

**Opposing Viewpoints™ Live Radio for Television:
Civil Rights and the War on Terrorism**

**Teacher's Guidelines for Generating
Class Discussion and Critical Thinking**



San Diego • Detroit • New York • San Francisco • Cleveland • New Haven, Conn. • Waterville, Maine • London • Munich

© 2003 by Greenhaven Press. Greenhaven Press is an imprint of The Gale Group, Inc., a division of Thomson Learning, Inc.

Greenhaven® and Thomson Learning™ are trademarks used herein under license.

For more information, contact
Greenhaven Press
27500 Drake Rd.
Farmington Hills, MI 48331-3535
Or you can visit our Internet site at <http://www.gale.com>

ALL RIGHTS RESERVED.

No part of this work covered by the copyright hereon may be reproduced or used in any form or by any means—graphic, electronic, or mechanical, including photocopying, recording, taping, Web distribution or information storage retrieval systems—without the written permission of the publisher.

In this Opposing Viewpoints™ Live Radio for Television video, two speakers debate the issue of whether limitations on civil rights are justified in America’s war on terrorism. Below are some of the key ideas that are presented and suggestions for analyzing the speakers’ arguments.

Analyze the Speakers’ Credentials

At the start of the video, the host identifies the speakers’ credentials. Students should be asked to pay especially close attention to this aspect of the video. Generate discussion with the following questions.

Student Questions

1. What are the speakers’ credentials? Do you think that their backgrounds and credentials lend additional authority to their opinions and arguments? Why?
2. If I had just told you about each of the speakers’ credentials, and you knew nothing more than this, would you have been able to predict what side the person was going to take on this issue? Why? Does either speaker make arguments or concessions that you might not have expected based on his or her credentials?
3. Both speakers not only express their own opinions but also represent a larger group. Dale Kelly Bankhead speaks for the American Civil Liberties Union, a sometimes controversial organization that litigates on behalf of people who believe their civil rights are being violated. Dr. Steven Albrecht is introduced as a former police officer and expert on security matters—in effect a stand-in for the law enforcement community. How might their spokesperson status affect their stance on the war on terrorism? Does this influence your opinion of their arguments? Why or why not?

Analyze the Arguments

Debate 1: Can We Win the War on Terrorism Without Sacrificing Our Personal Freedoms?

The moderator begins by posing this question to Albrecht. His initial answer focuses on describing and analyzing what the “war on terrorism” is, calling it

a war on two fronts—international and domestic. He describes the al-Qaeda terrorist network—believed to have operatives in sixty countries—as a “snake with many heads.” He argues that the government is responding too much in a “reactive” mode and must take greater steps to gain more information about terrorists to anticipate and prevent future attacks. Such an effort may involve “tradeoffs” on personal freedoms. While the Constitution should be followed, he argues it is not a “suicide note.”

Bankhead responds to the question by criticizing specific actions of the federal government under President George W. Bush and Attorney General John Ashcroft. She contends that the federal government has taken several actions that compromise civil liberties without any demonstrated proof that these actions actually help the war on terrorism. We can be both safe and free, she asserts.

Later, the moderator returns to the question, arguing that “we’ve got to give somewhere.” Albrecht ultimately answers with a “qualified yes.” Bankhead answers “yes.” A guided discussion using the following questions helps students clarify their own opinions on this topic.

Student Questions

1. Why does Bankhead assert that the question “Do we have to give up rights to be safe?” is the wrong question? What underlying assumption of that question is she rejecting? Do you agree or disagree?
2. What implied argument is made by Albrecht’s assertion that the Constitution is “not a suicide note”? Do you agree or disagree with the underlying assumption here?
3. Which side in this argument, in your opinion, should have the burden of proof? Should advocates of security policies that may compromise civil rights have to prove that such measures would actually help the war on terrorism, or should critics of such policies have to prove that they are not putting America at greater risk of terrorist attack? What would qualify as valid evidence in either case?

Debate 2: Can We Trust the Government?

A question underlying most of the discussion in this video is whether Americans should allow the government to expand its powers to fight terrorism and trust that such powers will not be abused. Or, in the moderator’s words, “Given the government we have today, are you willing to put yourself in their hands to do whatever is necessary?”

Albrecht contends that the government and its agencies, including the CIA and FBI, are the only means by which the war on terrorism can be

fought—the United States can't fight al-Qaeda by ourselves. He argues that checks and balances built into the government can help restrain government abuses and strike the proper balance between national security and civil rights.

