## Hegemony Good

### AT: Heg Bad

#### Pursuit of hegemony’s locked-in – the only question is effectiveness

Dorfman 12, Assistant editor of Ethics and International Affairs

(Zach What We Talk About When We Talk About Isolationism, <http://dissentmagazine.org/online.php?id=605>)

The rise of China notwithstanding, the United States remains the world’s sole superpower. Its military (and, to a considerable extent, political) hegemony extends not just over North America or even the Western hemisphere, but also Europe, large swaths of Asia, and Africa. Its interests are global; nothing is outside its potential sphere of influence. There are an estimated 660 to 900 American military bases in roughly forty countries worldwide, although figures on the matter are notoriously difficult to ascertain, largely because of subterfuge on the part of the military. According to official data there are active-duty U.S. military personnel in 148 countries, or over 75 percent of the world’s states. The United States checks Russian power in Europe and Chinese power in South Korea and Japan and Iranian power in Iraq, Afghanistan, and Turkey. In order to maintain a frigid peace between Israel and Egypt, the American government hands the former $2.7 billion in military aid every year, and the latter $1.3 billion. It also gives Pakistan more than $400 million dollars in military aid annually (not including counterinsurgency operations, which would drive the total far higher), Jordan roughly $200 million, and Colombia over $55 million. U.S. long-term military commitments are also manifold. It is one of the five permanent members of the UN Security Council, the only institution legally permitted to sanction the use of force to combat “threats to international peace and security.” In 1949 the United States helped found NATO, the first peacetime military alliance extending beyond North and South America in U.S. history, which now has twenty-eight member states. The United States also has a trilateral defense treaty with Australia and New Zealand, and bilateral mutual defense treaties with Japan, Taiwan, the Philippines, and South Korea. It is this sort of reach that led Madeleine Albright to call the United States the sole “indispensible power” on the world stage. The idea that global military dominance and political hegemony is in the U.S. national interest—and the world’s interest—is generally taken for granted domestically. Opposition to it is limited to the libertarian Right and anti-imperialist Left, both groups on the margins of mainstream political discourse. Today, American supremacy is assumed rather than argued for: in an age of tremendous political division, it is a bipartisan first principle of foreign policy, a presupposition. In this area at least, one wishes for a little less agreement. In Promise and Peril: America at the Dawn of a Global Age, Christopher McKnight Nichols provides an erudite account of a period before such a consensus existed, when ideas about America’s role on the world stage were fundamentally contested. As this year’s presidential election approaches, each side will portray the difference between the candidates’ positions on foreign policy as immense. Revisiting Promise and Peril shows us just how narrow the American worldview has become, and how our public discourse has become narrower still. Nichols focuses on the years between 1890 and 1940, during America’s initial ascent as a global power. He gives special attention to the formative debates surrounding the Spanish-American War, U.S. entry into the First World War, and potential U.S. membership in the League of Nations—debates that were constitutive of larger battles over the nature of American society and its fragile political institutions and freedoms. During this period, foreign and domestic policy were often linked as part of a cohesive political vision for the country. Nichols illustrates this through intellectual profiles of some of the period’s most influential figures, including senators Henry Cabot Lodge and William Borah, socialist leader Eugene Debs, philosopher and psychologist William James, journalist Randolph Bourne, and the peace activist Emily Balch. Each of them interpreted isolationism and internationalism in distinct ways, sometimes deploying the concepts more for rhetorical purposes than as cornerstones of a particular worldview. Today, isolationism is often portrayed as intellectually bankrupt, a redoubt for idealists, nationalists, xenophobes, and fools. Yet the term now used as a political epithet has deep roots in American political culture. Isolationist principles can be traced back to George Washington’s farewell address, during which he urged his countrymen to steer clear of “foreign entanglements” while actively seeking nonbinding commercial ties. (Whether economic commitments do in fact entail political commitments is another matter.) Thomas Jefferson echoed this sentiment when he urged for “commerce with all nations, [and] alliance with none.” Even the Monroe Doctrine, in which the United States declared itself the regional hegemon and demanded noninterference from European states in the Western hemisphere, was often viewed as a means of isolating the United States from Europe and its messy alliance system. In Nichols’s telling, however, modern isolationism was born from the debates surrounding the Spanish-American War and the U.S. annexation of the Philippines. Here isolationism began to take on a much more explicitly anti-imperialist bent. Progressive isolationists such as William James found U.S. policy in the Philippines—which it had “liberated” from Spanish rule just to fight a bloody counterinsurgency against Philippine nationalists—anathema to American democratic traditions and ideas about national self-determination. As Promise and Peril shows, however, “cosmopolitan isolationists” like James never called for “cultural, economic, or complete political separation from the rest of the world.” Rather, they wanted the United States to engage with other nations peacefully and without pretensions of domination. They saw the United States as a potential force for good in the world, but they also placed great value on neutrality and non-entanglement, and wanted America to focus on creating a more just domestic order. James’s anti-imperialism was directly related to his fear of the effects of “bigness.” He argued forcefully against all concentrations of power, especially those between business, political, and military interests. He knew that such vested interests would grow larger and more difficult to control if America became an overseas empire. Others, such as “isolationist imperialist” Henry Cabot Lodge, the powerful senator from Massachusetts, argued that fighting the Spanish-American War and annexing the Philippines were isolationist actions to their core. First, banishing the Spanish from the Caribbean comported with the Monroe Doctrine; second, adding colonies such as the Philippines would lead to greater economic growth without exposing the United States to the vicissitudes of outside trade. Prior to the Spanish-American War, many feared that the American economy’s rapid growth would lead to a surplus of domestic goods and cause an economic disaster. New markets needed to be opened, and the best way to do so was to dominate a given market—that is, a country—politically. Lodge’s defense of this “large policy” was public and, by today’s standards, quite bald. Other proponents of this policy included Teddy Roosevelt (who also believed that war was good for the national character) and a significant portion of the business class. For Lodge and Roosevelt, “isolationism” meant what is commonly referred to today as “unilateralism”: the ability for the United States to do what it wants, when it wants. Other “isolationists” espoused principles that we would today call internationalist. Randolph Bourne, a precocious journalist working for the New Republic, passionately opposed American entry into the First World War, much to the detriment of his writing career. He argued that hypernationalism would cause lasting damage to the American social fabric. He was especially repulsed by wartime campaigns to Americanize immigrants. Bourne instead envisioned a “transnational America”: a place that, because of its distinct cultural and political traditions and ethnic diversity, could become an example to the rest of the world. Its respect for plurality at home could influence other countries by example, but also by allowing it to mediate international disputes without becoming a party to them. Bourne wanted an America fully engaged with the world, but not embroiled in military conflicts or alliances. This was also the case for William Borah, the progressive Republican senator from Idaho. Borah was an agrarian populist and something of a Jeffersonian: he believed axiomatically in local democracy and rejected many forms of federal encroachment. He was opposed to extensive immigration, but not “anti-immigrant.” Borah thought that America was strengthened by its complex ethnic makeup and that an imbalance tilted toward one group or another would have deleterious effects. But it is his famously isolationist foreign policy views for which Borah is best known. As Nichols writes: He was consistent in an anti-imperialist stance against U.S. domination abroad; yet he was ambivalent in cases involving what he saw as involving obvious national interest….He also without fail argued that any open-ended military alliances were to be avoided at all costs, while arguing that to minimize war abroad as well as conflict at home should always be a top priority for American politicians. Borah thus cautiously supported entry into the First World War on national interest grounds, but also led a group of senators known as “the irreconcilables” in their successful effort to prevent U.S. entry into the League of Nations. His paramount concern was the collective security agreement in the organization’s charter: he would not assent to a treaty that stipulated that the United States would be obligated to intervene in wars between distant powers where the country had no serious interest at stake. Borah possessed an alternative vision for a more just and pacific international order. Less than a decade after he helped scuttle American accession to the League, he helped pass the Kellogg-Briand Pact (1928) in a nearly unanimous Senate vote. More than sixty states eventually became party to the pact, which outlawed war between its signatories and required them to settle their disputes through peaceful means. Today, realists sneer at the idealism of Kellogg-Briand, but the Senate was aware of the pact’s limitations and carved out clear exceptions for cases of national defense. Some supporters believed that, if nothing else, the law would help strengthen an emerging international norm against war. (Given what followed, this seems like a sad exercise in wish-fulfillment.) Unlike the League of Nations charter, the treaty faced almost no opposition from the isolationist bloc in the Senate, since it did not require the United States to enter into a collective security agreement or abrogate its sovereignty. This was a kind of internationalism Borah and his irreconcilables could proudly support. The United States today looks very different from the country in which Borah, let alone William James, lived, both domestically (where political and civil freedoms have been extended to women, African Americans, and gays and lesbians) and internationally (with its leading role in many global institutions). But different strains of isolationism persist. Newt Gingrich has argued for a policy of total “energy independence” (in other words, domestic drilling) while fulminating against President Obama for “bowing” to the Saudi king. While recently driving through an agricultural region of rural Colorado, I saw a giant roadside billboard calling for American withdrawal from the UN. Yet in the last decade, the Republican Party, with the partial exception of its Ron Paul/libertarian faction, has veered into such a belligerent unilateralism that its graybeards—one of whom, Senator Richard Lugar of Indiana, just lost a primary to a far-right challenger partly because of his reasonableness on foreign affairs—were barely able to ensure Senate ratification of a key nuclear arms reduction treaty with Russia. Many of these same people desire a unilateral war with Iran. And it isn’t just Republicans. Drone attacks have intensified in Yemen, Pakistan, and elsewhere under the Obama administration. Massive troop deployments continue unabated. We spend over $600 billion dollars a year on our military budget; the next largest is China’s, at “only” around $100 billion. Administrations come and go, but the national security state appears here to stay.

