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#### The affirmative answers the question of what is the underlying force of social relations with desire and a misunderstanding of racisms impact of islamaphobia. This search for meaning in everyday politics at the macro and micro level is disempowering to secure equality.

#### Their articulation of agency rests on an anti-institutional conception of “the individual” which is suspiciously similar to conservative Libertarianism. This retains complicity with the ideological structures of capital that re-entrench domination and control at the mirco-level, turning the aff.

David Marcus 2012 (Associate book editor at Dissent "The Horizontalists" Fall, <http://www.dissentmagazine.org/article/the-horizontalists>)

There is a much-recycled and certainly apocryphal tale told of an ethnographer traveling in India. Journeying up and down the Ganges Delta, he encounters a fisherman who claims to know the source of all truth. “The world,” the fisherman explains, “rests upon the back of an elephant.”

“But what does the elephant stand on?” the ethnographer asks.

“A turtle.”

“And the turtle?”

“Another turtle.”

“And it?”

“Ah, friend,” smiles the fisherman, “it is turtles all the way down.” As with most well-circulated apocrypha, it is a parable that lacks a clear provenance, but has a clear moral: that despite our ever-dialectical minds, we will never get to the bottom of things; that, in fact, *there is nothing* at the bottom of things. What we define as society is nothing more than a set of locally constructed practices and norms, and what we define as history is nothing more than the passage of one set to the next. Although we might “find the picture of our universe as an infinite tower of tortoises rather ridiculous,” as one reteller admitted, it only raises the question, “Why do we think we know better?” Since the early 1970s we have wondered—with increasing anxiety—why and if we know better. Social scientists, literary critics, philosophers, and jurists have all begun to turn from their particular disciplines to the more general question of interpretation. There has been an increasing uneasiness with universal categories of thought; a whispered suspicion and then a commonly held belief that the sum—societies, histories, identities—never amounts to more than its parts. New analytical frameworks have begun to emerge, sensitive to both the pluralities and localities of life. “What we need,” as Clifford Geertz argued, “are not enormous ideas” but “ways of thinking that are responsive to particularities, to individualities, oddities, discontinuities, contrasts, and singularities.” This growing anxiety over the precision of our interpretive powers has translated into a variety of political as well as epistemological concerns. Many have become uneasy with universal concepts of justice and equality. Simultaneous to—and in part because of—the ascendance of human rights, freedom has increasingly become understood as an individual entitlement instead of a collective possibility. The once prevalent conviction that a handful of centripetal values could bind society together has transformed into a deeply skeptical attitude toward general statements of value. If it is, indeed, turtles all the way down, then decisions can take place only on a local scale and on a horizontal plane. There is no overarching platform from which to legislate; only a “local knowledge.” As Michael Walzer argued in a 1985 lecture on social criticism, “We have to start from where we are,” we can only ask, “what is the right thing *for us* to do?” This shift in scale has had a significant impact on the Left over the past twenty to thirty years. Socialism, once the “name of our desire,” has all but disappeared; new desires have emerged in its place: situationism, autonomism, localism, communitarianism, environmentalism, anti-globalism. Often spatial in metaphor, they have been more concerned with where and how politics happen rather than at what pace and to what end. Often local in theory and in practice, they have come to represent a shift in scale: from the large to the small, from the vertical to the horizontal, and from—what Geertz has called—the “thin” to the “thick.” Class, race, and gender—those classic left themes—are, to be sure, still potent categories. But they have often been imagined as spectrums rather than binaries, varying shades rather than static lines of solidarity. Instead of society, there is now talk of communities and actor networks; instead of radical schemes to rework economic and political institutions, there is an emphasis on localized campaigns and everyday practices. The critique of capitalism—once heavily informed by intricate historical and social theories—has narrowed. The “ruthless criticism of all,” as Karl Marx once put it, has turned away from exploitative world systems to the pathologies of an over-regulated life. As post-Marxists Ernesto Laclau and Chantal Mouffe declared in 1985, Left-wing thought today stands at a crossroads. The “evident truths” of the past—the classical forms of analysis and political calculation, the nature of the forces in conflict, the very meaning of the Left’s struggles and objectives—have been seriously challenged….From Budapest to Prague and the Polish coup d’état, from Kabul to the sequels of Communist victory in Vietnam and Cambodia, a question-mark has fallen more and more heavily over the whole way of conceiving both socialism and the roads that should lead to it. In many ways, the Left has just been keeping up with the times. Over the last quarter-century, there has been a general fracturing of our social and economic relations, a “multiplication of,” what one sociologist has called, “partial societies—grouped by age, sex, ethnicity, and proximity.” This has not necessarily been a bad thing. Even as the old Left—the *vertical* Left—frequently bemoaned the growing differentiation and individuation, these new categories did, in fact, open the door for marginalized voices and communities. They created a space for more diversity, tolerance, and inclusion. They signaled a turn toward the language of recognition: a politics more sensitive to difference. But this turn was also not without its disadvantages. Gone was the Left’s hope for an emerging class consciousness, a movement of the “people” seeking greater realms of freedom. Instead of challenging the top-down structures of late capitalism, radicals now aspired to create—what post-Marxists were frequently calling—“spaces of freedom.” If one of the explicit targets of the global justice movement of the late 1990s was the exploitative trade policies of the World Trade Organization, then its underlying critique was the alienating patterns of its bureaucracy: the erosion of spaces for self-determination and expression. The crisis of globalization was that it stripped individuals of their rights to participate, to act as free agents in a society that was increasingly becoming shaped by a set of global institutions. What most troubled leftists over the past three or four decades was not the increasingly unequal distribution of goods and services in capitalist societies but the increasingly unequal distribution of power. As one frequently sighted placard from the 1999 Seattle protests read, “No globalization without participation!” Occupy Wall Street has come to represent the latest turn in this movement toward local and more horizontal spaces of freedom. Occupation was, itself, a matter of recovering local space: a way to repoliticize the square. And in a moment characterized by foreclosure, it was also symbolically, and sometimes literally, an attempt to reclaim lost homes and abandoned properties. But there was also a deeper notion of space at work. Occupy Wall Street sought out not only new political spaces but also new ways to relate to them. By resisting the top-down management of representative democracy as well as the bottom-up ideals of labor movements, Occupiers hoped to create a new politics in which decisions moved neither up nor down but horizontally. While embracing the new reach of globalization—linking arms and webcams with their encamped comrades in Madrid, Tel Aviv, Cairo, and Santiago—they were also rejecting its patterns of consolidation, its limits on personal freedom, its vertical and bureaucratic structures of decision-making. Time was also to be transformed. The general assemblies and general strikes were efforts to reconstruct, and make more autonomous, our experience of time as well as space. Seeking to escape from the Taylorist demands of productivity, the assemblies insisted that decision-making was an endless process. Who we are, what we do, what we want to be are categories of flexibility, and consensus is as much about repairing this sense of open-endedness as it is about agreeing on a particular set of demands. Life is a mystery, as one pop star fashionista has insisted, and Occupiers wanted to keep it that way. Likewise, general strikes were imagined as ways in which workers could take back time—regain those parts of life that had become routinized by work. Rather than attempts to achieve large-scale reforms, general strikes were improvisations, escapes from the daily calculations of production that demonstrated that we can still be happy, creative, even productive individuals without jobs. As one unfurled banner along New York’s Broadway read during this spring’s May Day protests, “Why work? Be happy.” In many ways, the Occupy movement was a rebellion against the institutionalized nature of twenty-first century capitalism and democracy. Equally skeptical of corporate monopolies as it was of the technocratic tendencies of the state, it was ultimately an insurgency against control, against the ways in which organized power and capital deprived the individual of the time and space needed to control his or her life. Just as the vertically inclined leftists of the twentieth century leveraged the public corporation—the welfare state—against the increasingly powerful number of private ones, so too were Occupy and, more generally, the horizontalist Left to embrace the age of the market: at the center of their politics was the anthropological “man” in both his forms—*homo faber* and *homo ludens*—who was capable of negotiating his interests outside the state. For this reason, the movement did not fit neatly into right or left, conservative or liberal, revolutionary or reformist categories. On the one hand, it was sympathetic to the most classic of left aspirations: to dismantle governing hierarchies. On the other, its language was imbued with a strident individualism: a politics of anti-institutionalism and personal freedom that has most often been affiliated with the Right. Seeking an alternative to the bureaucratic tendencies of capitalism and socialism, Occupiers were to frequently invoke the image of autonomy: of a world in which social and economic relations exist outside the institutions of the state. Their aspiration was a society based on organic, decentralized circuits of exchange and deliberation—on voluntary associations, on local debate, on loose networks of affinity groups. If political and economic life had become abstracted in the age of globalization and financialization, then Occupy activists wanted to re-politicize our everyday choices. As David Graeber, one of Occupy’s chief theoretical architects, explained two days after Zuccotti Park was occupied, “The idea is essentially that “the system is not going to save us,” so “we’re going to have to save ourselves.” Borrowing from the anarchist tradition, Graeber has called this work “direct action”: the practice of circumventing, even on occasion subverting, hierarchies through practical projects. Instead of attempting “to pressure the government to institute reforms” or “seize state power,” direct actions seek to “build a new society in the shell of the old.” By creating spaces in which individuals take control over their lives, it is a strategy of acting and thinking “as if one is already free.” Marina Sitrin, another prominent Occupier, has offered another name for this politics—“horizontalism”: “the use of direct democracy, the striving for consensus” and “processes in which everyone is heard and new relationships are created.” It is a politics that not only refuses institutionalization but also imagines a new subjectivity from which one can project the future into the present. Direct action and horizontal democracy are new names, of course, for old ideas. They descend—most directly—from the ideas and tactics of the global justice movement of the 1990s and 2000s. Direct Action Network was founded in 1999 to help coordinate the anti-WTO protests in Seattle; *horizontalidad*, as it was called in Argentina, emerged as a way for often unemployed workers to organize during the financial crisis of 2001. Both emerged out of the theories and practices of a movement that was learning as it went along. The ad hoc working groups, the all-night bull sessions, the daylong actions, the decentralized planning were all as much by necessity as they were by design. They were not necessarily intended at first. But what emerged out of anti-globalization was a new vision of globalization. Local and horizontal in practice, direct action and democracy were to become catchphrases for a movement that was attempting to resist the often autocratic tendencies of a fast-globalizing capitalism. But direct action and horizontal democracy also tap into a longer, if often neglected, tradition on the left: the anarchism, syndicalism, and autonomist Marxism that stretch from Peter Kropotkin, Emma Goldman, and Rosa Luxemburg to C.L.R. James, Cornelius Castoriadis, and Antonio Negri. If revolutionary socialism was a theory about ideal possibilities, then anarchism and autonomism often focused on the revolutionary practices themselves. The way in which the revolution was organized was the primary act of revolution. Autonomy, as the Greco-French Castoriadis told *Le Monde* in 1977, demands not only “the elimination of dominant groups and of the institutions embodying and orchestrating that domination” but also new modes of what he calls “self-management and organization.” With direct action and horizontal democracy, the Occupy movement not only developed a set of new tactics but also a governing ideology, a theory of time and space that runs counter to many of the practices of earlier leftist movements. Unlike revolutionary socialism or evolutionary social democracy—Marx’s Esau and Jacob—Occupiers conceived of time as more cyclical than developmental, its understanding of space more local and horizontal than structural and vertical. The revolution was to come but only through everyday acts. It was to occur only through—what Castoriadis obliquely referred to as—“the self-institution of society.” The seemingly spontaneous movement that emerged after the first general assemblies in Zuccotti Park was not, then, sui generis but an elaboration of a much larger turn by the Left. As occupations spread across the country and as activists begin to exchange organizational tactics, it was easy to forget that what was happening was, in fact, a part of a much larger shift in the scale and plane of Western politics: a turn toward more local and horizontal patterns of life, a growing skepticism toward the institutions of the state, and an increasing desire to seek out greater realms of personal freedom. And although its hibernation over the summer has, perhaps, marked the end of the Occupy movement, OWS has also come to represent an important—and perhaps more lasting—break. In both its ideas and tactics, it has given us a new set of desires—autonomy, radical democracy, direct action—that look well beyond the ideological and tactical tropes of socialism. Its occupations and general assemblies, its flash mobs and street performances, its loose network of activists all suggest a bold new set of possibilities for the Left: a horizontalist ethos that believes that revolution will begin by transforming our everyday lives. It can be argued that horizontalism is, in many ways, a product of the growing disaggregation and individuation of Western society; that it is a kind of free-market leftism: a politics jury-rigged out of the very culture it hopes to resist. For not only does it emphasize the agency of the individual, but it draws one of its central inspirations from a neoclassical image: that of the self-managing society—the polity that functions best when the state is absent from everyday decisions. But one can also find in its anti-institutionalism an attempt to speak in today’s language for yesterday’s goals. If we must live in a society that neither trusts nor feels compelled by collectivist visions, then horizontalism offers us a leftism that attempts to be, at once, both individualist and egalitarian, anti-institutional and democratic, open to the possibilities of self-management and yet also concerned with the casualties born out of an age that has let capital manage itself for far too long. Horizontalism has absorbed the crisis of knowledge—what we often call “postmodernism”—and the crisis of collectivism—what we often call “neoliberalism.” But instead of seeking to return to some golden age before our current moment of fracture, it seeks—for better and worse—to find a way to make leftist politics conform to our current age of anti-foundationalism and institutionalism. As Graeber argued in the prescriptive last pages of his anthropological epic, *Debt: The First 5,000 Years*, “Capitalism has transformed the world in many ways that are clearly irreversible” and we therefore need to give up “the false choice between state and market that [has] so monopolized political ideology for the last centuries that it made it difficult to argue about anything else.” We need, in other words, to stop thinking like leftists. But herein lies the problem. Not all possible forms of human existence and social interaction, no matter how removed they are from the institutions of power and capital, are good forms of social organization. Although it is easy to look enthusiastically to those societies—ancient or modern, Western or non-Western—that exist beyond the structures of the state, they, too, have their own patterns of hierarchy, their own embittered lines of inequality and injustice. More important, to select one form of social organization over the other is always an act of exclusion. Instituting and then protecting a particular way of life will always require a normative commitment in which not every value system is respected—in which, in other words, there is a moral hierarchy. More problematically, by working outside structures of power one may circumvent coercive systems but one does not necessarily subvert them. Localizing politics—stripping it of its larger institutional ambitions—has, to be sure, its advantages. But without a larger structural vision, it does not go far enough. “Bubbles of freedom,” as Graeber calls them, may create a larger variety of non-institutional life. But they will always neglect other crucial avenues of freedom: in particular, those social and economic rights that can only be protected from the top down. In this way, the anti-institutionalism of horizontalism comes dangerously close to that of the libertarian Right. The turn to previous eras of social organization, the desire to locate and confine politics to a particular regional space, the deep skepticism toward all forms of institutional life not only mirror the aspirations of libertarianism but help cloak those hierarchies spawned from non-institutional forms of power and capital. This is a particularly pointed irony for a political ideology that claims to be opposed to the many injustices of a non-institutional market—in particular, its unregulated financial schemes. Perhaps this is an irony deeply woven into the theoretical quilt of autonomy: a vision that, as a result of its anti-institutionalism, is drawn to all sites of individual liberation—even those that are to be found in the marketplace. As Graeber concludes in *Debt*, “Markets, when allowed to drift entirely free from their violent origins, invariably begin to grow into something different, into networks of honor, trust, and mutual connectedness,” whereas “the maintenance of systems of coercion constantly do the opposite: turn the products of human cooperation, creativity, devotion, love and trust back into numbers once again.” In many ways, this is the result of a set of political ideas that have lost touch with their origins. The desire for autonomy was born out of the socialist—if not also often the Marxist—tradition and there was always a guarded sympathy for the structures needed to oppose organized systems of capital and power. Large-scale institutions were, for thinkers such as Castoriadis, Negri, and C.L.R. James, still essential if every cook was truly to govern. To only “try to create ‘spaces of freedom’ ‘alongside’ of the State” meant, as Castoriadis was to argue later in his life, to back “down from the problem of politics.” In fact, this was, he believed, the failure of 1968: “the inability to set up new, different institutions” and recognize that “there is no such thing as a society without institutions.” This is—and will be—a problem for the horizontalist Left as it moves forward. As a leftism ready-made for an age in which all sides of the political spectrum are arrayed against the regulatory state, it is always in danger of becoming absorbed into the very ideological apparatus it seeks to dismantle. For it aspires to a decentralized and organic politics that, in both principle and practice, shares a lot in common with its central target. Both it and the “free market” are anti-institutional. And the latter will remain so without larger vertical measures. Structures, not only everyday practices, need to be reformed. The revolution cannot happen only on the ground; it must also happen from above. A direct democracy still needs its indirect structures, individual freedoms still need to be measured by their collective consequences, and notions of social and economic equality still need to stand next to the desire for greater political participation. Deregulation is another regulatory regime, and to replace it requires new regulations: institutions that will limit the excesses of the market. As Castoriadis insisted in the years after 1968, the Left’s task is not only to abolish old institutions but to discover “new kinds of relationship between society and its institutions.” Horizontalism has come to serve as an important break from the static strategies and categories of analysis that have slowed an aging and vertically inclined Left. OWS was to represent its fullest expression yet, though it has a much longer back story and still—one hopes—a promising future. But horizontalists such as Graeber and Sitrin will struggle to establish spaces of freedom if they cannot formulate a larger vision for a society. Their vision is not—as several on the vertical left have suggested—too utopian but not utopian enough: in seeking out local spaces of freedom, they have confined their ambitions; they have, in fact, come, at times, to mirror the very ideology they hope to resist. In his famous retelling of the turtle parable, Clifford Geertz warned that in “the search of all-too-deep-lying turtles,” we have to be careful to not “lose touch with the hard surfaces of life—with the political, economic, stratificatory realities within which men are everywhere contained.” This is an ever-present temptation, and one that, in our age of ever more stratification, we must resist.

