# Round 6—Neg vs Fullerton BS

## 1NC

### 1nc 1

#### The aff’s not topical—the object of the resolution is “war powers authority”—that's grammatically intuitive and predictable. The aff must target this for discussion and have an advocacy based on that—topicality is a voter:

#### It’s the basis for neg prep which is key to engage affs without unreasonable demands on 2Ns—educational debates with realistic workloads are key to any vision for the activity—also directly key to participation.

**And our offense turns theirs – a limited starting point is crucial to innovative argumentation in order to understand our individual relation to many different issues**

**Armstrong 2k** (Paul B., Dean and Professor of Literature at Brown University, New Literary History, 31: 211–223, “The Politics of Play: The Social Implications of Iser’s Aesthetic Theory”)

The contradic- tory combination of restriction and openness in how play deploys power is evident in Iser’s analysis of “regulatory” and “aleatory” rules. Even the regulatory rules, which set down the conditions participants submit to in order to play a game, “permit a certain range of combinations while also establishing a code of possible play. . . . Since these rules limit the text game without producing it, they are regulatory but not prescriptive. They do no more than set the aleatory in motion, and the aleatory rule differs from the regulatory in that it has no code of its own” (FI 273). Submitting to the discipline of regulatory restrictions is both constrain- ing and enabling because it makes possible certain kinds of interaction that the rules cannot completely predict or prescribe in advance. Hence the existence of aleatory rules that are not codiﬁed as part of the game itself but are the variable customs, procedures, and practices for playing it. Expert facility with aleatory rules marks the difference, for example, between someone who just knows the rules of a game and another who really knows how to play it. Aleatory rules are more ﬂexible and open- ended and more susceptible to variation than regulatory rules, but they too are characterized by a contradictory combination of constraint and possibility, **limitation and unpredictability**, discipline and spontaneity. As a rule-governed but open-ended activity, play provides a model for deploying power in a nonrepressive manner that makes creativity and innovation possible not in spite of disciplinary constraints **but because of them**. Not all power is playful, of course, and some restrictions are more coercive than enabling. But thinking about the power of constraints on the model of rules governing play helps to explain the paradox that restrictions can be productive **rather than merely repressive**. Seeing constraints as structures for establishing a play-space and as guides for practices of exchange within it envisions power not necessarily and always as a force to be resisted in the interests of freedom; it allows imagining the potential for power to become a constructive social energy that can animate games of to-and-fro exchange between par- ticipants whose possibilities for self-discovery and self-expansion are **enhanced by the limits** shaping their interactions.

#### 2. War powers debates are good—without topicality, there’s a competitive incentive to avoid them and the neg ground associated—

#### First, they give undergrads an opportunity to uncover a debate that would otherwise be stifled in public—that challenges conventional wisdom on a timely controversy

**Kurr 2013** – Ph.D. student in the Communication Arts & Sciences program at Pennsylvania State University and a coach for the Penn State Debate Society (9/5, UVA Miller Center & CEDA Public Debate Series, “Bridging Competitive Debate and Public Deliberation on Presidential War Powers”, http://public.cedadebate.org/node/14)

Taken together, the connection between tournament competition and a public collaboration reorients the pedagogical function of debate. Gordon Mitchell and his colleagues comment on this possibility, “The debate tournament site’s potential to work as a translational pipeline for scholarly research presents unique opportunities for colleges and universities seeking to bolster their institutional infrastructure for undergraduate research” (Mitchell et al, 2010, p. 15). Indeed, the debate series affords competitors the opportunity to become part of the discussion and inform policymakers about potential positions, as opposed to the traditional reactionary format of hosting public debates at the season’s end. Empirically, these events had the effect of “giv[ing] voice to previously buried arguments” that “subject matter experts felt reticent to elucidate because of their institutional affiliations” (Mitchell, 2010, p. 107). Given the timeliness of the topic, these debates provide a new voice into the ongoing deliberation over war powers and help make the fruits of competitive research have a public purpose.

The second major function concerns the specific nature of deliberation over war powers. Given the connectedness between presidential war powers and the preservation of national security, deliberation is often difficult. Mark Neocleous describes that when political issues become securitized; it “helps consolidate the power of the existing forms of social domination and justifies the short-circuiting of even the most democratic forms.” (2008, p. 71). Collegiate debaters, through research and competitive debate, serve as a bulwark against this “short-circuiting” and help preserve democratic deliberation. This is especially true when considering national security issues. Eric English contends, “The success … in challenging the dominant dialogue on homeland security politics points to efficacy of academic debate as a training ground.” Part of this training requires a “robust understanding of the switch-side technique” which “helps prevent misappropriation of the technique to bolster suspect homeland security policies” (English et. al, 2007, p. 224). Hence, competitive debate training provides foundation for interrogating these policies in public.

Alarmism on the issues of war powers is easily demonstrated by Obama’s repeated attempts to transfer detainees from Guantanamo Bay. Republicans were able to launch a campaign featuring the slogan, “not in my backyard” (Schor, 2009). By locating the nexus of insecurity as close as geographically possible, the GOP were able to instill a fear of national insecurity that made deliberation in the public sphere not possible. When collegiate debaters translate their knowledge of the policy wonkery on such issues into public deliberation, it serves to cut against the alarmist rhetoric purported by opponents.

In addition to combating misperceptions concerning detainee transfers, the investigative capacity of collegiate debate provides a constant check on governmental policies. A new trend concerning national security policies has been for the government to provide “status updates” to the public. On March 28, 2011, Obama gave a speech concerning Operation Odyssey Dawn in Libya and the purpose of the bombings. Jeremy Engels and William Saas describe this “post facto discourse” as a “new norm” where “Americans are called to acquiesce to decisions already made” (2013, p. 230). Contra to the alarmist strategy that made policy deliberation impossible, this rhetorical strategy posits that deliberation is not necessary. Collegiate debaters researching war powers are able to interrogate whether deliberation is actually needed. Given the technical knowledge base needed to comprehend the mechanism of how war powers operate, debate programs serve as a constant investigation into whether deliberation is necessary not only for prior action but also future action. By raising public awareness, there is a greater potential that “the public’s inquiry into potential illegal action abroad” could “create real incentives to enforce the WPR” (Druck, 2010, p. 236). While this line of interrogation could be fulfilled by another organization, collegiate debaters who translate their competitive knowledge into public awareness create a “space for talk” where the public has “previously been content to remain silent” (Engels & Saas, 2013, p. 231).

Given the importance of presidential war powers and the strategies used by both sides of the aisle to stifle deliberation, the import of competitive debate research into the public realm should provide an additional check of being subdued by alarmism or acquiescent rhetorics. After creating that space for deliberation, debaters are apt to influence the policies themselves. Mitchell furthers, “Intercollegiate debaters can play key roles in retrieving and amplifying positions that might otherwise remain sedimented in the policy process” (2010, p. 107). With the timeliness of the war powers controversy and the need for competitive debate to reorient publicly, the CEDA/Miller Center series represents a symbiotic relationship that ought to continue into the future. Not only will collegiate debaters become better public advocates by shifting from competition to collaboration, the public becomes more informed on a technical issue where deliberation was being stifled. As a result, debaters reinvigorate debate.

#### Second, key to education on the particulars of the US presidency—that's a prior question to any informed criticism

Mucher, 12 [“Malaise in the Classroom: Teaching Secondary Students about the Presidency” [Stephen Mucher](http://www.bard.edu/academics/faculty/faculty.php?action=details&id=1969) is assistant professor of history education in the Master of Arts in Teaching Program at Bard College, <http://www.hannaharendtcenter.org/?p=7741>]