#### War is at its lowest level in history because of US primacy---best statistical studies prove

Owen 11 John M. Owen Professor of Politics at University of Virginia PhD from Harvard "DON’T DISCOUNT HEGEMONY" Feb 11 www.cato-unbound.org/2011/02/11/john-owen/dont-discount-hegemony/

Andrew Mack and his colleagues at the Human Security Report Project are to be congratulated. Not only do they present a study with a striking conclusion, driven by data, free of theoretical or ideological bias, but they also do something quite unfashionable: they bear good news. Social scientists really are not supposed to do that. Our job is, if not to be Malthusians, then at least to point out disturbing trends, looming catastrophes, and the imbecility and mendacity of policy makers. And then it is to say why, if people listen to us, things will get better. We do this as if our careers depended upon it, and perhaps they do; for if all is going to be well, what need then for us?¶ Our colleagues at Simon Fraser University are brave indeed. That may sound like a setup, but it is not. I shall challenge neither the data nor the general conclusion that violent conflict around the world has been decreasing in fits and starts since the Second World War. When it comes to violent conflict among and within countries, **things have been getting better**. (The trends have not been linear—Figure 1.1 actually shows that the frequency of interstate wars peaked in the 1980s—but the 65-year movement is clear.) Instead I shall accept that Mack et al. are correct on the macro-trends, and focus on their explanations they advance for these remarkable trends. With apologies to any readers of this forum who recoil from academic debates, this might get mildly theoretical and even more mildly methodological.¶ Concerning international wars, one version of the “nuclear-peace” theory is not in fact laid to rest by the data. It is certainly true that nuclear-armed states have been involved in many wars. They have even been attacked (think of Israel), which falsifies the simple claim of “assured destruction”—that any nuclear country A will deter any kind of attack by any country B because B fears a retaliatory nuclear strike from A.¶ But the most important “nuclear-peace” claim has been about mutually assured destruction, which obtains between two robustly nuclear-armed states. The claim is that (1) rational states having second-strike capabilities—enough deliverable nuclear weaponry to survive a nuclear first strike by an enemy—will have an overwhelming incentive not to attack one another; and (2) we can safely assume that nuclear-armed states are rational. It follows that states with a second-strike capability will not fight one another.¶ Their colossal atomic arsenals neither kept the United States at peace with North Vietnam during the Cold War nor the Soviet Union at peace with Afghanistan. But the argument remains strong that those arsenals did help keep the United States and Soviet Union at peace with each other. Why non-nuclear states are not deterred from fighting nuclear states is an important and open question. But in a time when calls to ban the Bomb are being heard from more and more quarters, we must be clear about precisely what the broad trends toward peace can and cannot tell us. They may tell us nothing about why we have had no World War III, and little about the wisdom of banning the Bomb now.¶ Regarding the **downward trend in international war**, Professor Mack is friendlier to more palatable theories such as the “**democratic peace**” (democracies do not fight one another, and the proportion of democracies has increased, hence less war); the interdependence or “**commercial peace**” (states with extensive economic ties find it irrational to fight one another, and interdependence has increased, hence less war); and the notion that people around the world are more anti-war than their forebears were. Concerning the downward trend in civil wars, he favors theories of economic growth (where commerce is enriching enough people, violence is less appealing—a logic similar to that of the “commercial peace” thesis that applies among nations) and the end of the Cold War (which end reduced superpower support for rival rebel factions in so many Third-World countries).¶ These are all **plausible mechanisms for peace**. What is more, none of them excludes any other; all could be working toward the same end. That would be somewhat puzzling, however. Is the world just lucky these days? How is it that an array of peace-inducing factors happens to be working coincidentally in our time, when such a magical array was absent in the past? The answer may be that one or more of these mechanisms reinforces some of the others, or perhaps some of them are mutually reinforcing. Some scholars, for example, have been focusing on whether economic growth might support democracy and vice versa, and whether both might support international cooperation, including to end civil wars.¶ We would still need to explain how this charmed circle of causes got started, however. And here let me raise another factor, perhaps even less appealing than the “nuclear peace” thesis, at least outside of the United States. That factor is what international relations scholars call hegemony—specifically **American hegemony**.¶ A theory that many regard as discredited, but that refuses to go away, is called hegemonic stability theory. The theory emerged in the 1970s in the realm of international political economy. It asserts that **for the global economy to remain open**—for countries to keep barriers to trade and investment low—**one powerful country must take the lead**. Depending on the theorist we consult, “taking the lead” entails paying for global public goods (keeping the sea lanes open, providing liquidity to the international economy), coercion (threatening to raise trade barriers or withdraw military protection from countries that cheat on the rules), or both. The theory is skeptical that international cooperation in economic matters can emerge or endure absent a hegemon. The distastefulness of such claims is self-evident: they imply that it is good for everyone the world over if one country has more wealth and power than others. More precisely, they imply that it has been good for the world that the United States has been so predominant.¶ There is no obvious reason why hegemonic stability theory could not apply to other areas of international cooperation, including in security affairs, human rights, international law, peacekeeping (UN or otherwise), and so on. What I want to suggest here—suggest, not test—is that **American hegemony might just be a deep cause of the steady decline of political deaths in the world**.¶ How could that be? After all, the report states that United States is the third most war-prone country since 1945. Many of the deaths depicted in Figure 10.4 were in wars that involved the United States (the Vietnam War being the leading one). Notwithstanding politicians’ claims to the contrary, a candid look at U.S. foreign policy reveals that the country is as ruthlessly self-interested as any other great power in history.¶ The answer is that U.S. hegemony might just be a **deeper cause of the proximate causes** outlined by Professor Mack. Consider economic growth and openness to foreign trade and investment, which (so say some theories) **render violence irrational**. American power and policies may be responsible for these in two related ways. First, at least since the 1940s Washington has **prodded other countries to embrace the market capitalism** that entails economic openness and produces **sustainable economic growth**. The United States promotes capitalism for selfish reasons, of course: its own domestic system depends upon growth, which in turn depends upon the efficiency gains from economic interaction with foreign countries, and the more the better. During the Cold War most of its allies accepted some degree of market-driven growth.¶ Second, the U.S.-led western victory in the Cold War damaged the credibility of alternative paths to development—communism and import-substituting industrialization being the two leading ones—and **left market capitalism the best model**. The end of the Cold War also involved an end to the billions of rubles in Soviet material support for regimes that tried to make these alternative models work. (It also, as Professor Mack notes, **eliminated the superpowers’ incentives to feed civil violence** in the Third World.) What we call **globalization** is **caused in part by the emergence of the United States as the global hegemon**.¶ The same case can be made, with somewhat more difficulty, concerning the **spread of democracy**. Washington has supported democracy only under certain conditions—the chief one being the absence of a popular anti-American movement in the target state—but those conditions have become much more widespread following the collapse of communism. Thus in the 1980s the Reagan administration—the most anti-communist government America ever had—began to dump America’s old dictator friends, starting in the Philippines. Today Islamists tend to be anti-American, and so the Obama administration is skittish about democracy in Egypt and other authoritarian Muslim countries. But general U.S. material and moral support for liberal democracy remains strong.

