The concept of a capstone project is older than, and certainly not unique to, the College of General Studies. A final research project has historically been considered the culmination of a liberal arts education. In addition to historical and academic meanings of the term, there is an architectural sense to the word "capstone." A capstone is the final block that is placed on top of a construction project to tie the whole structure together. Further, in the language of the building industry, each layer of brick is called a "course." Therefore, it is appropriate to use the word "capstone" for our final project at the College since it will be the final stage of your education here, the last course which caps two years of study.

As you begin this project, keep two thoughts in mind. First, just as the construction of a building is not an individual effort, but rather the culmination of the labors of an organized group, so too is the Capstone Project a group effort. You will be expected to work together for the success of your group. The more that each individual gives to the group, the more each person will gain from the month’s work. The final product will be better and your paper will be more rewarding. Secondly, the Capstone paper is not to be merely a fifty-page research term paper. Instead it should be a synthesis, or combining of separate elements to form a coherent whole. The Capstone is also a kind of drama, requiring an act of imagination as you assume the roles of experts or advocates and present your findings in real-world formats. Research is, to be sure, an indispensable part of the project; but you will be expected to construct arguments, to analyze and synthesize this research in order to make a proposal or reach a verdict and justify your conclusions. In other words, research is more than gathering raw data as an end-in-itself. What is important is the synthesis of these data into a meaningful whole which, if done properly, will be greater than the sum of its parts.

INTRODUCTION:

The Ethics of American Democracy
It is sometimes said that Thomas Jefferson, in the Declaration of Independence, gave us what amounts to our American creed:

_We hold these truths to be self-evident: that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed._

At the time he wrote these words Jefferson owned close to 200 slaves. Jefferson was well aware, however, of the contradiction between his democratic principles and the oppressive practices of the society in which he took part. He wrote to a friend in 1814: “The love of justice and the love of country plead equally the cause of these people [the slaves], and it is a moral reproach to us that they should have pleaded it so long in vain” (Letter to J. Coles, 1814). He justified his own continued ownership of slaves on the grounds that it would be inhumane for individual slave-owners to release their slaves into a hostile society that had no place for them. Until the U.S. as a whole could be made to embody its own ideals, he argued, no real solution to the injustice of slavery would be possible.

Jefferson knew there is no guarantee that the American nation will live up to its American ideals; that the struggle to have it do so—to secure, in the words of the Pledge of Allegiance, “liberty and justice for all”—would be an ongoing one whose success would depend on the educational excellence, the moral commitments, and the political will of the citizens whose struggle it must be.

Our Capstone this year will focus on this struggle as it plays itself out in the many controversies surrounding the policies and practices of the U.S. government in our day.

Of course, much has changed since 1776.

The United States’ economy has gone from being a mostly agricultural one made up of small farmers and traders to an industrio-technological powerhouse that is home to corporations of global scale whose yearly budgets dwarf those of many nations.

The U.S. military, once a small band of rebels fighting to end local British domination, is now the most powerful military force in the history of the world, with bases spanning the globe. As America came of age as a nation, the size and power of government also expanded enormously. While President Eisenhower in leaving office expressed concern about the growth of what he called a “military-industrial complex” that could compromise American freedoms, Thomas Jefferson worried about how democratic values could be threatened by large and powerful governments (Eisenhower, 1961).

In 1776 the American media consisted largely of locally owned newspapers printed by small presses physically situated in the towns and cities of the people they served. Now media conglomerates of global reach, owned by vast corporations with manifold economic interests, broadcast news on a national and international level to hundreds of millions at once.
In 1776 the natural resources of the earth, and especially of the Americas, seemed bountiful beyond limit. Now an expanding global population finds itself in increasing competition for the resources necessary to fuel the resource-intensive lifestyle of the industrialized world, a lifestyle that is now threatening the environmental integrity of the planet itself.

What must we do in our 21st century world to secure and promote the principles Jefferson articulated at the founding of our nation? What social, economic, judicial, and foreign policies are consistent with a belief in the fundamental dignity and equality of every human being? What role does the free market play in furthering and/or hindering the realization of this democratic vision? How must the immense power of private corporations as well as the sinews of big government be treated within a constitutional system dedicated to the principle that political power should be dispersed equally to all? How might we balance our belief in individual freedom with the demand for social and environmental responsibility arising from the ever tightening interdependencies of our globalized world? What roles should our military and government play in this modern world? How may our tax policies, educational policies, welfare policies, electoral policies, judicial policies, international policies, etc., be modified to better reflect these ideals? These are the questions of this year's Capstone.

In the syllabus that follows you will find questions pertaining to all three branches of our government—executive, legislative, and judicial—concerning issues with both domestic and global implications. You will be asked to address the broad questions above through working out a particular policy recommendation, or two recommendations if you take the adversary approach, related to one of these issues. In developing your recommendation we ask you to attend to the practical considerations involved in the issue you choose to tackle without losing sight of the ethical principles at play and at stake. With a new administration in Washington, and winds of change in the air, this seems an optimal time to consider anew the practices and policies that can best help us realize the American ideal, and to reflect again upon the ethical and political principles that led Abraham Lincoln to speak of American democracy as “the last best hope of earth.”

MECHANICS OF THE CAPSTONE PROJECT

1. **Groups:** The Capstone Project is a group project. The groups, each made up of 5 to 7 students, will be organized according to criteria established by your team’s faculty. You will be a member of the group during the entire project and each group will need to work out for itself some form of division of labor and responsibility. Each member of the group will be responsible not only to herself or himself, but to the other members as well.

2. **Project Grades:** You will receive one grade for the Project as a whole. This grade will make up 25% of your semester grade in Natural Science, Social Science, and Humanities. There will be three components of the grade: the written report, the oral defense, and your individual participation in the project. You will be evaluated as a group on the written report (in other words each member of the group will receive the same paper grade), but as individuals on the oral defense and participation. Thus, each individual will be evaluated on the paper, his or her performance during the oral defense, and participation in the total project. Your final Capstone grade will be a combination of these three components.
3. **Reporting of Capstone Grades:** No Capstone grades will be released until the conclusion of all oral exams. This is necessary because team faculty do not assign Capstone grades until all orals are finished. Your faculty will discuss the mechanics of reporting grades to you. Note that you will receive only your individual Capstone grade, as this is what constitutes 25% of your semester grade in each course.

4. **The Written Report:** The length of the Capstone paper should be no more than 50 double-spaced pages. This does not include preliminary pages (table of contents, abstract, etc.), or endnotes, bibliography, or appendices. Copies of the report must be provided for each faculty member and also each member of the group in order to prepare for the oral defense.

5. **The Oral Defense:** After the final report has been submitted to the faculty, your group will meet at an appointed time to defend its work before your team faculty. The oral defense usually lasts two hours. Each group member should be prepared to answer questions on all aspects of the report. **Again, feedback will be offered during the oral and not through written comments.**

6. **The Project Schedule:** The project will begin on Friday, March 27 and continue to the end of the semester on Tuesday, May 12. This period of time will be subdivided as follows:

   a. Capstone will begin with a kickoff assembly for each team during Humanities lecture hours on Friday, March 27. Unless you have a conflict with an elective, be sure to attend.

   b. Individual groups will begin meeting with their faculty on Monday, March 30. Altogether three meetings will be scheduled with faculty for each group during the period of Monday, March 30 through Tuesday, April 7.

   c. The period from April 8 through April 23 will be devoted to writing, editing, copying, and binding the finished report.

   d. The written project report will be due at **NOON on April 24. THERE WILL BE NO EXTENSIONS.**

   All sophomores are to be present in Jacob Sleeper Auditorium at **NOON, Friday, April 24**, at which time all Capstone Projects will be collected by faculty teams.

   e. There will then follow a period from Monday, April 27 to Friday, May 8 during which your group’s oral defense will be scheduled. Scheduling of the orals is carried out by the faculty teams.

7. **Statement on Plagiarism:** To plagiarize is "to take (ideas, writings, etc.) from another and pass them off as one's own" (*Webster's New World Dictionary, 3rd College Edition*, New York: Simon and Schuster, 1988, p. 1031). You are expected to indicate sources using approved techniques. Since students are often confused about the use of quotation marks, the faculty has established the general rule that whenever five words are copied consecutively from another author, the material must be put in quotation marks; failure to do this is plagiarism. Students should note that the sources of ideas and thoughts, **even though paraphrased in one's own words and**
expressed in what is commonly called an indirect quotation, must be credited. Please consult your St. Martin’s Handbook and the “Writing at CGS” document for guidance on documentation, mechanics and grammar.

THE GROUP'S IDENTITY

Each Capstone group is charged with the task of formulating a policy recommendation or court decision on an issue that is related to the theme of ethical problems in various fields of contemporary public life. For that purpose, the group may constitute itself as a panel of experts that has been charged with the responsibility of surveying the history and scope of an appropriate problem, considering the many possible solutions, and recommending what it determines to be the best alternative. The group may be a special commission of inquiry, bureaucrats in a government agency, an independent panel of scholars or citizens, etc. The group will consider the ethical, philosophical, social, political, scientific, and technological implications of the chosen problem and of the policy. The research necessary to formulate such policy recommendations should reflect the scientific method of investigation.

FORMAT OPTIONS FOR THE WRITTEN REPORT

Your group may choose to act either as an informed panel investigating one of the problems outlined later in this syllabus and developing a recommendation that is presented to a government agency or international group (Policy Recommendation Format), or to act as the arbitrator in a dispute, deciding between two conflicting advocates. The group argues both sides of the contention and then the group makes the final decision (Adversary Format). Once you choose your topic you should discuss the format of your presentation with your team faculty.

I. POLICY RECOMMENDATION FORMAT:

If your group chooses this format you will set yourselves up as a commission that is charged with investigating a specific problem (e.g., gerrymandering) and will through your investigation develop a realistic recommendation as a solution to the problem. Your recommendation will be presented to the proper policy enforcing agency, in this case the House or Senate, but it might also be a government agency, international organization, or even a private corporation. Your paper should follow these general guidelines:

A. Introduction: Clearly state the problem you are investigating, why it is important to investigate this problem, and to whom you will be presenting your recommendation. Your introduction should make the readers realize the nature of the problem, and why a solution is needed.

B. Discussion and Development of the Problem: This section of the paper should provide the background information on the problem and present data on all its aspects. Do not simply outline the research you have done on the issue, but present data that draw together all aspects of your research and help to express the controversy that makes your topic a problem. This section organizes and presents data that:
1) outline and develop the problem,
2) develop the various and most likely competing responses to the problem,
3) direct you toward, and ultimately support, your policy recommendation.