#### **The 1AC’s arguments about subjectivity through the lens of individual resistance transforms politics into rampant consumerism- they are the psychosis politics of the free-thinking subject born to shop**

Burch 1995 (Mark, Anarchives Volume 2 Issue 20 *Language Is A Virus* “The Biosemiotics of Consumer Fascism” <http://www.hackcanada.com/canadian/zines/anarchives/anarchives_2_20.txt>)

The last two decades have seen dramatic changes in the world. There has been the fall of communism, the "victory" of capitalism, and even talk of "the end of history." There has been a rise in globalism, concern for the environment, the biosphere, and biodiversity. The symbol of Gaia as the whole system of Earth is gaining acceptance, and symbols of the earth are everywhere, on Burger King and McDonald's products and on "environmentally friendly" paper grocery bags. Is this a good sign? James Lovelock, one of the originators of the Gaia hypothesis, is quoted by Myrdene Anderson (1990) as saying that Gaia is an empty sign with nearly infinite capacity for signification, but is filling up mostly with rubbish. The planets proliferate; we have Planet Hollywood and Planet Reebok--"where there are no limits." Masahide Kato (1993) claims that the earth symbol which is appearing everywhere is the new corporate logo of transnational capital (TNC), because it signifies the role of the strategic gaze in constructing a homogeneous social totality. In line with the principle outlined above, that objectification precedes consumption, it is clear that Earth is poised to be consumed. I feel that the fall of communism is a sign that the hegemony of TNC is complete, so that it no longer needs the false duality between the US and the USSR (Derrida has even analyzed the Beatles song, "Back in the US, Back in the US, Back in the USSR...and Georgia's always on my m-m-m-m-m-mmind!" in terms of this false dichotomy) to serve as a vice which crushed the non-aligned nations. As to the new globalism, it is a one-dimensional globalism, definitely on the terms of TNC. There is zero tolerance for deviance. Just as deviance has been increasingly medicalized (Conrad & Schneider, 1992), and medicine is governed by militaristic metaphors, so US militarism is governed by medical metaphors. We don't fight wars any more, we conduct "surgical strikes." Antibiotics were the "magic bullets," and bombs look like giant pills. The concern for biodiversity is limited to potential products, cures for cancer, AIDS, etc. which may lay undiscovered in some rain forest plant. The only way to preserve cultural diversity is to have the natives produce some commodity for consumers to buy--rugs, clothes, or "rainforest crunch." Americans are cultural omnivores, and the background conversation is still dominated by consumption. DESSERT: CONSUMER CULTURE AS ONCOMEME A cell is a biosemiotic community. There is a center, occupied by the nucleus, and a periphery, bordered by a membrane. Hormones and neurotransmitters are signs that are received by and through the periphery and are transduced into analog signals or make their way to the nucleus, where they initiate longer term changes in the cell's metabolism. The DNA in the nucleus of a healthy cell is in two-way conversation with the periphery, contrary to the early dogma which stipulated a one-way flow of instructions from the DNA. A cancerous cell, however, is in one-way communication and proliferates out of proportion to its place in the organism. There is a two-step process by which a cell becomes cancerous and grows into a tumor. The first step is carcinogenesis, and results from DNA damage; the second step is tumorigenesis and results from the cell being cut off from communication with cells at its periphery, which activates genes called oncogenes. Alternatively, an oncovirus can insert an oncogene into the cell's DNA and cause the cell to proliferate. An oncogene usually codes for a truncated receptor, that generates signals for cell growth and proliferation without feedback control (Darnell, et. al., 1990). The transformed cell becomes aggressive and can kill other cells. The growing tumor can secrete growth factors which redirect blood vessels and initiate vascularization. Finally, specialized cells can metastasize and colonize other tissues of the body. Cancer, once thought to be an anarchistic riot of cell growth, is actually a highly organized system, in which a part assumes control of the whole. One can see that there are homologies between the imperialist notion of center and periphery and capitalism's uncontrolled economic growth, and the processes which are involved in tumorigenesis. I believe that consumer culture also proliferates itself by similar mechanisms. By image colonization and pseudo-objectivity, external memes are planted in the self system and reproduce by echogenesis. People are alienated from each other and their culture by a discourse of objects. Education and socialization consistently repress the individual. The autonomous self is faced with a double bind--conform or be marginalized ("If you are not with us, you are against us."). In conformity the self withers away, leaving a false self which is hollow and hungry and born to shop. In marginality, you get to keep your self, but you can't do much with it, because there is no reflection that validates it.

**Radical Islamic practice is a catastrophe for queer folk, women, and religious non-Muslims -- its promotion represents part of the divide and conquer strategy of global capitalism**

**Hedges '13** Chris, TruthDig, "Murdering the Wretched of the Earth" 8/13 http://www.truthdig.com/report/item/murdering\_the\_wretched\_of\_the\_earth\_20130814/

Radical Islam is the last refuge of the Muslim poor. The mandated five prayers a day give the only real structure to the lives of impoverished believers. The careful rituals of washing before prayers in the mosque, the strict moral code, along with the understanding that life has an ultimate purpose and meaning, keep hundreds of millions of destitute Muslims from despair. The **fundamentalist ideology that rises from oppression is rigid and unforgiving. It radically splits the world into black and white, good and evil, apostates and believers. It is bigoted and cruel to women, Jews, Christians and secularists, along with gays and lesbians.** But at the same time it offers to those on the very bottom of society a final refuge and hope. The massacres of hundreds of believers in the streets of Cairo signal not only an assault against a religious ideology, not only a return to the brutal police state of Hosni Mubarak, but the start of a holy war that will turn Egypt and other poor regions of the globe into a caldron of blood and suffering. The only way to break the hold of radical Islam is to give its followers a stake in the wider economy, the possibility of a life where the future is not dominated by grinding poverty, repression and hopelessness. If you live in the sprawling slums of Cairo or the refugee camps in Gaza or the concrete hovels in New Delhi, every avenue of escape is closed. You cannot get an education. You cannot get a job. You do not have the resources to marry. You cannot challenge the domination of the economy by the oligarchs and the generals. The only way left for you to affirm yourself is to become a martyr, or *shahid*. Then you will get what you cannot get in life—a brief moment of fame and glory. And while what will take place in Egypt will be defined as a religious war, and the acts of violence by the insurgents who will rise from the bloodied squares of Cairo will be defined as terrorism, **the engine for this chaos is not religion but the collapsing economy of a world where the wretched of the earth are to be subjugated and starved or shot. The lines of battle are being drawn** in Egypt and **across the globe**. Adli Mansour, the titular president appointed by the military dictator of Egypt, Gen. Abdul-Fattah el-Sisi, has imposed a military-led government, a curfew and a state of emergency. They will not be lifted soon. The lifeblood of radical movements is martyrdom. The Egyptian military has provided an ample supply. The faces and the names of the sanctified dead will be used by enraged clerics to call for holy vengeance. And as violence grows and the lists of martyrs expand, a war will be ignited that will tear Egypt apart. Police, Coptic Christians, secularists, Westerners, businesses, banks, the tourism industry and the military will become targets. Those radical Islamists who were persuaded by the Muslim Brotherhood that electoral politics could work and brought into the system will go back underground, and many of the rank and file of the Muslim Brotherhood will join them. Crude bombs will be set off. Random attacks and assassinations by gunmen will puncture daily life in Egypt as they did in the 1990s when I was in Cairo for The New York Times, although this time the attacks will be wider and more fierce, far harder to control or ultimately crush. What is happening in Egypt is a precursor to a wider global war between the world’s elites and the world’s poor, a war caused by diminishing resources, chronic unemployment and underemployment, overpopulation, declining crop yields caused by climate change, and rising food prices. Thirty-three percent of Egypt’s 80 million people are 14 or younger, and millions live under or just above the poverty line, which the World Bank sets at a daily income of $2 in that nation. The poor in Egypt spend more than half their income on food—often food that has little nutritional value. An estimated 13.7 million Egyptians, or 17 percent of the population, suffered from food insecurity in 2011, compared with 14 percent in 2009, according to a report by the U.N. World Food Program and the Egyptian Central Agency for Public Mobilization and Statistics (CAPMAS). Malnutrition is endemic among poor children, with 31 percent under 5 years old stunted in growth. Illiteracy runs at more than 70 percent. In “Les Misérables” Victor Hugo described war with the poor as one between the “egoists” and the “outcasts.” The egoists, Hugo wrote, had “the bemusement of prosperity, which blunts the sense, the fear of suffering which is some cases goes so far as to hate all sufferers, and unshakable complacency, the ego so inflated that is stifles the soul.” The outcasts, who were ignored until their persecution and deprivation morphed into violence, had “greed and envy, resentment at the happiness of others, the turmoil of the human element in search of personal fulfillment, hearts filled with fog, misery, needs, and fatalism, and simple, impure ignorance.” **The belief systems the oppressed embrace can be intolerant, but these belief systems are a response to the injustice, state violence and cruelty inflicted on them by the global elites. Our enemy is** not radical Islam. It **is global capitalism. It is a world where the wretched of the earth are forced to bow before the dictates of the marketplace, where children go hungry as global corporate elites siphon away the world’s wealth and natural resources** and where our troops and U.S.-backed militaries carry out massacres on city streets. Egypt offers a window into the coming dystopia. **The wars of survival will mark the final stage of human habitation of the planet**. And if you want to know what they will look like, visit any city morgue in Cairo.

#### you should prefer our disadvantage to the 1ac politics because it explains why the Occupy movement was a massive failure. like Occupy, the 1AC's refusal to identify a concrete demand on the US government folds their speech act into dissent-for-its-own sake, a meaningless exercise in self-indulgent liberation rhetoric that only re-entrenches status quo power relations.

Frank 2012 (Thomas, Author of *What's* the Matter with Kansas? and editor of The Baffler "To the Precinct Station: How theory met practice …and drove it absolutely crazy" <http://www.thebaffler.com/past/to_the_precinct_station>)