#### Heg is key to decease excess American interventionism

**Kagan and Kristol, 2k** (Robert and William, “Present Dangers”, Kagan is a Senior Associate at the Carnegie Endowment for International Peace, and Kristol is the editor of The Weekly Standard, and a political analyst and commentator, page 13-14 )

http://www2.uhv.edu/fairlambh/asian/present\_dangers.htm

It is worth pointing out, though, that a foreign policy premised on American hegemony, and on the blending of principle with material interest, may in fact mean fewer, not more, overseas interventions than under the "vital interest" standard. (13). The question, then, is not whether the US should intervene everywhere or nowhere. The decision Americans need to make is whether the US should generally lean forward, as it were, or sit back. A strategy aimed at preserving American hegemony should embrace the former stance, being more rather than less inclined to weigh in when crises erupt, and preferably before they erupt. This is the standard of a global superpower that intends to shape the international environment to its own advantage. By contrast, the vital interest standard is that of a "normal" power that awaits a dramatic challenge before it rouses itself into action.

## AT Democracy Bad

#### Their co-optation arguments are wrong – liberal democracy key launching point for new forms of politics.

Lee Corbett, University of New South Wales, July 28, 2003, The Drawing Board: Australian Review of Public Affairs , http://www.australianreview.net/digest/2003/07/corbett.html

If you asked me a few years ago ‘what is postcolonial liberalism?’, I’d have said ‘an oxymoron’. As an undergraduate, I thought liberalism was a dirty word. The idea that it could accommodate the aspirations of those who would challenge colonial authority, authority that called itself liberal, seemed naïve. As I have begun researching indigenous political movements, and their responses to democratic theory, I have been surprised to discover that people who call themselves liberals have been some of those most responsive to the challenges these movements pose. Aside from confronting my prejudices about liberalism as a political doctrine, my research has brought to my attention the importance of democratic participation in organising just societies. I am becoming more convinced that democracy, rather than equality or freedom, should be the watchword of progressive politics. Of course democracy presupposes a measure of equality and freedom, but it is more than either of these taken alone.

#### Liberalism doesn’t cause homo sacer – it rests on the assumption of universal inclusion

Mitchell, Geography Prof at UWash, ‘6 (Katharyne, Geographies of identity: the new exceptionalism” Progress in Human Geography, Vol 30 No 1, p 95-106, SagePub)

II Differenti'al exceptions There are many useful ideas here and their modern applicability is breathtaking. Nevertheless, Agamben's assumption of homo sacer as an undifferentiated, interchangeable (male) figure reproduces many of the problems associated with both liberal and early Marxist thought, and ends up limiting his argument in profound ways. One of the foundational premises undergirding liberal thought, especially from the late nineteenth century onwards, has been the belief that all rational human beings can be and will be included into the political community through time. Indeed, the universalist goals of political citizenship, widely conceived, did show remarkable forward momentum in certain quarters, prompting numerous optimistic assessments for the future by prominent midtwentieth- century liberals such as Marshall, Dewey, Keynes and Laski.2 For scholars such as these and many others, the real-world problems associated with political disenfranchisement or 'exceptionalism in the sphere of actually existing democratic citizenship were problems of implementation. In other words, despite the numerous 'accidents' of poor or unfair implementation, the principles of universalism were sound.

## AT Targeted Killing

### 2AC N/U

#### Drone strikes are inevitable—any wind-downs are only rhetoric

Mazzetti and Landler 8/2

[08/02/13, Mark Mazzetti and Mark Landler, “Despite Administration Promises, Few Signs of Change in Drone Wars”, http://www.nytimes.com/2013/08/03/us/politics/drone-war-rages-on-even-as-administration-talks-about-ending-it.html?pagewanted=all&\_r=0]

WASHINGTON — There were more drone strikes in Pakistan last month than any month since January. Three missile strikes were carried out in Yemen in the last week alone. And after Secretary of State John Kerry told Pakistanis on Thursday that the United States was winding down the drone wars there, officials back in Washington quickly contradicted him. More than two months after President Obama signaled a sharp shift in America’s targeted-killing operations, there is little public evidence of change in a strategy that has come to define the administration’s approach to combating terrorism. Most elements of the drone program remain in place, including a base in the southern desert of Saudi Arabia that the Central Intelligence Agency continues to use to carry out drone strikes in Yemen. In late May, administration officials said that the bulk of drone operations would shift to the Pentagon from the C.I.A. But the C.I.A. continues to run America’s secret air war in Pakistan, where Mr. Kerry’s comments underscored the administration’s haphazard approach to discussing these issues publicly. During a television interview in Pakistan on Thursday, Mr. Kerry said the United States had a “timeline” to end drone strikes in that country’s western mountains, adding, “We hope it’s going to be very, very soon.” But the Obama administration is expected to carry out drone strikes in Pakistan well into the future. Hours after Mr. Kerry’s interview, the State Department issued a statement saying there was no definite timetable to end the targeted killing program in Pakistan, and a department spokeswoman, Marie Harf, said, “In no way would we ever deprive ourselves of a tool to fight a threat if it arises.” Micah Zenko, a fellow with the Council on Foreign Relations, who closely follows American drone operations, said Mr. Kerry seemed to have been out of sync with the rest of the Obama administration in talking about the drone program. “There’s nothing that indicates this administration is going to unilaterally end drone strikes in Pakistan,” Mr. Zenko said, “or Yemen for that matter.”