Contemporary observers of secondary education have appropriately decried the startling lack of understanding most students possess of the American presidency. This critique should not be surprising. In textbooks and classrooms across the country, curriculum writers and teachers offer an abundance of disconnected facts about the nation’s distinct presidencies—the personalities, idiosyncrasies, and unique time-bound crises that give character and a simple narrative arc to each individual president. Some of these descriptions contain vital historical knowledge. Students should learn, for example, how a conflicted Lyndon Johnson pushed Congress for sweeping domestic programs against the backdrop of Vietnam or how a charismatic and effective communicator like Ronald Reagan found Cold War collaboration with Margaret Thatcher and Mikhail Gorbachev. But what might it mean to ask high school students to look across these and other presidencies to encourage more sophisticated forms of historical thinking? More specifically, what might teachers begin to do to promote thoughtful writing and reflection that goes beyond the respective presidencies and questions the nature of the executive office itself? And how might one teach the presidency, in Arendtian fashion, encouraging open dialogue around common texts, acknowledging the necessary uncertainty in any evolving classroom interpretation of the past, and encouraging flexibility of thought for an unpredictable future? By provocatively asking whether the president “matters,” the [2012 Hannah Arendt Conference](http://www.bard.edu/hannaharendtcenter/conference9-12/) provided an ideal setting for New York secondary teachers to explore this central pedagogical challenge in teaching the presidency. Participants in this special writing workshop, scheduled concurrently with the conference, attended conference panels and also retreated to consider innovative and focused approaches to teaching the presidency. Conference panels promoted a broader examination of the presidency than typically found in secondary curricula. A diverse and notable group of scholars urged us to consider the events and historical trends, across multiple presidencies, constraining or empowering any particular chief executive. These ideas, explored more thoroughly in the intervening writing workshops, provoked productive argument on what characteristics might define the modern American presidency. In ways both explicit and implicit, sessions pointed participants to numerous and complicated ways Congress, the judiciary, mass media, U.S. citizens, and the president relate to one another. This sweeping view of the presidency contains pedagogical potency and has a place in secondary classrooms. Thoughtful history educators should ask big questions, encourage open student inquiry, and promote civic discourse around the nature of power and the purposes of human institutions. But as educators, we also know that the aim and value of our discipline resides in place-and time-bound particulars that beg for our interpretation and ultimately build an evolving understanding of the past. Good history teaching combines big ambitious questions with careful attention to events, people, and specific contingencies. Such specifics are the building blocks of storytelling and shape the analogies students need to think through an uncertain future. Jimmy Carter’s oval office speech on July 15, 1979, describing a national “crisis of confidence” presented a unique case study for thinking about the interaction between American presidents and the populations the office is constitutionally obliged to serve. Workshop participants prepared for the conference by watching the [video footage](http://www.youtube.com/watch?v=KCOd-qWZB_g) from this address and reading parts of Kevin Mattson’s [history of the speech](http://www.nytimes.com/2009/07/15/books/excerpt-what-the-heck-mr-president.html). In what quickly became known as the “Malaise Speech,” Carter attempted a more direct and personal appeal to the American people, calling for personal sacrifice and soul searching, while warning of dire consequences if the nation did not own up to its energy dependencies. After Vietnam and Watergate, Carter believed, America needed a revival that went beyond policy recommendations. His television address, after a mysterious 10-day sequestration at Camp David, took viewers through Carter’s own spiritual journey and promoted the conclsions he drew from it. Today, the Malaise Speech has come to symbolize a failed Carter presidency. He has been lampooned, for example, on The Simpsons as our most sympathetically honest and humorously ineffectual former president. In one [episode](http://www.youtube.com/watch?v=D91IlKLtIH8), residents of Springfield cheer the unveiling of his presidential statue, emblazoned with “Malaise Forever” on the pedestal. Schools give the historical Carter even less respect. Standardized tests such as the NY Regents exam ask little if anything about his presidency. The Malaise speech is rarely mentioned in classrooms—at either the secondary or post-secondary levels. Similarly, few historians identify Carter as particularly influential, especially when compared to the leaders elected before and after him. Observers who mention his 1979 speeches are most likely footnoting a transitional narrative for an America still recovering from a turbulent Sixties and heading into a decisive conservative reaction. Indeed, workshop participants used writing to question and debate Carter’s place in history and the limited impact of the speech. But we also identified, through [primary sources](http://www.livingroomcandidate.org/commercials/1976) on the 1976 election and documents around the speech, ways for students to think expansively about the evolving relationship between a president and the people. A quick analysis of the [electoral map](http://en.wikipedia.org/wiki/File%3A1976prescountymap2.PNG) that brought Carter into office reminded us that Carter was attempting to convince a nation that looks and behaves quite differently than today. The vast swaths of blue throughout the South and red coastal counties in New York and California are striking. Carter’s victory map can resemble an electoral photo negative to what has now become a familiar and predictable image of specific [regional alignments](http://www.washingtonpost.com/wp-srv/politics/interactives/campaign08/election/uscounties.html) in the Bush/Obama era. The president who was elected in 1976, thanks in large part to an electorate still largely undefined by the later rise of the Christian Right, remains an historical enigma. As an Evangelical Democrat from Georgia, with roots in both farming and nuclear physics, comfortable admitting his sins in both Sunday School and Playboy, and neither energized by or defensive about abortion or school prayer, Carter is as difficult to image today as the audience he addressed in 1979. It is similarly difficult for us to imagine the Malaise Speech ever finding a positive reception. However, this is precisely what [Mattson](http://www.nytimes.com/2009/08/02/books/review/Bai-t.html) argues. Post-speech weekend polls gave Carter’s modest popularity rating a surprisingly respectable 11-point bump. Similarly, in a year when most of the president’s earlier speeches were ignored, the White House found itself flooded with phone calls and letters, almost universally positive. The national press was mixed and several prominent columnists praised the speech. This reaction to such an unconventional address, Mattson goes on to argue, suggests that the presidency can matter. Workshop participants who attended later sessions heard Walter Russell Mead reference the ways presidents can be seen as either transformative or transactional. In many ways, the “malaise moment” could be viewed as a late term attempt by a transactional president to forge a transformational presidency. In the days leading up to the speech, Carter went into self-imposed exile, summoning spiritual advisors to his side, and encouraging administration-wide soul searching. Such an approach to leadership, admirable to some and an act of desperation to others, defies conventions and presents an odd image of presidential behavior (an idea elaborated on by conference presenter Wyatt Mason). “Malaise” was never mentioned in Carter’s speech. But his transformational aspirations are hard to miss. In a nation that was proud of hard work, strong families, close-knit communities, and our faith in God, too many of us now tend to worship self-indulgence and consumption. Human identity is no longer defined by what one does, but by what one owns. But we've discovered that owning things and consuming things does not satisfy our longing for meaning. We've learned that piling up material goods cannot fill the emptiness of lives which have no confidence or purpose. It is this process—the intellectual act of interpreting Carter and his [in]famous speech as aberrant presidential behavior—that allows teachers and their students to explore together the larger question of defining the modern presidency. And it is precisely this purposeful use of a small number of primary sources that forces students to rethink, through writing and reflection, the parameters that shape how presidents relate to their electorate. In our workshop we saw how case studies, in-depth explorations of the particulars of history, precede productive debate on whether the presidency matters. The forgotten Carter presidency can play a disproportionately impactful pedagogical role for teachers interested in exploring the modern presidency. As any high school teacher knows, students rarely bring an open interpretive lens to Clinton, Bush, or Obama. Ronald Reagan, as the first political memory for many of their parents, remains a polarizing a figure. However, few students or their parents hold strong politically consequential opinions about Carter. Most Americans, at best, continue to view him as a likable, honest, ethical man who is much more effective as an ex-president than he was as president. Workshop participants learned that the initial support Carter received after the Malaise Speech faded quickly. Mattson and some members of the administration now argue that the President lacked a plan to follow up on the goodwill he received from a nation desiring leadership. Reading [Ezra Klein](http://m.newyorker.com/reporting/2012/03/19/120319fa_fact_klein), we also considered the possibility that, despite all the attention educators give to presidential speeches (as primary sources that quickly encapsulate presidential visions), there is little empirical evidence that any public address really makes much of a difference. In either case, Carter’s loss 16 months later suggests that his failures of leadership both transformational and transactional. Did Carter’s speech matter? The teachers in the workshop concluded their participation by attempting to answer this question, working collaboratively to draft a brief historical account contextualizing the 1979 malaise moment. In doing so, we engaged in precisely the type of activity missing in too many secondary school classrooms today: interrogating sources, corroborating evidence, debating conflicting interpretations, paying close attention to language, and doing our best to examine our underlying assumptions about the human condition. These efforts produced some clarity, but also added complexity to our understanding of the past and led to many additional questions, both pedagogical and historical. In short, our writing and thinking during the Arendt Conference produced greater uncertainty. And that reality alone suggests that study of the presidency does indeed matter.

**The resolution is a good starting point for us to consider many issues that do not directly affect our lives but are important**

**Dybvig and Iverson 2k** (Kristin and Joel, Graduate Students at Arizona State, “Can Cutting Cards Carve into Our Personal Lives: An Analysis of Debate Research on Personal Advocacy”, http://debate.uvm.edu/dybvigiverson1000.html)

The level of research involved in debate creates an in-depth understanding of issues. The level of research conducted during a year of debate is quite extensive. Goodman (1993) references a Chronicle of Higher Education article that estimated "the level and extent of research required of the average college debater for each topic is equivalent to the amount of research required for a Master's Thesis (cited in Mitchell, 1998, p. 55). With this extensive quantity of research, debaters attain a high level of investigation and (presumably) understanding of a topic. As a result of this level of understanding, debaters become knowledgeable citizens who are further empowered to make informed opinions and energized to take action.

Research helps to educate students (and coaches) about the state of the world. Without the guidance of a debate topic, how many students would do in-depth research on female genital mutilation in Africa, or United Nations sanctions on Iraq? The competitive nature of policy debate provides an impetus for students to research the topics that they are going to debate. This in turn fuels students’ awareness of issues that go beyond their front doors. Advocacy flows from this increased awareness. Reading books and articles about the suffering of people thousands of miles away or right in our own communities drives people to become involved in the community at large.

Research has also focused on how debate prepares us for life in the public sphere. Issues that we discuss in debate have found their way onto the national policy stage, and training in intercollegiate debate makes us good public advocates. The public sphere is the arena in which we all must participate to be active citizens. Even after we leave debate, the skills that we have gained should help us to be better advocates and citizens. Research has looked at how debate impacts education (Matlon and Keele 1984), legal training (Parkinson, Gisler and Pelias 1983, Nobles 19850 and behavioral traits (McGlone 1974, Colbert 1994). These works illustrate the impact that public debate has on students as they prepare to enter the public sphere.