A while later I happened to watch an online video of an Occupy panel discussion held at a bookstore in New York; at some point in the recording, a panelist objected to the way protesters had of saying they were “speaking for themselves” rather than acknowledging that they were part of a group. Another one of the panelists was moved to utter this riposte: What I would note, is that people can only speak for themselves, that the self would be under erasure there, in that the self is then held into question, as any poststructuralist thought leading through anarchism would push you towards. . . . I would agree, an individualism that our society has definitely had inscribed upon it and continues to inscribe upon itself, “I can only speak for myself,” the “only” is operative there, and of course these spaces are being opened up . . . My heart dropped like a broken elevator. As soon as I heard this long, desperate stream of pseudointellectual gibberish, I knew instantly that this thing was doomed. \* \* \* *“T*here is a danger,” the Slovenian philosopher Slavoj Žižek warned the Occupy Wall Street encampment in Zuccotti Park last year, and he wasn’t referring to the New York Police Department. “Don’t fall in love with yourselves.” We have a nice time here. But remember, carnivals come cheap. What matters is the day after, when we will have to return to normal lives. Will there be any changes then? Žižek’s remarks appear in *n*+1 magazine’s *Occupy!: Scenes from Occupied America* (Verso, $14.95), the first book, and one of the most eclectic, to appear on the subject of last year’s protests. That volume was eventually followed by numerous others ranging from speeches delivered to the encampments (Noam Chomsky’s *Occupy*; Zuccotti Park Press, $9.95) to historical considerations of the protest (Todd Gitlin’s *Occupy Nation: The Roots, the Spirit, and the Promise of Occupy Wall Street*; HarperCollins, $12.99) to collective memoirs by participants (*Occupying Wall Street: The Inside Story of an Action that Changed America*; Haymarket, $15). Before considering them, I have to ask that the usual disclaimers be applied with prejudice: Todd Gitlin is a friend of mine whose work I admire; Joe Sacco, who drew the cartoons that accompany the Chris Hedges entry, is another acquaintance and a onetime *Baffler* contributor; Will Bunch, whom I have never met, reviewed my last book (he was ambivalent about it); I know several of the contributors to the *n*+1 anthology; other friends of mine contributed to the quasi-official Occupy memoir; and still other friends appear in these books’ pages, making statements, being quoted, that sort of thing. Left-wing actions are like family reunions, I guess. Nearly all of these books wander more or less directly into the “danger” Žižek warned against. They are deeply, hopelessly in love with this protest. Each one takes for granted that the Occupy campaign was world-shaking and awe-inspiring—indeed, this attitude is often asserted in the books’ very titles: *This Changes Everything: Occupy Wall Street and the 99% Movement* (Berrett-Koehler, $9.95), for example. The authors heap up the superlatives without restraint or caution. “The 99% has awakened,” writes the editor of *Voices From the 99 Percent: An Oral History of the Occupy Wall Street Movement* (Red and Black, $15.99). “The American political landscape will never again be the same.” What happened in Zuccotti Park was “unprecedented,” declares Noam Chomsky. “There’s never been anything like it that I can think of.” But that is nothing when compared to the enthusiasm of former *New York Times* reporter Chris Hedges. In *Days of Destruction, Days of Revolt* (Nation Books, $28) he compares Occupy to the 1989 revolutions in East Germany, Czechoslovakia, and Romania. The protesters in New York, he writes, were disorganized at first, unsure of what to do, not even convinced they had achieved anything worthwhile, but they had unwittingly triggered a global movement of resistance that would reverberate across the country and in the capitals of Europe. The uneasy status quo, effectively imposed for decades by the elites, was shattered. Another narrative of power took shape. The revolution began. Or had it begun twelve years previously? In 1999, you might recall, lefties nationwide swooned to hear about the WTO protests in Seattle; surely the tide was beginning to turn. Then, in 2008, liberal commentators swooned again for Senator Barack Obama: he was the leader we had been waiting for all these years. Then, in 2012, they swooned in precisely the same way for Occupy: it was totally unprecedented, it was the revolution, et cetera. I don’t object to any of these causes, as it happens—I supported Occupy; I voted for Obama; I was excited about the 1999 protests—but I can’t stand the swooning. These books were written by educated people, certain of them experts on social movements. Why must they plunge so ecstatically into uncritical groupthink? “Groupthink”? Yes. With a few exceptions here and there, these books are amazingly, soporifically *the same*. They tell the same anecdotes. They quote the same “communiqués.” They dwell on the same details. They even adopt, one after another, the same historical interpretations. (It is important to acknowledge the exceptions to this rule. Both the *n*+1 anthology and Todd Gitlin’s *Occupy Nation* deserve praise for occasionally taking a critical stance. The others are pretty much indistinguishable in their enthusiasm.) And for the most part, what Žižek called our “normal lives” are not really part of the story. Nor are the “changes” that Occupy failed to secure. Even to bring them up, the reader senses, would be the act of a dullard. What matters, as author after author agrees, is the carnival—all the democratic and nonhierarchical things that went on in Zuccotti Park. The details of that carnival are the subject matter of nearly all the books reviewed here—details that are described with loving, granular singularity. Should the reader be interested, she can now learn as much about what happened in Zuccotti Park in New York City during those magical sixty days of OWS as she can from other books about the inner workings of the Obama Administration, or the decision-making of Congress. Indeed, measured by words published per square foot of setting, Zuccotti Park may well be the most intensely scrutinized landscape in recent journalistic history. We know just about everything that went on there, and the tales are repeated from book to book: how the drummers kept everyone awake, what happened on the Brooklyn Bridge, how the “people’s mic” worked, where the idea for General Assemblies came from, how everyone pitched in and cleaned the park one frantic night to keep from being evicted the next day. Measured in terms of words published per political results, on the other hand, OWS may be the most over-described historical event of all time. Nearly every one of these books makes sweeping claims for the movement’s significance, its unprecedented and earth-shattering innovations. Just about everything it does is brilliantly, inventively, mind-blowingly people-empowering. And what do we have to show for it today in our “normal lives”? Not much. President Obama may talk about the “top 1 percent” now, but he is apparently as committed as ever to austerity, to striking a “grand bargain” with the Republicans. Occupy itself is pretty much gone. It was evicted from Zuccotti Park about two months after it began—an utterly predictable outcome for which the group seems to have made inadequate preparation. OWS couldn’t bring itself to come up with a real set of demands until after it got busted, when it finally agreed on a single item. With the exception of some residual groups here and there populated by the usual activist types, OWS has today pretty much fizzled out. The media storm that once surrounded it has blown off to other quarters. Pause for a moment and compare this record of accomplishment to that of Occupy’s evil twin, the Tea Party movement, and the larger right-wing revival of which it is a part. Well, under the urging of this trumped-up protest movement, the Republican Party proceeded to *win a majority in the U.S. House of Representatives*; in the state legislatures of the nation it *took some six hundred seats* from the Democrats; as of this writing it is still *purging Republican senators and congressmen* deemed insufficiently conservative and has even succeeded in *having one of its own named as the GOP’s vice-presidential candidate*. \* \* \* *T*he question that the books under consideration here seek to answer is: What is the magic formula that made OWS so successful? But it’s exactly the wrong question. What we need to be asking about Occupy Wall Street is: Why did this effort fail? How did OWS blow all the promise of its early days? Why do even the most popular efforts of the Left come to be mired in a gluey swamp of academic talk and pointless antihierarchical posturing? The action certainly started with a bang. When the occupation of Zuccotti Park began, in September 2011, the OWS cause was overwhelmingly popular; indeed, as Todd Gitlin points out, hating Wall Street may well have been the most popular left-wing cause since the thirties. Inequality had reached obscene levels, and it was no longer the act of a radical to say so. The bank bailouts of the preceding years had made it obvious that government was captured by organized money. Just about everyone resented Wall Street in those days; just about everyone was happy to see someone finally put our fury in those crooks’ overpaid faces. People flocked to the OWS standard. Cash donations poured in; so did food and books. Celebrities made appearances in Zuccotti, and the media began covering the proceedings with an attentiveness it rarely gives to leftist actions. But these accounts, with a few exceptions here and there, misread that overwhelming approval of Occupy’s *cause* as an approval of the movement’s *mechanics*: the camping out in the park, the way food was procured for an army of protesters, the endless search for consensus, the showdowns with the cops, the twinkles. These things, almost every writer separately assumes, are what the Occupy phenomenon was *really* about. These are the details the public hungers to know. The building of a “community” in Zuccotti Park, for example, is a point of special emphasis. Noam Chomsky’s thoughts epitomize the genre when he tells us that “one of the main achievements” of the movement “has been to create communities, real functioning communities of mutual support, democratic interchange,” et cetera. The reason this is important, he continues, is because Americans “tend to be very isolated and neighborhoods are broken down, community structures have broken down, people are kind of alone.” How building such “communities” helps us to tackle the power of high finance is left unexplained, as is Chomsky’s implication that a city of eight million people, engaged in all the complexities of modern life, should learn how humans are supposed to live together by studying an encampment of college students. The actual sins of Wall Street, by contrast, are much less visible. For example, when you read *Occupying Wall Street*, the work of a team of writers who participated in the protests, you first hear about the subject of predatory lending when a sympathetic policeman mentions it in the course of a bust. The authors themselves never bring it up. And if you want to know how the people in Zuccotti intended to block the banks’ agenda—how they intended to stop predatory lending, for example—you have truly come to the wrong place. Not because it’s hard to figure out how to stop predatory lending, but because the way the Occupy campaign is depicted in these books, it seems to have had no intention of doing anything except building “communities” in public spaces and inspiring mankind with its noble refusal to have leaders. Unfortunately, though, that’s not enough. Building a democratic movement culture is essential for movements on the left, but it’s also just a starting point. Occupy never evolved beyond it. It did not call for a subtreasury system, like the Populists did. It didn’t lead a strike (a real one, that is), or a sit-in, or a blockade of a recruitment center, or a takeover of the dean’s office. The IWW free-speech fights of a century ago look positively Prussian by comparison. With Occupy, the horizontal culture was everything. “The process is the message,” as the protesters used to say and as most of the books considered here largely concur. The aforementioned camping, the cooking, the general-assembling, the filling of public places: that’s what Occupy was all about. Beyond that there seems to have been virtually no strategy to speak of, no agenda to transmit to the world. \* \* \* *W*hether or not to have demands, you might recall, was something that Occupy protesters debated hotly among themselves in the days when Occupy actually occupied something. Reading these books a year later, however, that debate seems to have been consensed out of existence. Virtually none of the authors reviewed here will say forthrightly that the failure to generate demands was a tactical mistake. On the contrary: the quasi-official account of the episode (*Occupying Wall Street*) laughs off demands as a fetish object of literal-minded media types who stupidly crave hierarchy and chains of command. Chris Hedges tells us that demands were something required only by “the elites, and their mouthpieces in the media.” Enlightened people, meanwhile, are supposed to know better; demands imply the legitimacy of the adversary, meaning the U.S. government and its friends, the banks. Launching a protest with no formal demands is thought to be a great accomplishment, a gesture of surpassing democratic virtue. And here we come to the basic contradiction of the campaign. To protest Wall Street in 2011 was to protest, obviously, the outrageous financial misbehavior that gave us the Great Recession; it was to protest the political power of money, which gave us the bailouts; it was to protest the runaway compensation practices that have turned our society’s productive labor into bonuses for the 1 percent. All three of these catastrophes, however, were brought on by deregulation and tax-cutting—*by a philosophy of liberation as anarchic in its rhetoric as Occupy was in reality*. Check your premises, Rand-fans: it was the bankers’ own uprising against the hated state that wrecked the American way of life. Nor does it require poststructuralism-leading-through-anarchism to understand how to reverse these developments. You do it by rebuilding a powerful and competent regulatory state. You do it by rebuilding the labor movement. *You do it with bureaucracy*. Occupiers often seemed aware of this. Recall what you heard so frequently from protesters’ lips back in the days of September 2011: Restore the old Glass-Steagall divide between investment and commercial banks, they insisted. Bring back big government! Bring back safety! Bring back boredom! But that’s no way to fire the imagination of the world. So, how do you maintain the carnival while secretly lusting for the CPAs? By indefinitely suspending the obvious next step. By having no demands. Demands would have signaled that humorless, doctrinaire adults were back in charge and that the fun was over. This was an inspired way to play the situation in the beginning, and for a time it was a great success. But it also put a clear expiration date on the protests. As long as demands and the rest of the logocentric requirements were postponed, Occupy could never graduate to the next level. It would remain captive to what Christopher Lasch criticized—way back in 1973—as the “cult of participation,” in which the experience of protesting is what protesting is all about.

### 2

#### Affirmative teams should instrumentally defend topical action --- their failure to do so is a voting issue

#### The word “resolved” before the colon means the plan must be enacted in a legislative forum, that’s a quote from the Army Officer School 04.

 (5-12, “# 12, Punctuation – The Colon and Semicolon”, http://usawocc.army.mil/IMI/wg12.htm)

The colon introduces the following: a.  A list, but only after "as follows," "the following," or a noun for which the list is an appositive: Each scout will carry the following: (colon) meals for three days, a survival knife, and his sleeping bag. The company had four new officers: (colon) Bill Smith, Frank Tucker, Peter Fillmore, and Oliver Lewis. b.  A long quotation (one or more paragraphs): In The Killer Angels Michael Shaara wrote: (colon) You may find it a different story from the one you learned in school. There have been many versions of that battle [Gettysburg] and that war [the Civil War]. (The quote continues for two more paragraphs.) c.  A formal quotation or question: The President declared: (colon) "The only thing we have to fear is fear itself." The question is: (colon) what can we do about it? d.  A second independent clause which explains the first: Potter's motive is clear: (colon) he wants the assignment. e.  After the introduction of a business letter: Dear Sirs: (colon) Dear Madam: (colon) f.  The details following an announcement For sale: (colon) large lakeside cabin with dock g.  A formal resolution, after the word "resolved:"Resolved: (colon) That this council petition the mayor

####  “United States federal government should” means any discussion of the plan should be about the consequences after the government enacts it, literally

Ericson, 03 (Jon M., Dean Emeritus of the College of Liberal Arts – California Polytechnic U., et al., The Debater’s Guide, Third Edition, p. 4)

The Proposition of Policy: Urging Future Action In policy propositions, each topic contains certain key elements, although they have slightly different functions from comparable elements of value-oriented propositions. 1. An agent doing the acting ---“The United States” in “The United States should adopt a policy of free trade.” Like the object of evaluation in a proposition of value, the agent is the subject of the sentence. 2. The verb should—the first part of a verb phrase that urges action. 3. An action verb to follow *should* in the *should*-verb combination. For example, should adopt here means to put a program or policy into action though governmental means. 4. A specification of directions or a limitation of the action desired. The phrase *free trade*, for example, gives direction and limits to the topic, which would, for example, eliminate consideration of increasing tariffs, discussing diplomatic recognition, or discussing interstate commerce. Propositions of policy deal with future action. Nothing has yet occurred. The entire debate is about whether something ought to occur. What you agree to do, then, when you accept the *affirmative side* in such a debate is to offer sufficient and compelling reasons for an audience to perform the future action that you propose.

#### Should indicates obligation or duty

**Compact Oxford English Dictionary, 8** (“should”, 2008, http://www.askoxford.com/concise\_oed/should?view=uk)

should

modal verb (3rd sing. should) 1 used to indicate obligation, duty, or correctness. 2 used to indicate what is probable. 3 formal expressing the conditional mood. 4 used in a clause with ‘that’ after a main clause describing feelings. 5 used in a clause with ‘that’ expressing purpose. 6 (in the first person) expressing a polite request or acceptance. 7 (in the first person) expressing a conjecture or hope.

USAGE Strictly speaking should is used with I and we, as in I should be grateful if you would let me know, while would is used with you, he, she, it, and they, as in you didn’t say you would be late; in practice would is normally used instead of should in reported speech and conditional clauses, such as I said I would be late. In speech the distinction tends to be obscured, through the use of the contracted forms I’d, we’d, etc.

**“Federal Government” means the central government in Washington D.C.**

**Encarta ‘2K** (Online Encyclopedia, http://encarta.msn.com)

“The federal government of the United States is centered in Washington DC”

#### A. Violation – the affirmative does not remove the ability of the governemtn to indefinite detention – Indefinite detention means detaining without trial – US

US LEGAL 13 (<http://definitions.uslegal.com/i/indefinite-detention/>, “Indefinite Detention”)

Indefinite detention is the practice of detaining an arrested person by a national government or law enforcement agency without a trial. It may be made by the home country or by a foreign nation. Indefinite detention is a controversial practice, especially in situations where the detention is by a foreign nation. It is controversial because it seema to violate many national and international laws. It also violates human rights laws.

#### The War Power Authority clause means they must speak out against those detained on ENEMY WAR POWERS not domestic prisons

Hanes 11 (2011¶ Brigham Young University Law Review¶ 2011 B.Y.U.L. Rev. 2283¶ LENGTH: 16243 words COMMENT: Challenging the Executive: The Constitutionality of Congressional Regulation of the President's Wartime Detention Policies NAME: William M. Hains\* BIO: \* William M. Hains received his Juris Doctor from the J. Reuben Clark Law School, Brigham Young University, in April 2011. He currently serves as a law clerk for the Honorable J. Frederic Voros Jr. on the Utah Court of Appeals. He would like to thank Professor Howard Nielson and Carla Crandall for their suggestions on an earlier draft of this paper and the BYU Law Review staff for their editorial assistance. He would also like to thank Chrisy for her support and patience. The views expressed in this Comment are his own.)