C. **The Recommendation:** Your recommendation should be a logical outcome of the data and background you presented in section B. It may be a recommendation that has already been proposed (which you discovered from your research); it may combine various aspects of different published proposals, or it may be a unique solution. This section should reiterate what data support your recommendation and why your recommendation is superior to others. You should also be careful to include what values (scientific, ethical, social) you used to develop your recommendation. Your recommendation should be a realistic solution, not a utopian, pie-in-the-sky proposal. You should discuss how your recommendation will be implemented. You must consider the cost (how much and to whom) of the implementation of your proposal. Finally, you should argue the functional role of your recommendation. Who will benefit from your proposal: society, the individual, a country, the world? Is your recommendation a long-term solution or a short-term fix? The major point is not to sit on the fence with your proposal, but to make a statement and be able to defend it.

II. **ADVERSARY FORMAT:**

In this format your group presents alternative solutions and acts as the arbitrator of a dispute (e.g., for or against Roe v. Wade). Two petitioners argue their respective positions on the controversy and the arbitrator makes a final ruling in favor of one of the petitioners. Your paper will develop competing arguments for each side of the controversy in an orderly, logical manner, render a judgment, and explain the reasons for favoring one position over the other. Your paper should be organized as follows:

A. **Introduction:** Clearly state the controversy, and why it is a controversy. It may help to provide a brief history of the controversy in this section. Indicate who the two petitioners are and what positions they will be representing.

B. **Petitioner I - Arguments:** State the controversy that is being argued and what judgment is desired. Develop the history behind the controversy that will support this petitioner’s arguments. Present, in a logical, clear manner, the data that support this petitioner’s position. For example, if you were arguing against the use of property taxes to fund public education you might want to present data showing that such funding leads to inadequate resources for schools in poor districts. Any evidence that will support the petitioner’s position and sway the judgment towards their side should be presented.

C. **Petitioner II - Arguments:** Follow the same approach as above. It is advisable to present counter-arguments and evidence that opposes the other petitioner’s position. These arguments can be developed as in a point-counterpoint debate; for example, if you were arguing in favor of the current use of property taxes to fund public education you might want to provide data that shows that it does provide adequate resources. Petitioner II should present evidence that will support their position and sway the judgment towards their side.

D. **Judgment by the Arbitrator:** State what the ruling of the arbitrator is, then logically develop the rationale for the ruling. Data presented by both petitioners should be used to support the ruling. You should strive for a realistic ruling and one that is consistent with the arguments presented. Be careful not to
rule against a strong argument, or if you do, be able to justify your ruling. Try to be realistic in the ruling and consider such points as implementation of the favored position, cost to both society and the individual of the ruling, and what values were important in arriving at your ruling.

**General Points:** Be careful to present opposing positions objectively. Do not weaken one petitioner's arguments just to arrive at a ruling favored by the group. It strengthens this type of paper to present arguments as near to equally strong as possible.

**FOCUSING YOUR MAJOR TOPIC AREA**

After your group chooses a major topic area and has decided which type of format to use, you should ask yourselves some of the following questions to help focus your area.

1. What specific problem do you want to examine? A word of caution: Do not be too inclusive (e.g., "We are going to study public education."). You must define a problem which is manageable within the framework of the Capstone project. Your faculty will help with this task.

2. Investigate your problem from an historical perspective. Include any pertinent background information you can find.

3. What is the current thinking about your issue? Whether or not you elect to use the adversary format, you should present opposing views about the issue and become familiar with the disagreements surrounding the issue. This lends more credibility to your eventual policy recommendations.

4. What are the various alternative policies or solutions to the problem you are investigating? Be sure to discuss each of them.

5. Your group must select one of these alternatives or you may create an alternative you believe is superior to any suggested by your study of the literature. In constructing your solution you should draw upon your knowledge of ethics to justify the goals you seek to achieve and the means you propose to use.

6. How can your policy be implemented?

7. What are the implications of your recommendations? What are the political, social, economic, technological, and cultural ramifications of your suggestions?

**LIST OF TOPICS**

1. Gerrymandering: A Nuts and Bolts Problem of Representative Democracy

2. Income Inequality and Democracy
### Description of Topics

1. **Gerrymandering: A Nuts and Bolts Problem of Representative Democracy**

   Gerrymandering is the practice of drawing the boundaries of electoral districts to control the outcome of elections. Like the sewing machine, chocolate chip cookies,
and American literature, gerrymandering is a Massachusetts invention. In 1812 Governor Elbridge Gerry drew up a district so distorted it looked like a salamander. Substitute Gerry for Sala and you can see where the name came from.

Congressional districts are generally revised after each decade’s census. In thirty-six states redistricting is the prerogative of state legislatures. Due to partisan bitterness and the precise demographic analysis made possible by computer technology, it has become routine for whichever party controls the legislature to construct districts for their own political gain or to protect incumbents—in short, Gerrymandering. Gerrymandering works by either of two methods which, though opposite in approach, serve the same end: “packing,” which concentrates opposition voters in a few districts in order to gain more seats for the party in power in the remaining ones, or “dilution,” which weakens the strength of the opposition party by spreading its voters over many districts.

In an attempt to eliminate the abuses of this system, five states have set up independent bipartisan commissions to carry out redistricting, two others use independent bodies but give the final decision to the legislature, and seven have small populations that merit only a single representative. Movements for reform have been formed in many states, backed by national organizations and local activists. Legislators in several states have proposed state laws to establish nonpartisan commissions to carry out redistricting. Many disputes over redistricting have wound up in the federal courts. In its 2004 decision in Vieth v. Jubelirer, the Supreme Court held in a split decision that Gerrymandering is not unconstitutional, in effect permitting elected officials to choose their constituents. The result has been that each party now controls close to two hundred safe districts so that a few competitive districts in a few states decide which party controls the House of Representatives, a situation which critics regard as unfair and undemocratic.

Redistricting crises during the last decade have spurred efforts to reform. One problem is that even non-partisan commissions can be turned to partisan purposes. A party in the minority in a given state will favor non-partisan commissions and might even succeed in establishing them while in other states the party in power will go on imposing its own redistricting plans. What is fair within one state can be unfair nationally if, for example, one party holds on to its strongholds and the other does not. This is why some reformers have proposed a national system to ensure competitive elections, legislative diversity, and proportional voting to make elections more democratic and the House of Representatives more representative. However, it is unclear whether national legislation would pass a constitutional challenge. There is some precedent for federal regulation of redistricting, however, as federal law makes redistricting that disenfranchises racial groups illegal.

What is the purpose of redistricting? How does it work, and under what rules? What federal legislation regulates redistricting? What court decisions affect redistricting? What has been the experience of those states that have set up non-partisan commissions?

A report on this topic could take the form of proposed national legislation, an argument before the Supreme Court on the constitutionality of such a law, a court case over a proposed redistricting plan in a single state, or a debate between advocates of the current system and those who wish to reform it. You might also propose a national movement aimed at passing a reform proposal for single states, a
model for all, achieving non-partisan reform one state at a time thereby evading constitutional concerns over federal legislation. A good site to begin is www.fairvote.org/redistricting/gerrymandering.htm.

2. Income Inequality and Democracy

In his *Politics*, that great middle-man Aristotle cast a critical eye on Greek experiments with both government by the few (oligarchy) and government by the many (the direct democracy of Athens). He judged the former limiting, elitist, and unduly favoring the rich, the latter chaotic, foolish, and excessively favoring the poor. The political Golden Mean, he concluded, would be constitutional self-government in a society dominated neither by the rich nor the poor:

The best political community is formed by citizens of the middle class. Those states are likely to be well administered in which the middle class is large, and larger, if possible, than both the other classes. . .

In many respects, Aristotle's idea of a good (not perfect) society resembles the United States, not a utopia run by intellectuals like Plato's ideal Republic, but one promising individual freedom, social mobility, and free enterprise under the rule of laws laid down by a representative government that will not pander to the mob or be readily manipulated by the super-rich. Such a polity would obviously be destabilized by the concentration of great wealth in few hands.

According to the Congressional Budget Office, in the year 2005 real after-tax incomes of the wealthiest 1% of American households went up an average of $180,000, $400 for the middle class, and $200 for low-income households. The share of national income going to the top 1% is now the highest on record, and that going to the middle 20% the lowest. To put it another way, the gain of $180,000 in average income for the richest households in one year was more than three times the total annual income of the average middle-income household.

There is more than a single reason for this notable change in American income structure, but one is tax policy. It was a Sophist who first suggested the rich should be taxed so as to redistribute wealth for the sake of a more just and stable society. Americans have received about $1 trillion in tax cuts since 2001. The Congressional Budget Office finds that these large cuts have increased income inequality because the largest benefits have gone to the wealthiest—not only in absolute terms, but in percentages as well. Moreover, new cuts are still being phased in, including the elimination of taxes on large estates and income-tax cuts that will go almost exclusively to those at the top. In other words, the already historic level of inequality is slated to increase further.

A report on this topic could take up a number of questions. Is income inequality really a bad thing for democracy and, if so, at what point does it become so and in what ways? Does concentrated wealth corrupt the political process and, if so, how? Does current policy reduce the political weight of the middle class so praised by Aristotle relative to that of the super-rich? Is this dangerous for American society? What are the economic theories behind tax policies that favor the wealthy and their alternatives? For example, is giving more income to the rich good for the economy because it increases productive investment for the future or bad because it does not promote such investment but only wasteful extravagance? Is redistribution of
concentrated wealth a legitimate purpose of tax policy?

Your report could take the form of a policy proposal on taxes (income, corporate, or estate) or a debate between advocates of tax reform and those defending the current system. Or, you might choose to write an adversary dispute on the subject of income inequality itself. How does American society square its promises that individuals can reach their full potential and be rewarded for merit and risk-taking with its reverence for equality and regard for social justice?

A good site to begin with would be that of The Center for Budget and Policy Priorities, www.cbpp.org

3. In Jail in America: Democracy and Incarceration

With roughly a quarter of all the imprisoned people on the planet in U.S. prisons, the United States is now the world's leading incarcerator. For the first time in history more than one in every hundred Americans is in prison, 2,232,000 individuals. The personal, social, and economic costs of this level of incarceration are staggering, and suggest the need for a careful analysis of the causes of crime and the role of punishment. The sheer size of our prison population also raises questions about the moral condition of our society. What does it say of our society that we feel the need to lock up so many of our citizens?

The difference between rates of imprisonment in the United States and those in comparable nations is striking. In the United States 762 out of every 100,000 people are imprisoned, while in the U.K. the number is 152, in Canada 108, in France 91. The U.S. prison population has been rising steadily for thirty years, and has now risen to six times its size in 1972. Prior to that year incarceration rates in the U.S. had been relatively stable for half a century.

The causes for the high rate of incarceration in the United States are not mysterious. First, the United States has a higher incidence of violent crime than other industrialized nations. Second, the United States has harsher sentencing practices than other advanced societies, especially for property and drug offenses. Over the last thirty years in particular the U.S. has adopted mandatory sentencing, restrictions on judicial discretion, "three-strikes" policies, and imprisonment as the preferred punishment for many non-violent crimes. Finally, policies established during the decades-long "war on drugs" have favored the use of the criminal justice system to deal with substance-abuse problems, especially for the poor, over alternatives such as treatment and rehabilitation.

