# TEXAS

## Round 2 v. Oklahoma RY

### Warming 2AC

#### Causes extinction—4 degree projections trigger a laundry list of extinction scenarios

Roberts 13—citing the World Bank Review’s compilation of climate studies

- 4 degree projected warming, can’t adapt

- heat wave related deaths, forest fires, crop production, water wars, ocean acidity, sea level rise, climate migrants, biodiversity loss

David, “If you aren’t alarmed about climate, you aren’t paying attention” [http://grist.org/climate-energy/climate-alarmism-the-idea-is-surreal/] January 10 //mtc

We know we’ve raised global average temperatures around 0.8 degrees C so far. We know that 2 degrees C is where most scientists predict catastrophic and irreversible impacts. And we know that we are currently on a trajectory that will push temperatures up 4 degrees or more by the end of the century. What would 4 degrees look like? A recent World Bank review of the science reminds us. First, it’ll get hot: Projections for a 4°C world show a dramatic increase in the intensity and frequency of high-temperature extremes. Recent extreme heat waves such as in Russia in 2010 are likely to become the new normal summer in a 4°C world. Tropical South America, central Africa, and all tropical islands in the Pacific are likely to regularly experience heat waves of unprecedented magnitude and duration. In this new high-temperature climate regime, the coolest months are likely to be substantially warmer than the warmest months at the end of the 20th century. In regions such as the Mediterranean, North Africa, the Middle East, and the Tibetan plateau, almost all summer months are likely to be warmer than the most extreme heat waves presently experienced. For example, the warmest July in the Mediterranean region could be 9°C warmer than today’s warmest July. Extreme heat waves in recent years have had severe impacts, causing heat-related deaths, forest fires, and harvest losses. The impacts of the extreme heat waves projected for a 4°C world have not been evaluated, but they could be expected to vastly exceed the consequences experienced to date and potentially exceed the adaptive capacities of many societies and natural systems. [my emphasis] Warming to 4 degrees would also lead to “an increase of about 150 percent in acidity of the ocean,” leading to levels of acidity “unparalleled in Earth’s history.” That’s bad news for, say, coral reefs: The combination of thermally induced bleaching events, ocean acidification, and sea-level rise threatens large fractions of coral reefs even at 1.5°C global warming. The regional extinction of entire coral reef ecosystems, which could occur well before 4°C is reached, would have profound consequences for their dependent species and for the people who depend on them for food, income, tourism, and shoreline protection. It will also “likely lead to a sea-level rise of 0.5 to 1 meter, and possibly more, by 2100, with several meters more to be realized in the coming centuries.” That rise won’t be spread evenly, even within regions and countries — regions close to the equator will see even higher seas. There are also indications that it would “significantly exacerbate existing water scarcity in many regions, particularly northern and eastern Africa, the Middle East, and South Asia, while additional countries in Africa would be newly confronted with water scarcity on a national scale due to population growth.” Also, more extreme weather events: Ecosystems will be affected by more frequent extreme weather events, such as forest loss due to droughts and wildfire exacerbated by land use and agricultural expansion. In Amazonia, forest fires could as much as double by 2050 with warming of approximately 1.5°C to 2°C above preindustrial levels. Changes would be expected to be even more severe in a 4°C world. Also loss of biodiversity and ecosystem services: In a 4°C world, climate change seems likely to become the dominant driver of ecosystem shifts, surpassing habitat destruction as the greatest threat to biodiversity. Recent research suggests that large-scale loss of biodiversity is likely to occur in a 4°C world, with climate change and high CO2 concentration driving a transition of the Earth’s ecosystems into a state unknown in human experience. Ecosystem damage would be expected to dramatically reduce the provision of ecosystem services on which society depends (for example, fisheries and protection of coastline afforded by coral reefs and mangroves.) New research also indicates a “rapidly rising risk of crop yield reductions as the world warms.” So food will be tough. All this will add up to “large-scale displacement of populations and have adverse consequences for human security and economic and trade systems.” Given the uncertainties and long-tail risks involved, “there is no certainty that adaptation to a 4°C world is possible.” There’s a small but non-trivial chance of advanced civilization breaking down entirely. Now ponder the fact that some scenarios show us going up to 6 degrees by the end of the century, a level of devastation we have not studied and barely know how to conceive. Ponder the fact that somewhere along the line, though we don’t know exactly where, enough self-reinforcing feedback loops will be running to make climate change unstoppable and irreversible for centuries to come. That would mean handing our grandchildren and their grandchildren not only a burned, chaotic, denuded world, but a world that is inexorably more inhospitable with every passing decade.