The authority to detain enemies in a time of war has long been viewed as an important war power of the government. [n118](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.990387.0878898647&target=results_DocumentContent&returnToKey=20_T17912978048&parent=docview&rand=1375713495123&reloadEntirePage=true#n118) As a war power, presidential detention authority would derive from the Commander-in-Chief Clause if its source is constitutional. History suggests that Congress also has concurrent detention authority. During the 1798-1800 Quasi-War with France, for example, Congress passed several laws authorizing detention of French captives, setting conditions on detention, and authorizing the [\*2306] exchange or release of prisoners. [n119](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.990387.0878898647&target=results_DocumentContent&returnToKey=20_T17912978048&parent=docview&rand=1375713495123&reloadEntirePage=true#n119) The regulations passed in the Quasi-War demonstrate the understanding of Congress that it had authority to regulate detention, but this history does not clearly reveal the source of that authority. [n120](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.990387.0878898647&target=results_DocumentContent&returnToKey=20_T17912978048&parent=docview&rand=1375713495123&reloadEntirePage=true" \l "n120) Possible sources of congressional detention authority include the Captures Clause, the power of the purse, and the Law of Nations Clause. [n121](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.990387.0878898647&target=results_DocumentContent&returnToKey=20_T17912978048&parent=docview&rand=1375713495123&reloadEntirePage=true" \l "n121)¶ 1. Commander-in-Chief Clause Wartime detention authority is rooted in the law of war, a branch of the law of nations, or, as it is known today, customary international law. "From the very beginning of its history [the Supreme] Court has recognized and applied the law of war as including that part of the law of nations which prescribes, for the conduct of war, the status, rights and duties of enemy nations as well as of enemy individuals." [n122](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.990387.0878898647&target=results_DocumentContent&returnToKey=20_T17912978048&parent=docview&rand=1375713495123&reloadEntirePage=true" \l "n122) In Ex parte Quirin, the Supreme Court identified detention authority as "an important incident to the conduct of war," founded in the law of war. [n123](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.990387.0878898647&target=results_DocumentContent&returnToKey=20_T17912978048&parent=docview&rand=1375713495123&reloadEntirePage=true#n123) In a plurality decision, [\*2307] the Court recently affirmed in the context of the war on terrorism that detention - for the duration of the conflict - and prosecution of enemy combatants is justified under the law of war to secure the battlefield and preserve the ability of the President to prosecute the war. [n124](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.990387.0878898647&target=results_DocumentContent&returnToKey=20_T17912978048&parent=docview&rand=1375713495123&reloadEntirePage=true#n124)¶ Yet the law of war defines rather than grants authority. There must be some constitutional or legislative provision that supplies the authority, such as the Commander-in-Chief Clause or a congressional authorization of war. [n125](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.990387.0878898647&target=results_DocumentContent&returnToKey=20_T17912978048&parent=docview&rand=1375713495123&reloadEntirePage=true#n125) In Ex parte Quirin, the Court suggested that the President and Congress may have concurrent authority. The Court recognized that the President was acting pursuant to an act of Congress in creating military commissions during World War II to try detainees for offenses against the law of nations. [n126](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.990387.0878898647&target=results_DocumentContent&returnToKey=20_T17912978048&parent=docview&rand=1375713495123&reloadEntirePage=true#n126) But the President was also acting under "such authority as the Constitution itself gives the Commander in Chief, to direct the performance of those functions which may constitutionally be performed by the military arm of the nation in time of war." [n127](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.990387.0878898647&target=results_DocumentContent&returnToKey=20_T17912978048&parent=docview&rand=1375713495123&reloadEntirePage=true" \l "n127) Similarly, the plurality in Hamdi v. Rumsfeld found congressional authorization for the executive detention of enemy combatants in the war on terrorism, and thus did not reach the President's claim of "plenary authority to detain pursuant to Article II of the Constitution." [n128](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.990387.0878898647&target=results_DocumentContent&returnToKey=20_T17912978048&parent=docview&rand=1375713495123&reloadEntirePage=true" \l "n128) More specific to the power to prosecute detainees, the Court suggested in Hamdan v. Rumsfeld that the President's power derived solely from congressional authorization: "Congress cannot direct the conduct of campaigns, nor can the President, or any commander under him, without the sanction of Congress, institute tribunals for the trial and punishment of offences." [n129](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.990387.0878898647&target=results_DocumentContent&returnToKey=20_T17912978048&parent=docview&rand=1375713495123&reloadEntirePage=true" \l "n129) The [\*2308] Court raised the possibility that the President may have independent power "in cases of a controlling necessity," but noted that the Court has never definitively resolved that issue and refused to do so in Hamdan as well. [n130](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.990387.0878898647&target=results_DocumentContent&returnToKey=20_T17912978048&parent=docview&rand=1375713495123&reloadEntirePage=true" \l "n130)¶ Thus, the Court has suggested - but never squarely held - that when Congress authorizes the President's war powers, the Commander-in-Chief Clause grants the President powers incident to the conduct of war, including authority over wartime detainees.¶ 2. Captures Clause One common source cited for congressional detention authority is the Captures Clause. [n131](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.990387.0878898647&target=results_DocumentContent&returnToKey=20_T17912978048&parent=docview&rand=1375713495123&reloadEntirePage=true" \l "n131) As discussed above, [n132](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.990387.0878898647&target=results_DocumentContent&returnToKey=20_T17912978048&parent=docview&rand=1375713495123&reloadEntirePage=true" \l "n132) in setting forth a framework for analyzing limits on congressional power, the proper scope of each constitutional grant must be determined before deciding whether constitutional power over a particular matter is exclusive or concurrent. The Captures Clause appears on its face to grant Congress authority to regulate detention: Congress has power to "make Rules concerning Captures on Land and Water." [n133](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.990387.0878898647&target=results_DocumentContent&returnToKey=20_T17912978048&parent=docview&rand=1375713495123&reloadEntirePage=true" \l "n133) Chief Justice John Marshall suggested as much in dicta in an 1814 case. [n134](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.990387.0878898647&target=results_DocumentContent&returnToKey=20_T17912978048&parent=docview&rand=1375713495123&reloadEntirePage=true" \l "n134) Yet Professor Ingrid Wuerth has argued recently - and quite persuasively - that the original meaning of the Captures Clause was in fact intended only as a source of authority over enemy property. [n135](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.990387.0878898647&target=results_DocumentContent&returnToKey=20_T17912978048&parent=docview&rand=1375713495123&reloadEntirePage=true" \l "n135) Wuerth argues that the Clause is best understood as granting power over "moveable property taken for adjudication as prize, but not persons," and "the power to authorize the making of captures and also to determine their legality."[n136](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.990387.0878898647&target=results_DocumentContent&returnToKey=20_T17912978048&parent=docview&rand=1375713495123&reloadEntirePage=true" \l "n136) The natural implication of Professor Wuerth's analysis is that the Captures Clause cannot serve as a solid basis for congressional limitation on the President's [\*2309] detention authority. Congressional authority must be found in the power of the purse or the Law of Nations Clause.

#### Debate over a clear and specific controversial point of government action creates argumentative stasis – that’s a prerequisite to the negative’s ability to engage in the conversation — that’s critical to deliberation

**Steinberg 8**, lecturer of communication studies – University of Miami, and Freeley, Boston based attorney who focuses on criminal, personal injury and civil rights law, **‘8**

(David L. and Austin J., Argumentation and Debate: Critical Thinking for Reasoned Decision Making p. 45)

Debate is a means of settling differences, so there must be a difference of opinion or a conflict of interest before there can be a debate. If everyone is in agreement on a tact or value or policy, there is no need for debate: the matter can be settled by unanimous consent. Thus, for example, it would be pointless to attempt to debate "Resolved: That two plus two equals four," because there is simply no controversy about this statement. (Controversy is an essential prerequisite of debate. Where there is no clash of ideas, proposals, interests, or expressed positions on issues, there is no debate. In addition, debate cannot produce effective decisions without clear identification of a question or questions to be answered. For example, general argument may occur about the broad topic of illegal immigration. How many illegal immigrants are in the United States? What is the impact of illegal immigration and immigrants on our economy? What is their impact on our communities? Do they commit crimes? Do they take jobs from American workers? Do they pay taxes? Do they require social services? Is it a problem that some do not speak English? Is it the responsibility of employers to discourage illegal immigration by not hiring undocumented workers? Should they have the opportunity- to gain citizenship? Docs illegal immigration pose a security threat to our country? Do illegal immigrants do work that American workers are unwilling to do? Are their rights as workers and as human beings at risk due to their status? Are they abused by employers, law enforcement, housing, and businesses? I low are their families impacted by their status? What is the moral and philosophical obligation of a nation state to maintain its borders? Should we build a wall on the Mexican border, establish a national identification can!, or enforce existing laws against employers? Should we invite immigrants to become U.S. citizens? Surely you can think of many more concerns to be addressed by a conversation about the topic area of illegal immigration. Participation in this "debate" is likely to be emotional and intense. However, it is not likely to be productive or useful without focus on a particular question and identification of a line demarcating sides in the controversy. To be discussed and resolved effectively, controversies must be stated clearly. Vague understanding results in unfocused deliberation and poor decisions, frustration, and emotional distress, as evidenced by the failure of the United States Congress to make progress on the immigration debate during the summer of 2007. Someone disturbed by the problem of the growing underclass of poorly educated, socially disenfranchised youths might observe, "Public schools are doing a terrible job! They are overcrowded, and many teachers are poorly qualified in their subject areas. Even the best teachers can do little more than struggle to maintain order in their classrooms." That same concerned citizen, facing a complex range of issues, might arrive at an unhelpful decision, such as "We ought to do something about this" or. worse. "It's too complicated a problem to deal with." Groups of concerned citizens worried about the state of public education could join together to express their frustrations, anger, disillusionment, and emotions regarding the schools, but without a focus for their discussions, they could easily agree about the sorry state of education without finding points of clarity or potential solutions. A gripe session would follow. But if a precise question is posed—such as "What can be done to improve public education?"—then a more profitable area of discussion is opened up simply by placing a focus on the search for a concrete solution step. One or more judgments can be phrased in the form of debate propositions, motions for parliamentary debate, or bills for legislative assemblies. The statements "Resolved: That the federal government should implement a program of charter schools in at-risk communities" and "Resolved: That the state of Florida should adopt a school voucher program" more clearly identify specific ways of dealing with educational problems in a manageable form, suitable for debate. They provide specific policies to be investigated and aid discussants in identifying points of difference. To have a productive debate, which facilitates effective decision making by directing and placing limits on the decision to be made, the basis for argument should be clearly defined. If we merely talk about "homelessness" or "abortion" or "crime'\* or "global warming" we are likely to have an interesting discussion but not to establish profitable basis for argument. For example, the statement "Resolved: That the pen is mightier than the sword" is debatable, yet fails to provide much basis for clear argumentation. If we take this statement to mean that the written word is more effective than physical force for some purposes, we can identify a problem area: the comparative effectiveness of writing or physical force for a specific purpose. Although we now have a general subject, we have not yet stated a problem. It is still too broad, too loosely worded to promote well-organized argument. What sort of writing are we concerned with—poems, novels, government documents, website development, advertising, or what? What does "effectiveness" mean in this context? What kind of physical force is being compared—fists, dueling swords, bazookas, nuclear weapons, or what? A more specific question might be. "Would a mutual defense treaty or a visit by our fleet be more effective in assuring Liurania of our support in a certain crisis?" The basis for argument could be phrased in a debate proposition such as "Resolved: That the United States should enter into a mutual defense treatv with Laurania." Negative advocates might oppose this proposition by arguing that fleet maneuvers would be a better solution. This is not to say that debates should completely avoid creative interpretation of the controversy by advocates, or that good debates cannot occur over competing interpretations of the controversy; in fact, these sorts of debates may be very engaging. The point is that debate is best facilitated by the guidance provided by focus on a particular point of difference, which will be outlined in the following discussion.

#### The second impact is government knowledge – debate’s key to in-depth governmental knowledge

**Zwarensteyn 12**, Ellen, Thesis Submitted to the Graduate Faculty of GRAND VALLEY STATE UNIVERSITY In Partial Fulfillment of the Requirements For the Degree of Masters of Science, “High School Policy Debate as an Enduring Pathway to Political Education: Evaluating Possibilities for Political Learning,” August, <http://scholarworks.gvsu.edu/cgi/viewcontent.cgi?article=1034&context=theses>

The first trend to emerge concerns how debate fosters in-depth political knowledge. Immediately, every resolution calls for analysis of United States federal government action. Given that each debater may debate in over a hundred different unique rounds, there is a competitive incentive thoroughly research as many credible, viable, and in-depth strategies as possible. Moreover, the requirement to debate both affirmative and negative sides of the topic injects a creative necessity to defend viable arguments from a multitude of perspectives. As a result, the depth of knowledge spans questions not only of what, if anything, should be done in response to a policy question, but also questions of who, when, where, and why. This opens the door to evaluating intricacies of government branch, committee, agency, and even specific persons who may yield different cost-benefit outcomes to conducting policy action. Consider the following responses: I think debate helped me understand how Congress works and policies actually happen which is different than what government classes teach you. Process counterplans are huge - reading and understanding how delegation works means you understand that it is not just congress passes a bill and the president signs. You understand that policies can happen in different methods. Executive orders, congress, and courts counterplans have all helped me understand that policies don’t just happen the way we learn in government. There are huge chunks of processes that you don't learn about in government that you do learn about in debate. Similarly, Debate has certainly aided [my political knowledge]. The nature of policy-making requires you to be knowledgeable of the political process because process does effect the outcome. Solvency questions, agent counterplans, and politics are tied to process questions. When addressing the overall higher level of awareness of agency interaction and ability to identify pros and cons of various committee, agency, or branch activity, most respondents traced this knowledge to the politics research spanning from their affirmative cases, solvency debates, counterplan ideas, and political disadvantages. One of the recurring topics concerns congressional vs. executive vs. court action and how all of that works. To be good at debate you really do need to have a good grasp of that. There is really something to be said for high school debate - because without debate I wouldn’t have gone to the library to read a book about how the Supreme Court works, read it, and be interested in it. Maybe I would’ve been a lawyer anyway and I would’ve learned some of that but I can’t imagine at 16 or 17 I would’ve had that desire and have gone to the law library at a local campus to track down a law review that might be important for a case. That aspect of debate in unparalleled - the competitive drive pushes you to find new materials. Similarly, I think [my political knowledge] comes from the politics research that we have to do. You read a lot of names name-dropped in articles. You know who has influence in different parts of congress. You know how different leaders would feel about different policies and how much clout they have. This comes from links and internal links. Overall, competitive debaters must have a depth of political knowledge on hand to respond to and formulate numerous arguments. It appears debaters then internalize both the information itself and the motivation to learn more. This aids the PEP value of intellectual pluralism as debaters seek not only an oversimplified ‘both’ sides of an issue, but multiple angles of many arguments. Debaters uniquely approach arguments from a multitude of perspectives – often challenging traditional conventions of argument. With knowledge of multiple perspectives, debaters often acknowledge their relative dismay with television news and traditional outlets of news media as superficial outlets for information.

#### Failure to engage the state means the aff fails, coalitions break down, and hawks seize the political – only engagement solves

**Mouffe 2009** (Chantal Mouffe is Professor of Political Theory at the Centre for the Study of Democracy, University of Westminster, “The Importance of Engaging the State”, *What is Radical Politics Today?*, Edited by Jonathan Pugh, pp. 233-7)