Among the many troubling features of American incarceration practices is the disproportionate imprisonment of minorities. According to the Pew Center on the States, 1 in every 36 Hispanic adults, 1 in every 15 African-American adults, and 1 in every 9 African-American males between the ages of 20 and 34 is in prison. The rates for white Americans are nowhere near these.

The economic resources absorbed by incarceration are high, about $40 billion a year and still rising. In a single year California paid out $500 million to corrections officers in overtime alone. There are also questions about the economic effectiveness of using prison to deal with drug offenses. For example, RAND researchers found that every dollar spent on drug treatment is fifteen times more effective in reducing
crime than one spent on imprisonment.

The social costs are harder to calculate but they are clearly enormous. Offenders suffer from severe civil disabilities, from loss of voting rights and unemployability to the denial of aid for higher education. Families are disrupted and destroyed as well. Over 1.5 million American children have a parent in prison, and for African-American children the rate is 1 out of 14 (Bureau of Justice Statistics, 2000). Some neighborhoods in Washington, D.C. have only 62 men for each 100 women.

There are many possible ways of approaching this topic. A report might take the form of a legislative debate for or against liberalization of sentencing policies or the substitution of drug treatment for imprisonment. You might offer a debate, or specific proposals, regarding mandatory sentencing, three-strike laws, or gun-control regulations as a means of addressing the high rate of violent crime in America. You could examine the reasons for the disproportionate rates of imprisonment for minorities and how this problem might best be addressed. Whatever focus you adopt, however, you should consider the ethics of crime and punishment in America. What is the legitimate purpose of incarcerating criminals? Is this purpose being furthered or thwarted in the current system?

Web sites with which to begin: www.sentencingproject.org and humanrightswatch.org.

4. Affirmative Action and Higher Education

Affirmative action policies give preference to members of specific racial and ethnic groups or to women in such areas as college admissions, hiring, and the awarding of government contracts.

The term was first used by President Kennedy in 1961 in Executive Order 10295 which required that federal contractors take "affirmative action to ensure that applicants are employed without regard to their race, creed, color, national origin." Subsequently the concept moved from neutrality toward preferences and quotas for specific groups.

The primary arguments in favor of affirmative action are those of fairness, equity, and justice. Affirmative action is intended to promote balance and diversity in American society, which through most of its history was unbalanced in favor of white males. Its advocates believe affirmative action is not only required by justice but is in the long-term interest of American society. Thirty years ago Ronald Dworkin put the case this way:

The programs rest on two judgments. The first is a judgment of social theory: that America will continue to be pervaded by racial divisions as long as the most lucrative, satisfying, and important careers remain mainly the prerogative of members of the white race . . . The second is a calculation of strategy: that increasing the number of blacks who are at work in the professions will, in the long run, reduce the sense of frustration and injustice and racial self-consciousness in the black community to the point at which blacks may begin to think of themselves as individuals who can succeed like others through talent and initiative. ("Why Bakke Has No Case," The New York Review of Books, 11/10/77)
Arguments against affirmative action take various forms. For instance, some argue that while there may be social gains from these policies the costs, including a betrayal of fundamental principles of American democracy, far outweigh the benefits. Its opponents tend to call affirmative action "reverse discrimination" and regard the practice as repeating rather than correcting the sins of the past by discriminating against a racial group, in this case white males.

Still others, especially conservatives from minority groups, claim that the beneficiaries of affirmative action are, in fact, harmed by it, as it conveys the message that its beneficiaries are less competent than members of other groups. For example, Charles Murray observed that:

"The new racists do not think blacks are inferior. They are typically longtime supporters of civil rights. But they exhibit the classic behavioral symptom of racism: they treat blacks differently from whites, because of their race . . . . For years, we have instinctively sensed [affirmative action] was wrong in principle but intellectualized our support for it as expedient. I submit that our instincts were right. There is no such thing as good racial discrimination. ("Affirmative Racism," The New Republic, 12/31/84)"

Another argument is that affirmative action is all right in principle but has been unjustly applied, that preferences should be based on economic class rather than race or gender.

Still another argument against this policy is that it is no longer needed, having already achieved its aims and that, anyway, many groups not offered this benefit also endured discrimination in American society. Moreover, there is the problem of just who is to be accounted a member of a group subject to affirmative action preferences. Intermarriage has made racial and ethnic classification increasingly perplexing. In some locations, certain groups, such as Asian-Americans, might be considered minorities but not in others.

The issue of affirmative action is unusually vexing because it appears to set two fundamental American values against one another: equality and merit. This dilemma has been at the core of the many court decisions testing affirmative action policies and legislation over the last two decades, decisions which have done as much to confuse the issue as to resolve it.

Some of the questions that need to be examined include: What is the history of affirmative action legislation? What judicial decisions have affected the practice? What are the moral arguments for and against affirmative action? What is the validity of the claim that diversity is a proper goal in admissions to and hiring by institutions of higher education? What does "diversity" mean? If the policy is to continue should economic class be afforded a status comparable to, or even replacing, that of race and gender? What groups should be granted this benefit, if any? On what grounds? Is it just to judge people as members of groups rather than as individuals? Is there any other way to achieve redress for past discrimination? Even if affirmative action can deliver such a redress, are the costs too high?

A good way to write a report on this topic would be to invent a legal case involving either admissions to a university or the hiring of university faculty. Another approach might be to produce a policy recommendation on Affirmative Action for the current administration. Whichever approach you choose, be sure to consider the
justice of Affirmative Action programs in regard to the basic principles of democracy.

5. The Property Tax/Public Education Dilemma

Public schools in the U.S. are funded primarily through local property taxes along with some state and federal funds. This system has led to inevitable inequalities: since property values in affluent communities are high these communities tend to collect more property taxes than poorer areas and therefore have more money to spend on their school systems. Of course more money does not necessarily mean better education, but it does often result in smaller class size, more and better computers and science labs, more money for after-school activities, etc.

These inequalities have led to numerous law suits over the years. In 1993 the Massachusetts Supreme Judicial Court declared in McDuffy v. The Secretary of the Executive Office of Education that the state has a constitutional responsibility to provide an education “without regard to the fiscal capacity of the community.” Shortly after this ruling, the Governor signed the Education Reform Act which increased state funding to public schools and set clearer curriculum standards and higher criteria for teacher certification.

But the McDuffy ruling has not eliminated perceived inequities in the system. In 1999, students from several of the poorest districts in Massachusetts filed suit in Hancock v. Driscoll claiming that they were not receiving adequate education due to overcrowded classrooms and insufficient books, computers and other technologies. Judge Margot Botsford ruled in the students’ favor. The case went on to the Supreme Judicial Court (SJC) of Massachusetts which ruled in favor of the state. While acknowledging many inadequacies in the school districts involved in the case, the SJC cited the many reforms that the state has instituted and continues to implement since the McDuffy case of 1993.

The Hancock case (and there are many others like it across the nation) leaves open the question of whether or not property taxes are a fair and effective means of funding public schools. Alternatives include increasing state income taxes; the state would then pass on necessary public school funds to each district as equitably as possible. The State of Vermont’s Act 60, the Equal Educational Opportunity Act, offers another possible solution through its use of “sharing pools” and state block grants that guarantee equal access to education to all students. The Act establishes a set property tax rate for the entire state and funds the sharing pool and block grants through a variety of income-adjusted taxes. The Act has reduced the per-pupil spending gap between rich and poor communities by 20%. Researching Vermont’s Act 60 would be an essential part of addressing this topic thoroughly.

Naturally many affluent citizens support the current property tax funding of schools since they can benefit directly from the high taxes they pay for expensive homes. After all, many people move to affluent communities primarily to benefit from the good school systems. Paying higher taxes to support poorer school districts in other communities does not appeal to many who are benefiting from the current system. Those in poorer districts argue that funding public education via property taxes maintains the cycle of poverty: poorer schools lead to an impoverished education and higher drop-out rates and lower rates of acceptance to good jobs, colleges and universities.
Capstone groups could use the adversary approach to argue for/against using property taxes to fund public schools, with a mediator offering a judgment, or they could take the proposal approach, analyze the benefits and deficits of the current system and offer a proposal to improve it. In either case, take into consideration certain factors that have complicated the use of property taxes for funding education, such as the increased need for expensive computers and science equipment in schools, the increase in special education funding, and the growing economic gap between rich and poor communities nationwide. Any approach to this topic should address this fundamental question: does a democratic society have an ethical obligation to provide the same quality of education to children, regardless of their wealth?


6. Proposition 2: Cure or Curse?

This topic can be addressed on its own or as part of the general topic on funding public schools through property taxes.

Proposition 2, passed by Massachusetts voters in 1980, limits the amount that property taxes can be increased each year to 2 percent (with a ceiling of 2 percent of a community’s assessed property value). Similar propositions have been passed in other states as well to curb what was seen by many as excessive tax increases. For many the proposition has been a welcome relief—for those on fixed incomes (particularly retired and disabled citizens) any increase in taxes threatens their quality of life. How can one pay more every year—for taxes and consumer items—when one’s income is not increasing?

But Prop 2 has been a curse for many others. Since school districts depend on property taxes for their funding (see the topic above), the proposition severely limits school budgets. Budgets for police, fire department, and libraries are limited by the proposition as well, resulting in rivalries between essential town services. The 2 1/2 % limit is particularly painful when inflation is over 4% (as it is currently). Faced with budgets that can increase only by 2 % but costs that increase at a much higher rate, schools districts are forced to cut teachers, staff, buses, books, computer upgrades, lab equipment, and after-school activities; police and fire departments cut staff and vehicles; and libraries cut staff and hours of service.

Communities can vote on an override to raise taxes more than 2 %, but the majority of the elected town officials have to support placing an override on a ballot and then the majority of the townspeople have to approve it. In some local communities such as Brockton, an override hasn’t passed in 17 years because people feel they simply can’t afford any more taxes. Ironically, citizens often end up paying more even when overrides aren’t passed because districts establish new fees to meet the budget gap. For instance, bus service used to be paid for by property taxes in most communities; now citizens in many towns have to pay $300 a year or more for one child to ride the school bus—a fee much higher than the tax increase an override would likely bring. School districts now often charge an “activity fee” to pay for involvement in sports teams and drama, debate, and other clubs.
A Capstone paper on this topic might propose solutions to the problems posed by Proposition 2—i.e. how can citizens on a fixed income be protected from painful tax increases without school districts being budgetarily starved in the process? Should the proposition be abolished, and if so, what should take its place? This would also make a good adversary paper with one side defending the proposition’s benefits, the other side articulating its deficits and a judgment being made in the conclusion. Either approach should try to articulate the most ethical and effective means for a community to deal with rising costs, taking into account the needs of all citizens.