#### We are a challenge message – increases salience and collective action

Brulle 10 (Robert BRULLE Sociology & Envt’l Science @ Drexel ’10 “From Environmental Campaigns to Advancing the Public Dialog: Environmental Communication for Civic Engagement” Environmental Communication 4 (1) p. 92)

From Identity to Challenge Campaigns One of the most common assumptions in designing identity-based environmental communication campaigns is that fear appeals are counterproductive. As Swim et al. (2009, p. 80) note: ‘‘well meaning attempts to create urgency about climate change by appealing to fear of disasters or health risks frequently lead to the exact opposite of the desired response: denial, paralysis, apathy, or actions that can create greater risks than the one being mitigated.’’ While the author goes on to qualify and expand this line of argument, this has been taken as an absolute in the popular press and much of the grey literature produced by nonprofit organizations and foundations. However, the academic literature portrays a much more complex picture: whereas apocalyptic rhetoric has been shown to be able to evoke powerful feelings of issue salience (O’Neill & Nicholson-Cole, 2009, p. 373), reassuring messages, such as those advocated by ecoAmerica, have the least ability to increase issue salience (de Hoog, Stroebe, & de Wit, 2007; Lowe et al., 2006; Meijinders, Cees, Midden, & Wilke, 2001; Witte & Allen, 2000). Additionally, apocalyptic messages do not necessarily result in denial. A number of empirical studies show that individuals respond to threat appeals with an increased focus on collective action (Eagly & Kulesa, 1997; Langford, 2002; Leiserowitz, Kates, & Parris, 2006, p. 437; Maiteny, 2002; Shaiko, 1999; Swim et al., 2009, p. 94). Tomaka, Blascovich, Kelsey, and Leitten (1993, p. 248) distinguish between threat and challenge messaging: threat messages ‘‘are those in which the perception of danger exceeds the perception of abilities or resources to cope with the stressor. Challenge appraisals, in contrast, are those in which the perception of danger does not exceed the perception of resources or abilities to cope.’’ If a meaningful response to a threat can be taken that is within the resources of the individual, this results in a challenge, which ‘‘may galvanize creative ideas and actions in ways that transform and strengthen the resilience and creativity of individuals and communities’’ (Fritze, Blashki, Burke, & Wieseman, 2008, p. 12). While fear appeals can lead to maladaptive behaviors, fear combined with information about effective actions can also be strongly motivating (O’Neill & Nicholson-Cole, 2009, p. 376; Witte & Allen, 2000).

### Util

#### Extinction outweighs

Bok 88

(Sissela, Professor of Philosophy at Brandeis, Applied Ethics and Ethical Theory, Rosenthal and Shehadi, Ed.)

The same argument can be made for Kant’s other formulations of the Categorical Imperative: “So act as to use humanity, both in your own person and in the person of every other, always at the same time as an end, never simply as a means”; and “So act as if you were always through your actions a law-making member in a universal Kingdom of Ends.” No one with a concern for humanity could consistently will to risk eliminating humanity in the person of himself and every other or to risk the death of all members in a universal Kingdom of Ends for the sake of justice. To risk their collective death for the sake of following one’s conscience would be, as Rawls said, “irrational, crazy.” And to say that one did not intend such a catastrophe, but that one merely failed to stop other persons from bringing it about would be beside the point when the end of the world was at stake. For although it is true that we cannot be held responsible for most of the wrongs that others commit, the Latin maxim presents a case where we would have to take such responsibility seriously – perhaps to the point of deceiving, bribing, even killing an innocent person, in order that the world not perish. To avoid self-contradiction, the Categorical Imperative would, therefore, have to rule against the Latin maxim on account of its cavalier attitude toward the survival of mankind. But the ruling would then produce a rift in the application of the Categorical Imperative. Most often the Imperative would ask us to disregard all unintended but foreseeable consequences, such as the death of innocent persons, whenever concern for such consequences conflicts with concern for acting according to duty. But, in the extreme case, we might have to go against even the strictest moral duty precisely because of the consequences. Acknowledging such a rift would post a strong challenge to the unity and simplicity of Kant’s moral theory.