In both Hardt and Negri, and Virno, there is therefore emphasis upon ‘critique as withdrawal’. They all call for the development of a non-state public sphere. They call for self-organisation, experimentation, non-representative and extra-parliamentary politics. They see forms of traditional representative politics as inherently oppressive. So they do not seek to engage with them, in order to challenge them. They seek to get rid of them altogether. This disengagement is, for such influential personalities in radical politics today, the key to every political position in the world. The Multitude must recognise imperial sovereignty itself as the enemy and discover adequate means of subverting its power. Whereas in the disciplinary era I spoke about earlier, sabotage was the fundamental form of political resistance, these authors claim that, today, it should be desertion. It is indeed through desertion, through the evacuation of the places of power, that they think that battles against Empire might be won. Desertion and exodus are, for these important thinkers, a powerful form of class struggle against imperial postmodernity. According to Hardt and Negri, and Virno, radical politics in the past was dominated by the notion of ‘the people’. This was, according to them, a unity, acting with one will. And this unity is linked to the existence of the state. The Multitude, on the contrary, shuns political unity. It is not representable because it is an active self-organising agent that can never achieve the status of a juridical personage. It can never converge in a general will, because the present globalisation of capital and workers’ struggles will not permit this. It is anti-state and anti-popular. Hardt and Negri claim that the Multitude cannot be conceived any more in terms of a sovereign authority that is representative of the people. They therefore argue that new forms of politics, which are non-representative, are needed. They advocate a withdrawal from existing institutions. This is something which characterises much of radical politics today. The emphasis is not upon challenging the state. Radical politics today is often characterised by a mood, a sense and a feeling, that the state itself is inherently the problem. Critique as engagement I will now turn to presenting the way I envisage the form of social criticism best suited to radical politics today. I agree with Hardt and Negri that it is important to understand the transition from Fordism to post-Fordism. But I consider that the dynamics of this transition is better apprehended within the framework of the approach outlined in the book Hegemony and Socialist Strategy: Towards a Radical Democratic Politics (Laclau and Mouffe, 2001). What I want to stress is that many factors have contributed to this transition from Fordism to post-Fordism, and that it is necessary to recognise its complex nature. My problem with Hardt and Negri’s view is that, by putting so much emphasis on the workers’ struggles, they tend to see this transition as if it was driven by one single logic: the workers’ resistance to the forces of capitalism in the post-Fordist era. They put too much emphasis upon immaterial labour. In their view, capitalism can only be reactive and they refuse to accept the creative role played both by capital and by labour. To put it another way, they deny the positive role of political struggle. In Hegemony and Socialist Strategy: Towards a Radical Democratic Politics we use the word ‘hegemony’ to describe the way in which meaning is given to institutions or practices: for example, the way in which a given institution or practice is defined as ‘oppressive to women’, ‘racist’ or ‘environmentally destructive’. We also point out that every hegemonic order is therefore susceptible to being challenged by counter-hegemonic practices – feminist, anti-racist, environmentalist, for example. This is illustrated by the plethora of new social movements which presently exist in radical politics today (Christian, anti-war, counter-globalisation, Muslim, and so on). Clearly not all of these are workers’ struggles. In their various ways they have nevertheless attempted to influence and have influenced a new hegemonic order. This means that when we talk about ‘the political’, we do not lose sight of the ever present possibility of heterogeneity and antagonism within society. There are many different ways of being antagonistic to a dominant order in a heterogeneous society – it need not only refer to the workers’ struggles. I submit that it is necessary to introduce this hegemonic dimension when one envisages the transition from Fordism to post-Fordism. This means abandoning the view that a single logic (workers’ struggles) is at work in the evolution of the work process; as well as acknowledging the pro-active role played by capital. In order to do this we can find interesting insights in the work of Luc Boltanski and Eve Chiapello who, in their book The New Spirit of Capitalism (2005), bring to light the way in which capitalists manage to use the demands for autonomy of the new movements that developed in the 1960s, harnessing them in the development of the post-Fordist networked economy and transforming them into new forms of control. They use the term ‘artistic critique’ to refer to how the strategies of the counter-culture (the search for authenticity, the ideal of selfmanagement and the anti-hierarchical exigency) were used to promote the conditions required by the new mode of capitalist regulation, replacing the disciplinary framework characteristic of the Fordist period. From my point of view, what is interesting in this approach is that it shows how an important dimension of the transition from Fordism to post- Fordism involves rearticulating existing discourses and practices in new ways. It allows us to visualise the transition from Fordism to post- Fordism in terms of a hegemonic intervention. To be sure, Boltanski and Chiapello never use this vocabulary, but their analysis is a clear example of what Gramsci called ‘hegemony through neutralisation’ or ‘passive revolution’. This refers to a situation where demands which challenge the hegemonic order are recuperated by the existing system, which is achieved by satisfying them in a way that neutralises their subversive potential. When we apprehend the transition from Fordism to post- Fordism within such a framework, we can understand it as a hegemonic move by capital to re-establish its leading role and restore its challenged legitimacy. We did not witness a revolution, in Marx’s sense of the term. Rather, there have been many different interventions, challenging dominant hegemonic practices. It is clear that, once we envisage social reality in terms of ‘hegemonic’ and ‘counter-hegemonic’ practices, radical politics is not about withdrawing completely from existing institutions. Rather, we have no other choice but to engage with hegemonic practices, in order to challenge them. This is crucial; otherwise we will be faced with a chaotic situation. Moreover, if we do not engage with and challenge the existing order, if we instead choose to simply escape the state completely, we leave the door open for others to take control of systems of authority and regulation. Indeed there are many historical (and not so historical) examples of this. When the Left shows little interest, Right-wing and authoritarian groups are only too happy to take over the state. The strategy of exodus could be seen as the reformulation of the idea of communism, as it was found in Marx. There are many points in common between the two perspectives. To be sure, for Hardt and Negri it is no longer the proletariat, but the Multitude which is the privileged political subject. But in both cases the state is seen as a monolithic apparatus of domination that cannot be transformed. It has to ‘wither away’ in order to leave room for a reconciled society beyond law, power and sovereignty. In reality, as I’ve already noted, others are often perfectly willing to take control. If my approach – supporting new social movements and counterhegemonic practices – has been called ‘post-Marxist’ by many, it is precisely because I have challenged the very possibility of such a reconciled society. To acknowledge the ever present possibility of antagonism to the existing order implies recognising that heterogeneity cannot be eliminated. As far as politics is concerned, this means the need to envisage it in terms of a hegemonic struggle between conflicting hegemonic projects attempting to incarnate the universal and to define the symbolic parameters of social life. A successful hegemony fixes the meaning of institutions and social practices and defines the ‘common sense’ through which a given conception of reality is established. However, such a result is always contingent, precarious and susceptible to being challenged by counter-hegemonic interventions. Politics always takes place in a field criss-crossed by antagonisms. A properly political intervention is always one that engages with a certain aspect of the existing hegemony. It can never be merely oppositional or conceived as desertion, because it aims to challenge the existing order, so that it may reidentify and feel more comfortable with that order. Another important aspect of a hegemonic politics lies in establishing linkages between various demands (such as environmentalists, feminists, anti-racist groups), so as to transform them into claims that will challenge the existing structure of power relations. This is a further reason why critique involves engagement, rather than disengagement. It is clear that the different demands that exist in our societies are often in conflict with each other. This is why they need to be articulated politically, which obviously involves the creation of a collective will, a ‘we’. This, in turn, requires the determination of a ‘them’. This obvious and simple point is missed by the various advocates of the Multitude. For they seem to believe that the Multitude possesses a natural unity which does not need political articulation. Hardt and Negri see ‘the People’ as homogeneous and expressed in a unitary general will, rather than divided by different political conflicts. Counter-hegemonic practices, by contrast, do not eliminate differences. Rather, they are what could be called an ‘ensemble of differences’, all coming together, only at a given moment, against a common adversary. Such as when different groups from many backgrounds come together to protest against a war perpetuated by a state, or when environmentalists, feminists, anti-racists and others come together to challenge dominant models of development and progress. In these cases, the adversary cannot be defined in broad general terms like ‘Empire’, or for that matter ‘Capitalism’. It is instead contingent upon the particular circumstances in question – the specific states, international institutions or governmental practices that are to be challenged. Put another way, the construction of political demands is dependent upon the specific relations of power that need to be targeted and transformed, in order to create the conditions for a new hegemony. This is clearly not an exodus from politics. It is not ‘critique as withdrawal’, but ‘critique as engagement’. It is a ‘war of position’ that needs to be launched, often across a range of sites, involving the coming together of a range of interests. This can only be done by establishing links between social movements, political parties and trade unions, for example. The aim is to create a common bond and collective will, engaging with a wide range of sites, and often institutions, with the aim of transforming them. This, in my view, is how we should conceive the nature of radical politics.

#### Switching sides allows for a dialogical change in perspectives that resolve the affs impacts and foster sympathy

**Bohlin 8 -** Dr. Phil. in theoretical philosophy (Stockholm University, 1997) ¶ Senior lecturer (docent) in philosophy, lecturer in history of ideas ¶ Member of the faculty board, chair of the faculty committee for teacher education and educational research (Henrik Bohlin Perspective-dependence and Critical Thinking EBSCO)shaw

Suppose that we are trying to understand and morally assess the customs of a people with a very different culture. In the case of some of their practices and beliefs, we find that the others react just the way we ourselves would find it reasonable to react in the same circumstances; they are hungry, and they eat; they are insulted, and they get angry, etc. Thus, we can make perfect sense of what they do and say from within our own perspective, or so it seems. (Such impressions can of course be deceptive if the others do what we would, but for quite incompatible reasons.) In other cases, however, we find that the others do and say things that seem clearly unjustified according to our norms of speech and behaviour. For example, we find that they have the custom of instructing their children to play war games where stones are thrown at the opponents, that children are occasionally killed in these games, and that the adults, although they mourn those killed in this way, continue to encourage the games. Here, it seems impossible to understand and agree with the others while remaining within the perspective of our own culture; given our moral standards and what we know of the circumstances, it seems that nothing can justify such a practice. To assess it, it seems, a critic must shift perspective, or at least somehow take the difference in perspectives into account. What can this mean?

First, it is conceivable that by learning more about the people we are trying to understand, we find that the particular circumstances under which they live in fact makes the practice justifiable, even according to our moral standards—say, because they inhabit an overpopulated area with constant wars over territory going on between rival tribes, where it is of crucial importance for the survival of each tribe that their young ones develop fearlessness and insensitivity to pain from an early age, and where the practice of encouraging realistic war games among children is, to everyone’s regret, the only means to achieve this. Seeing things from the other’s perspective in this case means taking time, place, and other relevant facts of the matter into account. This could be called conservative perspective shift, since it does not require us, as critics, to change or in any way abandon our own moral principles or standards of extra-moral rationality.

Suppose now instead that taking all relevant facts into account is not sufficient to make the custom we are trying to understand justifiable according to the moral standards of our own culture, but that the attempt to interpret the other culture and the careful weighing of arguments for and against it has the effect of making us question and revise some of our own general moral standards and factual beliefs that made the custom unacceptable to us. We thus recognise a genuine conflict between our own culture and that of the others, and admit that the others are right. Hence, we may say that we learn from the others. Let us call this dialogical change of perspective, since what happens resembles a conversation or dialogue where one of the parties, or both, revise their beliefs as a result of the dialogue. A genuine conflict is found to exist between the cultures of the interpreter and the other, and as a consequence, the critic changes his own perspective (in this case, his moral background assumptions). (It may be difficult to distinguish dialogical and conservative perspective shifts since the demarcation line between beliefs on particular facts on the one hand and more general and fundamental moral principles and factual beliefs on the other is not sharp.)

### 3

**Their focus on liberation requires re-affirmation of a distinction between “human” and “animal” – re-entrenches specieism**

**Kim**, UC Irvine political science professor, **2009**

(Claire, “Slaying the Beast:  Reflections on Race, Culture, and Species”, http://aapf.org/wp-content/uploads/2009/05/kalfou.pdf)

KIM ‘9 - UC Irvine political science professor (Claire, “Slaying the Beast: Reflections on Race, Culture, and Species”, http://aapf.org/wp-content/uploads/2009/05/kalfou.pdf)

\*YELLOW HIGHLIGHTING

Dyson gives a perfunctory nod to the animal question and then turns to focus on the issue of true moral significance and urgency: racism. It is as if defending the humanity of Black people requires reaffirming the animality of animals, their categorical subordination. Similarly, feminist Sandra Kobin asks why Vick was treated more harshly than professional athletes who beat their wives and girlfriends, writing: “Beat a woman? Play on; Beat a dog? You’re gone” (Kobin 2007). Kobin does not critique dog fighting for its promotion of masculinist violence or show any appreciation of the fact that women and animals are both victims of male violence. Instead, she bristles at the idea that dogs might be valued more than women and insists that women are the victims that really matter. What is troubling about the racial persecution narrative advanced by Vick’s defenders is not that it is wrong per se but that it subsumes, deflects, and ultimately denies **the other moral question being raised, the animal question**. Its response to the interdependency of Blackness and animalness in the white imagination is not to deconstruct both notions but rather to vigorously affirm that Blacks are human and therefore deserving of better treatment than animals. It is a narrative that embraces an ideology of human supremacy in the name of fighting white supremacy and sees no contradiction in this position. It is as if Dyson and Kobin are saying that people of color and women have the most at stake in reinscribing the impassable line between humans and animals, whereas these groups may in fact have the most at stake in its erasure. Most humans are unaccustomed to thinking about how their politics reinscribe notions of human superiority over all other species, but the notion of species-free space is as improbable as that of race-free space. **Categories of difference** **saturate our thinking, our discourse, our experience, and our actions**.

**Speciesism makes possible “systematic beastilization” which justifies non-criminal putting to death of the other—root cause of all oppression**

**Rossini**, postdoctoral Fellow ASCA, **2006**

(Manuela, “To the Dogs: Companion speciesism and the new feminist materialism”, text and image Volume 3, September, <http://intertheory.org/rossini>)

What is equally sobering, however, is the fact that the most radical metaposthumanists (and the humanities more broadly) do not quite manage to make an epistemological break with liberal humanism, insofar as their writing is also marked by an unquestioned “speciesism”; i.e., in the definition of ethicist Peter Singer who popularised the term three decades ago in his book *Animal Liberation*, “a prejudice or attitude of bias in favour of the interests of members of one’s own species and against those of members of other species.” Both postcolonial, feminist and queer theories and discussion of subjectivity, identity, and difference as well as the claims on the right to freedom by new social movements have recourse to an Enlightenment concept of the subject whose *conditio sine qua non* is the absolute control of that subject over the life of nonhuman others/objects. The rhetorical strategy of radically separating non-white, non-male and non-heterosexual human beings from animals in order to have the subject status of these members of the human species recognised was and is successful and also legitimate – given that the racist, sexist and homophobic discourse of animality or an animalistic „nature“ has hitherto served to exclude most individuals of those groups of people from many privileges – but the speciesist logic of the dominance of human animals over nonhuman animals has remained in place. If we fight racism and (hetero)sexism because we declare discrimination on the basis of specific and identifiable characteristics – such as “black“, “woman” or “lesbian“ to be wrong and unjust, then we should also vehemently oppose the exploitation, imprisoning, killing and eating of nonhuman animals on the basis of their species identity. Moreover, if our research and teaching as cultural critics endeavours to do justice to the diversity of human experience and life styles and feel responsible towards marginalised others, should we then not seriously think about Cary Wolfe’s question „how must our work itself change when the other to which it tries to do justice is no longer human?“ Wolfe is not making a claim for animal rights here – at least not primarily. This is also why his book puns on “rites/rights“: *Animal Rites* is the intervention of the anti-speciesist cultural critic who scrutinizes the rituals that human beings form around the figures of animals, including the literary and cinematic enactments of cannibalism, monstrosity and normativity. Wolfe subsumes all of these stagings under the heading *the discourse of species*, with “discourse“ understood in the sense of Michel Foucault as not only a rhetoric but above all as the condition for the production and ordering of meaning and knowledge in institutions like medicine, the law, the church, the family or universities. In addition, Wolfe wants to sharpen our awareness that a speciesist metaphysics has also **a deadly impact on *human* animals**, especially because speciesism is grounded in the juridical state apparatus: “the full transcendence of the ‘**human‘ requires the sacrifice of the ‘animal‘** and the animalistic, which in turn makes possible a symbolic economy in which we engage in what Derrida [calls] **a ‚non-criminal putting to death‘ of other *humans* as well by marking *them* as animal**.“ The dog lies buried in the singular: “The animal – what a word!”, Derrida exclaims: “[t]he animal is a word, it is an appellation that men have instituted, a name they have given themselves the right and authority to give to another living creature [*à l'autre vivant*].” In order to problematise this naming, Derrida has created the neologism *l'animot*: I would like to have the plural of animals heard in the singular. […] We have to envisage the existence of ‘living creatures’ whose plurality cannot be assembled within the single figure of an animality that is simply opposed to humanity. […] The suffix *mot* in *l’animot* should bring us back to the word […]. It opens onto the referential experience of the thing as such, as what it is in its being, and therefore to the reference point by means of which one has always sought to draw the limit, the unique and indivisible limit held to separate man from animal. As I propose in what follows, this clearly defined caesura of the „anthropological machine”, which according to Giorgio Agamben was already set in motion by the old Greeks and the messianic thinkers and then accelerated by scientific taxonomies and the birth of anthropology, can be bridged with the help of a zoontological approach and *companion speciesism*. Posthumanist zoontologies The desperate cry of the historical person Joseph Carey Merrick (in the movie *The Elephant Man* of 1980), “I am not an animal! I am a human being! I...am...a man!” – for recognition of his human identity through which he claims his right to social integration and personal integrity, is very understandable and hurts. But his words nevertheless reflect the poverty of the humanist stance, insofar as traditional humanism can only secure the “proper” essence of *humanitas* via a rigid separation from *animalitas*. If one reads the reports by the victims and witnesses of the tortures in the military prison of Abu Ghraib, it seems to me that it is precisely the continued insistence and reinforcement of the animal-human boundary that legitimises the committed atrocities: Some of the things they did was make me sit down like a dog, … and … bark like a dog and they were laughing at me … One of the police was telling me to crawl … A few days before [this], … the guy who wears glasses, he put red woman's underwear over my head … pissing on me and laughing on me … he put a part of his stick … inside my ass … she was playing with my dick … And they were taking pictures of me during all these instances. … [Another prisoner] was forced to insert a finger into his anus and lick it. He was also forced tolick and chew a shoe. … He was then told to insert his finger in his nose during questioning … his other arm in the air. The Arab interpreter told him he looked like an elephant. [They were] given badges with the letter ‘C’ on it. The US soldiers reduce their prisoners to their corporeal being, to animal being, and then make fun of this “bare life“ Instead of accepting their own vulnerability and mortality that they share with their victims as well as with other living beings, the torturers use the “systematic bestialization“

of the prisoners to strengthen their own sense of freedom and autonomy and to concomitantly withdraw the right to protection guaranteed by the humanitarian rights of the Geneva Conventions; after all, as barking dogs, crawling insects and ‘elephant men’, these ‘creatures’ cannot respond to the name, the word, the interpellation “human.“ The implicit and explicit analogies between racism, sexism, homophobia that accompany the above description of the torture methods, confirm that the power of the “discourse of species” to affect *human* others depends on **the prior acceptance of** the institution “**speciesism**;” i.e. on taking for granted that the inflicting of pain and the killing of nonhuman animals by human animals does not constitute a criminal act but, on the contrary, is legal. This is why Derrida speaks of the “carnophallogocentrism“ of Western metaphysics. And here Wolfe’s argument comes full circle: [Since] the humanist discourse of species will always be available for use by some humans against other humans as well, to countenance violence against the social other of *whatever species* – or gender, or race, or class, or sexual difference. . . we need to understand that the ethical and philosophical urgency of confronting the institution of speciesism and crafting a posthumanist theory of the subject *has nothing to do with whether you like animals*. We all, human and nonhuman alike, have a stake in the discourse and institution of speciesism; it is by no means limited to its overwhelmingly direct and disproportionate effects on animals.

