

Ethical Issues in the News

Nov. 2, 9, 16, 30 3 - 4:30 p.m.

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Course Notes: <https://andrewfiala.com/ethical-issues-in-the-news-olli-fall-2022/>

1

Issues

- ~~Abortion~~
- ~~Sexuality, Marriage, and Gender~~
- Polarization and democracy
- Misinformation and disinformation
- Climate Change

- Affirmative Action
- Health care
- Religious liberty

- Environmental justice
- Animal ethics



2

Ethics Center Updates

- ~~November 10, 5pm: Rev. Paul Binion, Ethical Leadership Lecture,~~
<https://bit.ly/EthicalLeadershipNov10>
- December 10: The Human Rights of Indigenous Peoples

3

Fresno State Students, surveyed November 8, 2022

Did you vote or do you plan to vote today?

- a) Yes: 37
- b) No: 35
- c) Unable to vote: 6

N = 78

Reasons for not voting

- Ignorance ("don't understand the issues or know the candidates")
- Suspicion ("those politicians are not trustworthy")
- Apathy ("too busy...")
- Confusion ("not sure how/where...")

4

Is Democracy At Risk?

- Good news!
 - 2022 election happened without violence or disorder
- ... of course, there are some election deniers
- From *Rolling Stone*:
- **Trump Spends Election Day Furiously Posting Fraud Conspiracies**
- After weeks of preemptively challenging the results of the 2022 midterms, the former president is now priming Republicans to "protest" unfavorable outcomes.
 - <https://www.rollingstone.com/politics/politics-news/trump-rants-election-fraud-conspiracies-truth-social-1234626952/>.

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From Rolling Stone

<https://www.rollingstone.com/politics/politics-news/trump-rants-election-fraud-conspiracies-truth-social-1234626952/>

 **Donald J. Trump** ✓
@realDonaldTrump · 1h

Reports are coming in from Arizona that the Voting Machines are not properly working in predominantly Republican/Conservative areas. Can this possibly be true when a vast majority of Republicans waited for today to Vote? Here we go again? The people will not stand for it!!!

 4,286  10,370 Nov 08, 2022, 10:51 AM

 **Donald J. Trump** ✓
@realDonaldTrump · 1h

Another big voter tabulation problem in Arizona. Sound familiar???

 884  3.21k  9.25k ...

 **Donald J. Trump** ✓
@realDonaldTrump · 42m

Maricopa County in Arizona looks like a complete Voter Integrity DISASTER. Likewise Detroit (of course!), Pennsylvania, and other places. Not being covered by the Fake News Media!

 722  3.02k  7.11k ...

6

Fiala, “The crisis of democracy: on remaining vigilant without freaking out” OnlySky, Nov. 6

<https://onlysky.media/afiala/the-crisis-of-democracy-on-remaining-vigilant-without-freaking-out/>

- The Left suggest that we are facing a democratic crisis of unprecedented proportions. President Biden gave a passionate speech on November 3, where he said, “democracy itself” is at stake in the mid-term election. Former President Obama warned in a speech in Arizona on the same day that if Republicans win in Arizona, democracy in Arizona “may not survive.” Obama added, “That’s not an exaggeration. That’s a fact.”
- The Right paints a similarly gloomy picture. Former President Trump said, on the day before Halloween, “Our Country is Rigged, Crooked, and Evil.” Meanwhile, according to a Washington Post survey, a number of Republican candidates for governor and senator have already decided that the 2022 elections may be rigged, refusing to say that they would accept the result. These are the folks that Biden and Obama are warning about.

7

Fiala, “The crisis of democracy: on remaining vigilant without freaking out” OnlySky, Nov. 6

<https://onlysky.media/afiala/the-crisis-of-democracy-on-remaining-vigilant-without-freaking-out/>

- This kind of polarizing doom spiral has led people to talk about “civil war.” A new study from Notre Dame University reports, “Slightly more than half of Republicans (51.5 percent), over a third of Democrats (35.1 percent) and nearly a quarter of independents (23 percent) believe the United States is on the brink of a new civil war.” And some delusional people have already acted violently. The gloomy rhetoric can increase the likelihood of political violence, which can, in turn, increase our feeling of doom.

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Fiala, “The crisis of democracy: on remaining vigilant without freaking out” OnlySky, Nov. 6

<https://onlysky.media/afiala/the-crisis-of-democracy-on-remaining-vigilant-without-freaking-out/>

- **Avoid the rhetorical doom spiral**
- **Remember things could be worse**
- **Recognize the boredom of diminishing returns**
- **Beware the rabble-rousers**
- **Relearn the wisdom of the Constitution**

9

Fiala, “The crisis of democracy: on remaining vigilant without freaking out” OnlySky, Nov. 6

<https://onlysky.media/afiala/the-crisis-of-democracy-on-remaining-vigilant-without-freaking-out/>

- Plato saw this coming. He warned that the mob would fall prey to the emotional outbursts of a tyrant. He suggested that the cure was a philosopher-king who might save us from ourselves. The American Founders suggested another more democratic solution, which is a written constitution with a separation of powers and regular elections. That stabilizing system was designed to keep the rabble-rousers in check and to prevent the masses from becoming a mob.
- The Constitution was not perfect in its conception (it allowed slavery, for example). But it has been improved. And it worked to prevent President Trump from remaining in power, after he lost the previous election. One hopes that it will continue to function. But it will only do so, if “we, the people,” understand it and defend it. The American Constitutional system won’t last forever. Nothing does. But so far, it seems to be doing its job. And it is unlikely that it will fail during this election cycle.

10

Polarization: Are we really polarized? From “Divided We Fall” March 2022

- A report from More in Common perception gaps found that while only about 30% of Republicans or Democrats hold extreme views, people think that a majority of out-group members (55%) hold extreme views. This is both in a sense a real area of division and polarization (it is indeed felt by many), but in another sense, it is illusory since the foundations of these meta-perceptions are mostly false.
 - https://dividedwefall.org/perspectives-on-polarization-in-america/?gclid=CjwKCAiAvK2bBhB8EiwAZUbP1Ok9Y6I3bc6G9_imeuSC-pY1EGYhcfqf8VcFJKdcK2nn5XeHNjCx0hoC-3YQAvD_BwE

