the Russia investigation might become Trump’s second-worst nightmare. What’s more: Asked if a politician should resign if accused by multiple, credible people of sexual harassment or assault, 66 percent say yes. There is a gender gap in some of these responses. (Only 18 percent of women approve of how Trump is handling the issue; 26 percent of men do.) However, both men and women overwhelmingly find fault with him on this topic. We’ve made the case that the movement against sexual assault fueled by the account of previous, sympathetic victims should not be underestimated. If politics follows culture as many conservatives have long argued, the GOP and Trump in particular are in for a shellacking.

#### Motivates people to vote

https://www.bostonglobe.com/metro/2018/05/30/voters-favor-women-candidates-who-make-sexual-harassment-campaign-issue-poll-finds/zQZdkjAiA0ofz65fvb4B4J/story.html

“In some ways, that does speak to the power of the movement,” said Dianne Bystrom, director of the Carrie Chapman Catt Center for Women and Politics at Iowa State University, after reviewing a memo on the poll. “The survey respondents really didn’t want to hear about criticisms of the #MeToo movement. Right now, I think it’s a very strong narrative for women.”

The poll found that some voters are so motivated by the #MeToo movement that they are likely to vote for whichever candidate pledges to fight sexual harassment.

While both Democratic and Republican voters responded favorably to the messaging, the poll found that some voters — swing independent women, Latina voters, and unmarried women — are so motivated by the movement that they are likely to vote for whichever candidate pledges to fight sexual harassment.

The poll, conducted by Lake Research Partners and Bellwether Research, reached a total of 1,000 likely 2018 voters, and has a margin of error of plus or minus 3.1 percent.

The Barbara Lee Family Foundation works for women’s equality in politics through research and partnerships. In April, the foundation released another poll that found 81 percent of voters see sexual harassment in the workplace as a serious problem. Fifty-two percent of voters said they would never vote for a person accused of sexual harassment.

That poll found that the issue had even more of an impact on certain subsets of voters — including millennial women, who often do not vote in midterm elections — and suggested that it could spur turnout.

“We can mobilize voters on it,” pollster Celinda Lake said at the time.

#### A2 false accusations

NATHANIEL HYMAN, Columnist at the USC Daily Trojan, Social Anxieties: Weak Kavanaugh investigation shows the failures of modern politics, October 16, 2018, <http://dailytrojan.com/2018/10/16/social-anxieties-weak-kavanaugh-investigation-shows-the-failures-of-modern-politics/> ////AHS PB

“Believe survivors” is, to me, the more respectable of the two polar ends of the discussion. Christine Blasey Ford was a credible witness whose strong testimony compelled me, and millions of other Americans, to call for a full investigation to evaluate the truth of her claims. I believe her testimony, but her word alone isn’t enough to convict Kavanaugh of sexual assault. Ford understood that, which is why she repeatedly welcomed an independent FBI investigation. “Believe survivors,” shouldn’t mean accepting their side because they’ve made an accusation; it should mean finding their word credible enough to seriously listen and investigate. With that said, I am troubled by the calls for Price School of Public Policy professor James Moore to be fired because of his poorly timed email to the Price school, in which he said “accusers sometimes lie.” His statement isn’t incorrect. Of the extreme minority of rapes that do go reported, 5.2 percent are found to be false according to a meta-analysis conducted at the Queensland University of Technology. While that’s an extremely low proportion, it isn’t negligible; thus, an accusation shouldn’t be treated as proof beyond a reasonable doubt. That’s what an investigation is for: to discover the truth.

# Stolen Risk indicts to recut

#### Its urgent to change how we evaluate risk. Modern debate drives out minority participation by ignoring discussion of systemic violence in favor of high magnitude disads that can be assigned a risk of 0 on face

Cohn 13 [Nate Cohn is a domestic correspondent for The Upshot at The New York Times, previously worked as a staff writer for The New Republic, as a research associate at The Henry L. Stimson Center and a debate coach at Whitman college, 12-12-2013, <http://www.cedadebate.org/forum/index.php?topic=5416.0;wap2> //BWSWJ]