**The alternative is to embrace the standpoint of the animal—this overcomes the humanist bias of the affirmative scholarship, connects the experiences of human and non-human animals and allows for total liberation by providing understanding of all oppression**

**Best**, UT El Paso philosophy professor, **2009**

(Steven, “The Rise of Critical Animal Studies: Putting Theory into Action and Animal Liberation into Higher Education “, Journal for Critical Animal Studies, Volume VII, Issue 1, 2009, http://www.criticalanimalstudies.org/JCAS/Journal\_Articles\_download/issue\_9/JCAS%20VII%20Issue%201%20MAY%20ISSUE%20The%20Rise%20of%20Critical%20Animal%20Studies%20pgs%209-52.pdf)

Postmodern critiques have been hugely influential in many theoretical strains of animal studies, but theorists could not employ the insights of postmodernism without overcoming their **limitations**. This is crucial for two reasons. First, deconstructionists and social constructionists are typically speciesists and dogmatic humanists (even those who deconstruct “humanism”!) who rarely challenge the human/animal dichotomy and analyze how it is used to advance false views of all animal, human and nonhuman. Second, they fail to see that the human/animal opposition underpins oppositions between reason/emotions, thought/body, men/women, white/black, and Western/non-Western. Yet as noted by theorists (e.g., Keith Thomas, Jim Mason, and Charles Patterson)9 with broader optics and more inclusive theories than humanism, speciesism and animal domestication provided the conceptual template and social practice whereby humans begin to clearly distinguish between “human rationality” and “animal irrationality.”10 Animals – defined as “brute beasts” lacking “rationality” – thereby provided the moral basement into which one could eject women, people of color, and other humans deemed to be subhuman or deficient in (Western male) “humanity.” Whereas nearly all histories, even so-called “radical” narratives, have been written from the human standpoint, a growing number of theorists have broken free of the speciesist straightjacket to examine history and society from the standpoint of (nonhuman) animals. This approach, as I define it, considers the interaction between human and nonhuman animals – past, present, and future -- and the need for profound changes in the way humans define themselves and relate to other sentient species and to the natural world as a whole. What I call the “animal standpoint” examines the origins and development of societies through the dynamic, symbiotic interrelationship between human and nonhuman animals. It therefore interprets history not from an evolutionary position that reifies human agency as the autonomous actions of a Promethean species, but rather from a co-evolutionary perspective that sees nonhuman animals as inseparably embedded in human history and as dynamic agents in their own right.11 The animal standpoint seeks to illuminate the origins and development of dominator cultures, to preserve the wisdom and heritage of egalitarian values and social relations, and to discern what moral and social progress means in a far deeper sense than what is discernible through humanist historiography, anthropology, social theory, and philosophy. However “critical,” “subversive,” “groundbreaking,” or “radical” their probing of historical and social dynamics, very **few theorists have managed to see beyond the humanist bias** in order to adopt a proper analytical and moral relation to other animals; **they have failed**

, in other words, to grasp the importance of nonhuman animals in human life, the profound ways in which the domination of humans over other animals creates conflict and disequilibrium in human relations to one another and to the Earth as a whole. Thus, the animal standpoint seeks generally to illuminate human biological and social evolution in important new ways, such as reveal the origins, dynamics, and development of dominator cultures, social hierarchies, economic and political inequalities, and asymmetrical systems of power that are violent and destructive to everything they touch. Providing perspectives and insights **unattainable** through other historical approaches, the animal standpoint analyzes how the domination of humans over nonhuman animals is intimately linked to the domination of humans over one another, as it also brings to light the environmental impact of large-scale animal slaughter and exploitation. A key thesis of animal standpoint theory is that nonhuman animals have been **key driving and shaping forces of human thought, psychology, moral and social life,** and history overall, and that in fundamental ways, the oppression of human over human is rooted in the oppression of human over nonhuman animal. Animal standpoint theory thus leads us ineluctably to understanding the commonalities of oppression, and hence to alliance politics and the systemic revolutionary viewpoint of **total liberation**.12 It demonstrates – would that dogmatic Left, eco-humanists, and so-called “environmentalists” take note! -- the profound importance of veganism and the animal rights/liberation movement for human liberation, peace and justice, and ecological healing and balance.

### Case

#### Secrecy destroys your movement – no matter how hard you try institutions are centralized

Rana, ’11[Aziz Rana received his A.B. summa cum laude from Harvard College and his J.D. from Yale Law School. He also earned a Ph.D. in political science at Harvard, where his dissertation was awarded the university's Charles Sumner Prize. He was an Oscar M. Ruebhausen Fellow in Law at Yale; “Who Decides on Security?”; 8/11/11; Cornell Law Library; <http://scholarship.law.cornell.edu/clsops_papers/87/>]

Despite such democratic concerns, a large part of what makes today’s dominant security concept so compelling are two purportedly objective sociological claims about the nature of modern threat. As these claims undergird the current security concept, by way of a conclusion I would like to assess them more directly and, in the process, indicate what they suggest about the prospects for any future reform. The first claim is that global interdependence means that the U.S. faces near continuous threats from abroad. Just as Pearl Harbor presented a physical attack on the homeland justifying a revised framework, the American position in the world since has been one of permanent insecurity in the face of new, equally objective dangers. Although today these threats no longer come from menacing totalitarian regimes like Nazi Germany or the Soviet Union, they nonetheless create of world of chaos and instability in which American domestic peace is imperiled by decentralized terrorists and aggressive rogue states. Second, and relatedly, the objective complexity of modern threats makes it impossible for ordinary citizens to comprehend fully the causes and likely consequences of existing dangers. Thus, the best response is the further entrenchment of Herring’s national security state, with the U.S. permanently mobilized militarily to gather intelligence and to combat enemies wherever they strike – at home or abroad. Accordingly, modern legal and political institutions that privilege executive authority and insulated decisionmaking are simply the necessary consequence of these externally generated crises. Regardless of these trade-offs, the security benefits of an empowered presidency (one armed with countless secret and public agencies as well as with a truly global military footprint)188 greatly outweigh the costs. Yet, although these sociological views have become commonplace, the conclusions that Americans should draw about security requirements are not nearly as clear cut as the conventional wisdom assumes. In particular, a closer examination of contemporary arguments about endemic danger suggests that such claims are not objective empirical judgments but rather are socially complex and politically infused interpretations. Indeed, the openness of existing circumstances to multiple interpretations of threat implies that the presumptive need for secrecy and centralization is not self-evident. And as underscored by high profile failures in expert assessment, claims to security expertise are themselves riddled with ideological presuppositions and subjective biases. All this indicates that the gulf between elite knowledge and lay incomprehension in matters of security may be far less extensive than is ordinarily thought. It also means that the question of who decides – and with it the issue of how democratic or insular our institutions should be – remains open as well. Clearly technological changes, from airpower to biological and chemical weapons, have shifted the nature of America’s position in the world and its potential vulnerability. As has been widely remarked for nearly a century, the oceans alone cannot guarantee our permanent safety. Yet, in truth they never fully ensured domestic tranquility. The nineteenth century was one of near continuous violence, especially with indigenous communities fighting to protect their territory from expansionist settlers. But even if technological shifts make doomsday scenarios more chilling than those faced by Hamilton, Jefferson, or Taney, the mere existence of these scenarios tells us little about their likelihood or how best to address them. Indeed, these latter security judgments are inevitably permeated with subjective political assessments, assessments that carry with them preexisting ideological points of view – such as regarding how much risk constitutional societies should accept or how interventionist states should be in foreign policy. In fact, from its emergence in the 1930s and 1940s, supporters of the modern security concept have – at times unwittingly – reaffirmed the political rather than purely objective nature of interpreting external threats. In particular, commentators have repeatedly noted the link between the idea of insecurity and America’s post-World War II position of global primacy, one which today has only expanded following the Cold War. In 1961, none other than Senator James William Fulbright declared, in terms reminiscent of Herring and Frankfurter, that security imperatives meant that “our basic constitutional machinery, admirably suited to the needs of a remote agrarian republic in the 18th century,” was no longer “adequate” for the “20th- century nation.” For Fulbright, the driving impetus behind the need to jettison antiquated constitutional practices was the importance of sustaining the country’s “preeminen[ce] in political and military power.” Fulbright held that greater executive action and war-making capacities were essential precisely because the United States found itself “burdened with all the enormous responsibilities that accompany such power.”192 According to Fulbright, the United States had both a right and a duty to suppress those forms of chaos and disorder that existed at the edges of American authority. Thus, rather than being purely objective, the American condition of permanent danger was itself deeply tied to political calculations about the importance of global primacy. What generated the condition of continual crisis was not only technological change, but also the belief that the United States’ own ‘national security’ rested on the successful projection of power into the internal affairs of foreign states. The key point is that regardless of whether one agrees with such an underlying project, the value of this project is ultimately an open political question. This suggests that whether distant crises should be viewed as generating insecurity at home is similarly as much an interpretative judgment as an empirically verifiable conclusion. To appreciate the open nature of security determinations, one need only look at the presentation of terrorism as a principal and overriding danger facing the country. According to the State Department’s Annual Country Reports on Terrorism, in 2009 “[t]here were just 25 U.S. noncombatant fatalities from terrorism worldwide” (sixteen abroad and nine at home).194 While the fear of a terrorist attack is a legitimate concern, these numbers – which have been consistent in recent years – place the gravity of the threat in perspective. Rather than a condition of endemic danger – requiring everincreasing secrecy and centralization – such facts are perfectly consistent with a reading that Americans do not face an existential crisis (one presumably comparable to Pearl Harbor) and actually enjoy relative security. Indeed, the disconnect between numbers and resources expended, especially in a time of profound economic insecurity, highlights the political choice of policymakers and citizens to persist in interpreting foreign events through a World War II and early Cold War lens of permanent threat. In fact, the continuous alteration of basic constitutional values to fit ‘national security’ aims highlights just how entrenched Herring’s old vision of security as pre-political and foundational has become, regardless of whether other interpretations of the present moment may be equally compelling. It also underscores a telling and often ignored point about the nature of modern security expertise, particularly as reproduced by the United States’ massive intelligence infrastructure. To the extent that political assumptions – like the centrality of global primacy or the view that instability abroad necessarily implicates security at home – shape the interpretative approach of executive officials, what passes as objective security expertise is itself intertwined with contested claims about how to view external actors and their motivations. This means that while modern conditions may well be complex, the conclusions of the presumed experts may not be systematically less liable to subjective bias than judgments made by ordinary citizens based on publicly available information. It further underscores that the question of who decides cannot be foreclosed in advance by simply asserting deference to elite knowledge. If anything, one can argue that the presumptive gulf between elite awareness and suspect mass opinion has generated its own very dramatic political and legal pathologies. In recent years, the country has witnessed a variety of security crises built on the basic failure of ‘expertise.’ 195 At present, part of what obscures this fact is the very culture of secret information sustained by the modern security concept. Today, it is commonplace for government officials to leak security material about terrorism or external threat to newspapers as a method of shaping the public debate. These ‘open’ secrets allow greater public access to elite information and embody a central and routine instrument for incorporating mass voice into state decision-making. But this mode of popular involvement comes at a key cost. Secret information is generally treated as worthy of a higher status than information already present in the public realm – the shared collective information through which ordinary citizens reach conclusions about emergency and defense. Yet, oftentimes, as with the lead up to the Iraq War in 2003, although the actual content of this secret information is flawed, its status as secret masks these problems and allows policymakers to cloak their positions in added authority. This reality highlights the importance of approaching security information with far greater collective skepticism; it also means that security judgments may be more ‘Hobbesian’ – marked fundamentally by epistemological uncertainty as opposed to verifiable fact – than policymakers admit. If both objective sociological claims at the center of the modern security concept are themselves profoundly contested, what does this mean for reform efforts that seek to recalibrate the r elationship between liberty and security? Above all, it indicates that the central problem with the procedural solutions offered by constitutional scholars – emphasizing new statutory frameworks or greater judicial assertiveness – is that they mistake a question of politics for one of law. In other words, such scholars ignore the extent to which governing practices are the product of background political judgments about threat, democratic knowledge, professional expertise, and the necessity for insulated decision-making. To the extent that Americans are convinced that they face continuous danger from hidden and potentially limitless assailants – danger too complex for the average citizen to comprehend independently – it is inevitable that institutions (regardless of legal reform initiatives) will operate to centralize power in those hands presumed to enjoy military and security expertise. Thus, any systematic effort to challenge the current framing of the relationship between security and liberty must begin by challenging the underlying assumptions about knowledge and security upon which legal and political arrangements rest. Without a sustained and public debate about the validity of security expertise, its supporting institutions, and the broader legitimacy of secret information, there can be no substantive shift in our constitutional politics. The p roblem at present, however, is that no popular base exists to raise these questions. Unless such a base emerges, we can expect our prevailing security arrangements to become ever more entrenched.

#### Movements absent the state have always failed because they do not call out a particular demand

**Žižek 2007** (Slavoj, Professor of Philosophy at Institute of Social Sciences at University of Ljubljana “Resistance Is Surrender”) BW

Simon Critchley’s recent book, Infinitely Demanding, is an almost perfect embodiment of this position.[\*] For Critchley, the liberal-democratic state is here to stay. Attempts to abolish the state failed miserably; consequently, the new politics has to be located at a distance from it: anti-war movements, ecological organisations, groups protesting against racist or sexist abuses, and other forms of local self-organisation. It must be a politics of resistance to the state, of bombarding the state with impossible demands, of denouncing the limitations of state mechanisms. The main argument for conducting the politics of resistance at a distance from the state hinges on the ethical dimension of the ‘infinitely demanding’ call for justice: no state can heed this call, since its ultimate goal is the ‘real-political’ one of ensuring its own reproduction (its economic growth, public safety, etc). ‘Of course,’ Critchley writes,

history is habitually written by the people with the guns and sticks and one cannot expect to defeat them with mocking satire and feather dusters. Yet, as the history of ultra-leftist active nihilism eloquently shows, one is lost the moment one picks up the guns and sticks. Anarchic political resistance should not seek to mimic and mirror the archic violent sovereignty it opposes.

So what should, say, the US Democrats do? Stop competing for state power and withdraw to the interstices of the state, leaving state power to the Republicans and start a campaign of anarchic resistance to it? And what would Critchley do if he were facing an adversary like Hitler? Surely in such a case one should ‘mimic and mirror the archic violent sovereignty’ one opposes? Shouldn’t the Left draw a distinction between the circumstances in which one would resort to violence in confronting the state, and those in which all one can and should do is use ‘mocking satire and feather dusters’? The ambiguity of Critchley’s position resides in a strange non sequitur: if the state is here to stay, if it is impossible to abolish it (or capitalism), why retreat from it? Why not act with(in) the state? Why not accept the basic premise of the Third Way? Why limit oneself to a politics which, as Critchley puts it, ‘calls the state into question and calls the established order to account, not in order to do away with the state, desirable though that might well be in some utopian sense, but in order to better it or attenuate its malicious effect’?

These words simply demonstrate that today’s liberal-democratic state and the dream of an ‘infinitely demanding’ anarchic politics exist in a relationship of mutual parasitism: anarchic agents do the ethical thinking, and the state does the work of running and regulating society. Critchley’s anarchic ethico-political agent acts like a superego, comfortably bombarding the state with demands; and the more the state tries to satisfy these demands, the more guilty it is seen to be. In compliance with this logic, the anarchic agents focus their protest not on open dictatorships, but on the hypocrisy of liberal democracies, who are accused of betraying their own professed principles.

The big demonstrations in London and Washington against the US attack on Iraq a few years ago offer an exemplary case of this strange symbiotic relationship between power and resistance. Their paradoxical outcome was that both sides were satisfied. **The protesters saved their** beautiful **souls**: they **made it clear that they don’t agree with the government’s policy** on Iraq. Those in power calmly accepted it, even profited from it: not only did the protests in no way prevent the already-made decision to attack Iraq; they also served to legitimise it. Thus George Bush’s reaction to mass demonstrations protesting his visit to London, in effect: ‘You see, this is what we are fighting for, so that what people are doing here – protesting against their government policy – will be possible also in Iraq!’