7. **Gun Control: The Right to Bear Arms vs. the Right to Be Free of Arms-Bearers**

On June 26, 2008 the Supreme Court ruled in a 5/4 decision that the Second Amendment of the Constitution grants individuals the right to bear arms. This is the first time the Supreme Court has indicated that the Second Amendment provided for this individual right; it has been argued that the Second Amendment protected the right of the state to form an armed militia, but not the right of individuals to keep guns in their own homes. The Supreme Court’s decision overturns a Washington D.C. ban on handguns, but it also opens the door to litigation against gun control laws nationwide. The Court’s ruling raises numerous questions: if the Constitution gives individuals the right to own guns, can any kind of gun control be legitimate constitutionally? If so, what restrictions can be legally made on hand-gun possession?

Gun control advocates argue that restricting the ownership of arms reduces crime. A 1991 study in the *New England Journal of Medicine* found a 25% drop in gun homicides and a 23% drop in gun suicides following the Washington D.C. handgun ban that has just been overturned. But other studies complicate the picture. Justice Stephen Breyer, even while dissenting in the Supreme Court’s recent decision, stated that the evidence about the positive effects of gun control is inconclusive, and he noted that Washington D.C.’s homicide rate is higher in comparison to other cities than it was before the ban (a fact that does not necessarily undermine the findings stated above from the *New England Journal of Medicine*).

Capstone groups might research studies on the effects of gun control on crime and suicide rates and then propose gun control laws that would abide by the Supreme Court’s decision while also avoiding an arms free-for-all. Such research could also lead to a good adversary paper, in which both sides of the gun control issue are presented and weighed by a moderator. Some issues should be considered either way: how much have guns changed technologically since the Founding Fathers wrote the Constitution? Should the advent of concealable automatic weapons affect the Second Amendment’s provision of the right to bear arms? Also, is there any definitive evidence that gun control laws hinder violent crimes? If there is, does that mean state governments have an obligation to make gun control measures stricter? If there is not any definitive evidence of the effectiveness of gun control laws, why have any gun control at all? Compare our gun control laws and crime rates to those of the United Kingdom and European countries. What does this comparison suggest?
8. Abortion: The Constitutional Controversy

There are at least three related, but distinct, questions that can be asked with respect to what might generally be called ‘the abortion controversy.’ The first is a moral question: Is it morally right to abort a fetus? The second is a legal question: Can a right to abortion be reasonably inferred from the Constitution of the United States? The third is a political question: Should a liberal democracy, dedicated to Jeffersonian principles, guarantee a right to abortion? Note that each of these questions is logically distinct. It is possible to answer ‘no’ to question one and ‘yes’ to questions two and three. It is possible to answer ‘yes’ to one and ‘no’ to two and three. Indeed, although the questions certainly have bearing on one another, virtually any combination of answers could be justified depending upon one’s understanding of liberal democracy, one’s reading of the Constitution, and one’s position on the morality of abortion.

For this Capstone topic we would like you to focus specifically on question two above: Is it reasonable to infer a right to abortion from the Constitution of the United States? This is the question the Supreme Court Justices were asked to decide in Roe v. Wade and the question they may well be called upon to revisit if a case requiring a review of that decision should be accepted by the Court in the future. It is also among the most politically divisive questions in our country today.

As things currently stand there are four sitting Supreme Court Justices (Roberts, Alito, Thomas, and Scalia) who have, at some time in their career, indicated disagreement with the Roe v. Wade decision. The other five members of the Court have all indicated agreement. Of these five, one (Justice Stevens) is 87 years old and will doubtlessly be retiring from the Court in the near future. This means that within a short time the swing vote on Roe v. Wade will likely be nominated to the Court.

Your job, if you choose this topic, will be to review the Supreme Court case history that led to the Roe decision and subsequent decisions stemming from it, and then render your own judgment as to whether Roe was rightly decided.

This will involve, at least, a review of the 1965 Griswold v. Connecticut case in which a constitutional right to reproductive privacy was first declared, a careful review of the 1973 Roe v. Wade decision itself, and a review of the 1992 Planned Parenthood v. Casey decision in which significant emendations were made to Roe. In the course of this review you will examine and analyze the various constitutional issues at stake in the abortion controversy, such as: To whom does the Fifth Amendment’s right to ‘life, liberty, and property’ apply? Can a right to privacy truly be found in the language of the Constitution? Would anti-abortion legislation motivated by religious belief violate the principle of Church/State separation declared in the First Amendment? How much leeway should Justices have in interpreting and extrapolating from the strict language of the Constitution?

Finally you will present your own argument as to whether the major finding in Roe v. Wade—that a woman’s right to an abortion may not be abrogated by legislative action—should be upheld.

There are any number of persona that you might adopt in pursuing this question. You might take the role of an advisory panel to the President presenting an analysis of the issue. You might take the role of an advocacy group on one or another side of the issue seeking to promote its view to the public. Or you might use the adversary
format to provide both sides of the argument to the Supreme Court itself in a fictional case of your own devising that challenges the Roe decision. Whichever format you choose be sure to provide a careful analysis of the complex issues at stake in this controversial question lying at the intersection of individual, societal, and religious rights.

9. Government Funding for Basic Science Research: Why Pay for Knowledge?

On a first glance, the 2009 federal budget for scientific research seems to be quite promising, with increases of one billion dollars to the NIH (National Institutes of Health), and a 12.5% increase in the NSF (National Science Foundation) budget. But when adjusted for inflation, these “increases” actually amount to decreases, making 2009 the fifth straight year of decreased funding for scientific research (with the exception of defense development funding). Basic science research (the kind that increases our knowledge base but may not have immediate applications to new technologies or medicines) has been hit particularly hard by budget cuts in the past five years. In a troubled economy, such as we are experiencing now, should the U.S. government invest more robustly in basic science research? The decreases in the 2009 budget for science funding might not be surprising during a recession, yet other nations, faced with similar economic hardships provide more consistent funding for scientific research. Robert Rosner, the director of the Argonne National Laboratory in Chicago, states that European countries fund sciences more consistently which allows for the development of long-range projects. Most scientific research takes a great deal of time to be brought to fruition (he points to the development of the laser which came about in the 1960s but did not get used commercially until the 1990s). China and Japan also seem to understand the necessity of investing consistently and at high levels in the sciences. Goran Karapetrov, a material scientist at Argonne, notes the 200 mph trains in Shanghai that can get from the airport to downtown in 8 minutes because they use superconducting magnets that reduce friction, the kind of technology he works on in his lab.

One could argue that investment in basic scientific research has substantially increased our quality of life by helping to bring about bio-medical advances, increased understandings of our environment, development of labor-saving technologies, etc. It has also led to economic advances for our nation in competition with other countries, and decreased funding could lead to our falling behind other nations in knowledge and economic influence. But more important, our desire to increase our understanding of ourselves and the universe around us defines us as human beings. Decreasing funding for basic scientific research suggests a de-valuing of this fundamental human characteristic and drive. Yet others would argue that during times of war and economic down-turns, budgets (other than defense) have to be cut across the board, and some budget cuts may seem even more painful than those faced by the sciences, such as cuts to Medicare and Medicaid. Terence Kealey, a professor of clinical biochemistry at the University of Cambridge, argues that governments shouldn’t fund scientific research at all—such funding should be left to businesses, philanthropists and other private donators, he feels. He defends his position by pointing out that the U.S. rose to world prominence toward the end of the 19th century with no government support of science at all. In addressing this topic, it will be important to consider Kealey’s argument, as well as the following questions: how have the sciences changed since the 19th century and how do these changes affect the need for funding? What conflicts of interest might arise if
research were funded primarily by the research and development sections of major oil, chemical and pharmaceutical businesses? Does government funding also pose conflicts of interest?

With this Capstone topic a group might research some results of federal funding of basic scientific research in the last few decades (i.e. what has such research yielded?). The NSF website would be a good place to start to track the kinds of projects that have received government funding. A proposal paper could then suggest the contributions such research has made to society and argue for or against increasing or maintaining a consistent level of government funding for basic scientific research. An adversary paper could argue both for and against increasing science funding, with a moderator weighing the evidence to make a final determination. Underscoring any approach to this topic is this fundamental question: does a democratic government have a responsibility to support basic scientific research? Why or why not?

Good places to start, in addition to the NSF website: the websites of AAAS and NIH.

10. Democracy and Superpower: Exploring America’s Global Military Role

In September of 2000, a year before 9/11, a group calling itself “The Project for the New American Century (PNAC),” whose member list included a number of men who were to become major figures in the Bush administration (e.g., Dick Cheney, Donald Rumsfeld, I. Lewis Libby, Elliot Abrams, Paul Wolfowitz, and others), published a document entitled “Rebuilding America’s Defenses,” which advocated that the U.S. use its position as the world’s sole remaining superpower to establish a global Pax Americana (American peace), a phrase that seemed deliberately evocative of the phrase Pax Romana, used to refer to the state of relative world stability achieved by the Roman Empire at the height of its power. This group and its supporters, who came to be known popularly as “neo-cons,” called for an expansion and extension of America’s global military presence as a means to establishing such global stability, secured through American military dominance:

Keeping the American peace requires the U.S. military to undertake a broad array of missions today and to rise to very different challenges tomorrow, but there can be no retreat from these missions without compromising American leadership and the benevolent order it secures. This is the choice we face. It is not a choice between preeminence today and preeminence tomorrow. Global leadership is not something exercised at our leisure, when the mood strikes us or when our core national security interests are directly threatened; then it is already too late. Rather, it is a choice whether or not to maintain American military preeminence, to secure American geopolitical leadership, and to preserve the American peace. (PNAC, “Rebuilding America’s Defenses,” 2000, 75-76)

It was only after the events of September 11th, however, that the thinking of this group was to have an overt influence on Bush administration practices and policies. In the words of George W. Bush’s second inaugural address:
We have seen our vulnerability - and we have seen its deepest source. For as long as whole regions of the world simmer in resentment and tyranny - prone to ideologies that feed hatred and excuse murder - violence will gather, and multiply in destructive power, and cross the most defended borders, and raise a mortal threat.

Given modern technology, especially weapons of mass destruction, the neo-cons now argued, the establishment of a global *Pax Americana* is not only something good for the world at large but vital to U.S. national security interests. Such considerations led to the adoption of a new policy of preventive war by the Bush administration. International law had long recognized the right of any country to *preempt* an attack against it that was about to take place, but it had always regarded as illegitimate the initiation of a war for the purpose of *preventing* a perceived threat that was not yet imminent. In its National Security Strategy document of 2002, however, the Bush administration argued that, in the age of terrorism and WMD, such thinking must be changed:

For centuries, international law recognized that nations need not suffer an attack before they can lawfully take action to defend themselves against forces that present an imminent danger of attack. Legal scholars and international jurists often conditioned the legitimacy of preemption on the existence of an imminent threat—most often a visible mobilization of armies, navies, and air forces preparing to attack.