### 2AC No Link

#### The aff only maintains the effectiveness of Boumediene—that doesn’t result in targeted killings

Vladeck 12 [10/01/12, Professor Stephen I. Vladeck of the Washington College of Law at American University, “Detention Policies: What Role for Judicial Review?”, <http://www.abajournal.com/magazine/article/detention_policies_what_role_for_judicial_review/>)]

The short chapter that follows aims to take Judge Brown’s suggestion seriously. As I explain, although Judge Brown is clearly correct that judicial review has affected the size of the detainee populations within the territorial United States and at Guantanamo, it does not even remotely follow that the jurisprudence of the past decade has precipitated a shift away from detention and toward targeted killings. To the contrary, the jurisprudence of Judge Brown’s own court has simultaneously (1) left the government with far greater detention authority than might otherwise be apparent where noncitizens outside the United States are concerned; and (2) for better or worse, added a semblance of legitimacy to a regime that had previously and repeatedly been decried as lawless. And in cases where judicial review prompted the government to release those against whom it had insufficient evidence, the effects of such review can only be seen as salutary. Thus, at the end of a decade where not a single U.S. military detainee was freed by order of a federal judge, it is more than a little ironic for Judge Brown to identify “take no prisoners” as Boumediene’s true legacy.

## AT Interrogation DA

### 2AC Resource T/O

That makes detention useless and compromises counter-terror activities

O’Neil 11 [Winter, 2011, Robin O'Neil, “THE PRICE OF PURITY: WEAKENING THE EXECUTIVE MODEL OF THE UNITED STATES' COUNTER-TERROR LEGAL SYSTEM”, 47 Hous. L. Rev. 1421]

While providing for judicial review may not make sense in every anti-terror context, absent limitation, the executive may offend the Constitution in any number of ways, leaving those affected no recourse. n152 Further, the lack of judicial review compromises counter-terror activities by not requiring the President to provide plausible reasons for and explanations of his actions; n153 for example, "by failing to provide even perfunctory individualized hearings [to detainees at Guantanamo Bay], ... the U.S. government ... misspent our scarce interrogation capacities on individuals of minimal or no intelligence value." n154 Had the President's orders been subject to [\*1445] judicial oversight, he would have had to explain how the unilaterally implemented deprivations of due process were narrowly tailored to effect an important purpose, prompting a more thorough analysis of what was to be gained by the President's detention policies. n155 The weak form of the executive model gives the President limited flexibility in exigent circumstances to move forward without congressional authorization, while retaining a strong preference for specifically authorized executive action and the judicial recourse it usually provides. n156 The fact that both Congress and the Bush Administration made a concerted effort to cut the courts out of the counter-terrorism legal scheme altogether supports the proposition that the anti-terrorism legal system developed during the Bush Administration has brought the U.S. executive model perilously close to operating in its pure form, notwithstanding the broad legislative mandates enacted in support of the President's unilateral activities. n157 President Obama should heed the Boumediene Court's admonitions regarding the centrality of judicial review to the preservation of American democracy and press Congress to lift what barriers to judicial recourse the MCA continues to impose on War on Terror detainees. n158 In those rare circumstances in which legislative authorization is not practicable, the President should provide for meaningful judicial recourse by his own order. n159

## Law K

### 2AC Framework

#### Framework—the primary purpose of debate should be to improve our skills as decisionmakers through a discussion of public policy

#### Decisionmaking skills are necessary to decide between individual courses of action that affect us on a daily basis—flexing our muscles in the high-stakes games of public policymaking is necessary to make those individual decisions easier

#### And, debating about the aff is key to solve it—we must keep Guantanamo in the public consciousness in order to organize effective strategies

Cole 12, Professor of Law

[2012, David Cole is a Professor of Law, Georgetown University Law Center, “Legal Affairs: Dreyfus, Guantanamo, and the Foundation of the Rule of Law, 29 Touro L. Rev. 43]

Moreover, while district courts exercising habeas corpus jurisdiction initially ruled in favor of the detainees in the large majority of cases they heard, the United States Court of Appeals for the D.C. Circuit has consistently sided with the government on its appeals, and has eased the government's burden to demonstrate that a detainee is lawfully held. n69 The Supreme Court has repeatedly denied petitions for certiorari from these D.C. Circuit decisions. n70 Meanwhile, the Supreme Court's other post-9/11 national security decisions have all been decided in the government's favor. n71 [\*54] The Court rejected two lawsuits seeking damages against Attorney General John Ashcroft for alleged unconstitutional detentions in the roundups that occurred in the wake of 9/11. n72 And the Court rejected a First Amendment challenge to the criminalization of pure speech advocating peace and human rights under the "material support" statute. n73 The Court's record on protecting human rights, in short, while better than in previous crises, is mixed. Moreover, most of the Bush administration's curtailments of its aggressive initiatives enumerated above were not ordered by a court. No court ordered the abandonment of the first torture memo, an end to extraordinary rendition, the suspension of the NSA warrantless wiretapping program, the release of the secret torture memos, or the closure of the CIA's black sites. n74 Approximately 600 men have been released from Guantanamo, but the vast majority was released without a court order, and none have been released under a non-appealable court order. While several district courts have ordered the release of Guantanamo detainees, every time the administration has appealed to the District of Columbia Circuit ("D.C. Circuit"), it has prevailed. n75 No court ordered the administration to abandon the Article II Commander-in-Chief theory of uncheckable executive power. Additionally, as noted above, when the D.C. Circuit ruled that international law did not play any role in constraining the president's detention authority, President Obama in effect objected that the court had granted him too much unchecked authority, and insisted that his actions were bound by international law. What, then, caused the United States, specifically the executive branch, to change course? In my view, they were much the same sorts of forces that worked to vindicate Alfred Dreyfus: not the formal separation of powers, but informal nongovernmental resistance in the name of upholding the rule of law. As in the Dreyfus affair, this resistance took the form of individuals, acting on their own and [\*55] in association with others, speaking out, issuing critical reports, organizing protests, filing lawsuits, and generally challenging perceived abuses of power. n76 As in the Dreyfus affair, the media played a critical role, by disclosing secret rights abuses and writing countless editorials espousing the importance of adhering to the rule of law and the Constitution. Were it not for leaks reported in the media, we would not know about the torture at Abu Ghraib, the torture memo, the NSA warrantless wiretapping program, secret CIA prisons, and extraordinary renditions to torture. In addition, international voices played a major role. Guantanamo, after all, held nationals from forty-two countries, and some of those countries objected strongly to the way their countrymen were treated there. A former United Kingdom Law Lord, Lord Steyn, dubbed Guantanamo a "legal black hole," and 175 members of the Houses of Parliament filed an amicus brief on the Guantanamo detainees' behalf in the Supreme Court. n77 Together, these informal forces are responsible, as much as the formal separation of powers, for reining in the United States' "war on terror" in important ways. What lessons, then, can we draw from the Dreyfus affair and the first post-9/11 decade? The first is that the rule of law and individual rights are all too vulnerable to fear and demagoguery in times of crisis. Designed to constrain short-sighted decision making by insisting on adherence to basic principles of fairness, constitutional rights often seem inconvenient obstacles in a crisis. For Dreyfus and many Arabs and Muslims after 9/11, the law was initially unable to offer much, if any, protection. But both affairs also suggest that the rule of law is more resilient than many cynics might think. Alfred Dreyfus was eventually exonerated. The rule of law recovered in significant measure from its hasty dismissal in the aftermath of the 9/11 terrorist attacks. However, in both instances, the tide turned only because individuals, associations, and nongovernmental organizations [\*56] mobilized behind the cause of justice for the vulnerable. When it comes to the reality of rights protections, much depends on the mobilization of the polity. But as the other "affair" under examination in this conference - the lynching of American Jewish businessman Leo Frank - chillingly demonstrates, popular mobilization can go either way. n78 When, in 1915, Georgia's governor commuted Frank's death sentence for murder to life without imprisonment, based on substantial concerns with the fairness of the trial and the accuracy of the verdict, a mob gathered, abducted Frank from his cell, and lynched him. n79 Popular mobilization does not always take the side of human rights, and it can easily overwhelm legal bulwarks through brute force and terror. Precisely because they help to establish and reinforce a culture of respect for equality and the rule of law, the assessments and reassessments of the "Dreyfus affair" that continue to this day in France are critically important for sustaining contemporary commitments to the rule of law. The fact that the case has become an "affair," a narrative widely known, exhaustively studied, and frequently invoked is crucial, for the history of the "affair" reminds us of what can go wrong when we depart from principles of fairness and justice. Whether the story of the United States' response to 9/11 will similarly become an "affair" from which the United States and others draw lessons about resisting the temptation to sacrifice our fundamental commitments on the backs of the most vulnerable, remains to be seen. As was the case with Dreyfus for many years, the particular lessons to be drawn from the post-9/11 era are a matter of deep contestation. President Bush, Vice-President Cheney, and their supporters have sought to portray their actions as tough, but necessary and reasonable, decisions to recalibrate security and liberty. n80 Others, myself included, have insisted that the principal lesson [\*57] of the first post-9/11 decade is that sacrifices in the rule of law are all too easy to make, generally unnecessary, and come at a great cost to the legitimacy and long-term success of a democracy's struggle against terrorism. The fact that Guantanamo has become one of the world's leading symbols for "lawlessness" suggests that the latter narrative has taken hold, at least in the rest of the world. The struggle over its meaning within the United States, however, continues. n81 At stake is nothing less than the nature of our constitutional culture. Whether, after the next attack, we repeat our mistakes or respond in a more resilient and rights-respecting manner depends ultimately on the lessons we learn as a nation from our recent past. Those who are committed to the protection of civil liberties and the rule of law must continue to work to ensure that the "Guantanamo affair" takes on the character of the "Dreyfus affair" in popular consciousness. At the end of the day, the strength of our legal protections turns on our culture's engaged commitment to the values of the Constitution, the rule of law, and human rights.