It is striking that the course on which Hugo Chávez has embarked since 2006 is the exact opposite of the one chosen by the postmodern Left: far from resisting state power, he grabbed it (first by an attempted coup, then democratically), ruthlessly using the Venezuelan state apparatuses to promote his goals. Furthermore, he is militarising the barrios, and organising the training of armed units there. And, the ultimate scare: now that he is feeling the economic effects of capital’s ‘resistance’ to his rule (temporary shortages of some goods in the state-subsidised supermarkets), he has announced plans to consolidate the 24 parties that support him into a single party. Even some of his allies are sceptical about this move: will it come at the expense of the popular movements that have given the Venezuelan revolution its élan? However, this choice, though risky, should be fully endorsed: the task is to make the new party function not as a typical state socialist (or Peronist) party, but as a vehicle for the mobilisation of new forms of politics (like the grass roots slum committees). What should we say to someone like Chávez? ‘No, do not grab state power, just withdraw, leave the state and the current situation in place’? Chávez is often dismissed as a clown – but wouldn’t such a withdrawal just reduce him to a version of Subcomandante Marcos, whom many Mexican leftists now refer to as ‘Subcomediante Marcos’? Today, it is the great capitalists – Bill Gates, corporate polluters, fox hunters – who ‘resist’ the state.

The lesson here is that the truly subversive thing is not to insist on ‘infinite’ demands we know those in power cannot fulfil. Since they know that we know it, such an ‘infinitely demanding’ attitude presents no problem for those in power: ‘So wonderful that, with your critical demands, you remind us what kind of world we would all like to live in. Unfortunately, we live in the real world, where we have to make do with what is possible.’ The thing to do is, on the contrary, **to bombard those in power with strategically well-selected, precise, finite demands, which can’t be met with the same excuse**.

#### Issues like detention are only solved by pragmatic government engagement

Jenks and Talbot-Jensen 11 (INDEFINITE DETENTION UNDER THE LAWS OF WAR Chris Jenks\* & Eric Talbot Jensen\*\* Lieutenant Colonel, U.S. Army Judge Advocate General's Corps. Presently serving as the Chief of the International Law Branch, Office of The Judge Advocate General, Washington D.C. The views expressed in this Article are those of the author and not The Judge Advocate General's Corps, the U.S. Army, or the Department of Defense. \*\* Visiting Assistant Professor, Fordham Law School. The authors wish to thank Sue Ann Johnson for her exceptional research and editing skills, and the organizers and attendees at both the 3rd Annual National Security Law Jtinior Faculty Workshop at the University of Texas School of Law, where we first discussed the ideas for this article, and the Stanford Law and Policy Review National Defense Symposium, where we first presented the finished product. STANFORD LAW & POLICY REVIEW [Vol. 22:1] Page Lexis)

Those who would deconstruct the law of war as applied to detention stemming from armed conflict with non state actors may achieve victory,

 but in an academic, and, practically speaking, pyrrhic sense. Arguing that the Geneva Conventions for Prisoners and Civilians do not, on their face, apply to members of al-Qaeda or the Taliban may be correct, and in more than one way. But in so arguing, the deconstructionist approach removes a large portion of intemationally recognized and accepted provisions for regulating detention associated with armed conflict—^the Geneva Conventions—^while leaving the underlying question of how to govern detention unanswered. At some point, even the deconstmctionist must shift to positivism and propose an altemative, an altemative we submit would inevitably resemble that which is already extant in the law of war. Moreover, while there has been discussion about the strained application of the Geneva Conventions and Additional Protocols to states combating transnational terrorism, attempts at a new convention have gained little traction. Our approach is more an attempt at pragmatism than radicalism—there are individuals currently detained, purportedly indefinitely and under the law of war. Yet despite years of such detention, two administrations have provided little if any information on what exactly such detention means, how and by what it is govemed, and if and how it ends. Conflating aspects of intemationally recognized law of war conventions allows for a transparent process that could be promulgated now. Whether for the up to fifty or so individuals currently detained at Guantanamo or for those who may be detained in the future, we posit that the law of war provides a legitimate model for indefinite detention. And, as the Walsh Report recognized,^' the longer detainees are held, the more concern for their individual situations must be given. We therefore analyze the complete protections provided by the law of war and advocate that all of them, over time and to varying degrees, be applied to the detainees in Guantanamo. In this way, detention under the laws of war can provide a humane system of indefinite detention that strikes the right balance between the security of the nation and the rights of individuals

## 2NC

#### Only we access offense---arguments like framework don’t injure people, but policies do

The idea that a particular style of argument causes personal injury results in censorship

Amanda Anderson 6, Andrew W. Mellon Professor of Humanities and English at Brown University, Spring 2006, “Reply to My Critic(s),” Criticism, Vol. 48, No. 2, p. 281-290

Probyns piece is a mixture of affective fallacy, argument by authority, and bald ad hominem. There's a pattern here: precisely the tendency to personalize argument and to foreground what Wendy Brown has called "states of injury." Probyn says, for example, that she "felt ostracized by the books content and style." Ostracized? Argument here is seen as directly harming persons, and this is precisely the state of affairs to which I object. Argument is not injurious to persons. Policies are injurious to persons and institutionalized practices can alienate and exclude. But argument itself is not directly harmful; once one says it is, one is very close to a logic of censorship. The most productive thing to do in an open academic culture (and in societies that aspire to freedom and democracy) when you encounter a book or an argument that you disagree with is to produce a response or a book that states your disagreement. But to assert that the book itself directly harms you is tantamount to saying that you do not believe in argument or in the free exchange of ideas, that your claim to injury somehow damns your opponent's ideas. When Probyn isn't symptomatic, she's just downright sloppy. One could work to build up the substance of points that she throws out the car window as she screeches on to her next destination, but life is short, and those with considered objections to liberalism and proceduralism would not be particularly well served by the exercise. As far as I can tell, Probyn thinks my discussion of universalism is of limited relevance (though far more appealing when put, by others, in more comfortingly equivocating terms), but she's certain my critique of appeals to identity is simply not able to accommodate the importance of identity in social and political life. As I make clear throughout the book, and particularly in my discussion of the headscarf debate in France, identity is likely to be at the center of key arguments about life in plural democracies; my point is not that identity is not relevant, but simply that it should not be used to trump or stifle argument. In closing, I'd like to speak briefly to the question of proceduralism's relevance to democratic vitality. One important way of extending the proceduralist arguments put forth by Habeimas is to work on how institutions and practices might better promote participation in democratic life. The apathy and nonparticipation plaguing democratic institutions in the United States is a serious problem, and can be separated from the more romantic theoretical investments in a refusal to accept the terms of what counts as argument, or in assertions of inassimilable difference. With respect to the latter, which is often glorified precisely as the moment when politics or democracy is truly occurring, I would say, on the contrary democracy is not happening then-rather, the limits or deficiencies of an actually existing democracy are making themselves felt. Acknowledging struggle, conflict, and exclusion is vital to democracy, but insisting that exclusion is not so much a persistent challenge for modern liberal democracies but rather inherent to the modern liberal-democratic political form as such seems to me precisely to remain stalled in a romantic critique of Enlightenment. It all comes down to a question of whether one wants to work with the ideals of democracy or see them as essentially normative in a negative sense: this has been the legacy of a certain critique of Enlightenment, and it is astonishingly persistent in the left quarters in the academy. One hears it clearly when Robbins makes confident reference to liberalisms tendency to ignore "the founding acts of violence on which a social order is based." One encounters it in the current vogue for the work of Giorgio Agamben and Carl Schmitt. Saying that a state of exception defines modernity or is internal to the law itself may help to sharpen your diagnoses of certain historical conditions, but if absolutized as it is in these accounts, it gives you nothing but a negative diagnostic and a compensatory flight to a realm entirely other-the kind of mystical, Utopian impulse that flees from these conditions rather than confronts and fights them on terms that derive from the settled-if constantly evolving-normative basis of democratic modernity. If one is outraged by the flagrant disregard of democratic procedures in the current U.S. political regime, then one needs to be able to coherently say why democratic procedures matter, what principles underwrite them, and what historical movements and institutions have helped us to secure and support them. Argument as a critical practice and as a key component of democratic institutions and public debate has a vital role to play in such a task.

#### Rules and process key

**Paroske 11 -** Assistant professor of communication, Department of Communication and Visual Arts, University of Michigan ( Argumentation and Federal Rulemaking. Controversia; Fall2011, Vol. 7 Issue 2, p34-53, 20p ebsco)shaw

The process of democratic governance is more than a means to an end. Often, how we deliberate a policy is as important or even more important to the outcome of the debate than the underlying issue itself. Recent history is rife with examples of laws that rose and fell on the mechanics of voting in the legislative body or the parliamentary vehicles in which the legislation was offered. There is a normative element to deliberation in a democracy, and failure to vet an issue sufficiently is often seen as grounds for rejecting the legislation itself (Paroske, 2009). For example, it is routine for legislators of a minority party in Congress to denounce a pending bill because there were not enough hearings on the issue, or that a sufficient number or kind of amendments was not allowed, or even that the time devoted to debate on the floor was insufficient. These questions of process in legislation dominate headlines. Less studied, but perhaps even more interesting, are questions of process in a regulatory framework. Given its complexity, rulemaking is especially prone to process- oriented questions. Far more than legislation, rules must navigate a number of prescribed argumentative hurdles on their way to adoption. This raises the stakes for following proper procedure both logically and practically, as violating protocols makes it likely the rule will be rejected. In addition, the authority of agencies in the federal government is nebulous. Agency power to make rules is delegated by Congress, but there is little consensus on the degree of latitude that those designees hold. Since rulemakers lack constitu- tional warrants for coercing citizen behavior, they are highly susceptible to criticism of their authority and jurisdiction. Asked to act both independently and under the watch of the constitutional branches, rulemakers must pay careful attention to process.

#### Demand turns the aff – it ostracizes subjects and reinforces the status quo institutions that they are critiquing. our alt solves this- demands can work but analyzing the economy of enjoyment must come first

**Lundberg 12 -** assistant professor of Rhetoric and Cultural Studies at the University of North Carolina at Chapel Hill. Chris received his PhD from Northwestern University’s program in Rhetoric and Public (Chris, Lacan in public, 2012, ebsco)shaw

Ego- function of the Rhetoric of Protest,” Richard Gregg noted ¶ that when viewed as a rhetorical transaction, the “ego-function” of protest ¶ often works at cross-purposes with the political goals that motivate protest.23¶ Gregg’s analysis is pegged to an understanding of freud aligned with ego ¶ psychology. As a result, Gregg’s insight comes at the cost of an account of the ¶ productive political effects of political struggle premised on collective identifications, primarily by presuming such identifications are self-serving and ¶ therefore antithetical to a democratic politics. Still, there is something seductive about the claim that protest often makes a fetish of oppositional stagings ¶ of collective political sentiment and therefore tactically privileges antago nism at the expense of strategic goals. for Lacan, this paradox of radical politics stems from the nature of the demand as a mode of address. That the demanding subject might achieve satisfaction in the tactical performance rather ¶ than strategic satisfaction of its demands comprises the danger of radical political demands and therefore of the forms of populist politics that see the demand as the privileged mode for political agency.¶ Engaging Ernesto Laclau’s work on popular demands, i focus on the imagined politics of address, specifically by arguing that the demand often constrains political subjects by alienating them from their desire, promoting a ¶ dependency on the intransigence of the political institutions that demands ¶ reform. This analysis extends the treatment of enjoyment in chapter 5 by applying it to two exemplars of demand as a political practice drawn from antiglobalization activism. i treat the political effects of these demands by posing them against Lacan’s framing of the relationship between demands and ¶ enjoyment. finally, i turn to the politics of demand as an everyday political ¶ practice. This analysis does not imply an argument for abandoning demands ¶ as a political strategy. in the Lacanian vocabulary “demand” is central to processes of signification generally. This is also not an argument for consigning ¶ radical political demands to futility. To the contrary, evaluating the relationship between enjoyment, demand, and desire is a prerequisite for a form of ¶ radical politics that takes the collective political potential of desire seriously

## 1NR

### Overview

**The K outweighs the aff and makes their impacts inevitable**

**Best, 07** – Associate Professor of Humanities and Philosophy at the University of Texas at El Paso (Steven, 2007, “Commonalities of Oppression: Speciesism, Racism, and Sexism”, KONTOPOULOS) Word Doc

A Tale of Two Holocausts **“We have been at war with the other creatures of this earth ever since the first human hunter set forth with spear into the primeval forest. Human imperialism has everywhere enslaved, oppressed, murdered, and mutilated the animal peoples. All around us lie the slave camps we have built for our fellow creatures, factory farms and vivisection laboratories**, Dachaus and Buchenwalds **for the conquered species. We slaughter animals for our food, force them to perform silly tricks for our delectation, gun them down and stick hooks in them in the name of sport. We have torn up the wild places where once they made their homes. Speciesism is more deeply entrenched within us even than sexism, and that is deep enough**.” Ronnie Lee, founder of the Animal Liberation Front Patterson argues that **the US roots of German Nazism grew not only through the widespread influence of eugenics, but also through the industrialized slaughter of animals. Both ideologically (racism and eugenics) and technologically (mass production/destruction models), Nazis took their inspiration from the US, such that “the road to Auschwitz traveled through America” and ultimately “begins at the slaughterhouse.”**[[xii]](https://mail.google.com/mail/?ui=2&view=bsp&ver=ohhl4rw8mbn4" \l "12da0a2c7cfa7037__edn12" \o ") More than anyone else in the US, automobile mogul Henry **Ford** helped **paved the way to Auschwitz** and Dachau. **Ford was a rabid anti-Semite who** began in 1920 to **publish screeds against the Jews** through his weekly newspaper. Ford organized his columns as a book and The International Jew sold a half-million copies in the US and Europe and “became the bible of the postwar anti-Semitic movement.”[[xiii]](https://mail.google.com/mail/?ui=2&view=bsp&ver=ohhl4rw8mbn4" \l "12da0a2c7cfa7037__edn13" \o ") Hitler extolled Ford’s book and disseminated it widely among officers and troops. **Hitler regarded Ford as a pioneer, visionary, and comrade, declaring that “I regard Henry Ford as my inspiration” – so much so that he even kept a life-size portrait of Ford in his office.**[[xiv]](https://mail.google.com/mail/?ui=2&view=bsp&ver=ohhl4rw8mbn4" \l "12da0a2c7cfa7037__edn14" \o ") Ford proudly received the honors bestowed on him, and a Ford subsidiary company was a major supplier of vehicles for the German army. **In addition to his virulent anti-Semitism, Ford helped to incubate German Nazism in another key way through the development of industrial technology methods. The same techniques that Ford pioneered for the mass production of automobiles were used by Nazis for the administration of mass killing. A crucial but little-known fact**, however, **is that these techniques were first developed in the slaughterhouses for the kind of streamlined killing and disassembly of animal bodies such as were required to satisfy growing consumer demand for meat. In 1865, amidst the colossal stockyards of Chicago, meatpackers introduced the conveyor belt to increase the speed and efficiency of the killing. Slaughterhouses pioneered the division of labor techniques – whereby a grisly team of “knockers,” “splitters,” “boners,” and “trimmers” specialized in different tasks --used for all subsequent forms of mass production.** **Ford’s visit to a Chicago slaughterhouse inspired his adaptation of assembly line and division of labor techniques to churn out an endless procession of identical automobiles**. But **the technological grafting did not end there.** “As the twentieth century would demonstrate,” Patterson observes, “**it was but one step from the industrialized killing of American slaughterhouses to Nazi Germany’s assembly-line mass murder**.”[[xv]](https://mail.google.com/mail/?ui=2&view=bsp&ver=ohhl4rw8mbn4" \l "12da0a2c7cfa7037__edn15" \o ") Thus, **historians should look not to Henry Ford as the innovator of mass production, but rather to meatpacking giants Gustavus Swift and Philip Armour.**[[xvi]](https://mail.google.com/mail/?ui=2&view=bsp&ver=ohhl4rw8mbn4" \l "12da0a2c7cfa7037__edn16" \o ") **To facilitate their brutal butchery, Nazis aimed to make killing people seem like slaughtering animals. The “Might is Right” ideology that humans employ to justify their brutality against animals was central to Nazi ideology**, for, as **Hitler stated: “Man owes everything that is of importance of the principle of struggle and to one race [Aryan race] which has carried itself forward successfully.** Take away the Nordic Germans and nothing remains but the dance of apes.”[[xvii]](https://mail.google.com/mail/?ui=2&view=bsp&ver=ohhl4rw8mbn4" \l "12da0a2c7cfa7037__edn17" \o ") Hitler’s basic outlook was that nature is ruled by the law of struggle, and he summarized his worldview in this way: “**He who does not possess power loses the right to life**.”[[xviii]](https://mail.google.com/mail/?ui=2&view=bsp&ver=ohhl4rw8mbn4" \l "12da0a2c7cfa7037__edn18" \o ") **In the rationalized production systems of Chicago and Auschwitz, the goal is speed, efficiency, and maximized killing, and the process unfolds through a division of labor with workers specializing in different tasks**. **Similarly, from transportation to gassing, by way of a gigantic social production line, Nazis tried to keep the movement of prisoners constant, such that as quickly and smoothly as possible one group followed another to their doom. As with slaughterhouses, the sick and lame were cleared away. Both animals and humans were crammed together and transported in mass in rail cars to their final destination. The Nazis shipped Jews to their death in cattle cars, they temporarily unloaded them in slaughterhouses where they were confined in animal pens, and then dispatched them to their death through the same rail lines paths used to transport and slaughter animals.**