For years, I’ve heard it’s problematic to require certain debaters, particularly black debaters, to grapple with an irredeemably racist federal government. Most of the Facebook discussions seem to be proceeding under the assumption that this is the main reason for non-topicality, the main reason why non-traditional debaters feel excluded. To be blunt, I find this a little hard to believe. I’m open to the possibility that an extraordinarily small number of debaters are troubled by “USFG should.” But if I went up to an Oklahoma or Towson debater and asked “should the judicial/legislative branch restrict the president’s authority for targeted killing?” I find it pretty hard to imagine that they would say, “Sorry, can’t think about the USFG, it’s irredeemably racist, traumatic for me to engage it, and it’s racist for you to ask.” And if that question was “should the legislative branch do XYZ reforms (suppose XYZ are supported by the debaters) to the prison system?” I’m all but positive they wouldn’t offer the response we see in debate. When I’ve indicated these reservations to people on the other side of the “aisle,” I’ve basically been told to “take the debaters at their word.” Fair enough. But on the other hand, Leaders for a Beautiful Struggle clearly supports engaging and reforming the government. Dayvon ran for office. Oklahoma agreed to a switch side resolution with Northwestern over government policy. Most of these students attend public schools and compete with public dollars. I’ve also noticed something similar on Facebook. Since I wrote that paragraph, Rashad said the argument that black debaters can’t defend the USFG is a tactical argument to get past framework, not the real problem with debate. If true, I find that pretty upsetting. These arguments have been framed as authentic narratives. As a result, they’ve been shielded from scrutiny and they earned additional and apparently undo credibility. So although I’m open to the possibility that a very small number of people genuinely feel conflicted about discussing federal policy, I just don’t think the actual evidence is consistent with the arguments in the debate round. And so far, most (though not all) of the people aggressively pushing passive voice topics are white “critique” debaters and coaches, not black “project” or “performance” students and coaches. And quite frankly, I’m just not as interested in what relatively traditional, white coaches and debaters have to say about this issue. So let me genuinely ask black debaters and coaches: What do you feel comfortable debating or not, and why? Let me add a critical point of clarification: I’m not doubting the authenticity of the broader criticisms of debate or the debate community. I am extremely sympathetic to most of the critiques of modern policy debate. It is undeniable that modern policy debate makes sophisticated discussions of white supremacy and injustice extremely difficult. The confluence of ideology and race has undoubtedly and predictably reinforced whiteness in the debate community, including de facto interpersonal segregation and the consignment of a disproportionate share of black judges to the strike zone. The part I’m doubting is whether active voice topics and “USFG should” is really the problem here, or whether “passive voice” solves anything. -- I am open to changing “USFG should.” But so far, the “new idea” is an old and, in my view, bad one: “passive voice.” I don’t think “passive voice” is a compelling alternative: it would either fail to address our problem or it would be a catastrophe. Look, I get why “passive voice” seems appealing: the affirmative could defend either federal or personal action. But if the community continues to write resolutions that can be affirmed with single examples, and the resolution doesn’t specify an agent, then the affirmative can affirm the resolution with any example by any agent. Take “resolved: the death penalty should be opposed,” which Justin Green floated. Any example of any agent—not just the USFG or the debaters—who should oppose the death penalty would justify an affirmative ballot. Maybe you don’t think teams would read “X candidate should oppose the death penalty to get an ACLU endorsement in the primary,” but you’re wrong. Everyone plays around at what they perceive as the edge of the topic if it advances their chances of winning. That’s not going to change. One alternative is a more precise, but still passive voice topic. It would make the desired outcome the object of the resolution. For example, “resolved: there should not be a death penalty in the United States” is passive voice and limits the agent, de facto, by requiring a more specific outcome. Or, it arguably removes agent and process from the discussion entirely, since defending a topical outcome is sufficient to affirm the resolution. Yet that would make topicality a question of solvency for teams who choose to engage an actor, not just the prescribed outcome. That would all but preclude “non-traditional” affirmatives (at least by the literal standards of the policy community). My assumption, then, is that this proposal is a non-starter—a “compromise” that makes no one happy and puts us in the same spot next November. So I am not optimistic about “passive voice.” And to be clear, this isn’t a matter of “USFG”—it’s a matter of active voice and agent specification good. I want topics that force clash and in-depth preparation. Specifying an agent or an outcome is, so far, the only proposal that does this. I’d rather have “The NAACP should oppose the death penalty” than “the death penalty should be opposed.” I’d rather debate “The city of Baltimore should make X changes to Y police practices” than “Y police practices should be opposed.” This also illustrates why the policy people support the “USFG should.” It’s not that I think the USFG is the only interesting agent. Far from it. I’m just not sure there’s enough literature to support a full year of rigorous, in-depth, research-intensive policy debates for most alternative actors. I’m totally willing to consider another actor, by the way, and strongly prefer another actor to “passive voice,” but overcoming the literature issue is important. I don’t think we can sustain a year-long topic about Baltimore’s police practices, for instance. I’m hopeful that the community’s smartest minds can craft a solution. But since I have doubts about whether “we can’t talk about USFG should” is the problem, and since I think the main alternative is fatally flawed, I can’t help but have doubts. -- So let me offer another possibility: the problem isn’t the topic, but modern policy debate. The unrealistic scenarios, exclusive focus on policy scholarship, inability to engage systemic impacts and philosophical questions. And so long as these problems characterize modern policy debate, teams will feel compelled to avoid it. It might be tempting to assign the blame to “USFG should.” But these are bugs, not features of plan-focused, USFG-based, active voice topics. These bugs result from practices and norms that were initially and independently reasonable, but ultimately and collectively problematic. I also believe that these norms can and should be contested. I believe it would be possible for me to have a realistic, accessible, and inclusive discussion about the merits of a federal policy with, say, Amber Kelsie. Or put differently, I’m not sure I agree with Jonah that changing the topic is the only way to avoid being “a bunch of white folks talking about nuke war.” The fact that policy debate is wildly out of touch—the fact that we are “a bunch of white folks talking about nuclear war”—is a damning indictment of nearly every coach in this activity. It’s a serious indictment of the successful policy debate coaches, who have been content to continue a pedagogically unsound game, so long as they keep winning. It’s a serious indictment of policy debate’s discontents who chose to disengage. That’s not to say there hasn’t been any effort to challenge modern policy debate on its own terms—just that they’ve mainly come from the middle of the bracket and weren’t very successful, focusing on morality arguments and various “predictions bad” claims to outweigh. Judges were receptive to the sentiment that disads were unrealistic, but negative claims to specificity always triumphed over generic epistemological questions