11

“The Perception Gap” from “More In Common” <https://perceptiongap.us/>



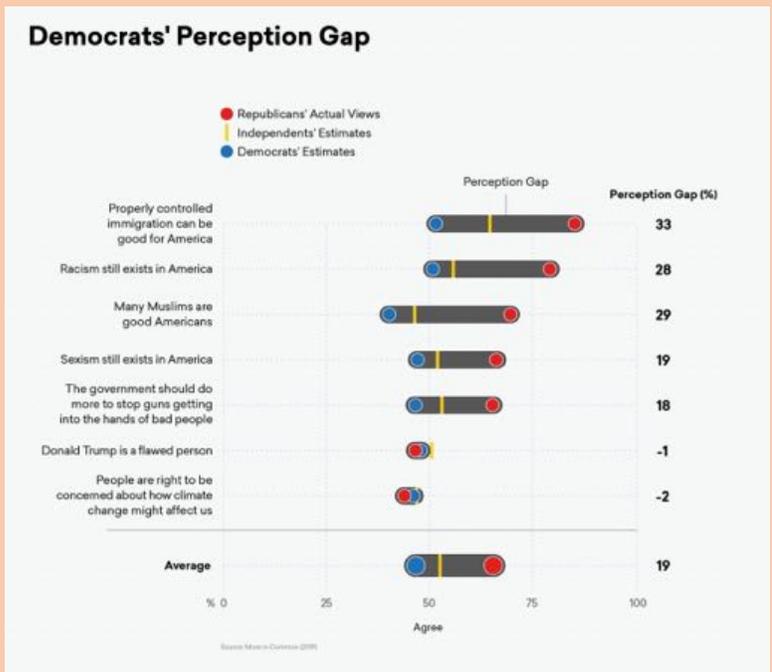
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“The Perception Gap” from More In Common <https://perceptiongap.us/>

- Americans have a deeply distorted understanding of each other. We call this America’s “Perception Gap”. Overall, Democrats and Republicans imagine almost twice as many of their political opponents as reality hold views they consider “extreme”. Even on the most controversial issues in our national debates, Americans are less divided than most of us think. This is good news for those worried about the character of this country. The majority of Americans hold views that may not be so different from your own.

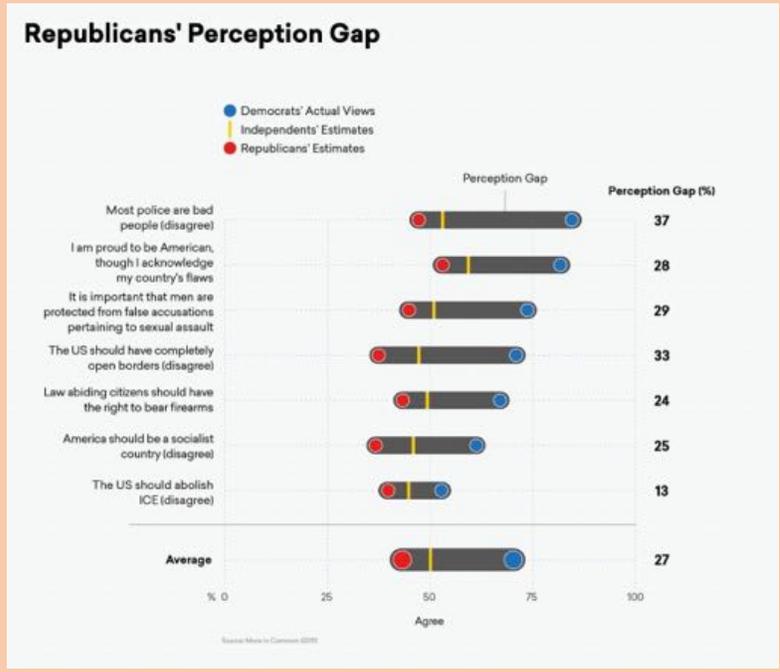
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“The Perception Gap” from More In Common <https://perceptiongap.us/>



14

“The Perception Gap”
 from More In Common
<https://perceptiongap.us/>



15

What are we polarized about?

- Abortion
- Guns
- Crime
- Taxes
- Religion
- Trump...
- The fact of our polarization

Whose interests are served by getting “us” to be so worried about polarization?

- The media
- The political parties
- Others?

16

Fiala (and Galtung) on Polarization and Depolarization

“De-Polarization, Nonviolent Agonism, and The Anarchy of Difference” in Will Barnes, ed., Politics, Polarity, and Peace (Leiden, NL: Brill, forthcoming, 2023)

- Johan Galtung argued that polarization simplifies and deforms conflict—by reducing the complexity of social conflict into a dispute between two (or very few) possibilities for thought and action, which sorts us into “camps,” “parties,” and a simplistic distinction between self and other. Galtung goes so far as to suggest that polarization is a “necessary condition” for escalation of conflict towards violence.



Johan Galtung
b. 1930

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Fiala (and Galtung) on Polarization and Depolarization

“De-Polarization, Nonviolent Agonism, and The Anarchy of Difference” in Will Barnes, ed., Politics, Polarity, and Peace (Leiden, NL: Brill, forthcoming, 2023)

- Galtung notes, however, that polarization is not a sufficient condition for violence. Polarization does not always lead to violence. Polarization is thus like the oxygen that is a necessary condition for combustion. Oxygen does not start the fire—it is the spark that does that. But when we remove the oxygen, we extinguish the fire. An obvious implication of this analogy is that violence can be extinguished and prevented by depolarization.



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Fiala (and Galtung) on Polarization and Depolarization

“De-Polarization, Nonviolent Agonism, and The Anarchy of Difference” in Will Barnes, ed., Politics, Polarity, and Peace (Leiden, NL: Brill, forthcoming, 2023)

- Depolarization requires us to understand that social conflict involves intersectional complexity, that diversity is not eliminable, and that liberty is fundamental. Depolarization occurs when we understand that struggles for recognition are more complex than the reductive channels of polarized conflict allow.
- Americans value the dream of *e pluribus unum*. But there is no stable and permanent way to create unity out of plurality in a world that values liberty and diversity. We ought, then, to embrace nonviolent agonism and the anarchy of difference.
- Depolarization occurs when we recognize that there is more than one side in a social conflict and that everyone is involved in complex struggles for recognition.

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Fiala on Political Violence Fresno Bee, November 6, 2022

- Political violence does not work. And yet some people think it does. Some political violence is the result of delusional people on a rampage. But many sane people still believe in its efficacy.
- Consider the appalling case of the attack on House Speaker Nancy Pelosi’s husband in San Francisco. The attacker wanted to send a political message. But he ended up in jail. The real message here is that violence is wrong, and a danger to our democracy.
- Or consider any of a long list of examples. The riots of Jan. 6 failed to achieve their objective of overturning the 2020 election. The attacks of 9/11 failed to drive the U.S. out of the Middle East. The assassination of Martin Luther King, Jr. failed to stop the Civil Rights movement.
- We could look back further. Lincoln’s assassination failed to stop the abolition of slavery or keep the North from winning the war. And even further back, the assassination of Julius Caesar failed to stop Rome from becoming an empire. The killing of Jesus of Nazareth did not stop Christianity from becoming one of the world’s largest religions. And killing Socrates did not stop philosophy.