**The individuality of our identities and agencies does not deny the need to address macro level issues**

**Ruiz and Minguez 2001** Prof. Dr Pedro Ortega Ruiz, Facultad de Educacio´ n, Campus de Espinardo, Universidad de Murcia, “Global Inequality and the Need for Compassion: issues in moral and political education” Journal of Moral Education, Vol. 30, No. 2, 2001

In addition to the reality of the dominant presence of instrumental reason in modern society, another closely linked phenomenon is shaping life at the level of the individual and society, individuals and peoples. We refer to the phenomenon of the increasing globalisation of ways of life in our complex societies which derive as much from the new forms of production as from the influence of science and technology upon life and social organisation (Waters, 1995). This explains the problems we find in guaranteeing a base of social solidarity in a general sense and the provision of forms of identity sufficiently strong for the social agents. It is difficult to represent the society in which we live in a unified manner. As individuals we belong to diverse communities, at times mutually contradictory. It is difficult to escape the need of having to choose between diverse forms of identity and belonging (Bafircena, 1997). The phenomenon of globalisation has **invalidated** the autistic, localist-focused procedures for highlighting and resolving problems because the great part of our social life is determined by global processes; that is to say, in those processes in which the influence of cultures, political economies, media and national frontiers are all weakened. The emergence of globalisation has made it possible to overcome the concept of nation states, giving way to another, wider reality: humanity, world citizenship or human family to foster the birth of new areas of identity beyond that of the nation state (Luhmann, 1997). During the last few decades it could be thought that the relationships and obligations of the citizen started and finished in their local community, in their polis, or at most in their national community. Now, on the other hand, we are concerned by problems occurring far from our frontiers or the conventional established limits. We have become aware that we are immersed in problems of such magnitude (environmental pollution, poverty and marginalisation of a large part of the world’s population, ethnic–cultural conflicts, etc.) that we seriously question localist attempts and have thrown to the winds the recipes so long applied to solve our problems. A new concept of citizenship and the citizen has been imposed on us. Our polis has become too small. The diversity of cultures and national frontiers are **no longer barriers** to the recognition of our **inter-dependency** and implication in problems which we now must share. These features (primacy of instrumental reason and globalisation) cannot go unnoticed in our pedagogy. Youth cannot be educated according to **out-dated localist schemes** already undermined by the real situation; nor offer educational models which place the learners in the position of open-mouthed spectators at what happens around them, distanced from the social reality which is supposedly impossible to change, governed by the implacable laws of market forces. To educate, as we understand it, is above all a praxis orientated towards enabling the learners to “read” and interpret reality and furthermore to take responsibility in the face of this reality. It is to help them grow in responsibility, to honour our obligations toward others.

### 1nc 2

#### Next off, don’t call it the K—the speciesism counter-narrative—

#### The 1AC is vocal in its criticism of the oppressive formations within contemporary politics—but fails to address the more structural question of anthropocentric oppression. For example—why did the 1AC choose to mention certain wars over others? Specifically, why did they choose to largely avoid the war on the non-human? Where does their knowledge originate from? Questions like this are important—they reveal an underlying reliance on anthropocentric hierarchies within the 1AC’s emancipatory discourse.

**Wolfe 9**—Bruce and Elizabeth Dunlevie Professor of English at Rice University

(Cary, “Human, All Too Human: “Animal Studies” and the Humanities”, PMLA, Volume 124, Number 2, March 2009, pp. 564–575 (12), dml)

Such a genealogy, appealing as it is, ought to give us pause, however, for at least a couple of reasons that have to do with the overly rapid adoption of the cultural studies template for animal studies. The rubrics animal studies and human-animal studies are both problematic, I think, in the light of the fundamental challenge that animal studies poses to the disciplinarity of the humanities and cultural studies. In my view, the questions that occupy animal studies can be addressed adequately only if we confront them on two levels: not just the level of content, thematics, and the object of knowledge (the animal studied by animal studies) but also the level of theoretical and methodological approach (how animal studies studies the animal). To put it bluntly, just because we study nonhuman animals does not mean that we are not continuing to be humanist—and therefore, by definition, anthropocentric. Indeed, one of the hallmarks of humanism—and more specifically of the kind of humanism called liberalism—is precisely its penchant for the sort of “pluralism” that extends the sphere of consideration (intellectual or ethical) to previously marginalized groups without in the least destabilizing or throwing into question the schema of the human who undertakes such pluralization. And in that event pluralism becomes incorporation, and the projects of humanism (intellectually) and liberalism (politically) are extended—indeed, extended in a rather classic sort of way.

In piggybacking on the cultural studies template (if you’ll allow the phrase in this context), animal studies too readily takes on itself some of the problems that have made cultural studies a matter of diminishing returns for many scholars. Ellen Rooney, for example, has observed that cultural studies is “perhaps even more intractably caught than literary criticism in the dilemma of defining its own proper form”; it is “a welter of competing (and even incompatible) methods, and a (quasi-)disciplinary form increasingly difficult to defend, intellectually or politically” (21). Even more pointedly, Tilottama Rajan has argued that this “dereferentialization” and “inclusive vagueness” has allowed much of cultural studies to be appropriated for the ideological work of the neoliberal order, in which capitalist globalization gets repackaged as pluralism and attention to difference (69). As “a soft-sell for, and a personalization of, the social sciences” (74), she writes, the effect if not the aim of cultural studies in the humanities “is to simulate the preservation of civil society after the permutation of the classical public sphere” into an essentially market and consumerist logic of “representation” (69–70). For my purposes here, the problem, in other words, is not just the disciplinary incoherence or vagueness of current modes of cultural studies; the problem is that that incoherence or vagueness serves to maintain a certain historically, ideologically, and intellectually specific form of subjectivity while masking it as pluralism—including (in this case) pluralism extended to nonhuman animals. In this light, animal studies, if taken seriously, would not so much extend or refine a certain mode of cultural studies as bring it to an end.5

This is so because animal studies, if it is to be something other than a mere thematics, fundamentally challenges the schema of the knowing subject and its anthropocentric underpinnings sustained and reproduced in the current disciplinary protocols of cultural studies (not to mention literary studies). (Indeed, as Susan McHugh notes in her overview of literary scholarship on animals, “a systematic approach to reading animals in literature necessarily involves coming to terms with a discipline that in many ways appears organized by the studied avoidance of just such questioning.”) For Rooney and Rajan—many others could be added to the list—the problem with cultural studies, at least in its hegemonic modes of practice in North America, is that despite its apparent oppositional, materialist, and multicultural commitments, it ends up reproducing an ideologically familiar mode of subjectivity based, philosophically and politically, on the canons of liberal humanism (whose most familiar expression would be the extension of the juridical subject of “rights” from the human to the animal sphere).6 The full force of animal studies, then, resides in its power to remind us that it is not enough to reread and reinterpret—from a safe ontological distance, as it were—the relation of metaphor and species difference, the cross-pollination of speciesist, sexist, and racist discursive structures in literature, and so on. That undertaking is no doubt praiseworthy and long overdue, but as long as it leaves unquestioned the humanist schema of the knowing subject who undertakes such a reading, then it sustains the very humanism and anthropocentrism that animal studies sets out to question. And this is why, if taken seriously, animal studies ought not to be viewed as simply the latest flavor of the month of what James Chandler calls the “subdisciplinary field,” one of “a whole array of academic fields and practices” that since the 1970s “have come to be called studies: gender studies, race studies, and cultural studies, of course, but also film studies, media studies, jazz studies . . .”—the list is virtually endless (358).7

#### What is the war at home? Who is it carried out against? Our argument is that the war is deeper than the 1AC realizes—it finds its foundations in an ongoing species war. This is the war that all of us perpetuate in some way—whether it is through our diets, our ideologies, or our clothing choices. This is the war that kills 45 billion nonhuman lives every year simply for food consumption—nearly seven times the human population. This is the war that entails the brutally unbounded violence in meat factories, farms, animal testing labs, and practically every other aspect of modernity.

#### This war occurs in debate as well. There are structurally anthropocentric ideologies within our community that must be addressed. It’s time for these questions to gain traction through criticism and questioning.

**Leeson-Schatz 12**—DOD at Binghamton

(Joe, “Animals, Allies, and Race”, <http://www.cedadebate.org/forum/index.php?topic=4217.0>, dml)

So what is my central advocacy and concern? Put simply, animal rights. Our community is profoundly anthropocentric despite the increased popularity of the kritik. While there are structural issues in debate that need to be addressed to increase participation there are structural issues that not only preserve but enable the anthropocentric tendencies of the debate community at large. Every tournament on the circuit uses registration fees to pay for the flesh of animals to be served. Even if vegetarians and vegans can opt for flesh-free selections, large portions of our fees still goes to fuel the factory farm industry, which is also profoundly racist in its employment and distribution practices. Just as Africans went into the ships and came out as blacks, cows go into the slaughterhouse and come out burgers, pigs go in and come out bacon, and so on. They are the absent referent of our tournaments. These animals not only experience social death (since they all have complex relationships) but also a literal death that the debate community directly pays for. At larger banquets that are prevalent at national tournaments, the vegetarian and vegan options are small plates filled with some vegetables while the bodies of dead animals are put on display for steak, lamb chops, etc. In these instances there is no question that my registration fee subsidizes this because the setup costs for flesh are far more than the salad and pasta option that I’m presented with. It’s not that the vegetarian and vegan options are bad. It is that it’s clear that caters assume people who abstain from flesh are doing it for dietary reasons. In many of these instances if I’m still hungry the serving staff informs me that there’s only one plate per person requested while flesh eaters can continue to go through the serving line and have enough slice of dead animal. My fees pay for this. Even if it wasn’t true, it profoundly disturbs me that so many within the debate community think that it’s okay to pay for this torture and killing of other animals. Even worse, is when many in the community think it’s acceptable to make a joke about flesh consumption and then continue to partake in the mass murder of sentient creatures without a second thought. It’s time for our community to change. It’s time for people of all perspectives to start questioning why we continue to participate in an institution that is not only immoral but results in large amounts of environmental destruction and furthers the injustices suffered by other human populations as well.