#### -- Evaluate consequences – allowing violence for the sake of moral purity is evil

Isaac 2 (Jeffrey C., Professor of Political Science – Indiana-Bloomington, Director – Center for the Study of Democracy and Public Life, Ph.D. – Yale, Dissent Magazine, 49(2), “Ends, Means, and Politics”, Spring, Proquest)

As writers such as Niccolo Machiavelli, Max Weber, Reinhold Niebuhr, and Hannah Arendt have taught, an unyielding concern with moral goodness undercuts political responsibility. The concern may be morally laudable, reflecting a kind of personal integrity, but it suffers from three fatal flaws: (1) It fails to see that the purity of one’s intention does not ensure the achievement of what one intends. Abjuring violence or refusing to make common cause with morally compromised parties may seem like the right thing; but if such tactics entail impotence, then it is hard to view them as serving any moral good beyond the **clean conscience** of their supporters; (2) it fails to see that in a world of real violence and injustice, moral purity is not simply a form of powerlessness; it is often a form of complicity in injustice. This is why, from the standpoint of politics--as opposed to religion--pacifism is always a potentially immoral stand. In categorically repudiating violence, it refuses in principle to oppose certain violent injustices with any effect; and (3) it fails to see that politics is as much about **unintended consequences** as it is about intentions; it is the effects of action, rather than the motives of action, that is most significant. Just as the alignment with “good” may engender impotence, it is often the pursuit of “good” that generates evil. This is the lesson of communism in the twentieth century: it is not enough that one’s goals be sincere or idealistic; it is equally important, always, to ask about the effects of pursuing these goals and to judge these effects in pragmatic and historically contextualized ways. Moral absolutism inhibits this judgment. It alienates those who are not true believers. It promotes arrogance. And it undermines political effectiveness.

### Settlerism 2AC

#### ----The neg’s totalizing critique forecloses the possibility for political transformation – the perm’s best for incorporate the best parts of their advocacy without giving up on the possibility for institutional transformation.

Pieterse 00 [Jan Nederveen, Institue of Social Studies, The Hague, The Netherlands, Third World Quarterly, Vol 21, No 2, “After post-development,” p. 187-188]

Post-development is caught in rhetorical gridlock. Using discourse analysis as an ideological platform invites political impasse and quietism. In the end post-development offers no politics besides the self-organising capacity of the poor, which actually lets the development responsibility of states and international institutions off the hook. Post-development arrives at development agnosticism by a different route but shares the abdication of development with neoliberalism. Since most insights in post-development sources are not specific to post-development (and are often confused with alternative development), what makes post-development distinctive is the rejection of development. Yet the rejection of development does not arise from post-development insights as a necessary conclusion. In other words, one can share post-development’s observations without arriving at this conclusion: put another way, there is no compelling logic to post-development arguments.¶ Commonly distinguished reactions to modernity are neo-traditionalism, modernisation and postmodernism (e.g. McEvilley, 1995). Post-development belongs to the era of the ‘post’—post-structuralism, postmodernism, post-colonialism, post-Marxism. It is premised on an awareness of endings, on ‘the end of modernity’ and, in Vattimo’s (1988) words, the ‘crisis of the future’. Post-development parallels postmodernism both in its acute intuitions and in being directionless in the end, as a consequence of its refusal to, or lack of interest in, translating critique into construction. At the same time it also fits the profile of the neo-traditionalist reaction to modernity. There are romantic and nostalgic strands to post-development and its reverence for community, Gemeinschaft and the traditional, and there is an element of neo-Luddism in the attitude towards science and technology. The overall programme is one of resistance rather than transformation or emancipation.