We must adapt the concept of imminent threat to the capabilities and objectives of today’s adversaries . . . taking anticipatory action to defend ourselves, even if uncertainty remains as to the time and place of the enemy’s attack. To prevent or forestall such hostile acts by our adversaries, the United States will, if necessary, act preemptively. (National Security Strategy, 9/2002, Ch. V, p. 15)

A major reason given for the war in Iraq was that it was necessary “to forestall or prevent a hostile act by an adversary,” in this case Saddam Hussein, even though there was no evidence that Saddam was preparing an immediate attack against the U.S. Given that the Bush administration’s Iraq policy was largely crafted by members of the PNAC, there is reason to think, also, that a related motive for the war was to advance the PNAC’s vision of a global *Pax Americana*, established and secured with American military muscle.

Critics of the neo-cons have argued that any pursuit of “global leadership” through military domination is inherently anti-democratic. With only five percent of the world’s population, they argue, the democratic principle of “government by consent of the governed” implies that the United States simply hasn’t the right to a unilateral use of military power to shape the world to its liking, irrespective of the benevolence of its intentions. It is pointed out that the *Pax Romana* of the Roman Empire was achieved only through a degree of autocracy and brutality that is inconsistent with America’s democratic principles. Furthermore, in line with the adage “power corrupts and absolute power corrupts absolutely,” it is feared by such critics that should the U.S. abandon its own democratic principles as a basis for action it won’t be long before it abandons its benevolent intentions as well. Rather than advancing democracy in the world, critics fear, such a policy will actually lead to the erosion of democratic principles at home and abroad, as the wielders of America’s vast military machine become increasingly contemptuous of, and unresponsive to, the will of ordinary people.
Indeed, in 1961 Dwight D. Eisenhower, the 34th President of the United States and Supreme Commander of the Allied Forces in WWII, warned that the unrestrained build-up of what he then dubbed the ‘military-industrial complex’ could endanger democracy itself. “In the councils of government,” cautioned Eisenhower, “we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist.”

Given all this, how is the U.S. to conduct itself as the world’s “sole remaining military superpower”? That is the question to be explored in this Capstone report. In doing so you will review the Bush administration’s National Security Strategy document of 2002 with an eye toward championing or amending it as policy for the new administration. Some questions to consider are: Is the Bush doctrine of preventive war necessary, acceptable? Is democracy likely to be advanced or eroded through military action? Does the U.S. have the right to employ its military might unilaterally in the advancement of its interests, or even in the advancement of its understanding of the world’s interests? Is the increasing build-up of the military-industrial complex a threat to democracy itself, as Eisenhower had warned? If so, what, if anything, can be done about it? Do democratic principles demand that the U.S. act in conjunction with international bodies such as the U.N. in deciding whether and when to go to war?

In pursuing these questions you might adopt the persona of an advisory panel to the new President assigned to reevaluate U.S. national defense policy for the new administration, or a citizen group seeking to promote one or another view. If you wish to employ the adversary format you might stage a debate between neo-cons and their critics to which the new administration will respond. Whichever format you choose, be sure to carefully consider the relationship, and tensions, existing between the United States as a bastion of democratic principles, and the United States as a global military superpower.

11. Democracy, Money, and Politics

In the ancient Greek world there were two basic systems of government that vied with one another for adherents among the Greek city-states: democracy and oligarchy. Democracy literally means “power of the people” (Demos = people; Kratos = power). Oligarchy means “rule of the few” (Oligos = few; Archia = rule). In both systems a citizen assembly would gather periodically to vote on the important issues of the day. What distinguished them was that in democracies all citizens (at least all male citizens) had voting privileges in the Assembly. In oligarchies only citizens owning a certain amount of property had such privileges. In effect, then, an oligarchic system of government amounted to a rule of the wealthy.

Although the ancient Greeks are credited with the invention of democracy, it was not until the modern age that the basic ethical principle underlying democracy as a system was explicitly articulated. This is the principle of individual liberty, i.e., the principle that every human being, by reason of his or her inherent dignity as a human being, has a right to be self-governing. This principle renders illegitimate any form of government in which some would govern others without their consent. Hence, it renders any form of oligarchy illegitimate. In the words of Thomas Jefferson, “the
mass of mankind has not been born with saddles on their backs, nor a favored few, booted and spurred, ready to ride them."

Implicit in the principle of self-governance is that every citizen should (at least potentially) have as much access to political power as every other, regardless of wealth. Ideally, the amount of money a person has should have no bearing on the amount of political influence a person can wield. In a democracy, the homeless person on the street should be as well represented in the halls of political power as Bill Gates.

As we know, this is not how it works in practice. Although every adult citizen in this country has a right to vote, the viable electoral choices available to voters are limited by the money they can attract to fund them. The Presidential election of 2008, for instance, cost over a billion dollars all told. Although a portion of this money came from small donors, a disproportionate amount came from wealthy individuals and corporations who, despite campaign finance laws restricting the size of allowable contributions, are still able to find ways to contribute money to favored political candidates and groups in amounts far exceeding what the average citizen can afford. This, in effect, gives the wealthiest citizens a vastly unequal influence over the electoral choices available to the citizenry at large.

Beyond this, corporations and other large organizations spend billions of dollars a year lobbying Congress to support their interests. Whereas the demands of campaign funding have the effect of limiting the choices available to voters, lobbying has the effect of informing elected officials of the political positions for which future funding is likely to be found. Although this has sometimes taken the form of a direct, and illegal, quid pro quo, in which campaign contributions are directly linked to specific legislative favors, such is not necessary for big-money lobbying to have its political influence. Politicians know that if they run afoul of monied interests they will have difficulty funding the campaigns that keep them in office. Through lobbying, these monied interests are able to make their specific demands known.

Some would say that, taken together, the influence of money on politics through campaign contributions and lobbying has the effect of turning our democracy into a virtual oligarchy, with the wealthiest having an influence on government far out of proportion to their numbers. Your job will be to evaluate this claim and propose legislative measures that can help bring our system into closer alignment with its democratic ideals. In doing so, be sure to review and assess the campaign financing and lobbying legislation that is already in place.

Note that any attempt to reform the current system must take into account the First Amendment, which some argue protects both political campaign contributions (as an exercise of free speech) and lobbying (as an expression of the right to petition the government). Any reform you propose must give this argument due consideration.

You might adopt the persona of an advocacy group presenting a report to Congress or preparing a policy statement for the public. If you wish to employ the adversary format, you might envision a debate between those who would propose major reforms to the current system and those who would argue that any such reforms violate First Amendment rights. However you choose to approach it, be sure to give careful consideration to the democratic principles at stake and the extent to which our current system is or is not in alignment with them.
12. Democracy and Education

“When more than 1 million students a year drop out of high school, it’s more than a problem, it’s a catastrophe.”—Colin Powell

One of the most important threads of the narrative of freedom and democracy in America is the role of education. From the very beginning of independence in the late eighteenth century, figures like John Adams, Benjamin Franklin, and Thomas Jefferson emphasized the need for a common, public, education to serve as an integrative force in the emerging union of the thirteen states. It was not until the early nineteenth century, however, that the Founding Fathers’ vision began to take shape through the efforts of Horace Mann (1796-1859). He proposed that the provision of a public education for all children, in common schools with a common political and social curriculum, be adopted as a national goal. Mann’s theory embraced the idea that to have a good society we would need good schools. By the end of the nineteenth century, however, the focus of the educational process turned from a concern with improving society to a concern with preparing students to enter the economic marketplace (an impact of the Industrial Revolution). This remains the focus to this day.

On April 26, 1983, the National Commission on Excellence in Education issued a 65 page report entitled “A Nation at Risk.” It concluded: “The educational foundations of our society are presently being eroded by a rising tide of mediocrity that threatens our very future as a nation and as a people.” This report had the effect of placing education on the national political agenda. Over the last 25 years a series of reforms have been made, aimed at improving the quality of American primary and secondary school education. The most recent of these is the No Child Left Behind Act (NCLB) of 2002.

A major impetus for the No Child Left Behind Act was the belief that our public schools were failing in comparison with those of other countries. In almost all international comparisons American students end up somewhere in the middle, with a disproportionate share of low-performing students. According to the National Center for Public Policy and Higher Education, the proportion of U.S. students graduating from high school is now 70% (in the Nation at Risk report it was 75%). Whereas we used to be first among industrialized nations in sending students to college, we have dropped to fifth. We are now sixteenth among industrialized nations in the proportion of students who complete college. The No Child Left Behind Act sought to improve this situation through the adoption of a number of measures designed to monitor and enhance the quality of public education.

A number of criticisms have been leveled against this legislation. Chief among them is that it overemphasizes standardized testing. Many educators would argue that, while testing provides some measure of student learning, it cannot, and should not, be allowed to dictate the educational agenda itself. Education is something more than learning to do well on tests. In its effort to monitor quality, these critics claim, NCLB has actually led to a distortion in the meaning of educational quality itself.

With a new President and a new Secretary of Education in office, this is a good time to examine the No Child Left Behind Act, its pluses and its minuses, to see if it is indeed meeting the educational needs of students and of the country as a whole. This is to be the focus of this Capstone report. Your examination might lead you to
recommend improvements to the existing NCLB legislation, or to recommend scrapping this legislation altogether and replacing it with something new of your own devising.

In your Capstone report you will first provide a general analysis and assessment of NCLB. Then you will focus on a specific problem area in need of improvement. The following are suggested areas you might explore. Some of these are somewhat controversial and thus require an exploration of both sides of the issue. With the approval of faculty, you may also examine another area of your own choosing that you consider important. Your overall goal, of course, is to propose legislation that will help improve public education in our country. Focus on whichever area you think will be most important in helping to do so.

A. High School Graduation Rates

Are there substantial costs to our society in the number of students who do not graduate from high school? If so, what might be done about it? In exploring this question you may first have to find out exactly how many do not graduate and then offer a proposal for a uniform method of reporting. Examine the problem from the perspective of an urban school (Boston, for example, has a graduation rate of 57%). Is it the quality of the teachers, the number of students in the classroom, or socio-economic contingencies, that lie at the root of the problem? A good resource for exploring this question is Bob Wise’s book, *Raising the Grade: How High School Reform Can Save Our Youth and Our Nation*.

B. Longer School Days and School Year

The Massachusetts Secretary of Education-designate, Paul Reville, says “the current school day is simply insufficient to give kids everything they need to be successful in today’s world.” Extra time applied intelligently could be a way to improve the test scores required by the No Child Left Behind Act. Research the schools that are already using a longer school day (in Massachusetts there are presently 18 schools employing a longer day, such as the Clarence R. Edwards Middle School in Charlestown). Consider how this extra time might be used. There are many other countries that not only have longer school days but a longer school year (Japan, for example)—these might be helpful comparisons. Remember, it is at least in part a question of costs vs. benefits.