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Fiala on Political Violence

Fresno Bee, November 6, 2022

- The feverish imagination of violence is episodic and individualistic. The assassin imagines that if he kills person X, everything will change. But that is a misunderstanding of how life and politics work. The daily grind of political life is not spectacular. It does not occur in explosive moments and exciting episodes. Rather, it involves the boring work of persuasion and coalition building.
- Ideas, laws, and movements are larger than persons. If person X is eliminated, there will be Y and Z who are committed to the same ideas. And if X is murdered, her followers will be angry and even more committed to the cause.

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Fiala on Political Violence

Fresno Bee, November 6, 2022

- Martin Luther King Jr. said, “in spite of temporary victories, violence never brings permanent peace. It solves no social problem: it merely creates new and more complicated ones.” Human problems need humane solutions. Violence operates in the realm of animal power and physical force. It is subhuman and inarticulate. And it usually makes things worse.

22

What is Democracy?

- A system of voting
- A way of expressing the “will of the people”
- An ideal of public deliberation (Deliberative Democracy)
- A system of conflicting interests (Agonistic Democracy)
- An ideal way of life (virtue, community, practices, symbols, etc.)

23

Some Types of Democracy



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Agonistic Democracy

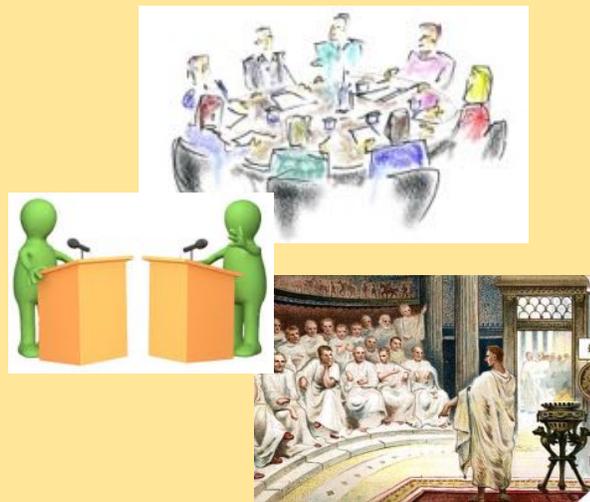
- Power
- Protest
- Direct Action
- Manipulation
- Persuasion
- Rhetoric
- Demagoguery
- Machiavelli... (perhaps)



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Deliberative Democracy

- Reasonable consensus
- Civility
- Tolerance
- Understanding
- Common Good
- Jefferson/Kant... (perhaps)



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The Present Crisis



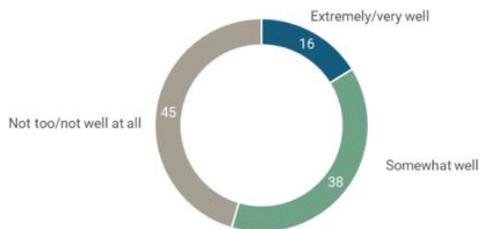
27

Few Think Democracy Is Working Well These Days

Associated Press, Feb. 8, 2021

<https://apnorc.org/projects/many-value-democratic-principles-but-few-think-democracy-is-working-well-these-days/>

How well is democracy working in the United States?
Percent of adults



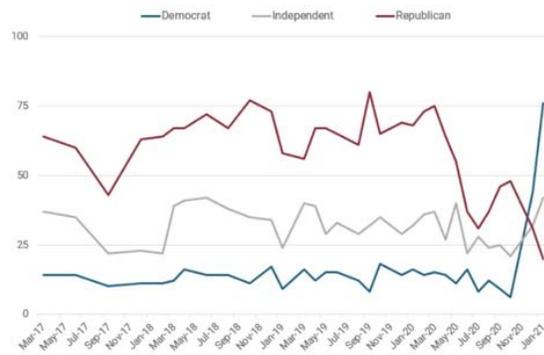
Question: How well would you say democracy is working in the United States these days?
Source: AP-NORC poll conducted January 28-February 1, 2021 with 1,055 adults nationwide.

AP NORC

APNORC.org

Is the country on the right track?

Percent of adults who say right track



Question: Generally speaking, would you say things in this country are heading in the right direction or the wrong direction?
Source: AP-NORC polls, the latest January 28-February 1, 2021 with 1,055 adults nationwide.