or arguments about why “predictions fail.” The affirmative rarely introduced substantive responses to the disadvantage, rarely read impact defense. All considered, the negative generally won a significant risk that the plan resulted in nuclear war. Once that was true, it was basically impossible to win that some moral obligation outweighed the (dare I say?) obligation to avoid a meaningful risk of extinction. There were other problems. Many of the small affirmatives were unstrategic—teams rarely had solvency deficits to generic counterplans. It was already basically impossible to win that some morality argument outweighed extinction; it was totally untenable to win that a moral obligation outweighed a meaningful risk of extinction; it made even less sense if the counterplan solved most of the morality argument. The combined effect was devastating: As these debates are currently argued and judged, I suspect that the negative would win my ballot more than 95 percent of the time in a debate between two teams of equal ability. But even if a “soft left” team did better—especially by making solvency deficits and responding to the specifics of the disadvantage—I still think they would struggle. They could compete at the highest levels, but, in most debates, judges would still assess a small, but meaningful risk of a large scale conflict, including nuclear war and extinction. The risk would be small, but the “magnitude” of the impact would often be enough to outweigh a higher probability, smaller impact. Or put differently: policy debate still wouldn’t be replicating a real world policy assessment, teams reading small affirmatives would still be at a real disadvantage with respect to reality. . Why? Oddly, this is the unreasonable result of a reasonable part of debate: the burden of refutation or rejoinder, the responsibility of debaters to “beat” arguments. If I introduce an argument, it starts out at 100 percent—you then have to disprove it. That sounds like a pretty good idea in principle, right? Well, I think so too. But it’s really tough to refute something down to “zero” percent—a team would need to completely and totally refute an argument. That’s obviously tough to do, especially since the other team is usually going to have some decent arguments and pretty good cards defending each component of their disadvantage—even the ridiculous parts. So one of the most fundamental assumptions about debate all but ensures a meaningful risk of nearly any argument—even extremely low-probability, high magnitude impacts, sufficient to outweigh systemic impacts. There’s another even more subtle element of debate practice at play. Traditionally, the 2AC might introduce 8 or 9 cards against a disadvantage, like “non-unique, no-link, no-impact,” and then go for one and two. Yet in reality, disadvantages are underpinned by dozens or perhaps hundreds of discrete assumptions, each of which could be contested. By the end of the 2AR, only a handful are under scrutiny; the majority of the disadvantage is conceded, and it’s tough to bring the one or two scrutinized components down to “zero.” And then there’s a bad understanding of probability. If the affirmative questions four or five elements of the disadvantage, but the negative was still “clearly ahead” on all five elements, most judges would assess that the negative was “clearly ahead” on the disadvantage. In reality, the risk of the disadvantage has been reduced considerably. If there was, say, an 80 percent chance that immigration reform would pass, an 80 percent chance that political capital was key, an 80 percent chance that the plan drained a sufficient amount of capital, an 80 percent chance that immigration reform was necessary to prevent another recession, and an 80 percent chance that another recession would cause a nuclear war (lol), then there’s a 32 percent chance that the disadvantage caused nuclear war. I think these issues can be overcome. First, I think teams can deal with the “burden of refutation” by focusing on the “burden of proof,” which allows a team to mitigate an argument before directly contradicting its content. Here’s how I’d look at it: modern policy debate has assumed that arguments start out at “100 percent” until directly refuted. But few, if any, arguments are supported by evidence consistent with “100 percent.” Most cards don’t make definitive claims. Even when they do, they’re not supported by definitive evidence—and any reasonable person should assume there’s at least some uncertainty on matters other than few true facts, like 2+2=4. Take Georgetown’s immigration uniqueness evidence from Harvard. It says there “may be a window” for immigration. So, based on the negative’s evidence, what are the odds that immigration reform will pass? Far less than 50 percent, if you ask me. That’s not always true for every card in the 1NC, but sometimes it’s even worse—like the impact card, which is usually a long string of “coulds.” If you apply this very basic level of analysis to each element of a disadvantage, and correctly explain math (.4\*.4\*.4\*.4\*.4=.01024), the risk of the disadvantage starts at a very low level, even before the affirmative offers a direct response. Debaters should also argue that the negative hasn’t introduced any evidence at all to defend a long list of unmentioned elements in the “internal link chain.” The absence of evidence to defend the argument that, say, “recession causes depression,” may not eliminate the disadvantage, but it does raise uncertainty—and it doesn’t take too many additional sources of uncertainty to reduce the probability of the disadvantage to effectively zero—sort of the static, background noise of prediction. Now, I do think it would be nice if a good debate team would actually do the work—talk about what the cards say, talk about the unmentioned steps—but I think debaters can make these observations at a meta-level (your evidence isn’t certain, lots of undefended elements) and successfully reduce the risk of a nuclear war or extinction to something indistinguishable from zero. It would not be a factor in my decision. Based on my conversations with other policy judges, it may be possible to pull it off with even less work. They might be willing to summarily disregard “absurd” arguments, like politics disadvantages, on the grounds that it’s patently unrealistic, that we know the typical burden of rejoinder yields unrealistic scenarios, and that judges should assess debates in ways that produce realistic assessments. I don’t think this is too different from elements of Jonah Feldman’s old philosophy, where he basically said “when I assessed 40 percent last year, it’s 10 percent now.” Honestly, I was surprised that the few judges I talked to were so amenable to this argument. For me, just saying “it’s absurd, and you know it” wouldn’t be enough against an argument in which the other team invested considerable time. The more developed argument about accurate risk assessment would be more convincing, but I still think it would be vulnerable to a typical defense of the burden of rejoinder. To be blunt: I want debaters to learn why a disadvantage is absurd, not just make assertions that conform to their preexisting notions of what’s realistic and what’s not. And perhaps more importantly for this discussion, I could not coach a team to rely exclusively on this argument—I’m not convinced that enough judges are willing to discount a disadvantage on “it’s absurd.” Nonetheless, I think this is a useful “frame” that should preface a following, more robust explanation of why the risk of the disadvantage is basically zero—even before a substantive response is offered. There are other, broad genres of argument that can contest the substance of the negative’s argument. There are serious methodological indictments of the various forms of knowledge production, from journalistic reporting to think tanks to quantitative social science. Many of our most strongly worded cards come from people giving opinions, for which they offer very little data or evidence. And even when “qualified” people are giving predictions, there’s a great case to be extremely skeptical without real evidence backing it up. The world is a complicated place, predictions are hard, and most people are wrong. And again, this is before contesting the substance of the negative’s argument(!)—if deemed necessary.