¶ Post-development is based on a paradox. While it is clearly part of the broad critical stream in development, it shows no regard for the progressive potential and dialectics of modernity—for democratisation, soft-power technologies, reflexivity. Thus, it is not difficult to see that the three nodal discourses identified by Escobar—democratisation, difference and anti-development—themselves arise out of modernisation. Democratisation continues the democratic impetus of the Enlightenment; difference is a function of the transport and communication revolutions, the world becoming ‘smaller’ and societies multicultural; and anti-development elaborates the dialectics of the Enlightenment set forth by the Frankfurt School. Generally, the rise of social movements and civil society activism, North and South, is also an expression of the richness of overall development, and cannot simply be captured under the label ‘anti’. Post-development’s source of strength is a hermeneutics of suspicion, an anti-authoritarian sensibility, and hence a suspicion of alternative development as an ‘alternative managerialism’. But since it fails to translate this sensibility into a constructive position, what remains is whistling in the dark. What is the point of declaring development a ‘hoax’ (Norberg-Hodge, 1995) without proposing an alternative?¶ Alternative development thinking primarily looks at development from the point of view of the disempowered, from bottom-up, along a vertical axis. It combines this with a perspective on the role of the state. In simple terms: a strong civil society needs a strong state (Friedmann, 1992; Brohman, 1996). Post-development adopts a wider angle in looking at development through the lens of the problematic of modernity. Yet, although its angle is wide, its optics are not sophisticated and the focus is unsharp. Its view of modernity is one-dimensional and ignores different options for problematising modernity, such as ‘reworking modernity’ (Pred & Watts, 1992), or exploring modernities in the plural (Nederveen Pieterse, 1998a). Thus, reflexive modernity is more enabling as a position and reflexive development is a corollary in relation to development (Nederveen Pieterse, 1998b).¶ In my view post-development and ‘alternatives to development’ are flawed premises—flawed not as sensibilities but as positions. The problem is not the critiques, which one can sympthaize with easily enough and which are not specific to post-development, but the companion rhetoric and posturing, which intimate a politically correct position. ‘Alternatives to development’ is a misnomer because no such alternatives are offered. There is no positive programme; there is a critique but no construction. ‘Post-development’ is misconceived because it attributes to ‘development’ a single and narrow meaning, a consistency that does not match either theory or policy, and thus replicates the rhetoric of developmentalism, rather than penetrating and exposing its polysemic realities. It echoes the ‘myth of development’ rather than leaving it behind. Post-development makes engaging contributions to collective conversation and reflexivity about development and as such contributes to philosophies of change, but its contribution to politics of change is meagre. While the shift towards cultural sensibilities that accompanies this perspective is a welcome move, the plea for ‘people’s culture’ (Constantino, 1985) or indigenous culture, can lead, if not to ethno-chauvinism and ‘reverse orientalism’ (Kiely, 1999: 25), to reification of both culture and locality or people. It presents a conventional and narrow view of globalisation, equated with homogenisation. At a philosophical level we may wonder whether there are alternatives to development for homo sapiens, as the ‘unfinished animal’, ie to development writ large, also in the wide sense of evolution.