#### This is a question of starting points. No perms—the aff has decided to forego a traditional advocacy in favor of a description and performance—their decision to shift the discussion away from a normative statement about what should happen must be met with a willingness to assign links to their speech act and what they didn’t bring up. They said we should start with the question of the wars at home—we say you should start with a deeper, more underlying war.

#### Vote negative to write in the place of animals that die—the role of the ballot is to move towards a true political space which necessarily entails consideration of speciesism as prior

**Collard 13**—Geography Department at the University of British Columbia

(Rosemary-Claire, “Apocalypse Meow”, Capitalism Nature Socialism, 24:1, 35-41, dml)

‘‘A true political space,’’ writes Swyngedouw (2010b, 194), ‘‘is always a space of contestation for those who are not-all, who are uncounted and unnamed.’’ This true political space necessarily includes\*if only by virtue of their exclusion\*animals, the ‘‘constitutive outside’’ of humanity itself. How we respond to this dynamic ought to be a central question of critical scholarship and philosophizing. To be a philosopher, says Deleuze in the ‘‘A for Animal’’ entry to the ‘‘abecedary’’ (L’abe´ce´daire de Gilles Deleuze 1989), ‘‘is to write in the place of animals that die.’’ This is still an imperfect way of describing my objective (for one thing, I am also interested in animals that are still alive), but it is an improvement over being a ‘‘spokesperson’’ for animals, which are often characterized as speechless and may be rendered more so having spokespeople appointed to speak on their behalf. To write in the place of animals that die seems a preferable, though still fraught, characterization.

This paper is therefore written in the place of those uncounted and unnamed non-subjects of political space, the animals that die, the nonhumans, the hundreds of millions of animals that are ‘‘living out our nightmares’’ (Raffles 2010, 120): injected, tested, prodded, then discarded. We have denied, disavowed, and misunderstood animals. They are refused speech, reason, morality, emotion, clothing, shelter, mourning, culture, lying, lying about lying, gifting, laughing, crying\*the list has no limit. But ‘‘who was born first, before the names?’’ Derrida (2008, 18) asks. ‘‘Which one saw the other come to this place, so long ago? Who will have been the first occupant? Who the subject? Who has remained the despot, for so long now?’’ Some see identifying this denial as a side-event, inconsequential, even sort of silly. The belief in human superiority is firmly lodged and dear to people’s hearts and senses of themselves. It also seems a daunting task, not a simple matter of inserting the excluded into the dominant political order, which as Z ˇ izˇek (1999) writes, neglects how these very subversions and exclusions are the order’s condition of being.

#### This is exceedingly relevant to the 1AC’s political project—our demand for the recognition of the non-human shatters the concepts of humanity that they criticize—their failure to interrogate speciesism makes their supposedly radical discourse suspect

Best No Date [Steven, Chair of Philosophy at UT-EP, “Animal Rights and the New Enlightenment”, <http://www.drstevebest.org/AnimalRightsandtheNewEnlightenment.htm>]

Western society has made rapid moral progress since the 1960s. The student, black, brown, feminist, and gay and lesbian movements advanced the universalization of rights process, overcame major barriers of prejudice, and deepened human freedom. During this turbulent period of social strife, riots, mass demonstrations against the U.S. war in Vietnam, and worsening problems with poverty, homelessness, and class inequality, Martin Luther King formulated a vision of a “world house.” In this cosmopolitan utopia, all peoples around the globe would live in peace and harmony, with both their spiritual and material needs met by the fecundity of the modern world. But to whatever degree this dream might be realized, King’s world house is still a damn slaughterhouse, because humanism doesn’t challenge the needless confinement, torture, and killing of billions of animals. The humanist non-violent utopia will always remain a hypocritical lie until so-called “enlightened” and “progressive” human beings extend nonviolence, equality, and rights to the animals with whom we share this planet. The next logical step in human moral evolution is to embrace animal rights and accept its profound implications. Animal rights builds on the most progressive ethical and political advances human beings have made in the last two hundred years. Simply put, the argument for animal rights states that if humans have rights, animals have rights for the same reasons. Moral significance lies not in our differences as species but rather our commonalities as subjects of a life. This is the challenge of animal rights: can human beings become truly enlightened and overcome one of the last remaining prejudices enshrined in democratic legal systems? Can they reorganize their economic systems, retool their technologies, and transform their cultural traditions? Above all, can they construct new sensibilities, values, worldviews, and identities? The animal rights movement poses a fundamental evolutionary challenge to human beings in the midst of severe crises in the social and natural worlds. Can we recognize that the animal question is central to the human question? Can we grasp how the exploitation of animals is implicated in every aspect of the crisis in our relation to one another and the natural world? Animal rights is an assault on human species identity. It smashes the compass of speciesism and calls into question the cosmological maps whereby humans define their place in the world. Animal rights demands that human beings give up their sense of superiority over other animals. It challenges people to realize that power demands responsibility, that might is not right, and that an enlarged neocortex is no excuse to rape and plunder the natural world. These profound changes in worldview demand revolutionizing one’s daily life and recognizing just how personal the political is. I teach many radical philosophies, but only animal rights has the power to upset and transform daily rituals and social relations. “Radical” philosophies such as anarchism or Marxism uncritically reproduce speciesism. After the Marxist seminar, students can talk at the dinner table about revolution while dining on the bodies of murdered farmed animals. After the animal rights seminar, they often find themselves staring at their plates, questioning their most basic behaviors, and feeling alienated from their carping friends and family. The message rings true and stirs the soul. Let’s be clear: we are fighting for a revolution, not for reforms, for the end of slavery, not for humane slavemasters. Animal rights advances the most radical idea to ever land on human ears: animals are not food, clothing, resources, or objects of entertainment. Our goal is nothing less than to change entrenched attitudes, sedimented practices, and powerful institutions that profit from animal exploitation. Indeed, the state has demonized us as “eco-terrorists” and is criminalizing our fight for what is right. Our task is especially difficult because we must transcend the comfortable boundaries of humanism and urge a qualitative leap in moral consideration. We are insisting that people not only change their views of one another within the species they share, but rather realize that species boundaries are as arbitrary as those of race and sex. Our task is to provoke humanity to move the moral bar from reason and language to sentience and subjectivity. We must not only educate, we must become a social movement. The challenge of animal rights also is our challenge, for animal rights must not only be an idea but a social movement for the liberation of the world’s most oppressed beings, both in terms of numbers and in the severity of their pain. As with all revolutions, animals will not gain rights because oppressors suddenly see the light, but rather because enough people become enlightened and learn how rock the structures of power, to shake them until new social arrangements emerge. Are we asking for too much? Justice requires only what is right, and is never excessive. Is the revolution remotely possible? In a thousand ways, the revolution is gaining ground. From the near nation-wide ban on cockfighting to making animal abuse a felony crime in 37 states, from eliminating the use of animals to train doctors in two thirds of U.S. medical schools to teaching animal rights and the law seminars at over two dozen universities, from increasing media coverage of animal welfare/rights issues to a 2003 Gallup Poll finding that 96% of Americans say that animals deserve some protection from abuse and 25% say that animals deserve “the exact same rights as people to be free from harm and exploitation” it is clear that human beings are beginning to change their views about other species. Human beings simply will have to reinvent their identities and find ways to define humanity and culture apart from cruelty. Whether people realize it or not, this is not a burden but a liberation. One no longer has to live the lie of separation and the opening of the heart can bring a profound healing. Animal rights is the next stage in the development of the highest values modern humanity has devised – those of equality, democracy, and rights. Our distorted conceptions of ourselves as demigods who command the planet must be replaced with the far more humble and holistic notion that we belong to and are dependent upon vast networks of living relationships. Dominionist and speciesist identities are steering us down the path of disaster. If humanity and the living world as a whole is to have a future, human beings must embrace a universal ethics that respects all life. Growth is difficult and painful,and the human species is morally immature and psychologically crippled. Human beings need to learn that they are citizens in the biocommunity, and not conquerors; as citizens, they have distinct responsibilities to the entire biocommunity. The meaning of Enlightenment is changing. In the eighteenth century it meant overcoming religious dogma and tyranny; in the late twentieth century, it demanded overcoming racism, sexism, homophobia, and other prejudices; now, in the twenty-first century, it requires overcoming speciesism and embracing a universal ethics that honors all life. We can change; we must. The message of nature is evolve or die.