#### Cognitive biases overvalue large impact/low risk arguments---err against assigning meaningful probability to the DA

Herbeck 92 – Dale Herbeck, Professor and Chair in the Department of Communication at Boston College, “The Use and Abuse of Risk Analysis in Policy Debate”, Paper presented at the Annual Meeting of the Speech Communication Association, October, <http://files.eric.ed.gov/fulltext/ED354559.pdf>

Unfortunately, we believe that the illusion of objectivity masks several serious problems with risk analysis as it is presently utilized in academic debate. While a number of problems might be identified, in this paper we argue first that risk analysis artificially assigns probability to arguments and second, that risk analysis overvalues arguments with large impacts. The "Tyranny of Illusory Precision."8 At the outset, it should be noted that it is extremely difficult to assess probability. In an article on risk which appeared in Psychology Today, Dr. J. Frank Yates observed that "the average person has problems identifying potential risks and deciding how likely they are to occur."9 In addition, Yates suggests that most of us overestimate the value of our own judgment in matters of common knowledge.10 It might of course, be argued that debate judges trained in the use of risk analysis are better able to assess risks. This, however, is frequently not the case. In one of the few articles on risk analysis in the forensic literature, Vincent Follert offered this example drawn from the final round of the 1978 National Debate Tournament: After exposure to the same information, each judged reached what appeared to be substantially different estimates of the probability that the plan would prompt government cuts in the biomedical research budget: "Biomedical research would probably be cut as a result of the plan," "the affirmative goes a long way towards eliminating the risks . . . of cuts," "I am left with a substantial risk," and "the risk of cuts seems less significant than the case."11 Those of us who judge debate with some frequency know that while it is difficult to quantify probabilities, risk analysis forces us to assign probabilities to all arguments in a debate. As a result, we may come under, as John Holdren would call "the tyranny of illusory precision." This phenomenon occurs whenever we take qualitative judgments, decouple them from their context, and then use these judgments to assign a probability which is used to justify conclusions. Even if we resist the temptation to assign unwarranted risks, a related problem is that decision makers often fall prey to the fallacy of the golden mean. According to Edward Damer, this "fallacy consists in assuming that the mean or middle view between two extremes must be the best or right one simply because it is the middle view."12 In other words, rather than assess zero probability to an impact, a judge might assume that the probability necessarily lies somewhere between the two positions advocated in the debate. Recognizing this tendency, advocates have become quite adept at framing their arguments to justify the attribution of some amount or probability. Consider, for example, the following quotation from Unberto Saffiotti of the National Cancer Institute: "The most 'prudent' policy is to consider all agents, for which the evidence is not clearly negative under accepted minimum conditions of observation as if they were positive."13 Of course, the implication is that we must assess some probability of carcinogenicity absent proof to the contrary. Evidence such as this, when invoked in debate, is often used to justify the claim that there must be some risk of the impact. The "Zero-Infinity Problem."14 A second problem with risk analysis is that the magnitude of the impact has come to dominate questions of probability. The result, according to Ehrlich and Ehrlich, is the "zero-infinity problem." Although the probability of some events is infinitesimally small, the impacts may be so grave that the risk becomes significant. To illustrate this point, the Ehrlich's cite the example of pancreatic cancer. Although the probability of getting this form of cancer is extremely small, it is almost always fatal. Accordingly, the fear of contracting pancreatic cancer might be sufficient to warrant measures which would be unlikely to decrease the incidence of this deadly disease. It is easy to translate the zero-infinity problem to the debate context. Consider the following risks: probability impact risk 99 in 100 100,000 lives = 99,000 lives 1 in 100 10,000,000 = 100,000 lives Of course, the conclusion that can be drawn trom the above example is that a low probability/high impact argument would generally outweigh a high probability/low impact argument. Being perceptive by nature, debaters are well aware of this fact. It is, therefore, not surprising that the vast majority of all debate arguments eventually culminate in a nuclear war. By offering the penultimate of impacts, the skilled advocate can effectively moot the importance of probability. For the purpose of illustration, assume that a nuclear war would kill exactly one billion people, which may in fact be a conservative assessment. The incredible argumentative power of this staggering impact is evident in the following statement of risks: probability impact risk 1 in 100 (.01) 1,000,000,000 = 10,000,000 lives 1 in 1000 (.001) 1,000,000,000 = 1,000,000 lives 1 in 10,000 (.0001) 1,000,000,000 = 100,000 lives 1 in 100,000 (.00001) 1,000,000,000 = 10,000 lives 1 in 1,000,000 (.000001) 1,000,000,000 = 1,000 lives In other words, a 1 in 10,000 chance of a disadvantage culminating in nuclear war would be the equivalent of an affirmative saving 100,000 lives. Not surprisingly, low probability/high impact arguments have come to dominate contemporary debate. Indeed, if a stranger should hear a debate upon this year's intercollegiate policy topic, they would probably conclude that any change in development policy, no matter how small, is likely to culminate in a nuclear war. As Star Muir has observed: This takes form in two disturbing tendencies: an unwillingness to examine more real world impacts of policies, and a jaded view of global devastation. That first is apparent in the unwillingness of the debaters to argue that a recession, per se, is bad; that a regional war, not escalating to superpower conflict, would be a horrible thing. A global recession would probably not cause a nuclear war, but it doubtless would cause untold suffering and human anguish. A regional war in Africa could cc 'undreds of thousands of lives, easily enough to outweigh a properly mitigated set of case scenarios. The problem is that debaters won't tell these stories, but they will take the easy way out and read a blurb on World War III.15 Of course, the problem with such argumentation is that it frequently borders on the absurd. Improving Risk Analysis It is easy to indict the use of risk analysis in policy debate. The more difficult task is to frame an alternative. As a tool, risk analysis offers a uniquely valuable method of assessing and comparing a variety of competing policy alternatives. It is, simply put, difficult to imagine how you could evaluate without some notion of risk analysis. Recognizing this fact, Vincent Follert offered the following guidelines in his article critiquing the use of risk analysis in debate: Each disputant should justify numerical estimates of the probability and valence of outcomes. Debaters could give more attention to the analytical assumptions made by their opponents. Such tests may also be applied to the evidence offered in the debate. Statistical tests may also be applied to the evidence and models used. Finally, the disputants should argue in favor of a particular perspective which allows the critic to make comparisons of dissimilar alternatives.16 While we appreciate the spirit and intent of Follert's suggestions, we question their workability in the debate setting. How could debaters meaningfully measure the probability associated with some of the arguments in debate? How can assumptions, seldom expressed in the debate, be factored into the decision? How would statistical tests be applied? While risk analysis would be improved if these questions were addressed, it seems impossible to address them meaningfully within current debate formats. At a more fundamental level, we believe that Follert's guidelines fail to address many of our concerns. Even if a debater could quantify the probability, defend the assumptions underlying that assessment, and apply statistical tests to prove that the risks were statistically significant, we still fear that debate would be ~~enslaved~~ to low probability/high impact scenarios. We believe that a better approach to addressing this problem would be to rehabilitate our notion of probability. First, and foremost, we need to realize that some risks are so trivial that they are simply not meaningful. This is not to argue that all low probability/high impact arguments should be ignored, but rather to suggest that there is a point beneath which probabilities are meaningless. The problem with low probability arguments in debate is that they have taken on a life of their own. Debate judges routinely accept minimal risks which would be summarily dismissed by business and political leaders. While it has been argued that our leaders should take these risks more seriously, we believe that many judges err in assessing any weight to such speculative arguments.