C. Rewards and Incentives

There is a movement in some schools to provide tangible material rewards for students who perform well on test scores. Such incentives also apply to teachers whose students reach a certain level of achievement. This approach was first proposed by the Harvard economist, Richard G. Fryer. In a realistic assessment of human behavior, many school districts nationwide have seized on his idea that a key to improving schools is to pay for performance, whether through bonuses for teachers and principals, or rewards like cash prizes for students. This approach is being taken in about 200 schools in New York which are experimenting with one incentive or another. Mayor Michael R. Bloomberg of New York City is an advocate of this idea and maintains that such rewards can turn a school around. Can money make academic success enticing for students otherwise disdainful of academic achievement? Examine the pros and cons of such an approach. Focus on a specific grade level and perhaps a certain school (urban, for example). Remember, this
approach seems primarily designed to improve test scores so that schools can reach the level required by the No Child Left Behind Act.

D. Single-Sex Classes

An interesting area of education has evolved out of studies in neuroscience. In some of these studies (e.g., Steven E. Rhoads, “Taking Sex Differences Seriously”) there is evidence that there is a difference in the way boys and girls learn, especially in the areas of math and science. Deborah Blum (“Sex on the Brain: the Biological Differences Between Men and Women”) suggests that these differences should be taken into account in the classroom. In exploring this issue, first establish the scientific evidence and then recommend what courses and grades this evidence might best be applied to. In Massachusetts the Rennie Center of Education and Research Policy issued a policy brief about boys across the state lagging behind, and recommended that public schools be allowed to experiment with single-sex classes. There are more than 366 public schools in the country that are now using this approach, according to the National Association for Single Sex Public Education. Would this be a way to close the achievement gap between boys and girls? Consider how this gap might be closed if single-sex classrooms are introduced. Remember, this, again, is just a way to reach the standards of the No Child Left Behind law.

13. Electronic Voting: A Danger to Democracy?

Josef Stalin is reputed to have said “It’s not those who vote that count, but those who count the vote.” Some have questioned whether Stalin ever actually uttered these words but it really doesn’t matter; the concern raised by them stands on its own. Those in control of counting votes are in a position to misrepresent the final tally and hence to alter the results of elections. Without some ability to verify the accuracy of the vote count, then, the democratic process itself can be undermined at its root.

This has become of particular concern in the age of electronic voting; that is, voting tallied with computer software. Computer software has three features that make it of especial concern as a means of tallying votes: opacity, reproducibility, and complexity.

Firstly, computer software is opaque. Physically, a running computer program is but a flow of electrons that have been assigned a meaning by the software developer. Neither the flow of electrons itself, nor the meaning that has been assigned it, can be directly observed. In the case of ordinary computer applications this is not a problem. Given the observability of the input and output of a computer application, testing can be done to ensure that input is being processed into output in a manner that accords with the software developer’s intentions.

But where those intentions are themselves questionable a problem arises. What if the developer’s intentions are to defraud the users of the software, i.e., to have the system produce output that misrepresents the input? If there were no independent way of checking the input such fraud would be undetectable. Where the input is a multitude of independently cast votes recorded and tallied in no other way than through the suspect software itself, detection of fraud is all but impossible. Thus, the opacity of computer software makes electronic voting especially vulnerable to fraudulent manipulation.
This problem is exacerbated enormously by the fact that the same election software can be, and is, reproduced for use at a multitude of election sites. When votes are hand-counted fraud is still possible on the part of those doing the counting, but in this case the number of people who would need to collude in order for such fraud to have any significant effect (in any but the closest elections) renders it unfeasible. On the other hand, where the same opaque software is used in applications across a state the number of people who would need to be knowingly involved in the fraud can be kept to a bare minimum. Indeed, with sufficient access to the machine from which the software is copied, a single programmer could introduce a fraudulent algorithm that might then be distributed nation-wide.

Finally, software processing systems are extraordinarily complex. They are complex both with respect to the software they process and the hardware that processes it. This complexity is itself a great barrier to transparency and verifiability. In order to be absolutely sure that nothing improper is taking place in the processing of data it is necessary to track that processing wherever modification to the data is possible. Given the extraordinary complexity of software processing systems, however, this is unfeasible. Again, where there is no fraudulent intent this is not a problem, since such thorough tracking is not necessary to ensure that output is being produced as intended by the developer. But where there is fraudulent intent a clever developer can exploit this complexity to hide untoward modifications in ways that would be difficult, if not impossible, to anticipate or discover.

The companies that produce election software insist that safeguards are in place to prevent such fraud. But given the opacity, reproducibility, and complexity of software systems, critics question the extent to which adequate safeguards are even possible.

Your job is to investigate the claims of the critics and defenders of electronic voting and to render a report that either defends it or proposes a solution to its problems. In investigating this issue be sure to consider the political aspect of the controversy as well. Ever since 2003 legislation has been before Congress to address the problems cited above. What prevents its passage? What reasons do opponents give for their opposition to such legislation? Are their reasons sound?

In pursuing these questions you might adopt the persona of an advocacy group lobbying Congress for a change to existing laws, or an industry group defending electronic voting. If you wish to employ the adversary format you might stage a debate between the critics and defenders of electronic voting. In either case, be sure to carefully consider the issue in the context of the need to safeguard the fundamental institutions of democracy.

A good place to begin investigating this issue would be:
http://www.reformelelections.org/publications.asp?pubid=475

14. Ethics and Organ Donations

The idea of organ harvesting can conjure up the image of Victor Frankenstein digging around in crypts to find the necessary parts for his “creation.” This image is indeed suggestive of one negative aspect of organ harvesting—the selling of human organs for profit, as was recently found to be taking place in India. Nevertheless,
organ harvesting is by no means inherently evil. Indeed, Acting U.S. Surgeon General Dr. Kenneth Moritsuga considers organ donation “the ultimate act of human kindness.” Nevertheless, patients typically wait three to five years for donated organs and each day 17 of them die. In a democracy, where people have a freedom of choice, it can be particularly difficult to address this medical issue. Still, Dr. Moritsugu believes that “the shortage of donor organs is a medical problem for which there is a cure” (Journal of the American Dietetic Association). History shows that efforts to increase altruistic organ donations can jump-start a failing system.

In this Capstone report you will explore government strategies for increasing organ donation in the United States. Begin with a brief history of organ transplants and then consider the best way a democratic culture might improve its donation record. Examine the existing laws (e.g., the Revised Uniform Anatomical Gift Act) that such states as Virginia, Utah, and Idaho have attempted to enact as a way to increase donations. What are the controversies surrounding such laws? Can they be improved upon? The problem seems to be getting people to act on their moral beliefs. While most Americans say they approve of donations, only about one in four has followed up on this belief by signing forms. In Iowa, for example, a study shows that 97% of residents support organ donation, yet only 43% of those people had checked the relevant box on their driver’s license application. In Europe, where you are considered a potential donor unless you expressly declare otherwise, more than 90% of people are organ donors. Should we adopt the European system? This question only touches the tip of the ethical iceberg with respect to this issue. Here are some other questions to consider:

- Should monetary rewards be used as an incentive for organ donation?
- Should organs be given first to people who have agreed to donate their own organs when they die?
- Should people in need advertise through the news media or Internet for a donation?
- Should it be legal for those in need to purchase organs from living donors?
- What might motivate someone to make a sacrifice for an anonymous recipient?
- Do people have a moral responsibility to donate their organs?
- Should we establish a public registry of live donors (people who were willing to donate organs to relatives or friends but were not good matches)?

You might adopt the persona of an advocacy group addressing a body of legislators that is crafting legislation to bridge the gap between organ supply and demand. Or, if you wish to use the adversary format, you might stage a debate between advocacy groups on opposing sides of some aspect of the issue. However you approach it, be sure to pay careful attention to the ethical issues at stake in this question.

15. Should Animals Be Accorded Rights?

An ongoing theme in Western culture originating in the eighteenth century within the Utilitarian philosophy of Jeremy Bentham (1748-1832) is the idea that animals should be given some kind of moral status. The evolution of “rights” from men to women to minorities might now move into the “rights” of animals. Harvard University has a course designed to address this possibility. Certainly, there must be some scientific and philosophical foundation for such a position.
The philosopher today that is leading the way is Peter Singer (In Defense of Animals and Animal Liberation). In these books, Singer applies Utilitarian ethics to the question of our treatment of animals. He argues that animals should have various rights derived from utilitarian principles. States are even moving in this direction. California in the last election had a referendum on animal rights (Proposition 2) that would ban factory farms from raising chickens, calves, or hogs in small pens or cages. Spain's Parliament has taken a first step in granting rights to apes. How should a democratic government, committed to a belief in the advancement and protection of "rights," respond to the animal rights issue? That is the question of this Capstone project. You might approach this question in one of the following ways, being always cognizant of the philosophical, scientific, and social ramifications of whatever policy you propose:

A. One way to approach the "rights" of animals is through the California "proposition" concept. This approach does not focus on the elimination of meat eating. Instead, it focuses on the way the animals are treated before they are to be slaughtered. Consider writing a proposition for Massachusetts or any other state that might be receptive to this kind of moral argument (probably Texas would not be very receptive). Then analyze both sides of the argument—animals vs. Industrial Corporations—and lay before the citizens (audience) of the state your position on this matter (your persona could be an objective group of social scientists, for example). Remember, your analysis begins with the proposition of animal "rights."

B. Another way to approach the moral argument of animal "rights" is through the true cost of industrial meat production. A lot of the same arguments may show up as in the above "A" approach, but this approach addresses the costs for society as a whole. Americans eat about eight ounces of meat a day, about twice the global average. We "process" (that is, grow and kill) nearly 10 billion animals a year. According to the United Nation's Food and Agriculture organization, 30% of the ice-free land on the planet is directly or indirectly involved in livestock production and generates nearly a fifth of the world's greenhouse gases—more than transportation. This obviously is going to be a moral argument directed toward the consumer to make him/her aware of the ramifications of his/her lifestyle. This can also be a way to get to the animal rights issue. Michael Pollan's book, In Defense of Food, is a very good place to start to get a feel for the overall picture. Perhaps you can take on the persona of a group of scientists who are analyzing the pros and cons of meat production for possible legislative action.