### AT: Perm

**Instrumentalism Disad to the perm – Method determines the outcomes of the ethical practices we choose to adopt**

**Jacques**, Dept. Poli. Sci, U. Florida, ‘**06** [Peter, *Global Environmental Politics*, Feb., project muse]

Not only is humanity the center of concern and analysis, other considerations **are irrelevant unless they directly involve human welfare.** Nature can matter in deep anthropocentrism, but only in very strict **instrumental terms**. For example, Lomborg argues that poor air quality, since it is directly linked to lives lost, may warrant more attention and even policy. However, even many instrumental values of non-human nature are dismissed because they are too far off, **indirect, or inconsequential compared to other matters**. Indirect relationships between human welfare and non-human nature as well as notions of interdependence are dismissed as “soft” and therefore invalid.59 Often this is described as something like “waiting for Godot” where the beneªts of many—sometimes all60—environmental policies are viewed as invalid and utopian. Deep anthropocentricism does not see non-human nature as important in absolute terms, and only in thin instrumental terms is non-human nature considered relatively important. For the deep anthropocentric, nature, unlike in anthropocentric environmentalism, is excised utterly from society.

**Their epistemology is incompatible with the alternative—turns the case**

**Best, 10** – Associate Professor of Humanities and Philosophy at the University of Texas at El Paso (Steven, 12/31/10, “Total Liberation: Revolution for the 21st Century”, <http://drstevebest.wordpress.com/2010/12/31/total-liberation-revolution-for-the-21st-century-4/>, KONTOPOULOS)

**It has escaped the attention of the entire Left that the arguments they use to justify human domination over animals – that animals allegedly lack reason and language – were the same arguments used by imperialists when they slaughtered native peoples and male oppressors when they exploited women. Humanists upholding speciesist views, therefore, ironically reinforce** **their own domination and cannot access the animal standpoint to understand the origins of domination, and so are in no position to advance a viable politics of liberation**.

### Link Wall

#### We have multiple links to the discourse of the 1AC that prove they reify speciesism:

####  Prison system analogy- Their discussion of dehuamization and prison ignores those individuals deemed as unhuman and nonhuman aninmals.

**Guenther 12** (Lisa, associate professor of philosophy at Vanderbilt, “Beyond Dehumanization: A Post-Humanist Critique of Solitary Confinement”, Journal for Critical Animal Studies, Volume 10, Issue 2, 2012)

What does it mean to be treated like a nonhuman animal? In this paper, I analyze the discourse of “dehumanization” in Madrid v Gomez, a 1995 Eighth Amendment case concerning the treatment of prisoners at California’s Pelican Bay Supermax Penitentiary. I argue that the language of dehumanization fails to describe the harm of solitary confinement because it remains complicit with a hierarchical opposition between human and nonhuman animal that rebounds against prisoners, especially those who have been racialized and/or sexualized as less than human. Humanist discourse neglects the sense in which both human and nonhuman animals are affective, corporeal beings who rely upon the support of others for their own capacity to orient themselves within a mutually-perceived world. Drawing on the testimony of inmates in solitary confinement, and situating this testimony in relation to the political and scientific history of US incarceration practices, I develop a post-humanist critique of solitary confinement. Keywords: Solitary confinement, sensory deprivation, intercorporeal Malebranche would not have beaten a stone as he beat his dog, saying that the dog didn’t suffer. - Merleau-Ponty, Nature, 166 Certain carceral practices are often condemned – both by prisoners and by their legal or political advocates – on the grounds that they violate human dignity by treating people like nonhuman animals. For example, in the 1995 Eighth Amendment case, Madrid v Gomez, the treatment of prisoners at California’s Pelican Bay Supermax Penitentiary is consistently compared to the treatment of nonhuman animals.i Some inmates were “hog-tied” with their hands and feet bound together, then left chained to a toilet or bunk for up to 24 hours (47). Other inmates were confined to outdoor cages the size of a telephone booth, and left naked or partially dressed, exposed to inclement weather and to the view of other inmates (58). One inmate who was caged recalled feeling like "just an animal or something" (59). The presiding judge in this case, Chief Judge Thelton Henderson, concluded that “[l]eaving inmates in outdoor cages for any significant period – as if animals in a zoo – offends even the most elementary notions of common decency and dignity” (62). And yet, Henderson stopped short of condemning prolonged solitary confinement in a tiny indoor cell as cruel and unusual Journal for Critical Animal Studies, Volume 10, Issue 2, 2012 (ISSN1948-352X) 47 punishment, in all but the most extreme cases. What is this “common decency and dignity” so often invoked to protect prisoners from abuse, and why does it tend to produce such negligible effects? In what follows, I analyze the tension between the concept of “human dignity” and the ongoing abuse of both human and nonhuman animals. In the first part of the paper, I present a critical reading of Judge Henderson’s decision in Madrid v Gomez. In the second part, I situate this decision within the history of the US penitentiary and Cold War research on the sensory deprivation of human and nonhuman animals in order to demonstrate the complicity of animal abuse and prisoner abuse, especially in the case of racialized prisoners. In conclusion, I suggest a different way of describing the harm of solitary confinement without opposing the needs of human prisoners to the needs of the billions of nonhuman animals confined to zoos, laboratories and factory farms across the world today. De-humanization In Madrid v Gomez, Judge Henderson states very clearly that prisoners have a right to “human dignity” (328), even though they have forfeited many other rights by violating the law. All citizens, incarcerated or otherwise, deserve “not to be treated as less than human beings” (329).ii What is the content of this doubly-negative right? Presumably, it means that prisoners deserve not to be treated like nonhuman animals. But what does it mean to be treated like an animal – and why would being caged or forcibly restrained seem appropriate for nonhuman animals, but inappropriate for human beings? The content of the right to “human dignity” in the context of Madrid v Gomez is based on the satisfaction of “basic human needs,” which are listed as “food, clothing, shelter, medical care, and reasonable safety (330).iii Note the degree to which these basic human needs overlap with the needs of any nonhuman animal; there is nothing on this list, except for clothing and perhaps medical care, that a horse or a bear would not also need in order to thrive. But precisely because “humans are composed of more than flesh and blood” – presumably, because they are not merely animals, but human animals, that is, social and rational animals – Judge Henderson argues that “mental health is a need as essential to a meaningful human existence as other basic physical demands our bodies may make for shelter, warmth or sanitation” (388). Journal for Critical Animal Studies, Volume 10, Issue 2, 2012 (ISSN1948-352X) 48 How does Judge Henderson seek to protect this fundamental, apparently human need for mental health? And what is “mental health” anyhow? Henderson condemns the use of excessive force and the deliberate humiliation of prisoners, acknowledging that some of the techniques used at Pelican Bay violated “evolving standards of decency that mark the process of a maturing society” (329, citing Patchette v. Nix, 952 F.2d 158, 163 (8th Cir. 1991)). He acknowledges the evidence of expert witnesses such as Stuart Grassian, who found that in forty of the fifty inmates he interviewed over the course of two years, prolonged solitary confinement in the SHU, or “Security Housing Unit,” at Pelican Bay had either “massively exacerbated a previous psychiatric illness or precipitated psychiatric symptoms associated with RES [Reduced Environmental Stimulation] conditions” (281). He notes the typical effects of RES, or what Grassian later calls SHU Syndrome, as “perceptual distortions, hallucinations, hyperresponsivity to external stimuli, aggressive fantasies, overt paranoia, inability to concentrate, and problems with impulse control” (276). In passing, Henderson even acknowledges the Court’s observation during its tour of the SHU that “some inmates spend the time simply pacing around the edges of the pen; the image created is hauntingly similar to that of caged felines pacing at a zoo” (270). But Henderson stops short of condemning SHU conditions as a violation of prisoners’ Eighth Amendment rights, concluding that: Conditions in the SHU may well hover on the edge of what is humanly tolerable for those with normal resilience, particularly when endured for extended periods of time. They do not, however, violate exacting Eighth Amendment standards, except for the specific population subgroups identified in this opinion.iv (460) The “specific population subgroups” for whom prolonged solitary confinement would count as “cruel and unusual punishment,” are: 1) prisoners who are already mentally ill, and 2) prisoners who are at “unreasonably high risk” of becoming mentally ill if held in SHU conditions (411). Note the frankly biopolitical resonance of the term, “population,” which refers to prisoners as a statistical entity with no specifically human qualities, even in a ruling that celebrates and seeks to protect this population’s (apparently) human need for mental “health.”v How are concepts such as “humanity” and “mental illness” (understood as an Journal for Critical Animal Studies, Volume 10, Issue 2, 2012 (ISSN1948-352X) 49 affliction faced by human beings who are “more than flesh and blood”) working together here to expose prisoners to intolerable violence, even while claiming to protect them from it? Colin Dayan has argued persuasively that the “exacting standards” of Eighth Amendment cases have done less to protect prisoners from cruel and unusual punishment, and more to expand the scope and intensity of the violence to which prisoners are exposed within legal limits (Dayan 2005). Henderson’s decision in Madrid v Gomez is no exception to this rule. On one hand, he acknowledges that “contemporary notions of humanity and decency… will not tolerate conditions that are likely to make inmates seriously mentally ill” (388). But on the other hand, by limiting Eighth Amendment protection to just those “population subgroups” who are already suffering from mental illness or are recognizably on the verge of it, he creates a loophole into which virtually every prisoner could fall. If you are already mentally ill or “unreasonably” close to mental illness (whatever that means, and however it is measured), you are protected from conditions that would exacerbate your condition. You are recognized as a human being, with an intrinsic dignity that no civilized nation would dare to violate. But if you are not (yet) mentally ill – if you display “normal resilience” to barely tolerable conditions – you may be confined in a situation that, according to Grassian’s research, produces mental illness in about 90% of the population. To put this more succinctly: Unless you can obtain a diagnosis of mental illness, you may be subject to conditions that typically produce mental illness. In the legal discourse of Madrid v Gomez, and of Eighth Amendment cases more generally, mental illness becomes both the benchmark for distinguishing torture from legitimate punishment, and also the condition that one would need to satisfy in order to be exempt from torture; it becomes both a sign of human dignity and an alibi for dehumanizing treatment. Given the complicity of discourses on humanity and dehumanization with both the abuse of prisoners and the abuse of animals such as hogs and caged felines, to whose condition prisoners are typically “reduced,” we need a different language to describe the harm of prolonged solitary confinement. Is there another way of describing the violence of conditions in the SHU without appealing to human dignity or to the defense of human rights at the expense of nonhuman animals, and ultimately at the expense of human prisoners as well?

#### This link turns the aff- we must recognize that the abuse brought onto the slaves on the middle passage and current otherization of people of the Islamic faith is a byproduct of our inability to accept the other as equal to ourselves- the human-non-human divide is the root cause of this otherization, but can only be solved by thinking about this relationship as an issue of anthropocentrism, not dehumanization

**Guenther 12** (Lisa, associate professor of philosophy at Vanderbilt, “Beyond Dehumanization: A Post-Humanist Critique of Solitary Confinement”, Journal for Critical Animal Studies, Volume 10, Issue 2, 2012)

They put [inmates] in the hole and they chained them, completely nude. So then the following day they give them a pair of shorts, and then the next day they give them a pencil, but no paper, and each day you progress, and if your behavior is not keeping with what they want it to be, then you start back from nothing. The reward punishment trip is what START was about. (cited in Gomez 2006, 63) Again, we could describe this treatment as a form of dehumanization; prisoners were indeed treated like dogs to be chained, confined and re-trained through a system of punishments and rewards. But we cannot fully understand the brutality of these programs until we refuse to accept that dogs deserve to be treated this way, any more than humans do. To the extent that we focus on the abuse of prisoners as an affront to human dignity, we risk overlooking the ethical, political and ontological complexity of a situation in which not only human beings, but living beings as such are at stake. The problem with programs like START and Asklepieion is not that they treated human prisoners as “mere flesh and blood,” but that they failed to respect them as flesh and blood creatures, with corporeal and intercorporeal needs that go beyond the basic conditions of survival. Given the countless situations in which Journal for Critical Animal Studies, Volume 10, Issue 2, 2012 (ISSN1948-352X) 60 nonhuman animals are similarly disrespected, the abuse of prisoners may well be described as a dehumanization in which prisoners are treated like animals. But this is only because animals themselves are being de-animalized: reduced to input-output machines, mechanisms of stimulus and response, separable units of behavior that can be disorganized and reorganized, unfrozen and refrozen, according the requirements of the animal industrial complex and/or the prison industrial complex. In order to find more fruitful ways of critiquing the abuse of both systems, in which human and nonhuman animals are confined to cages, pens and cells across the world, we need to think beyond dehumanization, and beyond the anthropocentric worldview that supports it.

### 2AC 3

**Specieism has to be at the center of analysis-otherwise diminishing returns takes out solvency.**

**Rowe**, Professor of Plant Ecology at the University of Saskatchewa, **1990**

(Stan, “Environmental Ethics - Ethical Ecosphere”, Trumpeter Vol 7, No 3, http://trumpeter.athabascau.ca/index.php/trumpet/article/view/498/841)

Ethics-by-extension soon runs into the problem of **diminishing returns**. With each expansion, with each enlargement of the circle of concern, the ethical impulse—strong at the centre—is more and more attenuated at its perimeter. For example, Callicott argued strongly for acceptance of Leopold's Land Ethic as a logical extension from the individual to the ecological community, but having made the case he then undermined it by stating that Land, the ecological community, is secondary in importance to ethical objects closer to the centre: friends and relations. Faced with the charge that a Land Ethic might overrule the rights of people (as in most circumstances it should), he surrendered without a shot, abandoning the Land in favour of the rights of Homo sapiens . 9 Clearly ethics-by-extension is not the route to development of normative goals and guidelines strong enough to combat the human species self-love, the anthropocentrism, which is destroying the world. Suppose that the planetary Ecosphere within which we live, move, and have our being, is taken as the primary reality. Suppose It is accepted as inherently valuable, an ethical thing- in-itself, producing life and continuously sustaining its many organic forms which are, however, secondary in significance. Such a novel viewpoint brings a radical shift in the orientation of ethical thought. No longer does it proceed by extension from the inside outward, from the self to like organisms, but instead from the outside in, from the Ecosphere to its contents. Then the foremost ethical question is reframed: How shall the health, beauty, diversity and permanency of the Ecosphere and its sectoral ecosystems be secured? After that, secondly , how shall people and societies fit their activities creatively to the Ecosphere's maintenance? A greater-than-human goal guides human goals.