#### Prioritize structural impacts – worst-case scenario predictions are based on threat exaggeration – distorts rational decision-making and justify preemptive warfare

Mueller & Stewart ’11 [John, Woody Hayes National Security Studies and Professor of Political Science @ Ohio State University, Mark, Professor of Civil Engineering and Director of the Centre for Infrastructure Performance and Reliability at the University of Newcastle in Australia, “Terror, Security, and Money”, page numbers below]

Focusing on Worst-Case Scenarios Cass Sunstein, who seems to have invented the phrase "probability neglect," assesses the version of the phenomenon that comes into being when "emotions are intensely engaged." Under that circumstance, he argues, "people’s attention is focused on the bad outcome itself and they are inattentive to the fact that it is unlikely to occur." Moreover, they are inclined to "demand a substantial governmental response-even if the magnitude of the risk does not warrant the response." It may be this phenomenon that Treverton experienced. Playing to this demand, government officials are inclined to focus on worst-case scenarios, presumably in the knowledge, following Sunstein's insight, that this can emotionally justify just about any expenditure, no matter how unlikely the prospect the dire event will actually take place. Accordingly; there is a preoccupation with "low probability/ high consequence" events, such as the detonation of a sizable nuclear device in midtown Manhattan. The process could be seen in action in an article published in 2008 by Secretary of Homeland Security (DHS) Michael Chertoff. He felt called upon to respond to the observation that the number of people who die each year from international terrorism, while tragic, is actually exceedingly small. "This fails to consider," he pointed out, "the much greater loss of life that Weapons of mass destruction could wreak on the American people." That is, he was justifying his entire budget-only a limited portion of which is concerned with Weapons of mass destruction by the WMD threat, even while avoiding assessing its likelihood. It is sometimes argued that conventional risk analysis breaks down under extreme conditions because the risk is now a very large number (losses) multiplied by a very small number (attack probability). But it is not the risk analysis methodology that is at fault here, but our ability to use the information obtained from the analysis for decision making. A "high consequence" event has been defined to be a "disaster" or "catastrophe" resulting in "great human costs in life, property environmental damage, and future economic activity" However, depending on how one weighs the words in that definition, there may have been only one terrorist event in all of history that qualifies for inclusion. Moreover, the vast bulk of homeland security expenditures is not focused on events that fit a definition like that, but rather on comparatively low-consequence ones, like explosions set off by individual amateur jihadists. Analyst Bruce Schneier has written penetratingly of worst-case thinking. He points out that it , involves imagining the worst possible outcome and then acting as if it were a certainty. It substitutes imagination for thinking, speculation for risk analysis, and fear for reason. It fosters powerlessness and vulnerability and magnifies social [immobilization] ~~paralysis~~. And it makes us more vulnerable to the effects of terrorism. It leads to bad decision making because it's only half of the cost-benefit equation. Every decision has costs and benefits, risks and rewards. By speculating about what can possibly go wrong, and then acting as if that is likely to happen, worst-case thinking focuses only on the extreme but improbable risks and does a poor job at assessing outcomes. It also assumes "that a proponent of an action must prove that the nightmare scenario is impossible," and it "can be used to support any position or its opposite. If we build a nuclear power plant, it could melt down. If we don't build it, We will run short of power and society will collapse into anarchy" And worst, it "validates ignorance" because, "instead of focusing on what we know, it focuses on what we don't know-and what we can imagine." In the process, "risk assessment is devalued" and "probabilistic thinking is repudiated in favor of possibilistic thinking."