#### That’s key—the law is the necessary framework for these challenges to take place

Cole 2011 - Professor, Georgetown University Law Center (Winter, David, “WHERE LIBERTY LIES: CIVIL SOCIETY AND INDIVIDUAL RIGHTS AFTER 9/11,” 57 Wayne L. Rev. 1203, Lexis)

Unlike the majoritarian electoral politics Posner and Vermeule imagine, the work of civil society cannot be segregated neatly from the law. On the contrary, it will often coalesce around a distinctly legal challenge, objecting to departures from specific legal norms, often but not always heard in a court case, as with civil society's challenge to the treatment of detainees at Guantanamo. Congress's actions on that subject make clear that had Guantánamo been left to the majoritarian political process, there would have been few if any advances. The litigation generated and concentrated pressure on claims for a restoration of the values of legality, and, as discussed above, that pressure then played a critical role in the litigation's outcome, which in turn contributed to a broader impetus for reform.

#### This is uniquely true with liberalism—the success of global democratic revolutions depends on a focus on the pragmatic details of international institutions and global norms—the alternative is genocides and nuclear war

Shaw, Professor of International Relations and Politics at the University of Sussex, ’99 (Martin, November 9, “The unfinished global revolution: Intellectuals and the new politics of international relations”

The new politics of international relations require us, therefore, to go beyond the antiimperialism of the intellectual left as well as of the semi-anarchist traditions of the academic discipline. We need to recognise three fundamental truths: First, in the twenty-first century people struggling for democratic liberties across the non-Western world are likely to make constant demands on our solidarity. Courageous academics, students and other intellectuals will be in the forefront of these movements. They deserve the unstinting support of intellectuals in the West. Second, the old international thinking in which democratic movements are seen as purely internal to states no longer carries conviction – despite the lingering nostalgia for it on both the American right and the anti-American left. The idea that global principles can and should be enforced worldwide is firmly established in the minds of hundreds of millions of people. This consciousness will a powerful force in the coming decades. Third, global state-formation is a fact. International institutions are being extended, and they have a symbiotic relation with the major centre of state power, the increasingly internationalised Western conglomerate. The success of the global-democratic revolutionary wave depends first on how well it is consolidated in each national context – but second, on how thoroughly it is embedded in international networks of power, at the centre of which, inescapably, is the West. From these political fundamentals, strategic propositions can be derived. First, democratic movements cannot regard non-governmental organisations and civil society as ends in themselves. They must aim to civilise local states, rendering them open, accountable and pluralistic, and curtail the arbitrary and violent exercise of power. Second, democratising local states is not a separate task from integrating them into global and often Western-centred networks. Reproducing isolated local centres of power carries with it classic dangers of states as centres of war. Embedding global norms and integrating new state centres with global institutional frameworks are essential to the control of violence. (To put this another way, the proliferation of purely national democracies is not a recipe for peace.) Third, while the global revolution cannot do without the West and the UN, neither can it rely on them unconditionally. We need these power networks, but we need to tame them, too, to make their messy bureaucracies enormously more accountable and sensitive to the needs of society worldwide. This will involve the kind of ‘cosmopolitan democracy’ argued for by David Held80 and campaigned for by the new Charter 9981. It will also require us to advance a global social-democratic agenda, to address the literally catastrophic scale of world social inequalities. Fourth, if we need the global-Western state, if we want to democratise it and make its institutions friendlier to global peace and justice, we cannot be indifferent to its strategic debates. It matters to develop robust peacekeeping as a strategic alternative to bombing our way through zones of crisis. It matters that international intervention supports pluralist structures, rather than ratifying Bosnia-style apartheid. Likewise, the internal politics of Western elites matter. It makes a difference to halt the regression to isolationist nationalism in American politics. It matters that the European Union should develop into a democratic polity with a globally responsible direction. It matters that the British state, still a pivot of the Western system of power, stays in the hands of outward-looking new social democrats rather than inward-looking old conservatives. As political intellectuals in the West, we need to have our eyes on the ball at our feet, but we also need to raise them to the horizon. We need to grasp the historic drama that is transforming worldwide relationships between people and state, as well as between state and state. We need to think about how the turbulence of the global revolution can be consolidated in democratic, pluralist, international networks of both social relations and state authority. We cannot be simply optimistic about this prospect. Sadly, it will require repeated violent political crises to push Western governments towards the required restructuring of world institutions.82 What I have outlined tonight is a huge challenge; but the alternative is to see the global revolution splutter into defeat, degenerate into new genocidal wars, perhaps even nuclear conflicts. The practical challenge for all concerned citizens, and the theoretical and analytical challenges for students of international relations and politics, are intertwined.

#### Perm – use the plan as a means to connect with the alienated through criticism of existing law. Using the plan as a critical legal strategy revitalizes critical legal studies as a whole.