C. Another approach to this general topic is to consider whether there should be legislation mandating the use of non-animal tests. The United States now only recommends such non-animal testing but does not mandate it. In the "cosmetic" industry, for example, the use of Botox (wrinkle and frown lines remover) produced by Allegan is deemed safe after experiments with mice. The mice are injected with Botox until a dose is found at which half of the animals die—a rough gauge of potential harm to humans under federal safety rules. A decade after Congress created a panel to spur the development of non-animal tests, only four such tests have been approved out of 185 reviews (in Europe, a similar panel has approved 34 alternatives to animal testing and has another 170 in the pipeline). Present an argument, taking into account the claims of the animal rights advocates, as to whether animal testing should be prohibited. Be careful to include a discussion of the science concerning the necessity of using animals for effective testing. The audience would be a body of legislators.
Over the past twenty-five years, the amount of oil imported by the United States has steadily risen. According to the Department of Energy, the United States imported approximately 1.84 billion barrels of oil in 1983, 3.22 billion barrels of oil in 1995, and 5 billion barrels of oil in 2007.

The economic and political impacts of the United States' dependence on foreign oil are startling. From an economic point of view, dependence on foreign oil amounts to a massive transfer of wealth from America to other countries. In 2005, for instance, 206 billion dollars left the country to pay for foreign oil. This number increased to 300 billion dollars in 2006 and 440 billion dollars in 2008. From a political point of view, the United States' dependence on foreign oil makes the country vulnerable to instability around the globe and reduces the amount of leverage the United States has in its dealings with other regimes. These considerations and others like them have led policy makers to seek alternative sources for America’s energy.

One of the more significant responses to this problem is the Energy Policy Act of 2005 and The Energy Independence and Security Act (EISA) of 2007. These acts set forward an array of policies to achieve energy independence. Foremost among these policies is the mandate to substitute renewable biofuels for imported foreign oil. In particular, the 2007 EISA legislation mandates raising the nation’s production of biofuels to the level of 36 billion gallons per year by 2022.

On the surface, the production of renewable biofuels appears to alleviate the problems associated with the United States’ dependence on foreign oil. Corn, sugarcane, switch grass and other species of plants are grown by American farmers each year and then converted to ethanol. This American ethanol, in turn, can be used to fuel cars driven in the United States. Understood in this way, increasing the production of corn-based ethanol and other biofuels improves the United States’ trade balance and makes the United States less dependent on the vicissitudes of global politics and periodic spikes in the price of oil.

The logic of this argument proved compelling to Congress, President Bush, and President-elect Obama – who voted for the EISA in 2007. On the other hand, the shift to renewable biofuels to meet U.S. energy demand is not without its own problems.

Consider, in this context, the effect of the Energy Policy Act and the EISA on corn production. The focus on renewable biofuels as an alternative to foreign oil imports has led to a substantial increase in the production of corn. In 2007, for instance, more corn was planted in the United States (90.5 million acres) than in any year since 1945 - the last year of World War II. However, the increase in the supply of corn did not offset the very large increase in the demand for corn set in motion by the Energy Policy Act and the EISA. As a result, the country’s biofuel policy has led to higher corn prices in 2007 and 2008 and increased the amount Americans must pay for a wide variety of goods. Also, it is important to note, within this context, that the United States is the largest exporter of corn in the world. Thus, the country’s biofuel policy raised the price of corn – as well as the price of feed and other products that are made with corn – worldwide.
The economic effects of higher corn prices are most felt by the poorest members of society. The environmental effects of increased corn-based ethanol production are also significant. The corn growing regions in the United States sit on top of the Ogallala Aquifer. And, since a very large amount of water is needed to irrigate corn fields each year, the water level of the aquifer is diminishing at a rapid rate. Another important environmental problem associated with corn is the high amount of nitrogen each corn plant requires to grow: since the large nitrogen needs of monocrop corn agriculture cannot be met by the natural processes that replace nitrogen levels in the soil, corn crops are among the most fertilizer-intensive crops in the world. Not surprisingly, the environmental effects of fertilizing 90 million acres of corn are exceedingly large; the run-off of fertilizer into streams and rivers has, among other things, produced massive dead zones at the mouth of the Mississippi river.

A final criticism of the Energy Policy Act and the EISA focuses on the nature of the processes that create biofuels. The transformation of corn into ethanol requires energy; if oil is needed to convert corn into ethanol, the benefit of using ethanol to reduce dependency on foreign oil is lessened. Also, imported natural gas and oil are used in the production of fertilizer: using more fertilizer to grow more corn means higher oil consumption – and more demand for imported natural gas and oil. From this point of view, the nation’s biofuels policy may not be as successful in reducing the nation’s demand for imported oil as might be thought.

The economic and environmental effects of the United States’ biofuels policy have led many to call for a re-examination of the Energy Protection Act and the EISA. As such, the United States’ shift to biofuels to curb dependence on foreign oil presents many possibilities for a capstone paper. For instance, capstone groups may wish to answer questions such as the following: what role, if any, should corn-based ethanol – and biofuels in general – play in minimizing the United States’ dependence on foreign oil? Is it wise policy to set aside very large amounts of arable land to meet the nation’s energy needs? What alternatives should be advanced if biofuels are not the solution to America’s oil dependence? What might “local,” sustainable energy production look like in the United States, given the size of the country’s daily energy demand? To what extent have the politics of America’s corn growing regions captured federal biofuels legislation? All of these questions, however, circle around the core problem: How, exactly, can the United States wean itself from its addiction to imported oil?

17. Poverty in the United States

Poverty is a pervasive aspect of life in the United States of America. In 2005, 37.6 million individuals, or roughly 13% of all American citizens, lived beneath the federally defined “poverty line.”

What is more, the odds are very high that more people will be living in poverty in the near future: since the number of people living below the poverty threshold tends to increase with increases in the national unemployment rate – and to spike during moderate to severe recessions – the percentage of all American citizens living below the “poverty line” is likely to exceed 15% at some point in the next two years, perhaps approaching the 45- or 50-million persons mark by 2010 or 2011.

This picture of poverty in America is startling in its own right: the number of Americans struggling to achieve incomes that meet the basic needs of their daily life
is very high. However, the picture of poverty established by the federally defined “poverty line” becomes worse when the assumptions that define the “poverty line” are examined.

In 1963, the President’s Council of Economic Advisors (CEA) established the official “poverty line” at $3,000 per year for a family of four. The CEA arrived at this number by examining the prices for food in 1963 and then calculating the amount of money needed to ensure that each member of a family of four could consume enough calories per day for one year. Once this dollar amount was calculated—roughly $2.74 a day and $1,000 a year—the CEA assumed that a low-income family of four spent 1/3 of their total budget on food and 2/3 of their total budget to meet essential needs, such as shelter, clothing, electricity, transportation and other expenses.

### The CEA Poverty Budget in 1963

<table>
<thead>
<tr>
<th>Description</th>
<th>Calculation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Food Budget</td>
<td>$2.736 per day * 365 days</td>
<td>$998.64</td>
</tr>
<tr>
<td>Nonfood Budget</td>
<td>2 * food budget ($998.64)</td>
<td>$1,997.28</td>
</tr>
<tr>
<td>Total Budget</td>
<td></td>
<td>$2,995.92</td>
</tr>
</tbody>
</table>

The CEA formula calculating the “poverty line” has remained unchanged since 1963. The only adjustments made to the poverty thresholds are yearly adjustments for inflation and slight alterations for smaller and larger family sizes. Thus, in 1963, the poverty budget was calculated to be $3,000 dollars for a family of four—based on the assumption that $2.74 was enough money for four people to meet their caloric needs for one day. But in 2005, it cost $18.24 per day to purchase enough food to meet the caloric needs of a family of four, due to higher food prices.

### The CEA Poverty Budget in 2005

<table>
<thead>
<tr>
<th>Description</th>
<th>Calculation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Food Budget</td>
<td>$18.24 per day * 365 days</td>
<td>$6,657</td>
</tr>
<tr>
<td>Non-food Budget</td>
<td>2 * food budget ($6,657)</td>
<td>$13,314</td>
</tr>
<tr>
<td>Total Budget</td>
<td></td>
<td>$19,971</td>
</tr>
</tbody>
</table>

The austerity presupposed by the federal definition of the poverty line is striking. For instance, the calculation that $4.56 is enough to meet the caloric needs of a single person for one day clearly limits the types of foods that person can eat; a person must be able to prepare breakfast, lunch, and dinner while not spending more than $4.56. Moreover, since the nutritional needs of a person are understood in terms of calories, and not types of food, the poverty budget for food represents a subsistence standard that may or may not meet the standard of a healthy diet.

The non-food portion of the poverty budget is also problematic. For instance, the formula for calculating the poverty budget has not been changed to reflect the fact that in 2005 the average low-income family spends 1/5 of its total budget on food—due to the increased costs of other essential expenses such as housing. This fact has implications for the way the poverty line is defined. As the economist Benjamin Schiller notes: “Today American households allocate less than one-fifth of their budgets to food purchases. Were the same methods used to construct poverty lines today, the food cost-multiplier would be five, not three. With that higher multiple, the 2005 poverty threshold would be closer to $30,000 than to $20,000 and... (many) more people would be regarded as poor.” The result of this situation is an increase in “relative poverty”: a person living at the poverty threshold in 2005 will have less relative to the rest of society than a person living at the poverty line in 1963. Also, a person living at the poverty line in 2005 must often choose between meeting
their caloric needs and meeting the costs associated with shelter, clothing, transportation, electricity and health care.

The extent of the poverty problem in America has not escaped the attention of lawmakers and many government programs have attempted to reduce the number of people living below the poverty line. Generally speaking, these programs attempt to raise impoverished individuals and families above the poverty threshold (through welfare assistance, tax credits, employment training, and job connector programs) or to prevent people from falling into poverty (through various kinds of social insurance programs). And while these programs do a great deal to alleviate the burdens of poverty, it is also clear that more can be done, and new approaches need to be taken to combat this persistent problem in American life.

The reality of poverty in America raises many questions that can be answered in a capstone project: What should be considered the minimal level of well being in an affluent democracy? Should the poverty line be defined differently in rural and urban regions? To what extent should considerations of gender and the “feminization of poverty” affect the definition of the poverty line? Do the members of a democracy have a special duty to help the poorest members of their society? Most importantly: what can be done to lower the number of people living below the poverty line in the United States?

18. Water Wars: Controlling the Nation’s Waterways

In a 1931 Supreme Court case involving a dispute between the states of New York and New Jersey over access to water from the Delaware River, Justice Oliver Wendell Holmes remarked, “A river is more than an amenity, it is a treasure. It offers a necessity of life that must be rationed among those who have power over it” (New Jersey v. New York).

But how should we allocate water so that we satisfy the needs of nearly 300 million people and the vital economic interests of the country without compromising environmental sustainability? After all, when we divert water from one place to another, we inevitably alter ecosystems. Moreover, every drop of clean water used for one purpose (drinking, power supply, irrigation) is a drop that cannot be used to some other end. We may imagine an endless supply of water when leaving the faucet running while brushing our teeth, but as with all other natural resources we must eventually confront limits.