 As Schneier also notes, worst-case thinking is the driving force behind the precautionary principle, a decent working definition of which is "action should be taken to correct a problem as soon as there is evidence that harm may occur, not after the harm has already occurred." It could be seen in action less than a week after 9/11, when President George W Bush outlined his new national security strategy: "We cannot let our enemies strike first . . . [but must take] anticipatory action to defend ourselves, even if uncertainty remains as to the time and place of the enemy's attack. To forestall or prevent such hostile acts by our adversaries, the United States, will, if necessary act preemptively \_ . . America will act against such emerging threats before they are fully formed." The 2003 invasion of Iraq, then, was justified by invoking the precautionary principle based on the worst-case scenario in which Saddam Hussein might strike. If, on the other hand, any worst-case thinking focused on the potential for the destabilizing effects a war would have on Iraq and the region, the precautionary principle would guide one to be very cautious about embarking on war. As Sunstein notes, the precautionary principle "offers no guidance-not that it is wrong, but that it forbids all courses of action, including regulation." Thus, "taken seriously it is paralyzing, banning the very steps that it simultaneously requires."9 It can be invoked in equal measure to act or not to act. There are considerable dangers in applying the precautionary principle to terrorism: on the one hand, any action taken to reduce a presumed risk always poses the introduction of countervailing risks, while on the other, larger, expensive counterterrorism efforts will come accompanied by high opportunity costs." Moreover "For public officials no less than the rest of us, the probability of harm matters a great deal, and it is foolish to attend exclusively to the worst case scenario." A more rational approach to worst-case thinking is to establish the likelihood of gains and losses from various courses of action, including staying the current course." This, of course, is the essence of risk assessment. What is necessary is due consideration to the spectrum of threats, not simply the worst one imaginable, in order to properly understand, and coherently deal with, the risks to people, institutions, and the economy The relevant decision makers are professionals, and it is not unreasonable to suggest that they should do so seriously. Notwithstanding political pressures (to be discussed more in chapter 9), the fact that the public has difficulties with probabilities when emotions are involved does not relieve those in charge of the requirement, even the duty to make decisions about the expenditures of vast quantities of public monies in a responsible manner. [page 14-17]

#### Weigh the case - If plea bargaining is bad you should vote affirmative. The prioritization of the alt over any risk of progress authorizes ethical violence in the name of philosophical purity. Writing off interim gains smacks of violent paternalism

**Delgado 9**, Chair of Law at the University of Alabama Law School, J.D. from the University of California, Berkeley, his books have won eight national book prizes, including six Gustavus Myers awards for outstanding book on human rights in North America, the American Library Association’s Outstanding Academic Book, and a Pulitzer Prize nomination.  Professor Delgado’s teaching and writing focus on race, the legal profession, and social change, 2009, “Does Critical Legal Studies Have What Minorities Want, Arguing about Law”, p. 588-590

2. The CLS critique of piecemeal reform Critical scholars reject the idea of piecemeal reform. Incremental change, they argue, merely postpones the wholesale reformation that must occur to create a decent society. Even worse, an unfair social system survives by using piecemeal reform to disguise and legitimize oppression. Those who control the system weaken resistance by pointing to the occasional concession to, or periodic court victory of, a black plaintiff or worker as evidence that the system is fair and just. In fact, Crits believe that teaching the common law or using the case method in law school is a disguised means of preaching incrementalism and thereby maintaining the current power structure.“ To avoid this, CLS scholars urge law professors to abandon the case method, give up the effort to ﬁnd rationality and order in the case law, and teach in an unabashedly political fashion. **The** CLS **critique of piecemeal reform is familiar, imperialistic and wrong.** Minorities know from bitter experience that occasional court victories do not mean the Promised Land is at hand.The critique is imperialistic in that it tells minorities and other oppressed peoples how they should interpret events affecting them. A court order directing a housing authority to disburse funds for heating in subsidized housing may postpone the revolution, or it may not. In the meantime, the order keeps a number of poor families warm. This may mean more to them than it does to a comfortable academic working in a warm office. It smacks of paternalism to assert that the possibility of revolution later outweighs the certainty of heat now, unless there is evidence for that possibility. The Crits do not offer such evidence. Indeed, some incremental changes may bring revolutionary changes closer, not push them further away. Not all small reforms induce complacency; some may whet the appetite for further combat. The welfare family may hold a tenants’ union meeting in their heated living room. CLS scholars’ critique of piecemeal reform often misses these possibilities, and neglects the question of whether total change, when it comes, will be what we want.