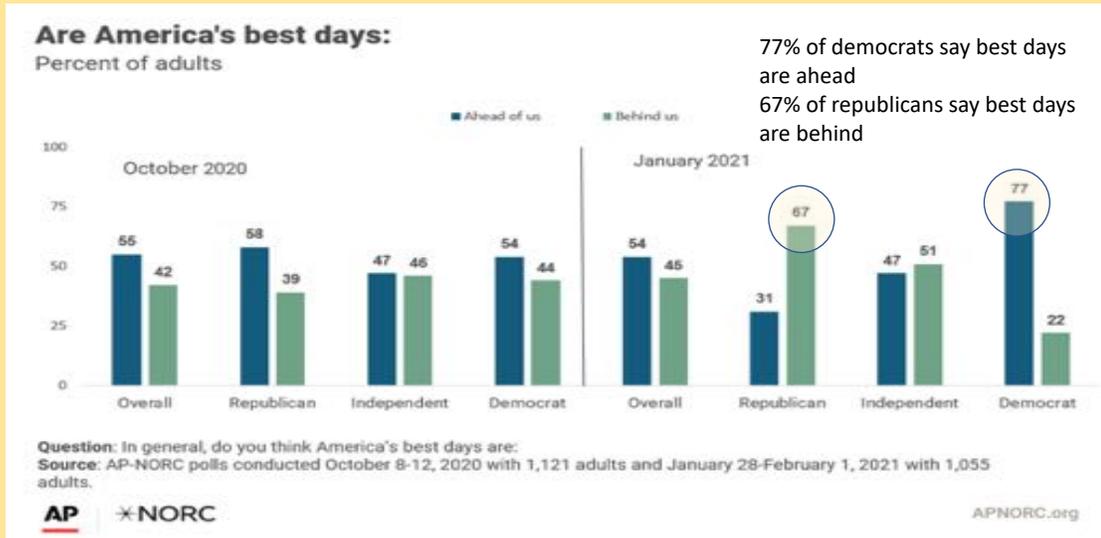
AP NORC

APNORC.org

28

Few Think Democracy Is Working Well These Days Associated Press, Feb. 8, 2021

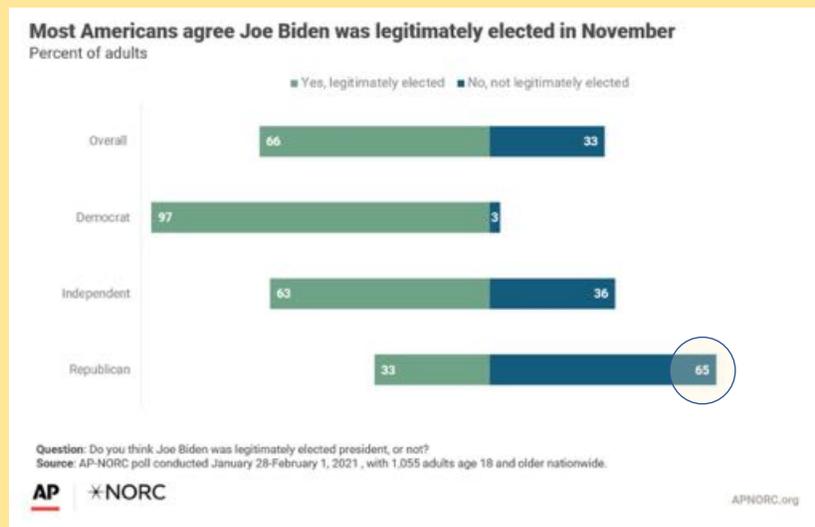
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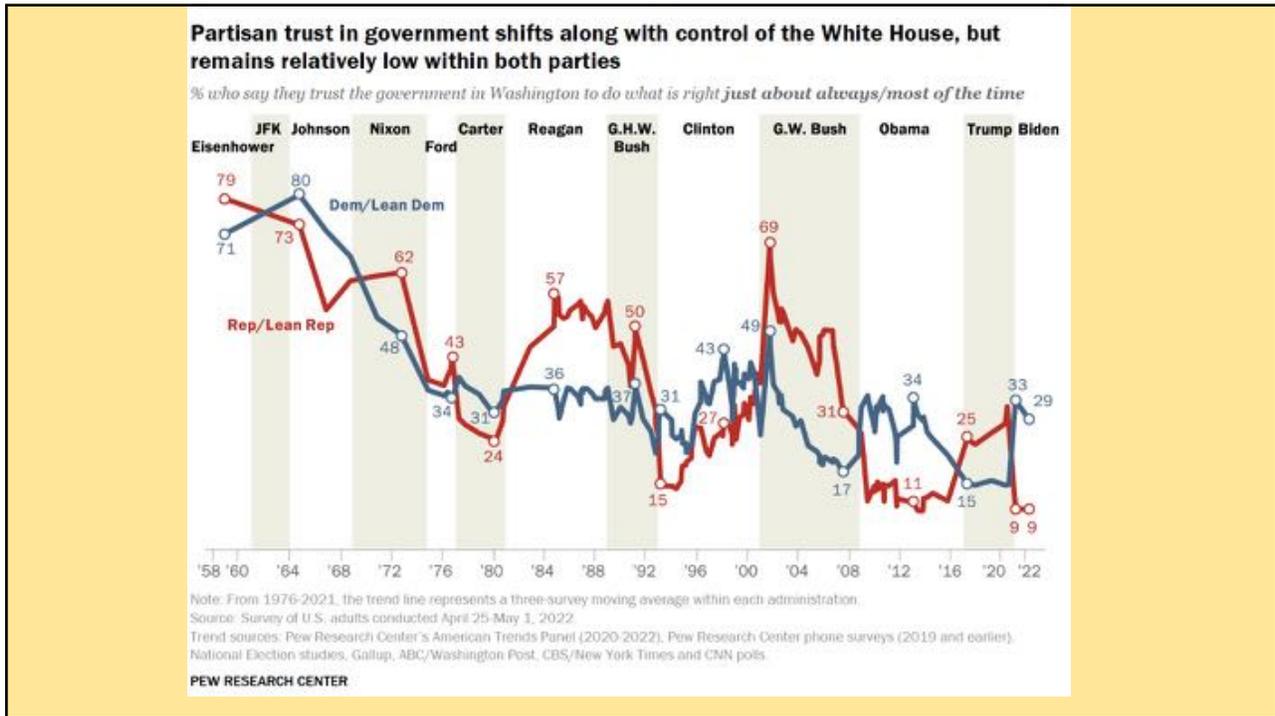
29

65% of Republicans don't believe Biden won Feb. 5, 2021

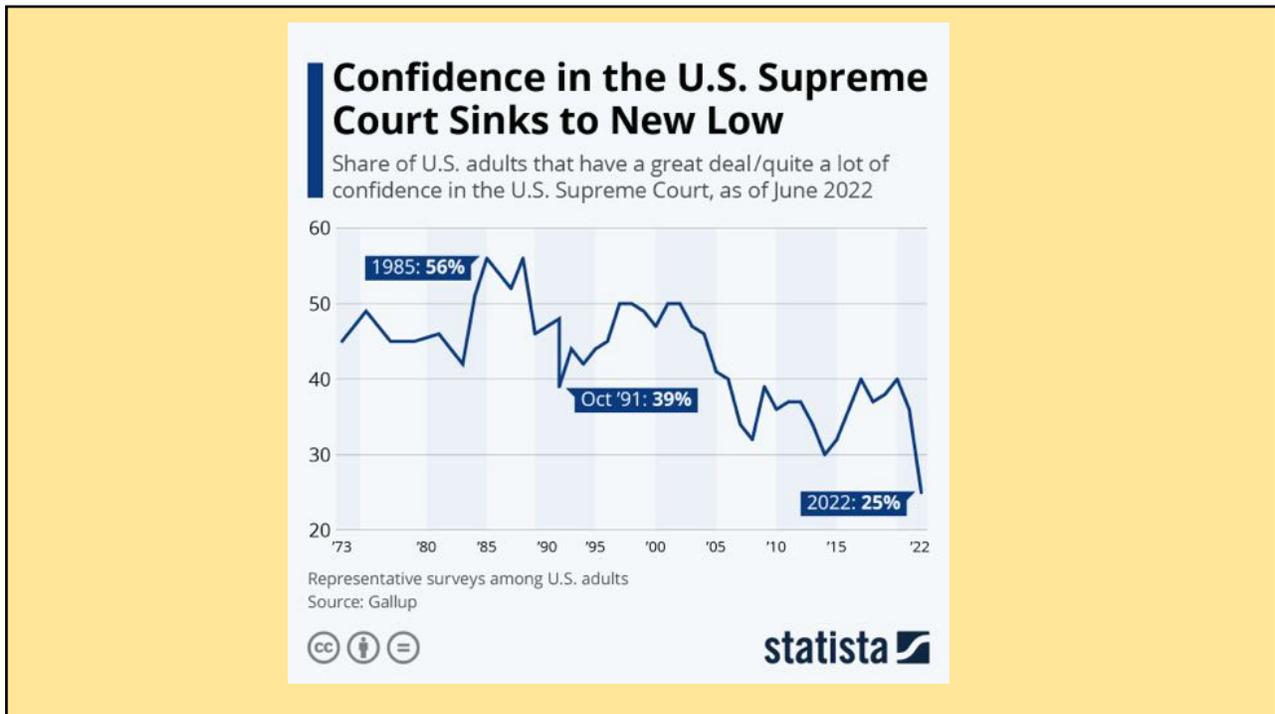
AP Poll <https://apnorc.org/projects/trumps-legacy-as-president/>