## 2NC

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**Gotta have a plan—failure to have a concrete option we can debate against guarantees that oppression continues and efforts for change backfire**

**STEVE 2007** (Anonymous member of Black Block and Active Transformation who lives in East Lansing, MI, Date Last Mod. Feb 8, http://www.nadir.org/nadir/initiativ/agp/free/global/a16dcdiscussion.htm)

What follows is not an attempt to discredit our efforts. It was a powerful and inspiring couple of days. I feel it is important to always analyze our actions and be self-critical, and try to move forward, advancing our movement. The State has used Seattle as an excuse to beef up police forces all over the country. In many ways Seattle caught us off-guard, and we will pay the price for it if we don't become better organized. The main weakness of the Black Block in DC was that clear goals were not elaborated in a strategic way and tactical leadership was not developed to coordinate our actions. By leadership I don't mean any sort of authority, but some coordination beside the call of the mob. We were being led around DC by any and everybody. All someone would do is make a call loud enough, and the Black Block would be in motion. We were often lead around by Direct Action Network (DAN - organizers of the civil disobedience) tactical people, for lack of our own. We were therefore used to assist in their strategy, which was doomed from the get go, because we had none of our own. The DAN strategy was the same as it was in Seattle, which the DC police learned how to police. Our only chance at disrupting the IMF/WB meetings was with drawing the police out of their security perimeter, therefore weakening it and allowing civil disobedience people to break through the barriers. This needs to be kept in mind as we approach the party conventions this summer. Philadelphia is especially ripe for this new strategy, since the convention is not happening in the business center. Demonstrations should be planned all over the city to draw police all over the place. On Monday the event culminated in the ultimate anti-climax, an arranged civil disobedience. The civil disobedience folks arranged with police to allow a few people to protest for a couple minutes closer to where the meetings were happening, where they would then be arrested. The CD strategy needed arrests. Our movement should try to avoid this kind of stuff as often as possible. While this is pretty critical of the DAN/CD strategy, it is so in hindsight. This is the same strategy that succeeded in shutting down the WTO ministerial in Seattle. And, while we didn't shut down the IMF/WB meetings, we did shut down 90 blocks of the American government on tax day - so we should be empowered by their fear of us! The root of the lack of strategy problem is a general problem within the North American anarchist movement. We get caught up in tactical thinking without establishing clear goals. We need to elaborate how our actions today fit into a plan that leads to the destruction of the state and capitalism, white supremacy and patriarchy. Moving away from strictly tactical thinking toward political goals and long term strategy needs to be a priority for the anarchist movement. No longer can we justify a moralistic approach to the latest outrage - running around like chickens with their heads cut off. We need to prioritize developing the political unity of our affinity groups and collectives, as well as developing regional federations and starting the process of developing the political principles that they will be based around (which will be easier if we have made some headway in our local groups). The NorthEastern Federation of Anarchist Communists (NEFAC) is a good example of doing this. They have prioritized developing the political principles they are federated around. The strategies that we develop in our collectives and networks will never be blueprints set in stone. They will be documents in motion, constantly being challenged and adapted. But without a specific elaboration of what we are working toward and how we plan to get there, we will always end up making bad decisions. If we just assume everyone is on the same page, we will find out otherwise really quick when shit gets critical. Developing regional anarchist federations and networks is a great step for our movement. We should start getting these things going all over the continent. We should also prioritize developing these across national borders, which NEFAC has also done with northeastern Canada. Some of the errors of Love and Rage were that it tried to cover too much space too soon, and that it was based too much on individual membership, instead of collective membership. We need to keep these in mind as we start to develop these projects. One of the benefits of Love and Rage was that it provided a forum among a lot of people to have a lot of political discussion and try to develop strategy in a collective way. This, along with mutual aid and security, could be the priorities of the regional anarchist federations. These regional federations could also form the basis for tactical leadership at demonstrations. Let me first give one example why we need tactical teams at large demos. In DC the Black Block amorphously made the decision to try to drive a dumpster through one of the police lines. The people in front with the dumpster ended up getting abandoned by the other half of the Black Block who were persuaded by the voice of the moment to move elsewhere. The people up front were in a critical confrontation with police when they were abandoned. This could be avoided if the Black Block had a decision making system that slowed down decision making long enough for the block to stay together. With this in mind we must remember that the chaotic, decentralized nature of our organization is what makes us hard to police. We must maximize the benefits of decentralized leadership, without establishing permanent leaders and targets. Here is a proposal to consider for developing tactical teams for demos. Delegates from each collective in the regional federation where the action is happening would form the tactical team. Delegates from other regional federations could also be a part of the tactical team. Communications between the tactical team and collectives, affinity groups, runners, etc. could be established via radio. The delegates would be recallable by their collectives if problems arose, and as long as clear goals are elaborated ahead of time with broader participation, the tactical team should be able to make informed decisions. An effort should be made to rotate delegates so that everyone develops the ability. People with less experience should be given the chance to represent their collectives in less critical situations, where they can become more comfortable with it. The reality is that liberal politics will not lead to an end to economic exploitation, racism, and sexism. Anarchism offers a truly radical alternative. Only a radical critique that links the oppressive nature of global capitalism to the police state at home has a chance of diversifying the movement against global capitalism. In order for the most oppressed people here to get involved the movement must offer the possibility of changing their lives for the better. A vision of what "winning" would look like must be elaborated if people are going to take the risk with tremendous social upheaval, which is what we are calling for. We cannot afford to give the old anarchist excuse that "the people will decide after the revolution" how this or that will work. We must have plans and ideas for things as diverse as transportation, schooling, crime prevention, and criminal justice. People don't want to hear simple solutions to complex questions, that only enforces people's opinions of us as naive. We need practical examples of what we are fighting for. People can respond to examples better than unusual theory. While we understand that we will not determine the shape of things to come, when the system critically fails someone needs to be there with anti-authoritarian suggestions for how to run all sorts of things. If we are not prepared for that we can assume others will be prepared to build up the state or a new state.

switch side key

#### Debating war powers isn’t about unlocking the final conclusion, it’s a valuable heuristic for grappling with uncertainty—we have topic-specific ev on switch side debate

Henze, 08 [12/3/08, Sonia, Yale-New Haven Teachers Institute, The American President and War Powers: Combatting views, <http://www.yale.edu/ynhti/nationalcurriculum/units/2012/3/12.03.08.x.html>]