#### Focus on existential risks is whiteness and is based on a epistemologically flawed logic that allows modern-day genocides

* X-risk has a massive nerdy white dude problem
* It’s messed up to say reducing existential risk by .0000001% outweighs genocide
* We should do good things for people – ending global poverty would be good
* Pascal’s Mugging – if someone came up to you and said give me $20 or I’ll cause extinction, it would be absurd to comply, but that framing would say the risk of being wrong mandates it
* Repugnant conclusion (parfit) – it assumes maximizing the number of lives outweighs anything even if those lives are miserable even if they’re barely worth living

Matthews 15 bracketed [Dylan Matthews; Aug 10, 2015; “I spent a weekend at Google talking with nerds about charity. I came away … worried.”; <https://www.vox.com/2015/8/10/9124145/effective-altruism-global-ai>; \*bracketed for verbal statistical clarity\* //BWSWJ]

Lavigne was addressing attendees of the Effective Altruism Global conference, which she helped organize at Google's Quad Campus in Mountain View the weekend of July 31 to August 2. Effective altruists think that past attempts to do good — by giving to charity, or working for nonprofits or government agencies — have been largely ineffective, in part because they've been driven too much by the desire to feel good and too little by the cold, hard data necessary to prove what actually does good.

It's a powerful idea, and one that has already saved lives. GiveWell, the charity evaluating organization to which effective altruism can trace its origins, has pushed philanthropy toward evidence and away from giving based on personal whims and sentiment. Effective altruists have also been remarkably forward-thinking on factory farming, taking the problem of animal suffering seriously without collapsing into PETA-style posturing and sanctimony.

Effective altruism (or EA, as proponents refer to it) is more than a belief, though. It's a movement, and like any movement, it has begun to develop a culture, and a set of powerful stakeholders, and a certain range of worrying pathologies. At the moment, EA is very white, very male, and dominated by tech industry workers. And it is increasingly obsessed with ideas and data that reflect the class position and interests of the movement's members rather than a desire to help actual people.

In the beginning, EA was mostly about fighting global poverty. Now it's becoming more and more about funding computer science research to forestall an artificial intelligence–provoked apocalypse. At the risk of overgeneralizing, the computer science majors have convinced each other that the best way to save the world is to do computer science research. Compared to that, multiple attendees said, global poverty is a "rounding error."

I identify as an effective altruist: I think it's important to do good with your life, and doing as much good as possible is a noble goal. I even think AI risk is a real challenge worth addressing. But speaking as a white male nerd on the autism spectrum, effective altruism can't just be for white male nerds on the autism spectrum. Declaring that global poverty is a "rounding error" and everyone really ought to be doing computer science research is a great way to ensure that the movement remains dangerously homogenous and, ultimately, irrelevant.

Should we care about the world today at all?

EA Global was dominated by talk of existential risks, or X-risks. The idea is that human extinction is far, far worse than anything that could happen to real, living humans today.

To hear effective altruists explain it, it comes down to simple math. About 108 billion people have lived to date, but if humanity lasts another 50 million years, and current trends hold, the total number of humans who will ever live is more like 3 quadrillion. Humans living during or before 2015 would thus make up only 0.0036 percent of all humans ever.

The numbers get even bigger when you consider — as X-risk advocates are wont to do — the possibility of interstellar travel. Nick Bostrom — the Oxford philosopher who popularized the concept of existential risk — estimates that about 10^54 human life-years (or 10^52 lives of 100 years each) could be in our future if we both master travel between solar systems and figure out how to emulate human brains in computers.

Even if we give this 10^54 estimate "a mere 1% chance of being correct," Bostrom writes, "we find that the expected value of reducing existential risk by a mere one billionth of one billionth of one percentage point is worth a hundred billion times as much as a billion human lives."

Put another way: The number of future humans who will never exist if humans go extinct is so great that reducing the risk of extinction by 0.00000000000000001 percent can be expected to save 100 billion more lives than, say, preventing the genocide of 1 billion people. That argues, in the judgment of Bostrom and others, for prioritizing efforts to prevent human extinction above other endeavors. This is what X-risk obsessives mean when they claim ending world poverty would be a "rounding error."

Why Silicon Valley is scared its own creations will destroy humanity

There are a number of potential candidates for most threatening X-risk. Personally I worry most about global pandemics, both because things like the Black Death and the Spanish flu have caused massive death before, and because globalization and the dawn of synthetic biology have made diseases both easier to spread and easier to tweak (intentionally or not) for maximum lethality. But I'm in the minority on that. The only X-risk basically anyone wanted to talk about at the conference was artificial intelligence.

The specific concern — expressed by representatives from groups like the Machine Intelligence Research Institute (MIRI) in Berkeley and Bostrom's Future of Humanity Institute at Oxford — is over the possibility of an "intelligence explosion." If humans are able to create an AI as smart as humans, the theory goes, then it stands to reason that that AI would be smart enough to create itself, and to make itself even smarter. That'd set up a process of exponential growth in intelligence until we get an AI so smart that it would almost certainly be able to control the world if it wanted to. And there's no guarantee that it'd allow humans to keep existing once it got that powerful. "It looks quite difficult to design a seed AI such that its preferences, if fully implemented, would be consistent with the survival of humans and the things we care about," Bostrom told me in an interview last year.

This is not a fringe viewpoint in Silicon Valley. MIRI's top donor is the Thiel Foundation, funded by PayPal and Palantir cofounder and billionaire angel investor Peter Thiel, which has given $1.627 million to date. Jaan Tallinn, the developer of Skype and Kazaa, is both a major MIRI donor and the co-founder of two groups — the Future of Life Institute and the Center for the Study of Existential Risk — working on related issues. And earlier this year, the Future of Life Institute got $10 million from Thiel's PayPal buddy, Tesla Motors/SpaceX CEO Elon Musk, who grew concerned about AI risk after reading Bostrom's book Superintelligence.