Peter Gabel, former President and Professor of Law at New College of California, 2009 (“LAW AND ECONOMICS, CRITICAL LEGAL STUDIES, AND THE HIGHER LAW: CRITICAL LEGAL STUDIES AS A SPIRITUAL PRACTICE.” 36 Pepp. L. Rev. 515. Lexis )

This calls not for a rejection of past CLS work, but for a reclaiming of the spiritual dimension of that work. And this in turn requires a reunderstanding of the indeterminacy critique as being merely an analytical moment within the synthesis of a moral critique, as a kind of analytical insight that indicates that the world is open-textured but not going nowhere, and that legal reasoning's claims that would fix the world in idealized, reified abstractions legitimizing injustice and alienation are actually a passivizing defense against the freedom and creative challenge of social vulnerability and uncharted possibility. [\*530] But this also requires a new agenda for our movement that cooperates with the world-wide spiritual-political initiatives that have sprung up since the post-'60s era from which CLS first emerged, and that would be tremendously supportive of our efforts. These spiritual-political initiatives include the religious renewal movements that are linking the spiritual ideal of the beloved community to social action and social change; spiritually informed secular movements like the Network of Spiritual Progressives that are trying to invent new forms of spiritual activism while rethinking foreign and domestic social policy reforms to emphasize spiritual transformation rather than merely liberal redistribution of resources and rights; 31 and the efforts of the environmental and ecology movements to link the redemption of the planet with social healing and sustainable, cooperative economies. All of these efforts require a new legal culture that links justice with explicitly spiritual outcomes - outcomes that foster empathy, compassion, and social connection rather than the vindication of liberal rights in a legal order founded upon the fear-based separation of self and other. One lesson that CLS scholarship itself has taught is that it is impossible for a social transformation movement to be successful without an ability to express its own ideals as also ideals of justice that can achieve legitimate political expression through legal culture. Without that, as Karl Klare, Alan Freeman, and many others have shown, 32 the movement's radical ideals will be recast and stolen away by the liberal interpretations those movements will suffer through the prism of legal assumptions that actually contradict them. Thus while the movement must create the "parallel universe" that can affirm the ontological/epistemological validity of the possibility of a society based on love and mutual recognition, the movement also requires a legal expression of itself that declares this same realization of love and mutual recognition to be indispensable to just outcomes of social conflicts. Such a parallel justice system has already begun to sprout up across the legal landscape, alongside the antagonism of self and other, presupposed and reinforced by the mainstream's adversary system. Among its manifestations are the truly remarkable restorative justice movement, which understands crime and social violence as expressive of a breakdown in community and aspires to apology and forgiveness through direct encounters between victims and offenders as a means of restoration of the communal fabric; 33 the transformative and understanding-based mediation movements that make compassion a central objective to the resolution of civil conflicts; 34 the new [\*531] forms of spiritually-informed law practice that are redefining the lawyer-client relationship as a non-technical, holistic relationship in which lawyers bring a substantive moral and healing vision to bear on the client's perception of his or her "interests," and the relation of those interests to the well-being of the larger community; 35 and the transformation of legal education away from a focus on the mere manipulation of existing rules and doctrine, toward a more humane and spiritually integrated conception of law and justice. What these new efforts need from a revitalized critical legal studies movement is a scholarship and pedagogy that provides in every field a critique of existing law and legal culture that reveals the limitations of the liberal world-view out of which the existing order was constructed in the centuries since the Enlightenment, and that points toward the socially connected community that ought to be its successor. It is this intellectual piece of the puzzle that is lacking from all of the recent efforts to transform legal practice in the ways I have just described; all of these efforts without exception, as far as I know, challenge the individualized, antagonistic, and despiritualized character of the adversary system without challenging the substantive content of existing law or the analytical thought process of legal reasoning. Both of these elements of legal culture - the critique of the substance of legal rules and doctrine, and the critique of detached, analytical rule-application through abstract, logical technique resting on a normative foundation - require a cadre of intellectuals to help disassemble what is and point to what ought to be, as a "moment" in the transformation from the individualistic, liberal world we inhabit to a post-liberal socially connected, loving, and compassionate world to which we aspire. So, for example, a CLS course in Contracts should subordinate its use of the indeterminacy critique to a meaning-centered critique emphasizing how the rules presupposing the legitimacy and desirability of individualistic, self-interested bargains (adjusted by a touch of concern for "the reliance interest") among an infinite number of socially disconnected strangers bound by no common moral purpose or spiritually bonded social community outside their respective blood relatives are rapidly destroying the planet, in part, by making use of liberal abstractions like freedom of choice that make it appear that this lonely destiny is what people really want. Or a course in [\*532] Torts should make it clear to students that there is more to the obligations born of our essential connection to each other as social beings than the duty to not pull chairs out from under each other as we are about to sit down to dinner, or not to smash into each others' cars, or injure each other with exploding Coke bottles - that the bond of recognition itself, and what Emmanuel Levinas calls the ethical demand of the face of the Other, 36 means we have a duty to "rescue" each other, that we must take care of each other, including the poor, the homeless, and those who lack health care. CLS scholars and teachers should extend - and in many instances already have extended - this kind of critical analysis to every area of law, including developing a critical reflection on the Constitution as a liberal and individualistic document that was a great advance in its time but now must be transformed to embrace a newly evolving vision of spiritual community that was not even conceived of as a universal necessity in the late eighteenth century when it was drafted. Concomitant with the transformation of doctrine must come a transformation of remedy, beyond money damages passed between socially separated litigants conceived as interested only in material outcomes, and beyond a due process model of civil and criminal procedure that links justice to merely the vindication of rights through the dutiful monitoring of a fact-based public hearing that leaves the parties as disconnected or more disconnected than when their legal process began. And finally, supporting such a re-visioning of doctrine, remedy, and process must be a rethinking of legal reasoning itself that goes beyond the normative circularity of the application of indeterminate rules presupposing the legitimacy of the secular liberal order toward a morally grounded reflection anchored in the common effort to realize the values of love, compassion, and mutual concern and well-being that are being carried forward by the movement itself as it tries to link the transformative element of its own social being with a new legal knowledge that would be expressive of it. If CLS would embrace the moral and spiritual agenda that I'm proposing here, it would instantly revitalize itself. Everywhere today there are law students and young legal scholars trying to figure out how to devote their lives and work to addressing the problems of global warming and the destruction of the environment, to overcoming the social violence and irrationality of religious fundamentalism and pathological, secular nationalism, and to challenging the human indifference of corporate globalization and its blind and reeling world markets. But Marxist materialism can no longer speak to these new generations of potential activists who have become aware that these problems require a spiritually grounded solution, and after a thirty-year assault by the New Right, no one [\*533] believes any longer in the model of regulatory government as morally capable of containing and altering a civil society founded upon Fear of the Other and private self-interest. A new spiritual activism actually connecting Self and Other is clearly what is needed, and it is already coming into being in hundreds of hopeful incarnations. If CLS were to rediscover itself as the legal-intellectual expression of that world-wide effort, it could once again challenge legal education and legal scholarship to become vehicles of the creation of a better world, connecting the worthwhile body of work already produced by its older generations with new, more spiritually confident work yet to be written by the young.

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#### Its just a link omission

#### The alt is still an anthropocentric approach – it claims that human beings are the arbiters of “value” in the world

Bryant 12 (Levi, prof of phil @ Collin College, The Question of Flat Ethics, http://larvalsubjects.wordpress.com/2012/06/09/the-question-of-flat-ethics/)JFS