This review of American Government content and practice is an attempt to connect the American ideals from ninth grade Civics through eleventh grade U.S. History. Pittsburgh Public students study an introduction to government through a course called Civics: Be The Change. Students have a say in their education by engaging in debates in the classroom. Ninth graders show their knowledge through service projects, volunteer promotions, and roundtable discussions. The PPS Social Studies curricula connects year to year by grouping students and retaining the same teachers for at least two years. This looping program is successful in boosting student achievement through mutual trust and responsibility. This unit reminds students of the separate branches and duties of the federal government in a quick review of the 9th grade Civics topics that are critical for AP U.S. success. The function of the executive branch is a backdrop for a discussion of how power is delegated to the president and how authority is maintained in the federal government. The goal is to interest 11th graders in a more advanced study of American Government and Politics (AP) they can take in 12th grade, with confidence. This unit fits with the current revisions of the Advanced Placement U.S. History course by the College Board. I will start my class by introducing various interpretations of the modern presidency. By posing questions on the constitutionality of the presidential war powers, students will practice critical thinking skills, develop writing at the AP level, and express their points of view through oral arguments. This unit is also geared toward boosting minority achievement within the class and on the AP U.S. History exam. When students ask questions around documents and seek answers of their peers, they begin to function at a college level. With an understanding of American Constitutional ideals, and the ability to recognize how they are practiced, students are better able to work their way through standardized exams. I have found working with documents promotes student achievement at a faster rate than just sticking to the textbook. My students will have completed a close examination of the Federalist and Anti-Federalist papers in a prior unit where they explore problems with the Articles of Confederation and debate if the U.S. Constitution should be ratified in 1787 or rewritten to include the Bill of Rights before final acceptance. This unit may review some of the language of Federalist 67, 69, 74 and 75 in limited detail. Students should have a general understanding of the balance of power so they can question how and why it has expanded. It is often taught that members of the constitutional convention debated whether the U.S. should have a standing army. Some Founders feared that maintaining a large army would drain resources and the new America would the same problems the British had with the colonies. Others worried that a powerful military could rival civilian governments, and some feared having a standing army would prompt us to use it. What gets little attention in High School American History is the management of the U.S. military and the consequences of these actions on the three branches of government. When I began this unit, I started with a belief in the presidential prerogative; the president can do what he thinks is best for the nation. After all, he is the president! My research has guided me to a wealth of government documents surrounding the president's decision to send troops to protect Americans domestically and abroad. The rationale behind these decisions is more telling of the American political system than the executive merely exercising his power as commander in chief. Why Should Students Care About Presidential War Powers? On March 19, 2011 President Obama acted as Commander in Chief by sending the U.S. Military to engage in Allied air strikes against Libya. Reports said over 100 Tomahawk missiles were fired at targets in Libya while 11 U.S. Navy ships lined the coast. The Pentagon claimed the operation was to enforce the UN no-fly zone and support NATO agreements. The press coverage that followed read like a lesson in Constitutional Law. A reporter for the Boson Globe claimed the president needed Congressional approval before acting, while a team from the Washington Post claimed he could act alone.sup> 6/sup> Supporters of President Obama say he was within the realm of the executive duties as prescribed in Article II of the U.S. Constitution by acting as Commander in Chief. Critics argue he unlawfully expanded the executive branch by usurping the power of Congress to "make war" which is clearly delineated to the legislature in Article I. (The Activities section of this unit includes an exercise with president Obama's speech.) This debate over the use of war powers by the executive has been an important part of American foreign policy in recent years. The understanding of most Social Studies texts is that the presidential power is limited, or necessarily "checked." "The president and the military forces under his command, could employ troops and ships only in cases of emergency, to repeal foreign invasion as a defensive measure to protect American citizens and property abroad." sup> 7/sup> This unit attempts to clarify the debate concerning presidential power in a way that will allow students to question authority in an academic arena and draw their own conclusions about the American Presidency. Objectives After completing this unit, students should be able to discuss the origins of war powers in the Constitution and examine several presidential decisions to use military force abroad. Students will describe the process involved in presidential decision-making by using modern examples. They will write an analysis of events surrounding the Tonkin Gulf incident in 1964 and evaluate the decisions made by President Johnson's Administration that led to their request for the Gulf of Tonkin Resolution. A discussion of the War Powers Act may involve the Senate debate and President Nixon's veto as examples of "checks" in the legislative process. Analyzing documents across time will allow students to reach their own interpretation of these events and their significance. The goal is to get students to understand the process by which historians use declassified materials to understand how interpretations of events can be modified. Students should gain an appreciation for the historical process throughout this unit. A Note on the Common Core Standards Language Arts and Social Studies Standards emphasize analyzing, evaluating, and then critically writing about a historical piece by using evidence and information from the text. This kind of rigorous work aligns with college and work expectations. A great deal of time must be devoted to teaching students how to investigate and analyze historical writing before they can do it successfully on their own. In a teacher-coach model, students will master the objectives through independent research and group discussion. Students will discover the meaning of a document through the words of its author, the point of view, and the directed audience. Students will examine the vocabulary of the text, discern how its arguments are constructed, and analyze what is or is not said in the document. Students will hone essays to include writing in various styles using information from the documents as evidence. Essential Questions Throughout this unit students will be exploring some guiding questions. Why did the founding fathers structure the Presidency in the manner that they did? What did they intend the role of a president to be?What are the formal and informal powers of a President?How does the president use these powers to influence foreign affairs?How has the role, as well as the power,of the Presidency changed over time?Is the president too powerful?What do the American people expect from their President? Background to War Powers Conflict is defined by the Oxford English Dictionary as a "prolonged armed struggle, a state of mind in which a person experiences a clash of opposing feelings or needs, and a serious incompatibility of principles or interests." The most recent iteration-the war on terrorism- has stimulated further debate and puzzlement regarding the sharing of powers among the branches. sup> 8/sup> War has been a concern for all American Executives as many presidents assumed office during trouble times and made avoidance of war a key focus. The few who have formally declared war went through the constitutional process of asking Congress for, and obtaining, an official declaration. Some have seen it as their presidential prerogative, while others view it as a mandate from the people. U.S. Constitution The Constitution breaks down the war powers by listing what the executive can do in Article II and what the bicameral legislature can do in Article I. "The power to direct war and peace never fit neatly into the tripartite division of the executive, legislative and judicial powers that the framers used to order the political world," according to Richard Ellis.sup> 9/sup> Article II - Formal Powers of the President History tells us the Founders were wary of too much concentration of power in one person since they had just thrown off the rule of a tyrannical king. At the Constitutional Convention it became clear a central leader was needed, so they took care to structure the executive branch in a way that would maintain a balance of power. The function of the president is laid out in Article II, Section 1 of the U.S. Constitution with a simple directive, "the executive power shall be vested in a President of the United States of America." This allows the president to carry out the laws of the land but does not say how he or she should do so. Much of what the American President does evolved from implied powers. Clarification of executive duties concerning military powers, diplomacy and appointments appears in Article II, Section 2. The section begins, "the president shall be commander in chief of the army and navy of the United States, and of the militia of the several states..." This phrase is commonly perceived as a way to have the military under the control of an elected civilian to prevent a dictatorship. Section 2 also implies that the president may execute or carry out laws as he sees fit since, "he shall have power to grant reprieves and pardons." With regard to foreign policy, "he shall have power, by and with the advice and consent of the Senate, to make treaties, provided two thirds of the senators present concur..." Most presidents now make agreements with foreign countries, which do not need approval from senators. The Constitution is a guideline for the presidency. Each man who has been elected to the executive office has made the position his own. A closer look at the Constitution reveals a more deliberate intent of the Founders. Article II states, "the executive power shall be vested in a President of the United States of America" while Article I reads, "All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives." This wording insures separation of authority and action in a democracy. One can interpret the vesting of powers to the president to be similar to a monarchy, with the sole individual able to exercise their own discretion. George Washington established the first three Cabinet positions with few complaints, as it seemed logical to have Secretaries of the Treasury, State and War to run the government. Article I Louis Fisher, prominent Constitutional author, believes war powers are enumerated in Article I. He shared his position with Congress many times in the past five years. Fisher argues, "Under the Constitution, the ultimate authority to control the deployment of military force lies with Congress. That principle is the bedrock of our governmental system." sup> 10/sup> He claims more power to "make war" has shifted to the executive branch and away from the rightful place in the legislative branch in the past sixty years. Fisher has addressed Congress often in the past five years to compel the legislature to take on what he sees as their duty, making war. Article I, Section 8 of the U.S. Constitution grants Congress the power to "declare war," to "raise and support armies" and to "provide and maintain a Navy." These are often presented to students as the delegated powers of Congress or responsibilities not given to any other branch. In addition, Congress has the power to "make all laws necessary and proper for carrying into execution the foregoing powers..." This elastic clause grants Congress the ability to pass legislation that will further allow them to do their job. Often considered loose construction, this clause was not listed under the powers of the executive. (Art.I:8:18) Article II gives the Senate the ability to ratify treaties and play a part in foreign policy, but it does not give the president elasticity to make laws or change the direction of Article I. The delegates of the Constitutional Convention had a brief discussion to change one key phrase in the draft. Instead of empowering Congress "to make war," the legislature was given authority a "to declare war." The executive maintained the ability to be commander in chief. Most delegates at the Constitutional Convention agreed that the war powers should stay with the Congress, but they also passed a motion, "leaving to the executive the power to repeal sudden attacks." This wording caused trouble for Barry Goldwater in the 1964 presidential election and remains open to various interpretations since president Truman sent American troops to Korea. It is clear the war powers are enumerated in both Articles I and II. The Constitution grants Congress the power to "declare war" and raise and support armies yet the president has exclusive power to wage war and command the army in war and peacetime. The Founders must have intended a collective military action with the president and Congress acting in conjunction with one another. President Washington's Neutrality Proclamation Causes Debate General George Washington was an obvious choice to be the first president among the members of the Continental Congress. Some scholars even say the office was molded in part by Washington's demeanor and Revolutionary War experience. The Founders looked to him as a natural leader "The absence of any debate in the federal convention over the commander in chief clause is arguably further evidence that the framers did not imagine it to be an expansive grant of power..." sup> 11/sup> They did not expect the first president to be the start of controversy over the roles associated with the executive office. Yet, several Founders found problems with Washington's Proclamation of Neutrality in 1793 and start the first of many debates on the rightful distribution of power. sup> 12/sup> In writing a Neutrality Proclamation, Washington acted as Chief Diplomat. He recognized the state of war between Great Britain and France and their allies, then adopted the role of Protector of the Peace with his decree to stay out of the conflict. Washington's goal was "to adopt and pursue a conduct friendly and impartial towards the belligerent powers", but he warned Americans to not aid or abet "hostilities against any of the said powers." sup> 13/sup> This neutrality proclamation was official and within the powers of the president, but there was evidence of public talk against neutrality and pressure for politicians to respond. This discourse led a Federalist, Alexander Hamilton, to publicly support Washington's plan. sup> 14/sup> Hamilton's first letter in support of Washington's proclamation seems a bit paranoid. "The language in the confidential circles is that the constitution of the United States is too complex a system," he states, almost worried of another convention. Hamilton feared ambitious leaders who think the Constitution, "requires to be simplified in its structure, to be purged of some monarchical and aristocratic ingredients which are said to have found their way into it and to be stripped of some dangerous prerogatives, with which it is pretended to be invested." This talk by Hamilton may have led the Federalist to consider Alien and Sedition Acts while the Anti-Federalists rallied around free speech and individual liberties. Pacificus Hamilton wrote a second piece under the pseudonym "Pacificus" to defend, not only the President's policy, but his constitutional right to do so. His belief is in the president as Commander in Chief requires war powers, which "of necessity belong to the executive department to exercise the function in question" sup> 15/sup> Article II vests significant powers in the president as the executive, which may implied but are still significant. Pacificus I was written in defense of President Washington's proclamation of neutrality. Hamilton, Secretary of the Treasury, stepped to the president's defense of the policy and the constitutional right to issue a proclamation. He refuted claims that the treaty was without authority, contrary to other treaties and unnecessary. He claimed the power was rightly suited in the executive branch as, "a correct and well informed mind will discern at once that it can belong [neither] to the legislature nor judicial department." Hamilton makes the argument, "It must then of necessity belong to the Executive Department to exercise the function in question—when a proper case for the exercise of it occurs." Hamilton saw the power of "keeping peace" as an executive privilege under the treaty making authority. He quoted Article II, "executive power shall be vested in a president", a line he approved in his Federalist 74. Hamilton believed "sound construction" would give power to the executive under the general clause as he sees great difficulty in complete enumeration of all executives duties. In other words, Hamilton had no trouble with a loose interpretation of the constitution that gives the president general war powers to be determined at the time of office. Hamilton used the language of the "mode of expression" to complete his inference. When describing Article I he quoted "all legislative powers herein granted shall be vested in a Congress of the United States." This he compared to, "the executive power shall be vested in a president of the United States."sup> 16/sup> He called the enumeration "as merely to specify the principal articles implied in the definition of executive power, leaving the rest to flow from the general grant of that power..." Hamilton believed in separation of powers with each branch having separate and unique duties restricted only by what is mentioned in other branches or specifically limited. Believing the executive can be the Protector of the Peace, Hamilton said it was the duty of the executive to preserve peace until war was declared. He thought the executive had a right to make treaties and a treaty was law so the executive must enforce the law. For Hamilton the wisdom of the constitution prevailed. "It is the providence and duty of the executive to preserve to the nation the blessings of peace. The legislature alone can interrupt them by placing the nation in a state of war."sup> 17/sup> Helvidius