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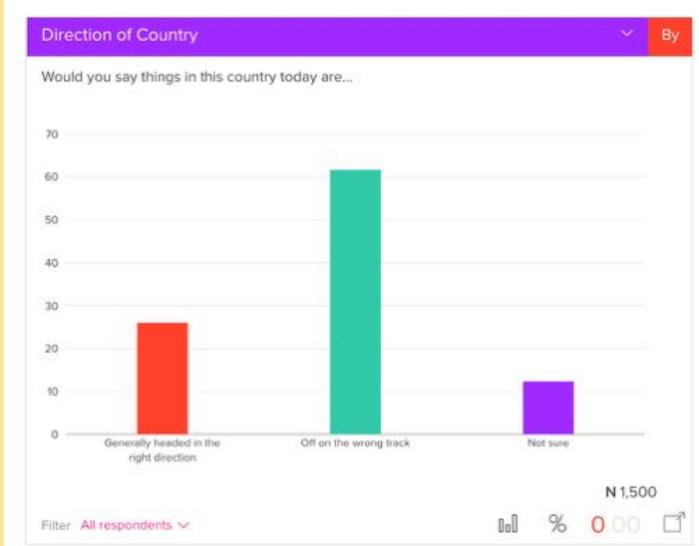


32

Is the country headed in the right direction?

Yougov survey

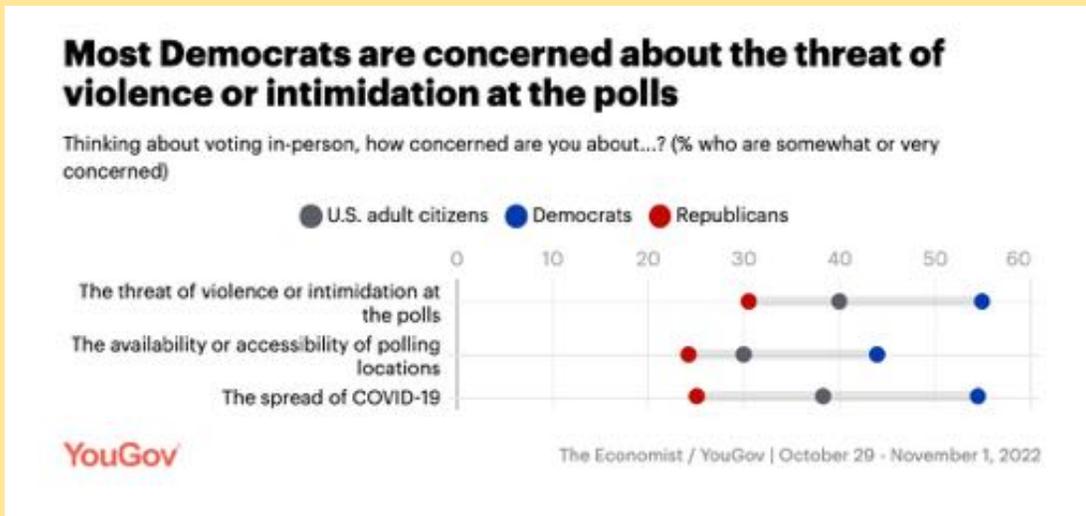
<https://today.yougov.com/topics/politics/articles-reports/2022/11/07/politics-and-elections-economistyougov-poll-novemb>



33

American Democracy Under Threat

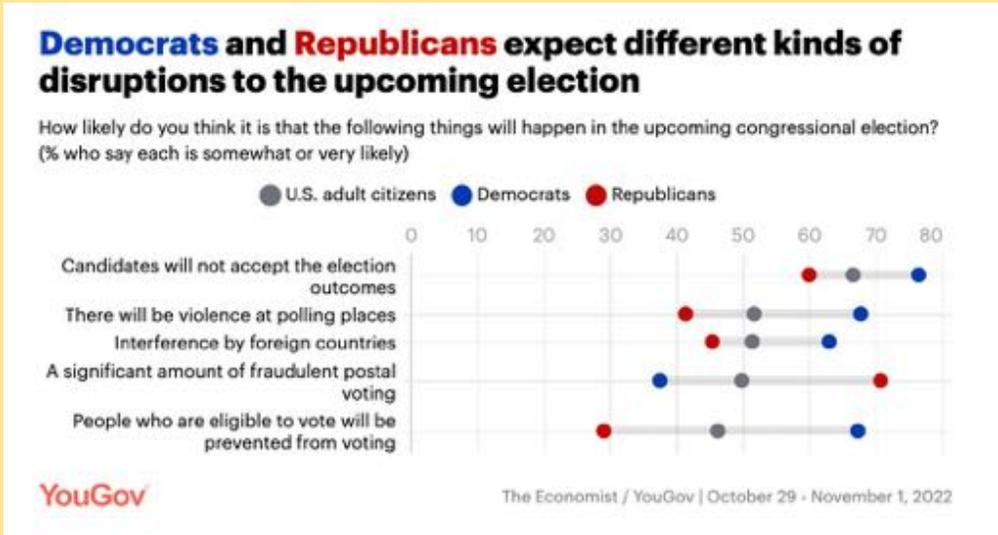
Yougov survey: <https://today.yougov.com/topics/politics/articles-reports/2022/11/02/democrats-republicans-believe-democracy-threatened>