Battles over waterways and water supplies have informed much of American history. Often those battles pit one state against another, as rivers pay no heed to boundaries. In the west, for instance, interstate conflicts over access to water from the Colorado River have led to complex and contentious arrangements between eight states, each of which vie for a dwindling supply from a river depleted by drought. North and South Carolina are currently involved in a water dispute, while Alabama, Florida, and Georgia contend for control over the Apalachicola-Chattahoochee-Flint river basins. In settling these disputes, Congress, federal regulatory agencies, and Courts must balance competing contemporary claims while also assuring that future water needs can be met.

Water disputes can also divide one sector of society against another. Massive cities in the American west such as Phoenix and Las Vegas, for instance, burst into
existence virtually overnight in the middle of a vast desert. At the same time, water-intensive crops such as cotton and rice are now grown in areas with very little rain. As a result, farmers and city dwellers are often at odds over how water should be used. Similarly, the vast energy needs of a growing population are often supplied by hydroelectric dams, thereby diverting water that could be used for other needs. These demographic and economic developments required extensive irrigation systems, led to the draining of natural aquifers, and inspired massive public works projects that forever altered local ecosystems. Inevitably, these efforts to allocate and control water created complex environmental problems for future generations to solve.

Capstone groups could select a particular contemporary water dispute and recommend how a regulatory agency or political body should balance competing environmental, demographic, and economic demands. An adversary format might pit one state against another or one group of water users against another. In either case, the project should consider how our institutions of governance and law can be brought into discussions of water, a natural substance vital to all life.

19. Exploring the Costs of Cheap Food

According to statistics compiled by the United States Department of Agriculture, the typical American household spends just 5.7% of its disposable income on food consumed at home, roughly one-quarter of what they spent in 1930. (Americans spend another 4.1% of income on food and beverages consumed away from home, for a total figure of 9.8%). Americans spend a smaller percentage of income on food than industrialized nations such as France (13.7%) and the Czech Republic (16.2%) while families in developing nations spend considerably more: Ecuador (20.9%), Thailand (24.9%) and Nigeria (40.3%). Although food prices have increased in virtually every country, Americans today enjoy the cheapest food supply in the world (www.ers.usda.gov/briefing/CPIFoodAndExpenditures/Data/2007table97.htm)

Several factors contribute to the low cost of American food. Chief among them is the incredible efficiency of the contemporary American farm. A century ago, nearly 60% of Americans lived or worked on the nation’s farms. Today, the figure stands at 1% of the population. Encouraged by federal agricultural policies, farms have grown larger and more efficient so that they now resemble large-scale factories that dominate markets because they achieve economies of scale. For example, the two enormous cattle feedlots owned by ConAgra just outside Greeley, Colorado, are each capable of holding up to 100,000 head of cattle. Small family farms simply cannot compete against such entities. Similarly, in the state of Idaho, which produces most of the potatoes for fast-food French fries, consolidation has left only 1,100 farms to produce all those potatoes, less than half than were required 25 years ago (Bill McKibben, Deep Economy: The Wealth of Communities and the Durable Future, Henry Holt and Company, 2007, p. 63).

Despite the benefits of inexpensive food, many critics allege that the rush to consolidate farms and decrease production costs has come with an enormous social and environmental price. Towns and counties in the American Midwest, for example, have become centers of rural poverty as displaced farm workers and families can no longer afford to buy enough food – despite living amidst millions of bushels of corn, soybeans, and wheat destined to enter the global food chain. And whereas traditional agriculture drew its energy from the sun and the muscle power of
humans and a few animals, its industrial counterpart depends on vast quantities of fossil fuels to produce the fertilizers, run the machines, and package and transport goods. As the environmental writer Bill McKibben notes, “Cheap and abundant fossil fuel has shaped the farming system we’ve come to think of as normal; it’s the main reason you can go to the store and get anything you want at any time and for not much money” (McKibben 63).

For this capstone, use either the policy format or the adversary format to explore and examine the social, economic, and environmental tensions that force many of us to choose between cheap food and healthy environments. What is the fairest way to assure we all have enough to eat? How should we settle this debate? What institutions of government and law might apply? You might explore a particular agricultural product, region, or policy of state and local governments.

20. Media and Democracy

“There is no real democracy without media democracy.”
(Michael Copps, FCC Commissioner, National Conference for Media Reform, 2008)

The First Amendment to the Constitution guarantees the right to “freedom of the press.” In the language of the Constitution this phrase clearly refers to a press free from government interference and control. In recent times, however, a number of media critics have expressed alarm that the mainstream news media have become increasingly subject, not to government interference, but to corporate interference. Even if this does not violate the language of the Constitution, they claim, it violates its spirit: corporate consolidation of the mainstream media allows powerful institutions with vested interests to limit and distort the information available to the average citizen in ways that impair his or her ability to make sound political judgments.

PBS journalist Bill Moyers, for instance, writes:

Our media institutions, deeply embedded in the power structures of society, are not providing the information that we need to make our democracy work. To put it another way, corporate media consolidation is a corrosive social force. It robs people of their voice in public affairs and pollutes the political culture.

(Bill Moyers, “Is The Fourth Estate a Fifth Column?” In These Times, 7/11/2008)

Although Moyers is a liberal journalist his concerns about corporate media cut across partisan lines. The conservative N.Y. Times columnist William Safire, for instance, writes:

The concentration of power—political, corporate, media, cultural—should be anathema to conservatives. The diffusion of power through local control, thereby encouraging individual participation, is the essence of federalism and the greatest expression of democracy.

The official government agency charged with the task of regulating interstate and international communications is the Federal Communications Commission (FCC), first established by the Communications Act of 1934. This Act gave the FCC the power to grant or deny broadcast licenses on the basis of whether or not a given license would serve the public interest. On these grounds the FCC established licensing rules designed to promote diversification of mass media ownership. For instance, in 1941 the FCC established rules limiting network ownership of broadcast stations to a single station in a given broadcast area. It also set absolute limits on the number of radio and TV stations a given company could own. In the 1970s the FCC established rules prohibiting common ownership of broadcast stations and newspapers in the same community. Although many of these regulations were challenged in court (on the grounds that they violated the First Amendment right to free speech or the Fifth Amendment right to property) the Court upheld FCC anti-consolidation regulations.

Beginning in the late 1980s, however, as part of the general deregulatory trends of the Reagan era, the FCC began a reversal of its anti-consolidation policies. In 1989 the FCC relaxed some of its radio/television cross-ownership rules. In 1992 the FCC modified its rules so as to allow a single company to own more broadcast stations than permitted before. In 1996 the Republican controlled Congress passed the Telecommunications Act of 1996, which mandated more deregulation of the telecommunications industry.

Finally, in 2003 a furor erupted over the FCC’s decision to overhaul its media ownership rules yet again to allow for even further consolidation of major media outlets. This led to a court case (Prometheus Radio Project v. FCC) in which key provisions of the FCC’s new rules were disallowed on the grounds that the FCC did not provide sufficient reasons to justify its actions. In 2007 the FCC yet again issued rules that would allow further media consolidation. In response, Democrats in Congress put forth a resolution (S.J. Res. 28/H.J. Res. 79) to rescind the FCC’s 2007 ruling. This resolution has been passed in the Senate and is still to be taken up by the House.

Defenders of media deregulation argue for it on a number of grounds. On the one hand, they argue that it is mandated by basic First Amendment and Fifth Amendment rights. From a more practical point of view, it is argued that a loosening of ownership regulation is an appropriate response to the proliferation of new, and tightly interrelational, telecommunication technology, required, on the one hand, as a spur to cross-media innovation, and, on the other, to protect traditional media (e.g., newspapers) that are no longer able to compete independently in the marketplace.

Your job will be to review the history of media regulation/deregulation and propose a policy that you believe will be consistent with both First Amendment and Fifth Amendment considerations as well as supportive of the democratic ideal of open access to the political process for all. You may adopt the persona of an advocacy group promoting media reform or, if you choose the adversary format, stage a debate or envision a court case involving parties with contending views. Whichever you choose, be sure to carefully consider what is necessary to protect the freedom of speech, and diversity of speech, requisite to a robust democracy.
21. Environmental Justice and Democratic Institutions

The Environmental Protection Agency defines Environmental Justice as “the fair treatment for people of all races, cultures, and incomes regarding the development of environmental laws, regulations, and policies.”

Since the term was first introduced in the 1980s, environmental activists and policy makers have lobbied to bring the issue to public attention by arguing that minority groups and low-income Americans experience disproportionately high levels of environmental hazards. Indeed, several recent studies suggest that residents of poor neighborhoods are exposed to far higher levels of such hazards than are residents of America's more affluent towns. One study, for example, found that 71 percent of Los Angeles’s African-American community and 50 percent of its Latinos live in areas with the city's most polluted air.

Poor rural areas face environmental hazards just as startling as those experienced in cities. Triana, Alabama, an all-black town of 1,000, has been called the "unhealthiest town in America." A Center for Disease Control study found that some residents contained the "highest levels of DDT" ever recorded in humans. And in the river towns of Louisiana, residents have been so contaminated by the residue of local petrochemical plants that the 85-mile stretch from Baton Rouge to New Orleans has been dubbed "Cancer Alley."

In part, these problems have been caused by the political and economic clout that wealthier towns can wield in the effort to keep environmentally dangerous activities outside of their borders. As a result, facilities such as toxic disposal sites, incinerators, highway access roads, and chemical plants are placed in communities that are too poor or unorganized to resist.

The terms "environmental racism" and "environmental discrimination" are often used to describe such disproportionate distribution of contaminants. Likewise, the phrase "environmental justice" has been applied to the struggles to address these problems. Ultimately, the environmental justice campaign seeks to define access to a clean and healthy environment as a basic human right. With this in mind, consider whether or not a clean environment really is a human right. You might begin by considering how the placement of environmentally sensitive projects relates to questions of race, class, and social justice. How are these decisions actually made? Do all stakeholders have equal access to the decision-making process? Should communities be allowed to refuse potential environmental risks? To what extent is a clean environment a civil rights issue?

You might suggest a governmental policy for a city, state, or the nation. Or you could imagine a court case to test these questions.

__________________________________________

SUMMARY

We have presented you with a detailed syllabus designed to serve as a guideline for the Capstone Project. Remember, these pages are only a syllabus, nothing more. You are not expected simply to read this document and be able to go off and produce a Capstone report. Your team faculty are to serve as your ultimate
directors. Each team may have slightly different expectations and may set slightly different guidelines to follow. In any case, your faculty are there to guide you through this venture in an attempt to make the Capstone a productive and profitable learning experience.

If you are feeling slightly overwhelmed at this point, relax. It may be helpful to take a moment to consider that the entire Capstone procedure can be condensed into four tasks:

2. Gather the pertinent facts about this problem, being careful to examine all sides of the issue.
3. Based on these facts, formulate a decision or recommendation.
4. Determine the implications of your recommendation.