After much encouragement from the Anti-Federalists for someone to counter Hamilton, James Madison wrote five essays under the name "Helvidius." This documented feud between Madison and Hamilton led to the creation of the first political parties. At the center of this fight was the belief in strict constructionist interpretation of the constitution opposed to loose constructionist or implied views. Madison's reply to Hamilton is directed at the role of foreign relations in the executive branch. Madison believes the power to declare war lies in the legislature, as enumerated in Article I, this exclusive power includes the right to assess the necessity to go to war or to stay at peace. In this line of argument, Madison negates the power of the President to proclaim the nation's neutrality. Madison attacked the Federalist and supporters of Washington's Neutrality Proclamation by calling them secret monarchists, declaring "several features with the signature of Pacificus were [as of] late published, which have been read with singular pleasure and applause by the foreigners and degenerate citizens among us, who hate our republican government and the French Revolution." He hopes to clarify what he sees are inconsistencies with the wording of the constitution and the actions of the first president. Madison demanded that Congress, not the president, had full authority over all foreign affairs not enumerated in the Constitution. He sees the president without any legislative power, but purely executive, "the two powers to declare war and to make treaties, it will be impossible not to see that they can never fall within a proper definition of executive." He showed his belief in strict constructionist that became a hallmark of the Anti-Federalist Party, recent champions of the Bill of Rights. James Madison takes a detailed approach to the enumeration of executive authority. He argues here that the power to declare war and make treaties can never fall within the definition of executive powers. The author reminds the reader of separate powers. "The natural province of the executive is to execute laws, as that of the legislature is to make laws. Therefore all executive acts must presuppose the existence of laws to be executed. To say that the making of treaties, being substantially of a legislative nature, belongs to the executive is to say that the executive possesses a legislative power. The power to declare war is subject to the same reasoning." sup> 18/sup> Madison reminds his readers of what Alexander Hamilton said in Federalist No. 75 about the process of treaty-making: "The history of human conduct does not warrant that exalted opinion of human virtue which would make it wise in a nation to commit interests of so delicate and momentous a kind as those which concern its intercourse with the rest of the world to the sole disposal of a magistrate, created and circumstanced, as would be a president of the United States."sup> 19/sup> The great debate over who governs starts with the constitutional convention and heats up with the constitutional test of Washington's Proclamation of Neutrality. President Lincoln's Use of War Powers The first three presidents had to consider military action against the Barbary Pirates and James Madison asked Congress for a declaration of war against Great Britain in 1812. The first president to expand the war powers was the 16th, Abraham Lincoln, since he was in office at a time of unprecedented change. Before Lincoln was inaugurated, seven states voted to leave the Union, and four would follow. In 1846 Lincoln criticized president Polk for making war with Mexico, "whenever he shall deem it necessary" which led to a censure of president Polk by Congress in 1848.sup> 20/sup> The American Civil War changed forever the way presidents would view the Constitution, since "it is during this war that the question of executive prerogative became most salient, both then and to generations of historians..." Lincoln knew his presidency was truly extraordinary from the outset as he was not on the ballot in seven southern states and secession had occurred prior to his inauguration. In using prerogative, he did so constitutionally, but only because the situation was, in fact, extraordinary: "The constitution is not its application in all respects the same." It is different "in cases of Rebellion or invasion, involving the public safety" than it is "in times of profound peace and public security." Lincoln thus broadened the habeas corpus clause, claiming that the Constitution allows whatever strong measures are necessary for its preservation. They are "good medicine for a sick man."sup> 21/sup> After some thought, he asked Congress to sanction his actions, and they passed legislation retroactively authorizing his action. President Lincoln wrote a letter to the Speaker of the House on July 15, 1862 to keep the members in attendance until he finished drafting the Confiscation Act. The members of the House did not adjourn and passed Lincoln's Confiscation Act on July 17, 1862. Without this, the draft of the Emancipation Proclamation would not have followed. In every case, president Lincoln wrote an explanation to justify his actions as what he saw as within the guidelines of the Constitution.sup> 22/sup> Lyndon B. Johnson and War Powers President Johnson was sworn into office under unusual circumstances. Kennedy had just died from a fatal gunshot and Americans were spellbound. The Cold War was raging and there were legitimate fears of another great war starting from the Cuban Missile Crisis. President Kennedy considered asking Congress for a declaration of war but resolved the crisis through a strong assertion of executive power as both chief diplomat and commander in chief. Gulf of Tonkin Incident The crisis in Southeast Asia was a foreign policy concern of three presidents before Lyndon B. Johnson. His predecessor, JFK, provided American weapons and increased American military advisors from 700 to 16,000 in the previous three years. For six months LBJ dispatched State Department officials and military experts to South Vietnam. Their recommendation was to add 6,000 more advisors to aid the South Vietnamese in their fight against the Communist North to uphold the policy of containment. On Sunday afternoon, August 2, 1964 three North Vietnamese patrol boats fired upon the USS Maddox which was on routine patrol. The Maddox quickly returned fire. Air support and the destroyer C.Turner Joy were sent to support the Maddox. President Johnson's advisors met and agreed to issue a stern warning to the North Vietnamese of the "grave consequences which would inevitably result from any further unprovoked military action against United States forces." Two days later there appeared to be another attack, but the aircraft disappeared from radar swiftly and no boats were detected in close proximity to the Maddox. Robert McNamara, Secretary of Defense, did not want to wait for the Maddox to do a complete evaluation; he concluded there was sufficient evidence of an attack.sup> 23/sup> The gulf of Tonkin incident is described in the House of Representatives Committee on Foreign Affairs document as follows: On Aug 2, 1964, the U.S. Department of Defense reported that three North Vietnamese PT boats had fired at the U.S. Destroyer Maddox while it was on a routine patrol 30 miles off North Vietnam. Three days later it announced that another engagement had been fought between the Maddox, the destroyer C.Turner Joy and North Vietnamese vessels, again in international waters. Both attacks had occurred in the Gulf of Tonkin. Following the second attack, President Johnson asked for and received the support of Congress in the Vietnam conflict. The congressional approval was formally "A joint resolution to promote the maintenance of international peace and security in Southeast Asia."sup> 24/sup> Gulf of Tonkin Resolution In August 1964, President Johnson was given reports of attacks on U.S. Vessels in the Gulf of Tonkin, off the coast of North Vietnam. Congress quickly passed legislation to authorize the use of armed forces. This huge grant of authority, what is often called a "blank check", to the president was seen as a key step in LBJ's escalation of the Vietnam War. This overseas conflict eventually drove Johnson from office and prepared the way for the War Powers Resolution of 1973.sup> 25/sup> While President Johnson was taking advice from his Secretary of Defense he lamented privately to a friend, Senator Richard Russell of Georgia, that Vietnam was "the biggest damn mess I ever saw." Johnson did not want to send American men to fight in Vietnam, but he had to uphold the promises of past presidents to not let the dominoes fall.sup> 26/sup> Congress deliberated for one day on a policy to maintain peace and security in Southeast Asia. They developed the following resolution to approve president Johnson's use of force to support the Southeast Asia Collective Defense Treaty in conjunction with the U.N. Charter and the U.S. Constitution: "Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, that the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression."sup> 27/sup> Congress Issues a Check -The War Powers Act The joint resolution that came out of the 91st Congress was "to fulfill the intent of the framers" while checking the power recently bequeathed the executive. The act requires that the President shall in every possible instance consult with Congress before introducing United States Armed Forces into hostilities or into situations where imminent involvement is clearly indicated by the circumstances.sup> 28/sup> Section 3 of the act requires the president, in every possible instance, to consult with Congress before introducing United States armed forces into hostilities. The next section sets guidelines for reporting specific cases "in the absence of a declaration of war," the president must continue to report to the top leaders of the House and Senate. Section 5 is the main section for Congressional action to supersede the executive. It sets further limits on the president's use of troops without a declaration of war to 60 days, unless the Congress declares war, it then extends the time period an exception would occur if Congress is unable to convene. The next three sections of the resolution list specific ways of reporting, procedures for discrepancies and interpretations of the joint resolution. The last sections show the support of two-thirds of the House and two-thirds of the Senate. Richard Ellis believes, "the 1973 War Powers Resolution attempted to limit the president's power to send troops abroad, has been drenched in acrimonious controversy. Presidents from Richard Nixon on have refused to comply fully with the law because they see it as an unconstitutional infringement of presidential power."sup> 29/sup> Strategies Instead of starting the year with Peter Stearns, "Why Study History?" the students will begin a political discussion to guide their thinking throughout the year. The obvious connections between the actions of the president and historical trends will not come easily for my students, but they will start to inquire if the president can do whatever he wants in the post-Watergate era. When they are able to frame their own argument, they will have a better understanding of how historians work and begin their own historical inquiry. This unit aims to enrich government knowledge for any student willing to challenge themselves with an Advanced Placement (AP) course. The goal is to close the achievement gap by encouraging minority students and other groups to participate in an exciting AP U.S. History course that will bridge the gap from 9th grade Civics and increase enrollment in 12th grade AP US Government & Politics. Students will refresh their knowledge of presidential powers from previous years to stay consistent with a looping model. The class will cover several conflicts which compel the U.S. President to deploy troops along with the conflict around the origin and legitimacy of executive power. After careful consideration of the documents, students will combine their analytical skills into a forum. By arguing if the president should have taken certain actions, students must exercise high-level critical thinking skills. Hopefully, they will gain study skills for research and summation of complex texts. This practice can be initiated with the teacher providing materials once and then modeling research methods to the class. The Pittsburgh Public Schools use an inquiry approach for many Social Studies courses. Students are encouraged to discover material on their own, and share their findings both inside a small group and within a larger forum. This student collaboration yields questions for further investigation while encouraging the learner to be responsible for their own education. Recent articles in various media focus on President Obama's achievements with anti-terrorism, support of an equitable healthcare policy and campaign rhetoric. Since war talk often sells newspapers, the president's expansion of executive war powers is a current hot topic but not one of consensus. I plan to encourage students to consider varying viewpoints regarding the presidential use of war powers. This unit will rely on The Evolving Presidency by Michael Nelson as a key resource for teachers. This collection includes a variety of primary sources and important documents for the highest office in the land. Chapter 7 of Richard Ellis' book, Founding the American Presidency, has a section on war and peace with readings and questions. Students may need to practice techniques for reading a document, recording key aspects and drawing conclusions before they get comfortable with this approach. It may be helpful for students to look up words they do not know and try to decipher the meaning from the time they were written. Teachers may want to use the Cornell Notes system with Articles I & II of the Constitution and the selected documents. This unit will examine the power of the executive to "make war" with or without a formal declaration. Themes from the College Board will be woven into strategies and lessons. American Identity (American Exceptionalism), Globalization and War and Diplomacy are the AP U.S. themes pertinent to this topic. Critical thinking in Social Studies often includes document analysis. This unit will examine many government documents: The Gulf of Tonkin Resolution(1964), The War Powers act (1973), Pacificus #1 (June 29, 1793) & Helvidius #1& III (Aug 24 & Sept 7, 1793) and President Obama's Address on Libya 2011. http://whitehousetapes.net/clips/1964\_0803\_4633/index.htm (These Covert Operations: President Johnson and Secretary of Defense McNamara talking after the first attack of U.S. Ships in the Gulf of Tonkin) Activities Here are several started questions that may be used as formal assessments upon completion of the unit. Today the president controls much of the American military and foreign policy. Is this contrary to what the Founders believed? Discuss. If a new constitutional convention were to be called today, how would you rewrite the war powers? Which Articles or Clauses would you change? Would you alter the commander in chief clause to make it clearer? Would you be precise about the scope of executive power as it relates to foreign relations and military policy? Former Secretary of Defense, Robert S. McNamara wrote a book about what he learned working for presidents Kennedy and Johnson. Director Errol Morris turned McNamara's book into a movie in 2003, The Fog of War. The documentary has McNamara in tears as he talks about the destructive force the U.S. levied against several countries under his guidance. I suggest using The Fog of War DVD, lesson 6 Get the Data and Lesson 7 Belief and Seeing are Often Wrong. These clips show the struggle to gather information during wartime. They also depict the quick pace at which decisions are made by the men in charge, showing little time to consult Congress. The Original debate - Pacificus/Helvidius Students can examine the language of the Pacificus letters and draw their own conclusions. They should highlight and look up words they do not know prior to a class discussion. Working in groups, students can counter Hamilton's arguments with something fitting for the time period, before they read Helvidius. Teachers may want to divide the class with one side reading Hamilton and the other side reading Madison. This will have to be a concise quick read so there is time for collaboration. It may be wise to keep the names and dates off the original work so the students do not go on the internet. They may need to move around the room to avoid the other group, and then the students can decide how to present their replies (perhaps 4 minutes to talk and listen to others and 2 minutes to respond). To involve all students, some can write on the board while others speak, or look for more evidence. Remind students that the Constitution has been ratified and George Washington is in office. Rigorous Questions Compare Hamilton's views in the Federalists Papers and Pacificus. Has he changed? How? How do you account for the different arguments? Is Madison's position as Helvidius consistent with his views at the constitutional convention? Are there inconsistencies between 1787 and 1793? Current Debates On exercise is to have students take one of the following quotes and argue from the position of the author. I like to give students with a conservative point of view a liberal quote and encourage them to defend what they personally do not agree with. This allows all students to put themselves in someone else's shoes.Of course, they may state their own point of view after they give a summation of the key points. Another technique is to read the quote and have students gather in one area of the room if they agree, one area if they do not agree and a middle ground for the indecisive. Students will be excited to move around and interested in seeing who agrees with them. Point of view, an important tool for the AP exam, can be taught this way. Some students may come to class with a quote that was taken out of context. This is a great opportunity to talk about reliable sources and the importance of primary documents. "President Obama is facing criticism that crosses the political divide for not seeking Congressional authorization before ordering the American military to join in attacks of Libyan air defenses and government forces."sup> 30/sup> New York Times, March 21, 2011 "My request for congressional support did not, and my signing this resolution does not, constitute any change in the longstanding positions of the executive branch on either the President's constitutional authority to use the Armed Forces to defend vital U.S. interests or the constitutionality of the War Powers Resolution." President George Bush, The White House 2002 "the time has come to determine whether we continue to place most of our eggs in the sanctions basket...[which] would possibly avoid the risks and costs of war, or whether we raise the pressure on Saddam by pressing ahead on both the military and diplomatic tracks." George H.W. Bush, October 30, 1989