34

American Democracy Under Threat

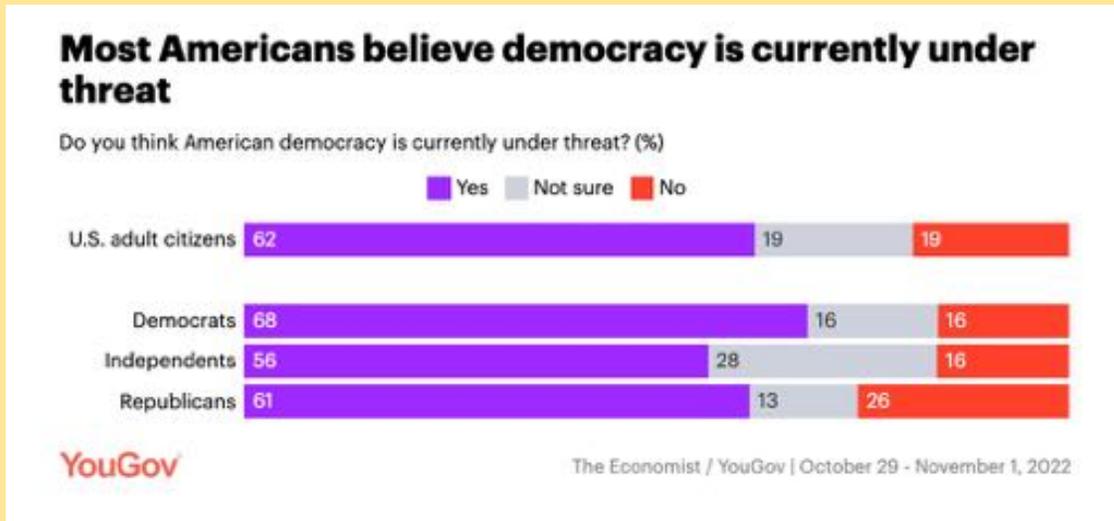
Yougov survey: <https://today.yougov.com/topics/politics/articles-reports/2022/11/02/democrats-republicans-believe-democracy-threatened>



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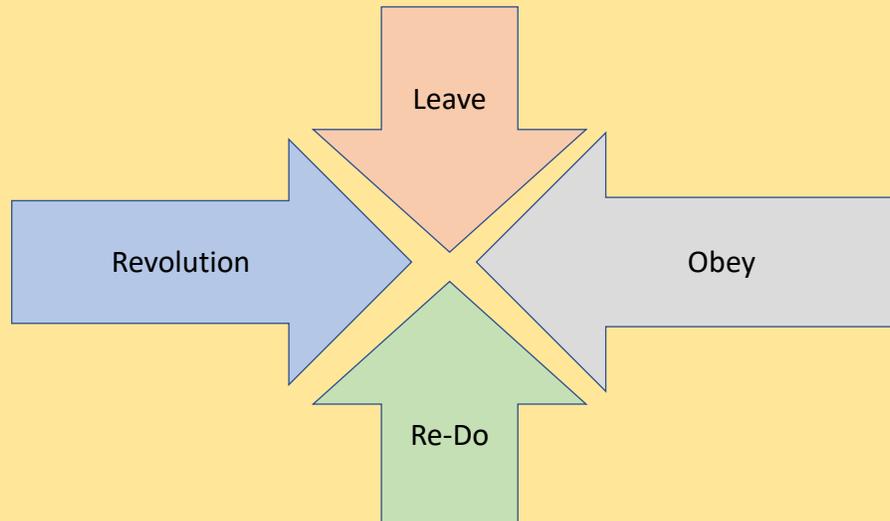
American Democracy Under Threat

Yougov survey: <https://today.yougov.com/topics/politics/articles-reports/2022/11/02/democrats-republicans-believe-democracy-threatened>



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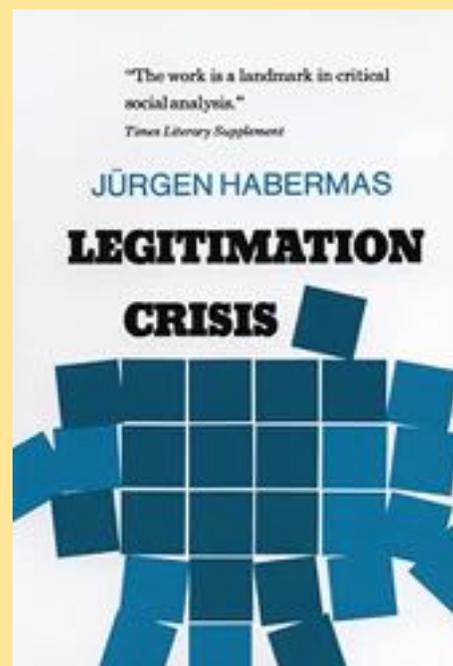
What do you do if there is election fraud, an untrustworthy judiciary, or lack of consensus?



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Legitimation Crisis
Jürgen Habermas (1973)

- Democracy no longer has the goal of rationalizing authority through the participation of citizens in discursive processes of will-formation. It is intended, instead, to make possible compromises between ruling elites.



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Legitimation Crisis Jürgen Habermas (1973)

24 Illustration of Social Principles of Organization

Social Formations	Principle of Organization	Social and System Integration	Type of Crisis
Primitive	kinship relations: primary roles (age, sex)	no differentiation between social and system integration	externally induced identity crisis
Traditional	political class rule: state power and socio-economic classes	functional differentiation between social and system integration	internally determined identity crisis
Liberal-capitalist	unpolitical class rule: wage labor and capital	system integrative economic system also takes over socially integrative tasks	system crisis

Systems of Integration and their Crises

- Economic
 - Recessions, inflation, inequality
- Political
 - Legitimation, trust, revolution
- Socio-Cultural
 - Community, normativity, identity

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Habermas, *Legitimation Crisis* The possibility of consent/persuasion

- The process of socialization takes place within structures of linguistic intersubjectivity....
- This is accomplished by procuring a generalized readiness to consent, which in political systems has the form of mass loyalty. As long as we have to do with a form of socialization that binds inner nature in a communicative organization of behavior, it is inconceivable that there should be legitimation of any action norm that, even approximately, guarantees an acceptance of decisions without reasons. The motive for readiness to conform to a decision making power still indeterminate in content is the expectation that this power will be exercised in accord with legitimate norms of action. The ultimate motive for readiness to follow is the citizen's conviction that he could be discursively convinced in case of doubt (p. 43).

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Authority (law) is “legitimate”:

1. If people act as if it is (de facto)
2. If people believe it is (obedience/conformity)
3. If it is justifiable in terms of the beliefs that people have (normative)
4. If it is justifiable by accepted legal procedures (de jure... positive law)
5. If it is justifiable in accord with ethical principles (natural law)

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Democratic Legitimacy:

A shared system where “losers” remain committed to the process

- In a democracy, the legitimacy of official decisions relies in the end on their traceability to a sense of collective democratic will, whereby the “winners” as well as the “losers” of a given decision can understand themselves as equal coparticipants in the shaping and making of it.