Over at Critical Animal, Scu has a great post responding to my earlier post on flat ethics.  There he criticizes me for evoking conatus or our endeavor to persist in our being as a ground for ethics.  Before getting to that, I wanted to clarify some remarks I made about the possibility of a non-anthropocentric ethics.  When I expressed skepticism towards the possibility of a non-anthropocentric ethics, all I meant was that even when we talk about ethical regard for animals– something I advocate –we’re still working in an anthropocentric framework.  We’re talking about the attitudes we should adopt towards nonhumans, rather approaching nonhumans as seats of value making themselves. To see this, let’s return to the fraught example of the shark we discussed in comments in my post Flat Ontology/Flat Ethics.  Suppose we say that we shouldn’t kill the shark because the shark has a right to live (something I also believe).  Here I hasten to add that I’m very nervous about talk of “rights” because of how the concept functions in neoliberal thought, but let’s run with the example.  In making such a claim we might believe that we’ve entered the domain of a posthuman and non-anthropocentric ethics.  After all, we’re extending ethical rights to nonhumans, whereas traditional ethics tends to only see humans as having ethical duties and rights.  For example, as Kant says “always treat humans as ends in themselves and never as means to an end.” While I think it’s a positive development to extend ethical regard to nonhumans, I nonetheless fail to see how this constitutes a posthuman ethic or a non-anthropocentric ethics.  Why?  Because we’re still treating humans as the seat of value in evaluating the world.  We’re talking about the way in which humans ought to relate to sharks, rather than exploring the manner of valuing engaged in by sharks, seals, killer whales, bacteria, coral reefs, etc.  This is still an anthropocentrism.  It’s a positive extension of anthropocentricism, but an anthropocentrism nonetheless.  In this regard, it’s difficult to know what it would mean to extend ethics to nonhumans– though I suspect it might work in the case of some nonhumans like primates, dolphins, octopi, etc –because ethics seems to involve choice of some sort.  I’m ethically culpable because I can choose.  The reason that we can judge the moral worth of my action with regard to the shark is because I’m capable of deliberating as to whether or not to kill the shark.  It’s much harder to see how this could apply in the case of sharks.  Would it make much sense to treat sharks as ethically culpable?  That would seem to require the shark having the ability to deliberate and choose between eating or not eating the seal.  I find this very hard to imagine.  This could either mean that a non-anthropocentric ethics is impossible, or that we need to significantly revise our understanding of what ethics is about. This is all I mean when I say that all ethics strikes me as anthropocentric.  When I say that, I am not making the claim that all ethics ought only treat humans as the only being of ethical worth and regard, but that I have yet to come across an ethical doctrine that is truly posthuman in treating nonhumans as a seat of valuing.  This is what I think a flat ethics would have to argue or defend.  If I was unclear on this, my apologies.

#### Their purely negative approach to environmental ethics kills action – the affirmative develops praxis which solves

Richards 11 (Tim, International Journal of Environmental, Cultural, Economic, & Social Sustainability, Beyond Environmental Morality: Towards a Viable Environmental Ethic(s), Vol. 7, No. 2)JFS

Modern environmental ethics, therefore, to the extent that one or both of these faulty attributes characterize it, is also contained within these historical realities and confined to that particular framework. What, then, does it mean to have a systematized ethics cemented within these contingent historical realities? How will we transcend our heretofore-detrimental environmental beliefs and behaviors while keeping our ethics in that same historical context and resulting self view as a species? Moreover, why would we try to solidify unchanging, universal environmental ethical theories within a dynamic, evolving, complex environment? By applying modern moral philosophy to environmental issues, we inherit a problem of static environmental ethics within dynamic cultural and environmental frameworks. What is wrong with environmental ethics? Who could impugn such an ostensibly noble thing? I hold that modern environmental ethics is foremost among the forces that keep our species from evolving to be more ecologically adapted or ‘environmentally friendly.’ The dialectic is approximately this: unwittingly, in fighting the actions and institutions that are degrading the environment, environmental activists, employing our modern environmental ethics, merely oppose the consciousness that created environmental problems to begin with – namely, that humans are separate from ‘nature’ and can use it however they wish. Activist remedies, therefore, will merely react negatively to this state of affairs; thus, we get the picture that humans and their economy are evil, nature and its economy is good, and that if we do not completely leave nature alone then we should at least inflict as little damage as possible. We inherit a portrait of human self-hatred where the best possible world, ecologically speaking, is one devoid of the human species entirely. With such a flawed guiding vision, it is little wonder that the environmental movement has yet to gain sweeping power and reforms globally. It is my view that morality is a failed vehicle for handling environmental problems. For example, though we know that our burning of fossil fuels is environmentally destructive and bad for our health, we are forced to do so anyway because our current industrial system has evolved upon this premise. Moralize as much as we like, fingerwagging and admonishment will not change the basis of our economy – we still drive our cars, use our coal-fired power, and rely on extractive industries. Decrying such activities as evil merely opposes these practices and contributes nothing to forward a fundamentally different alternative, neither intellectually nor practically. Reframing the basic story and approach such that we humans, as an integral part of nature, can contribute positively as vital, productive parts of the whole would represent an explosion of the superstructure of what is presently considered possible. Once we transcend environmental dualism and contemporary environmental morality, all manner of ideas and possibilities emerge, as if on the dawn of a new day. Humans do not have to be detrimental to the environment; we are not fundamentally flawed in this respect despite what environmental moralists might say. By going beyond the contemporary environmental morality and environmental dualism exemplified by modern environmental ethics as a field, we as ethical thinkers and activists can begin to be effective in our efforts to advocate for a more ecologically adapted society with environmentally conscious lifestyles. Given the failure of morality as an approach for going beyond our problematic environmental status quo, we turn our attention to new questions: what would the content of a viable environmental ethic be and how would its narrative sound? I hope to show that it is possible to go beyond environmental morality to change the content and narrative of environmental ethics such that it can effectively guide environmental praxis.

Focusing on the academy means their alternative can never solve

Best 12 (steven, the inventor of Critical Animal Studies, “The Rise (and Fall) of Critical Animal Studies,” recently quit his job as a professor because he does not believe that Critical Animal Studies can occur in academic spaces, http://www.liberazioni.org/articoli/BestS-TheRise(and%20Fall)ofCriticalAnimalStudies.pdf)JFS

