

## When Debate is Taboo...

Posted By [John Glaser](#) On May 25, 2011 @ 12:05 pm In [News](#) | [6 Comments](#)

As we know, the Patriot Act provisions up for renewal passed a cloture vote for a four year extension 74-8. The Cato Institute's [Julian Sanchez on the Patriot Act's extension](#) <sup>[1]</sup>:

Back in February, Democratic leader Harry Reid [promised](#) <sup>[2]</sup> fellow senator Rand Paul that—after years of kicking the can down the road—there would be at least a week reserved for full and open debate over [three controversial provisions](#) <sup>[3]</sup> of the Patriot Act slated to expire this weekend, with an opportunity to propose reforms and offer amendments to any reauthorization bill. And since, as we know, politicians always keep their promises, we can look forward to a robust and enlightening discussion of [how to modify the Patriot Act to better safeguard civil liberties](#) <sup>[4]</sup> without sacrificing our counterterrorism capabilities.

Ha! No, I'm joking, of course. Having already cut the legs out from under his own party's reformers by [making a deal](#) <sup>[5]</sup> with GOP leaders for a four-year extension without reform, Reid used some [clever procedural maneuvering](#) <sup>[6]</sup> to circumvent Rand Paul's pledged obstruction, slipping the Patriot extension into an unrelated small-business bill that's privileged against filibusters. All this just to prevent any debate on amendments...

In an immediate sense, all that would push Reid to do something this slimy is political risk. That means heavy pressure from the Obama administration to renew these coveted, empowering provisions. Aside from that, it seems to be symptomatic of a culture in Congress that debate can only happen when (1) it's about pandering and poisoning constituents with misleading rhetoric, and (2) when it doesn't ruffle any feathers of entrenched interests or political leadership. In other words, true debate is the ultimate taboo.

[Rand Paul was on CNN](#) <sup>[7]</sup> expressing frustration with this sort of culture of obedience, mob rule, and sluggishness when it came to the illegal war in Libya ([via](#) <sup>[8]</sup>):

**Senator Rand Paul:** "We go week after week in the Senate and do nothing. I feel like sometimes I should return my check because I go up, they do no votes and no debate. Look at this horrendous debt crisis – we don't debate that either."

**Anderson Cooper:** "Really, you feel like that? You feel like you're not doing anything there?"

**Paul:** "Yes. I feel... Absolutely. We go up week to week and there's no debate in Congress. No debate in the Senate. We sit idly by. Some weeks we vote on two-three non-controversial judges and we go back home. It, really..."

**Cooper:** "Why is that?"

**Paul:** "I'm trying to get a vote on Libya. They say they don't have time. I was told, when I wanted to bring up my resolution on Libya – which I did force them to, but I had to kinda capture the floor..."

**Cooper:** "It got tabled like 90-10..."

**Paul:** "Yeah, and they weren't too happy with me because I used some parliamentary procedures to gain access to the floor, and they came running down to the floor. They were apoplectic that I had taken over the floor, and the thing is is that we should be having these debates on the floor – they don't want to have any debate. I'm asking right now to vote on Libya – I have a resolution saying we're in violation of the War Powers Act. It's hard for me to get the floor unless I somehow sneak on the floor when no one's looking to try to get a vote. Why would we not want to debate great Constitutional questions? When I ran for office, that's what I thought – there will be great and momentous debates on the floor. We don't have any *because they prevent the debates from ever even beginning.*"

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URLs in this post:

[1] Julian Sanchez on the Patriot Act's extension: <http://www.cato-at-liberty.org/no-time-to-debate-patriot/>

[2] promised: <http://thehill.com/blogs/floor-action/senate/163169--paul-accuses-reid-of-breaking-his-word-on-patriot-act-amendments->

[3] three controversial provisions: <http://www.cato-at-liberty.org/a-chance-to-fix-the-patriot-act/>

[4] how to modify the Patriot Act to better safeguard civil liberties: [http://www.cato.org/pub\\_display.php?pub\\_id=13099](http://www.cato.org/pub_display.php?pub_id=13099)

[5] making a deal: <http://tpmdc.talkingpointsmemo.com/2011/05/reid-boehner-reach-deal-on-four-year-patriot-act-extension.php>

[6] clever procedural maneuvering: <http://politics.blogs.foxnews.com/2011/05/24/harry-reid-pushes-patriot-act-past-rand-paul>

[7] Rand Paul was on CNN: [http://www.youtube.com/watch?v=hSIKzbR0gLg&feature=player\\_embedded](http://www.youtube.com/watch?v=hSIKzbR0gLg&feature=player_embedded)

[8] via:

<http://letters.salon.com/opinion/greenwald/2011/05/23/bipartisanship/permalink/26d78c6a1d19ee21f16e228c54894d1e.htm>