- Brian Milstein, “Justification Crisis: Brexit, Trump, and Deliberative Breakdown” *Political Theory* 2021, Vol. 49(4) 554–583.

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Democratic Legitimacy:
A shared system where “losers” remain committed to the process

The System:

- Public sphere/deliberation (news, facts, discourse...)
- Parties
- Voting

- [ALSO: judicial system, criminal justice system, military, corporations, civil society]
 - Brian Milstein, “Justification Crisis: Brexit, Trump, and Deliberative Breakdown” *Political Theory* 2021, Vol. 49(4) 554–583.

43

Democratic Legitimacy:
A shared system where “losers” remain committed to the process

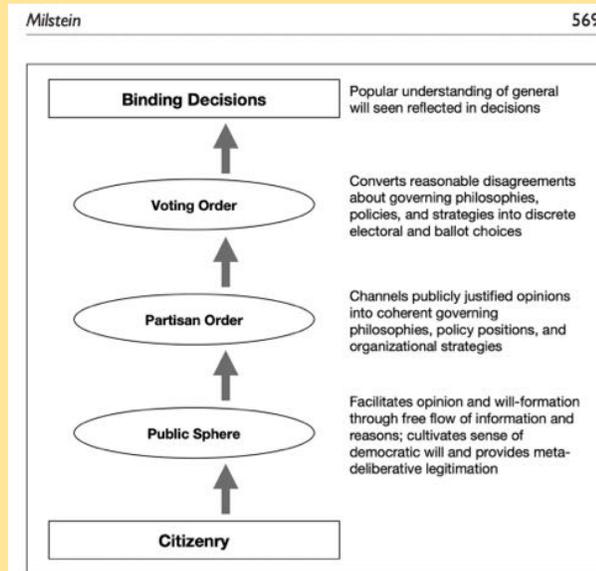
- Should one or more of these components fail as a result of legitimation challenges, it is possible to see the system generating decisions that the citizenry at large no longer recognizes as the reflection of a collective democratic will. We then find ourselves in a particular kind of crisis whereby the citizenry cannot make justificatory sense of its own decisions.
 - Brian Milstein, “Justification Crisis: Brexit, Trump, and Deliberative Breakdown” *Political Theory* 2021, Vol. 49(4) 554–583.

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Democratic Legitimacy:
A shared system where “losers” remain committed to the process

- Does the system generate decisions that can be justified as binding on the grounds that those subject to them can also understand themselves as their authors?

- Brian Milstein, “Justification Crisis: Brexit, Trump, and Deliberative Breakdown” *Political Theory* 2021, Vol. 49(4) 554–583.



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Democratic Legitimacy:
A shared system where “losers” remain committed to the process

- I have here used the term “justification crisis” to describe a situation in which one or more such components break down, resulting in a situation whereby a citizenry cannot make justificatory sense of its own ostensibly democratic decisions.

- Brian Milstein, “Justification Crisis: Brexit, Trump, and Deliberative Breakdown” *Political Theory* 2021, Vol. 49(4) 554–583.

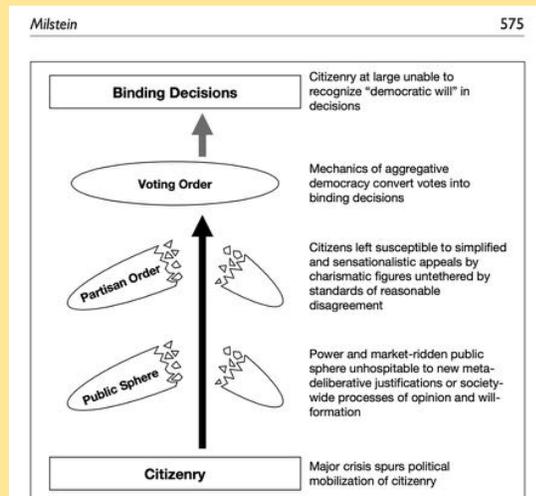
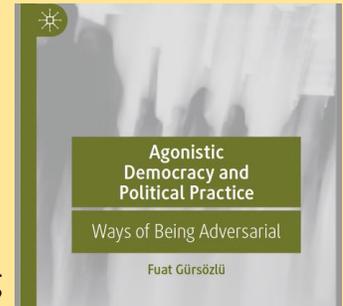


Figure 4. Legitimation crisis passes into a justification crisis.

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Fuat Gürsözlü, *Agonistic Democracy and Political Practice* (Palgrave, 2022)

- Successfully articulating people's frustration with traditional parties and the democratic process and mobilizing their anger by fostering nationalist, racial, religious, or ethnic forms of identification, extremist movements offered people meaningful identifications, albeit antidemocratic ones.
- The danger is that collective identities created along such antagonistic lines of division can't be managed by the democratic process.
 - Gursozlu, p. 165.

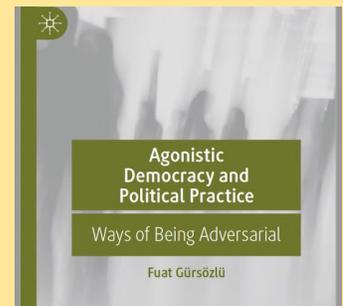


47

Fuat Gürsözlü, *Agonistic Democracy and Political Practice* (Palgrave, 2022)

- The result is the rise of extremism and populism with growing polarization of the political field.
- The remedy is to revive the agonistic dynamics of democracy by making political parties more agonistic and representative. A healthy and vibrant democracy depends on the existence of political parties that play their role in the agonistic struggle.

- Gursozlu, p. 165.



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The Example of Climate Change

2021 Poll on Climate Change (UN data, as reported in *The Guardian*)

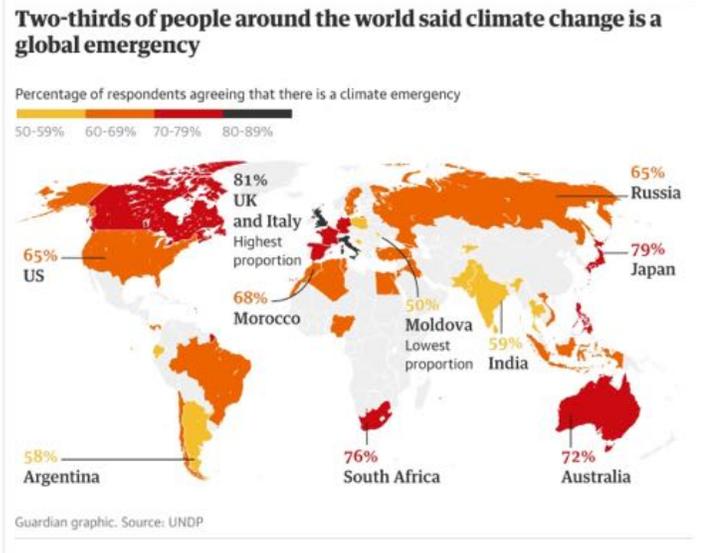
<https://www.theguardian.com/environment/2021/jan/27/un-global-climate-poll-peoples-voice-is-clear-they-want-action>

Do we really disagree any longer about climate change?