#### ----Defending the state doesn’t require oppressing indigenous communities – opposition and compromise with the settler state are both essential for indigenous resistance.

Weaver 7 (Jace WEAVER Director of the Inst. of Native American Studies Franklin Professor of Native American Studies and Religion @ Georgia **‘7** “More Light Than Heat The Current State of Native American Studies” *American Indian Quarterly* 31 (2) p.248-251 \*\*\*NAS = Native American Studies)

In our histories, we know numerous warriors who took up arms to defend their people. Yet we also have ample and equal examples of diplomacy. For every Red Cloud there is a Red Jacket. For every Geronimo there is a Deskaheh. The two are not mutually exclusive; sometimes an individual is warrior at one moment and diplomat at another. As Daniel Justice reminds us, the Chickamauga consciousness is counterbalanced by the Beloved Path. Dragging Canoe and Nancy Ward are two sides of the same coin.35 nas must involve a commitment to Native community. This does not necessarily mean, however, that every scholar must be a “bomb-thrower.” In nas, for every Vine Deloria Jr. there is a Robert Warrior. For every Harold Cardinal there is a Phil Deloria. For every Taiaiake Alfred, there is a Sid Larson. As Larson writes in his provocatively titled monograph Captured in the Middle, I have American Indian academic colleagues and nonacademic friends who are cultural nationalists, which means they are oftentimes militant and confrontational. Certainly there is much cause for such activism in the American Indian world, and I am grateful there are those willing to do the necessary work of demanding redress of the theft and cultural genocide committed against American Indians. In fact, their good work allows me to emphasize the things different cultural peoples can have in common36 Both warrior and diplomat are necessary for the survival of the People. Both exist, bound together in a choreography that is not a minuet in which partners separate and come back together but a stomp dance in which everyone is always an integral part of the circle. During the last academic year at the University of Georgia, we organized a speakers’ series on the topic “A Traditional Future.” The four speakers were Principal Chief of the Cherokee Nation of Oklahoma Chad Smith, distinguished Cheyenne artist Edgar Heap of Birds, Choctaw historian Homer Noley, and Andy Smith, each of whom addressed the theme from their varying fields of achievement. What exactly is a traditional future? While we were the first to organize a program on this important topic, we did not coin the phrase. It derives from “Globalisation and Indigenous Peoples: Threat or Empowerment?” by Smith, Burke, and Ward, the introduction to Smith and Ward’s Indigenous Cultures in an Interconnected World. In turn, their introduction draws, in particular, upon the essay “History, Representation, Globalisation and Indigenous Cultures: A Tasmanian Perspective” by native Tasmanian artist Julie Gough in the same volume. In her piece, Gough writes, “We were written out of the future in an act of manageable closure by the writers, artists and poets of the nineteenth century.” While most of our peoples were not deemed extinct, as were Gough’s, most Indigenes of the Western hemisphere can nonetheless relate to her words.37 Native peoples do not want to “conjure up a past and crawl into it.” They live in the present and want to move into the future while maintaining what is best in their traditions. What does it mean to live out tradition in the modern world? Smith, Burke, and Ward note, Globalisation constitutes an unprecedented threat to the autonomy of Indigenous cultures as well as an unprecedented opportunity for Indigenous empowerment. [We] highlight not only the new possibilities for Indigenous peoples that are emerging from the development of global communication networks but also the strategies they are using to deal with the pressures of globalisation.38 In discussing the Navajo Nation’s effort to bring wireless Internet to the Navajo reservation, President Joe Shirley invokes the Diné creation story of the sacred twins who, in ancient times, slew the monsters threatening the People. He then declares, Today there are still monstrosities among us. Hunger, thirst, poverty, greed, ignorance, apathy, and all manner of diseases that are blind to race, color, and age. Today’s indigenous peoples must use the arrows of zeros and ones and satellites. Information is a way to overcome today’s monsters.39 Our problems today are wider and greater than globalization, as Shirley’s remarks illustrate. And though technology will be an essential tool, it is not a self-sufficient solution to the problems that Shirley outlines or to others like language loss or the cultural Alzheimer’s that strikes in our communities not the aged but the young. The Native American Studies Program at the University of Georgia, as do other programs across the United States and Canada, sees itself as a place where cutting-edge ideas in nas are discussed first. Of course, only in the academy would the concept of a “traditional future” be considered cutting-edge. In Indian Country—on the ground—it is simply a reality. Native peoples have been living out an ever-changing traditional present and future in this hemisphere for countless generations. Smith, Burke, and Ward conclude their ruminations: As Indigenous peoples reposition themselves in their struggle for recognition and self-determination, so too must others in an interconnected world. The players in the struggles are Indigenous peoples on the one hand and the embedded social and political constructs of colonialism on the other. Researchers (both Indigenous and non-Indigenous) are often the scribes and intermediaries, but the audience is global. The Indigenous Ainu people of Japan have a word, ureshipamoshiri, to describe the world as an interrelated community of all living things. Changes in any part of this community cause ripples and adjustments throughout. Moreover, as [Bruce] Trigger has commented, change is not a violation of culture but a realization of a potential.40 If we in nas are committed to Native community, if we want to be relevant to Native peoples on the ground, if we want to understand and explain the world as it really is, we must deal with these realities. Only then will we stand a chance of consistently generating more light than heat.

#### ---Any critique is a false-choice that doesn’t recognize the complexity of indigenous politics. Negotiating the use of the USFG is a key element in indigenous activism. Their colonialism impacts don’t link.

Bruyneel 7 (Kevin BRUYNEEL Politics @ Babson **‘7** *The Third Space of Sovereignty* p. 217-223)