## 1NR

### speciesism

#### Complicity comes first

**Pugliese 13**—Research Director, MMCCS @ Macquarie U

(Joseph, *State Violence and the Execution of Law: Biopolitical Caesurae of Torture, Black Sites, Drones* pg 36-37, dml)

Here Foucault offers us an alternative point of entry of ‘life into history’ – an entry point in which life and the biological, and their exertion of pressure on history, are not anthropocentrically delimited and that, crucially, open up an historical vista that stretches back for ‘thousands of years.’ What Foucault provocatively suggests in his opening of a long historical vista that is not reductively qualifi ed in anthropocentric terms is the possibility to think through other historical conditions of emergence for his conceptualization of the biopolitical – specifi cally, of the pressure exerted by animals on the human historical or, more accurately, of the violent pressure exerted by the human historical on the animal biological. This violent pressure needs to be named for what it is: ‘a veritable war of the species.’ 14 Refl ecting soberly on this other biopolitical war, Derrida writes: ‘This war is probably ageless but . . . it is passing through a critical phase.’ Inscribed in the articulation of this critical phase is a call to assume ethical responsibility for the very terms of conduct of this war: ‘To think the war we fi nd ourselves waging is not only a duty, a responsibility, an obligation, it is also a necessity, a constraint that, like it or not, directly or indirectly, no one can escape. Henceforth more than ever.’ 15 Dinesh Wadiwel locates this biopolitical war in conditions of emergence that enunciate Western politics as always- already biopolitical: ‘In Agamben’s words: “the decisive political confl ict, which governs every other confl ict, is that between the animality and the humanity of man.” That is to say, in its origin Western politics is also biopolitics.’ ‘Western politics,’ Wadiwel concludes, ‘expresses the fact of war between human and animal life.’ 16

In what follows, I want to begin to suggest an anteriority or prehistory of biopolitics that is gestured to but remains unrealized in Foucault’s long historical vista; a prehistory of biopolitics that is concerned with political economies of the enslavement and slaughter of animals. Through this move, I hope to enact an ethical anteriority of responsibility for the animal other. This prehistory is doubly anachronic and doubly other: it is anachronic in that it retrospectively ruptures anthropocentric teleologies and the singular identity of a human- synthesizingsubject that presumes to occupy an originary ground; it is doubly other in that it is always- already animal to the human and, tautologically, to the historical. And, fi nally, it enunciates the possibility of ethics precisely by discerning ethics in the face of an animal other traditionally outlawed from the domain of the ethical and thus unrecognizable in terms of the very ethicity of ethics.