In the last three decades, animal studies has grown exponentially in the global academy. The "animal turn" has moved throughout humanities, the fine arts, and social sciences; it has crossed into psychology, philosophy, anthropology, political science, and sociology; and it has made its mark in literature, history, cultural studies, geography, feminism, and queer theory. Alongside the explosion of articles, books, and conferences, there are hundreds of animal studies courses taught in dozens of universities and colleges worldwide, from the UK and Canada to the Germany and the US to Poland and Israel and New Zealand to Australia. Without question, animal studies will grow in popularity and evolve in dynamic ways. Within a few years, one can expect Animal Studies programs and departments to become as widespread as Women's Studies, African-American Studies, Chicano/a Studies, Disability Studies, and Queer Studies. The rapid surge in animal studies programs, moving it from the margins to the mainstream, is both laudable and lamentable. For as animal studies is a potential force of enlightenment and progressive change in public attitudes and policies toward nonhuman animals, its academic proponents can only advance it within tight institutional constraints and intensive normalizing regimes that frequently demand conformity, “neutrality,” disengaged detachment, and activism within narrowly accepted limits. The growth, acceptance, and success of animal studies in the sterile corporate environment of academia, in other words, typically demands pacifying the scholar-professor and gutting the subversive implications of anti-speciesism and challenging the human/animal dualism that underpins the violent tyranny of humans over other animals. The academy domesticates the systemic critical power of the “animal standpoint” which provides vital and unique critical insights into the origins of war, slavery, hierarchical domination, and a vast spectrum of psychological, moral, social, and ecological crises (see below); the stultifying structure of “higher education” defuses the potential volatility of critical knowledges in general, including those which might work to expose the true horror of the animal holocaust and international animal slave trade, which exploits, tortures, and murders burgeoning billions of victims, as the academic-industrial complex itself, in its highly profitable vivisection sectors, claims butchers over one hundred million animals a year for “medical research.” Homo academicus – that typically competitive, cutthroat, ambitious, vain, arrogant, pompous, one-dimensional, desiccated, apolitical, sycophantic, opportunist, narcissistic career-obsessed primate -- has rushed en masse from the staid paradigms, boring traditions, and mummified classics to chase the hot, trendy, fashionable novelty of animal studies in the hopes of jump-starting a new career or revivifying a moribund research life. Because animal studies is so broad, vague, open, and amorphous a field, it offers something for everyone. Yet the similarities of the animal studies paradigm with conventional humanist, positivist, or analytic frameworks are more significant than the differences. For in animal studies, as well, there are no expectations of coherence between research and ethics or theory and practice, such that personal and academic integrity in animal studies hardly demand normative and political commitments to veganism, animal liberation, and social transformation. Mainstream, animal studies (MAS) has been neutralized, stripped of political relevance, co-opted, and contained by the hegemonic norms of the academic-industrial complex. As a potentially subversive and radical discourse taking shape within the prisonhouse of dead scholars walking, animal studies has unavoidably succumbed to the fate of all other “critical” paradigms and identity politics “studies” programs by introjecting institutionalized discursive rules, bowing to peerpressure and bureaucratic surveillance, and conforming to the codes of detachment and abstraction; fecund with insight and potential, animal studies has become another specialized, technical, abstruse product and commodity of today’s knowledge factories that specialize in producing data pertinent to profit and social control imperatives but irrelevant to the crises of the day. Animal studies has been confined within the cage of theory-for-theory’s sake, severed from practical and activist concerns, and sundered from the pressing demands of global social and ecological crisis. The Faustian pact that academics sign with bureaucratic overlords demands fidelity to scholarship as its own end, pseudo-objectivity and drone-like detachment, existential and theoretical abstraction, inscrutable jargon, and the pompous profundity of the illuminati. The scholar-activist and engaged intellectual with “dirty hands,” is viewed with contempt, shunned as threatening, and ridiculed as a dilettante. Hardly showered with awards and accolades, those who violate this tacit terrorism and speak against the tacit codes of complicity incur endless slights, condescension, alienation, and penalties ranging from reduced pay to non-promotion or even termination. “Critical” academics deconstruct every boundary, dualism, and opposition except the bifurcation between theory and practice and the Ivy Curtain dividing universities from the communities. The recipe for the "success" of animal studies is also the formula for its failure. For in order to allay fears, disarm skepticism, establish the human-animal studies as a respectable and rigorous research paradigm, institutionalized power systems, and the obliging knowledgeproducing work force, process animal studies through the standard filters of positivism, scientism, statistics, quantification, methodologies, theorems, and philosophical obfuscation. The potential virtues and contributions of animal studies include challenges to humanist ideologies and speciesist philosophies; illuminating histories of the co-evolution of animals and humans; revelations’ of the complexity of animal consciousness, social life, behaviour, and agency; and stimulating insights into our own animality, and the genesis of dominator cultures, debilitating mindsets, and an array of dysfunctional relations and institutions generating social pathologies and crises. MAS can help spawn a new ethic of inclusiveness, interconnectedness, and community uniting human and nonhuman animals and the earth as a whole. But too often the critical potential of animal studies is thwarted by the complicity of academics in their own domestication, in the proclivity to posture as “serious” researchers, to cloak mundane observations and banal discoveries in pretentious jargon and execrable abstractions, and to entomb themselves in seminars and assiduously avoid the streets. The production and performance of the “scholarly self” whose professionalism would be tainted through involvement in social movements and struggles conveniently excuses academics from their overriding duties in the political sphere, for they are citizens before scholars, and social beings over private individuals. The professional mask, the insular nature of academia, and the reified language affords the professoriate a numb detachment from a world screaming in pain and dying system by system. The functionary’s “disinterested” demeanor pleases academic bureaucrats, as it the feigning of “neutrality” only serves the interests of social elites, corporate exploiters, environmental rapists, and the animal holocaust industry.

#### The K supports environmental dualisms – they view humans as outside of nature, enacting destruction upon it

Richards 11 (Tim, International Journal of Environmental, Cultural, Economic, & Social Sustainability, Beyond Environmental Morality: Towards a Viable Environmental Ethic(s), Vol. 7, No. 2)JFS

Modern Western environmental ethics assumes that humans are, at the core, environmentally ‘bad’ because we are currently destroying nature. This operative assumption of environmental ethics as afield hitherto is what I want to term contemporary environmental morality, wherein humans and their industry, technology, and economy are considered to be ‘evil’ in contrast to ecosystems, wilderness, or nature, which are valued as ‘good.’ Environmental ethics calls us to renounce our anthropocentric worldview and modify our behavior to treat the environment in a way that is less ‘bad.’ More pointedly, environmental ethics presupposes that there is an entity called ‘nature’ that we humans are differentiated from and have an obligation towards as outside actors. This is what I want to call environmental dualism, which holds humans as separate from, rather than a part of, nature; and, in keeping with the aforementioned contemporary environmental morality, as a force that is destroying this entity called ‘nature.’ Both environmental ethicist and activist worldviews operate on a narrative that can be roughly summarized as follows: ‘nature,’ which we are despoiling, was at one point, prior to humans, a pristine wilderness where paradisiacal conditions reigned, a view critics refer to as the Arcadian myth. The story goes that this prelapsarian state in which humans existed harmoniously with nature was thrown out of balance, firstly with the advent of agriculture and the resultant rise of civilizations. Later, the industrial revolution and the consumer capitalist economy served to exacerbate our situation, the unfettered greed and waste of which are currently imperiling all life support systems on planet Earth. If only we would begin to help the environment by reining in our species’ destructive tendencies, we could begin to reset the original balance. I hold that such views are textbook cases of the contemporary environmental morality and environmental dualism that are currently endemic to most members of our species, not excluding environmental ethicists and activists. It is my view that both the environmental dualism and the contemporary environmental morality that characterize modern environmental ethical thought are inaccurate for two reasons. Firstly, humans are a part of nature –we are organic beings, all of our actions occur within a larger ecological framework, and we reside within these ecosystems. Our creations are natural – houses and factory dormitories are no less natural products than are birds’ nests and beehives. Our economy, to the extent that it stems from us as natural beings, is natural as well. Though our human creations and economies may operate by methods contra to life broadly speaking and compromise our fellow natural beings and their habitats in the process, these are historical contingencies that can, and I would argue must, be changed.

That turns the K – environmental dualisms cause worse environmental destruction

Dark Mountain 9 (*Uncivilization*, network of writers, artists, and thinkers, The Dark Mountain Manifesto, <http://dark-mountain.net/about/manifesto/>, 2009)JFS/NAR

The myth of progress is founded on the myth of nature. The first tells us that we are destined for greatness; the second tells us that greatness is cost-free. Each is intimately bound up with the other. Both tell us that we are apart from the world; that we began grunting in the primeval swamps, as a humble part of something called ‘nature’, which we have now triumphantly subdued. The very fact that we have a word for ‘nature’ is [5] evidence that we do not regard ourselves as part of it. Indeed, our separation from it is a myth integral to the triumph of our civilisation. We are, we tell ourselves, the only species ever to have attacked nature and won. In this, our unique glory is contained. Outside the citadels of self-congratulation, lone voices have cried out against this infantile version of the human story for centuries, but it is only in the last few decades that its inaccuracy has become laughably apparent. We are the first generations to grow up surrounded by evidence that our attempt to separate ourselves from ‘nature’ has been a grim failure, proof not of our genius but our hubris. The attempt to sever the hand from the body has endangered the ‘progress’ we hold so dear, and it has endangered much of ‘nature’ too. The resulting upheaval underlies the crisis we now face. We imagined ourselves isolated from the source of our existence. The fallout from this imaginative error is all around us: a quarter of the world’s mammals are threatened with imminent extinction; an acre and a half of rainforest is felled every second; 75% of the world’s fish stocks are on the verge of collapse; humanity consumes 25% more of the world’s natural ‘products’ than the Earth can replace — a figure predicted to rise to 80% by mid-century. Even through the deadening lens of statistics, we can glimpse the violence to which our myths have driven us.