And indeed, the AI risk panel — featuring Musk, Bostrom, MIRI's executive director Nate Soares, and the legendary UC Berkeley AI researcher Stuart Russell — was the most hyped event at EA Global. Musk naturally hammed it up for the crowd. At one point, Russell set about rebutting AI researcher Andrew Ng's comment that worrying about AI risk is like "worrying about overpopulation on Mars," countering, "Imagine if the world's governments and universities and corporations were spending billions on a plan to populate Mars." Musk looked up bashfully, put his hand on his chin, and smirked, as if to ask, "Who says I'm not?"

Russell's contribution was the most useful, as it confirmed this really is a problem that serious people in the field worry about. The analogy he used was with nuclear research. Just as nuclear scientists developed norms of ethics and best practices that have so far helped ensure that no bombs have been used in attacks for 70 years, AI researchers, he urged, should embrace a similar ethic, and not just make cool things for the sake of making cool things.

What if the AI danger argument is too clever by half?

What was most concerning was the vehemence with which AI worriers asserted the cause's priority over other cause areas. For one thing, we have such profound uncertainty about AI — whether general intelligence is even possible, whether intelligence is really all a computer needs to take over society, whether artificial intelligence will have an independent will and agency the way humans do or whether it'll just remain a tool, what it would mean to develop a "friendly" versus "malevolent" AI — that it's hard to think of ways to tackle this problem today other than doing more AI research, which itself might increase the likelihood of the very apocalypse this camp frets over.

The common response I got to this was, "Yes, sure, but even if there's a very, very, very small likelihood of us decreasing AI risk, that still trumps global poverty, because infinitesimally increasing the odds that 10^52 people in the future exist saves way more lives than poverty reduction ever could."

The problem is that you could use this logic to defend just about anything. Imagine that a wizard showed up and said, "Humans are about to go extinct unless you give me $10 to cast a magical spell." Even if you only think there's a, say, [1e-17] 0.00000000000000001 percent chance that he's right, you should still, under this reasoning, give him the $10, because the expected value is that you're saving 10^32 lives.

Bostrom calls this scenario "Pascal's Mugging," and it's a huge problem for anyone trying to defend efforts to reduce human risk of extinction to the exclusion of anything else. These arguments give a false sense of statistical precision by slapping probability values on beliefs. But those probability values are literally just made up. Maybe giving $1,000 to the Machine Intelligence Research Institute will reduce the probability of AI killing us all by 0.00000000000000001. Or maybe it'll make it only cut the odds by 0.00000000000000000000000000000000000000000000000000000000000000001. If the latter's true, it's not a smart donation; if you multiply the odds by 10^52, you've saved an expected 0.0000000000001 lives, which is pretty miserable. But if the former's true, it's a brilliant donation, and you've saved an expected 100,000,000,000,000,000,000,000,000,000,000,000 lives.

I don't have any faith that we understand these risks with enough precision to tell if an AI risk charity can cut our odds of doom by [1e-17] 0.00000000000000001 or by only [1e-65] 0.00000000000000000000000000000000000000000000000000000000000000001. And yet for the argument to work, you need to be able to make those kinds of distinctions.

The other problem is that the AI crowd seems to be assuming that people who might exist in the future should be counted equally to people who definitely exist today. That's by no means an obvious position, and tons of philosophers dispute it. Among other things, it implies what's known as the Repugnant Conclusion: the idea that the world should keep increasing its population until the absolutely maximum number of humans are alive, living lives that are just barely worth living. But if you say that people who only might exist count less than people who really do or really will exist, you avoid that conclusion, and the case for caring only about the far future becomes considerably weaker (though still reasonably compelling).

Doing good through aggressive self-promotion

To be fair, the AI folks weren't the only game in town. Another group emphasized "meta-charity," or giving to and working for effective altruist groups. The idea is that more good can be done if effective altruists try to expand the movement and get more people on board than if they focus on first-order projects like fighting poverty.

This is obviously true to an extent. There's a reason that charities buy ads. But ultimately you have to stop being meta. As Jeff Kaufman — a developer in Cambridge who's famous among effective altruists for, along with his wife Julia Wise, donating half their household's income to effective charities — argued in a talk about why global poverty should be a major focus, if you take meta-charity too far, you get a movement that's really good at expanding itself but not necessarily good at actually helping people.

And you have to do meta-charity well — and the more EA grows obsessed with AI, the harder it is to do that. The movement has a very real demographic problem, which contributes to very real intellectual blinders of the kind that give rise to the AI obsession. And it's hard to imagine that yoking EA to one of the whitest and most male fields (tech) and academic subjects (computer science) will do much to bring more people from diverse backgrounds into the fold.

The self-congratulatory tone of the event didn't help matters either. I physically recoiled during the introductory session when Kerry Vaughan, one of the event's organizers, declared, "I really do believe that effective altruism could be the last social movement we ever need." In the annals of sentences that could only be said with a straight face by white men, that one might take the cake.

Effective altruism is a useful framework for thinking through how to do good through one's career, or through political advocacy, or through charitable giving. It is not a replacement for movements through which marginalized peoples seek their own liberation. If EA is to have any hope of getting more buy-in from women and people of color, it has to at least acknowledge that.

1. Williams ‘13, Alex [PhD student at the University of East London working on a thesis entitled Complexity & Hegemony]. "Escape Velocities." e-flux journal 46 (2013). [↑](#footnote-ref-1)