While Albrecht defends the government in theory, Bankhead repeatedly returns to criticizing specific government policies of the Bush administration. She argues that the actions of the federal government under President George W. Bush and Attorney General John Ashcroft do not engender public trust. Among the policies she criticizes are laws that remove federal judges from overseeing or authorizing federal investigations and search warrants—thereby removing a crucial component of America's system of checks and balances. She also criticizes Operation TIPS, a short-lived proposal of the Bush administration that would have encouraged people such as cable television installers and mail carriers to become government informants. She contends that the Bush administration has used terrorism as a false pretext to gain sweeping federal investigative powers—powers that could go far beyond the war on terrorism. Interestingly, Albrecht does not directly disagree with this assertion. He says the Bush administration is under great political pressure to show the public progress on the war on terrorism.

Student Questions

1. Most of Bankhead's arguments focus on specific actions and proposals of the Bush administration. By focusing on a specific administration, is she avoiding having to answer the question of whether any compromise of civil rights can be justified? Explain your answer.
2. Albrecht argues that American citizens must let law enforcement agencies do their job. But at one point he also asserts that the ultimate responsibility for American security lies with its citizens. Is this a contradiction? Why or why not?

Debate 3: How Should Information Gathering Be Balanced with the Right of Privacy?

Several of the actions and proposals of the Bush administration that Bankhead criticizes involve the government collection of information. She argues that the government may soon have the right to examine your private medical and school records, find out what books you have bought, or engage in electronic surveillance of your Internet activities. She doubts whether such activities could really help the war on terrorism. Bankhead argues that the federal government had enough investigative powers and raw information to prevent the 9/11 terrorist attacks, but failed to adequately analyze the information it had.

Albrecht seems to concede some of his points, such as the lack of a connection between terrorism and his own book-buying habits. But he goes on to argue that terrorism prevention is a matter of information collection and analysis, and that it is hard to know ahead of time just what information might be relevant. The Oklahoma City bomber was caught for a minor traffic violation—perhaps a major terrorist plot could be foiled by uncovering some seemingly minor piece of information.

Student Questions

1. Which of the specific information-gathering proposals described by Bankhead do you find most objectionable, if any? Why?
2. One common type of deceptive argument is the scare tactic—using words and warnings calculated to instill fear about terrible things that will happen if the opposing argument is accepted. Do either of the speakers fall into this mode? If so, in what way? For example, Bankhead discusses the government’s threats to pry into personal information, and Albrecht discusses future terrorist attacks.

Debate 4: What Is the Place of Patriotism in the War on Terrorism?

At one point in the video, Albrecht argues that patriotism in America was ebbing following a post-9/11 surge. Americans are forgetting the fact that there is a war going on and that their security and well-being continues to be threatened by terrorists. Bankhead responds by arguing that American patriotism includes supporting the right of dissent—that people who criticize government policies should not be accused of helping the enemy. America’s freedoms constitute the essence of what the nation stands for, and should not be thrown away. America’s people are willing to experience inconveniences—such as longer lines at the airport—but should not be expected to give up basic civil freedoms.

Student Questions

1. Do you believe the concept of patriotism has a legitimate place in the debate over civil liberties and the war on terrorism? If so, can you describe that role?
2. What sacrifices are you willing to make to increase terrorism security? Would you mind giving the government greater powers to potentially investigate details of your own life? Why or why not?

Debate 5: Is Profiling Justified?

Bankhead repeatedly criticizes government actions targeting people with “brown skin,” arguing that targeting people solely on the basis of racial, ethnic, or religious characteristics violates their civil rights. She asserts that twelve hundred individuals have been detained and eight thousand more questioned, actions she argues were made on a discriminatory basis and which contributed little to the war on terrorism. Albrecht points out that most of the 9/11 hijackers were from Saudi Arabia, and that it makes logical sense for law enforcement to focus its investigation on people from that country or with a similar ethnic background. But Bankhead responds that other suspected al-Qaeda terrorists who were captured do not fit that profile, including the “shoe bomber” (a white Englishman) and the person accused of conspiring to build a “dirty” nuclear weapon (a Hispanic American). Government efforts broadly targeting Middle East Muslims are not only discriminatory but ineffective, she argues.

Student Question

1. Do you believe that people who speak Arabic and who appear to be from the Middle East should be subjected to greater scrutiny at airports? Why or why not? Would you feel comfortable flying on an airplane with such a person?