Why then is it difficult to act?

Whose interests are being served by non-action?

What institutional frameworks block a solution?



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UN Secretary General Antonio Guterres Comments at COP27 Climate Summit, Nov. 7, 2022

<https://www.un.org/sg/en/content/sg/statement/2022-11-07/secretary-generals-remarks-high-level-opening-of-cop27-delivered-scroll-down-for-all-english-version>

- In just days, our planet’s population will cross a new threshold. The 8 billionth member of our human family will be born. This milestone puts into perspective what this climate conference is all about.
- How will we answer when “Baby 8 Billion” is old enough to ask: What did you do for our world – and for our planet – when you had the chance?
- And the clock is ticking. We are in the fight of our lives. And we are losing. Greenhouse gas emissions keep growing. Global temperatures keep rising. And our planet is fast approaching tipping points that will make climate chaos irreversible.
- We are on a highway to climate hell with our foot still on the accelerator.



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UN Secretary General Antonio Guterres Comments at COP27 Climate Summit, Nov. 7, 2022

<https://www.un.org/sg/en/content/sg/statement/2022-11-07/secretary-generals-remarks-high-level-opening-of-cop27-delivered-scroll-down-for-all-english-version>

- Human activity is the cause of the climate problem. So human action must be the solution.
- The science is clear: any hope of limiting temperature rise to 1.5 degrees means achieving global net zero emissions by 2050.
- But that 1.5 degree goal is on life support – and the machines are rattling. We are getting dangerously close to the point of no return.
- And to avoid that dire fate, all G20 countries must accelerate their transition now – in this decade.
- Developed countries must take the lead.



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Climate Change News Nov 8, 2022

<https://climate.nasa.gov/>



The planet's average surface temperature has risen about 2 degrees Fahrenheit (1 degrees Celsius) since the late 19th century, a change driven largely by increased carbon dioxide emissions into the atmosphere and other human activities. Most of the warming occurred in the past 40 years, with the seven most recent years being the warmest. The years 2016 and 2020 are tied for the warmest year on record.

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2022 Climate Disasters

- Heat wave and drought in Europe and UK
 - Flooding in Pakistan
 - Western U.S. Drought
 - Colorado River drying up
 - Hurricanes and Typhoons (Ian in Florida)
-
- **World rocked by 29 billion-dollar weather disasters in 2022**
 - *Florida's Hurricane Ian, a \$20 billion drought and heat wave in Europe, and deadly floods in Pakistan are among the catastrophes so far this year.*
 - <https://yaleclimateconnections.org/2022/10/world-rocked-by-29-billion-dollar-weather-disasters-in-2022/>



53

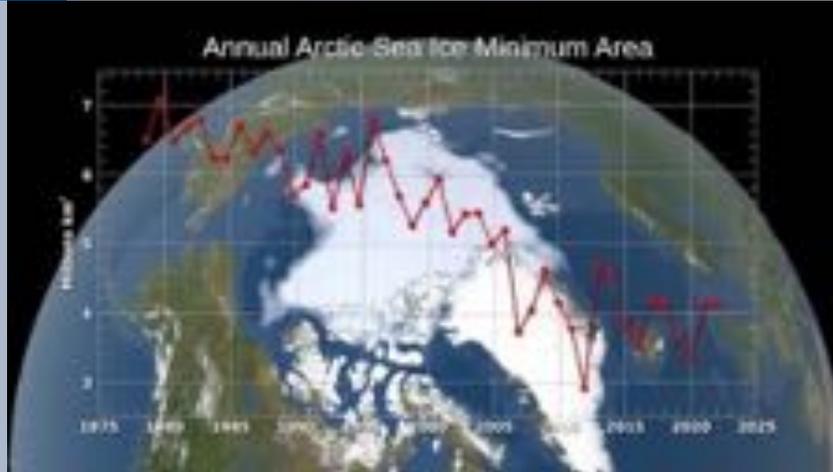


https://climate.nasa.gov/system/content_pages/main_images/1_greenhouse_effect_rev_5-22-19.gif

54

Declining Arctic Sea Ice (Oct 2022)

https://climate.nasa.gov/climate_resources/155/video-annual-arctic-sea-ice-minimum-1979-2022-with-area-graph/



55

IPCC Report Feb.2022

- The world faces unavoidable multiple climate hazards over the next two decades with global warming of 1.5°C (2.7°F). Even temporarily exceeding this warming level will result in additional severe impacts, some of which will be irreversible. Risks for society will increase, including to infrastructure and low-lying coastal settlements.
- The report clearly states Climate Resilient Development is already challenging at current warming levels. It will become more limited if global warming exceeds 1.5°C (2.7°F). In some regions it will be impossible if global warming exceeds 2°C (3.6°F). This key finding underlines the urgency for climate action, focusing on equity and justice.
 - [https://www.ipcc.ch/report/ar6/wg2/resources/press/press-release/#:~:text=The%20report%20clearly%20states%20Climate,C%20\(3.6%C2%B0F\).](https://www.ipcc.ch/report/ar6/wg2/resources/press/press-release/#:~:text=The%20report%20clearly%20states%20Climate,C%20(3.6%C2%B0F).)

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Climate Crisis as legitimation crisis?

Ryan Cooper in *The Week*, August 2021

<https://theweek.com/politics/1003559/climate-change-could-break-americas-constitutional-order>

- **American government is heading for a climate-induced legitimacy crisis**
- *Revolutions happen when a political system fails to address huge, obvious problems*
- There is no sign that the American political system is taking this threat at all seriously. It raises the question of whether climate change will be the thing that finally topples the already creaking American constitutional system.
- I find it very hard to imagine conditions getting so bad in the U.S. that people rise up and overthrow the basic structure of government. But I also suspect that few have really reckoned with how the coming years are going to inflame unrest and discredit the status quo.

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What will we do... ?

- When climate refugees start flooding in
- When droughts, floods, and storms get worse
- When population growth and food supplies hit limits
- When elections no longer work
- When each party distrusts the other
- When the judicial branch is not trusted
- When we no longer share facts, science, or values

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Education

- Education is the true corrective of abuses of constitutional power.
 - Thomas Jefferson

- Democracy has to be born anew every generation, and education is its midwife.
 - John Dewey