In writing this book, a question often popped into my mind, the one famously posed by postcolonial theorist Gayatri Spivak: "Can the subaltern speak?" Spivak's question is not about the vocal cords of the colonized; it is about the colonizer's ear drums; "Can the subaltern speak?" really means, "Are the colonizers deaf?" not ''Are the colonized mute?" This study has demonstrated ways in which the American settler-state and nation have sought, often successfully, to impose temporal and spatial limitations on indigenous political life. In resistance, indigenous political actors speak against and across the boundaries of colonial rule by articulating and fighting for a third space: a space of sovereignty and/or citizenship that is inassimilable to the modern liberal democratic settler-state and nation. The settler polity is often deaf to the indigenous claim for a third space because this claim refuses to accommodate itself to the political choices framed by the imperial binary: assimilation or secession, inside or outside, modern or traditional, and so on. Looked at in this way, indigenous political resistance is refusal of a false choice. Among other things, this book has been an effort to expose to clearer light the presence and politics around the third space, defined by colonial impositions and postcolonial resistances. To conclude the book, I look at how the third space concept could positively reshape the language and therefore the terms of and possibilities for indigenous-settler-society relations in the future, and I also suggest its applicability to the wider political discourse and politics around sovereignty. REFUSING THE FALSE CHOICE: SEEING THE THIRD SPACE In their introduction to the important collection Political1heory and the Rights of Indigenous People, the volume's editors, Duncan Ivison, Paul Patton, and Will Sanders, note that for some of their contributors, such as James Tully as well as Will Kymlicka and J. G. A. Pocock, "there can be no equal standing for indigenous peoples until they are acknowledged as equal sovereigns within a postcolonial constitutional arrangement," while "for others, such as [Iris] Young and [Augie] Flores and [Roger] Maaka, it is the very nature of the sovereign state that must be rethought." 1 While these descriptions flatten the complex views of each of these scholars, there is something worth drawing from the two approaches implied here. The first approach seeks to rethink governance from below by seeking to secure and "arrange" multiple nodes of sovereignty in a multilayered political system wherein settler and indigenous polities can coexist, overlap, and interweave jurisdictions. The second approach, by contrast, rethinks governance from above by arguing that the hegemonic "sovereign state," and thus state sovereignty, is inherently incompatible, and in fact hostile, to the secured existence of indigenous political autonomy. What I find compelling and significant here is the general direction in which these thinkers are going on this issue, which is to see and argue that the viability of political autonomy for indigenous tribes will not come through accommodation of the settler-state's political system, boundaries, and culture. Rather, it will require some degree of meaningful change in the settler-society's institutional organization and ideational approach and the concomitant solidification of a location and form of indigenous sovereignty that is self-determined and thus not dependent on the settlersociety. Missing from these formulations, however, is a precise concept as well as a vocabulary that can pin down the alternatives represented in this "postcolonial arrangement" and/or "rethinking of the sovereign state." I propose that the "third space" may well provide the vocabulary that both captures and helps to constitute a viable, increasingly sought-after location of indigenous postcolonial political autonomy that refuses the choices set out by the settler-society. But cultivating this discourse and seeing its constitutive possibilities is easier said than done, so one of the first steps toward moving in this direction will involve refusing the false choice set out by the settler-state. In a 1998 Law Review article, Julie Cassidy set out and critiqued rhe terms of the false choice presented to those advocating sovereignty for indigenous nations and tribes: "The resolution relating to Aboriginal sovereignty is often mistakenly perceived as only involving two possibilities: (r) acknowledgement of Aboriginal sovereignty and the consequent desrruction of the "occupying" state's sovereignty; or (2) continuation of the past denial of Aboriginal sovereignty. However, it is possible for both entities to enjoy concurrent sovereignty."2 The false choice here is that either indigenous tribes and nations must become sovereign states, thereby destroying the settler-states within which they reside, or their citizens must accept unambiguous inclusion in the settler polity, thereby denying their collective claim to sovereignty. This false choice of either destruction or denial is built on colonialist and statist presumptions. The colonialist presumption is that the settler polity and its institutions represent the ideal of modern political development, while indigenous political society and institutions are, at best, underdeveloped or, at worst, primitive, and thus incapable of real independence in our time. The statist presumption is that legitimate, viable sovereignty can be secured and expressed only through statist institutions, the purview of which is singular and plenary over political space marked by unambiguous boundaries. When articulated in tandem, these colonial-statist presumptions form the foundation of the imposition of colonial rule over indigenous people within liberal democratic settler-states such as the United States. We saw this during and especially after the Civil War when, in their own way, each of the three branches of the American federal government sought to clearly define and secure the reunified boundaries of the American nation-state by domesticating indigenous tribes to them, which included ending the formal process of treaty-making and codifYing U.S. plenary power. During the Progressive era, these colonial-statist imperatives drove U.S. policies that sought to break up what Teddy Roosevelt called the "tribal mass" through various means, including allotment of indigenous territory, the unilateral conferral or imposition of U.S. citizenship on people who were already citizens of their tribes, and the closure of U.S. political boundaries to indigenous people not residing within what America deemed its political space. This imperative persisted in different ways throughout the twentieth century, such as in the midcentury termination policy, and has taken its most notable contemporary form in the antitribal sentiment evident in mainstream American electoral politics, citizen groups' discourse in the civil society, and U.S. Supreme Court decisions. Over the course of American political history, indigenous sovereignty has been deemed something that needed to be denied-for example, through the codification of U.S. plenary power-and/or something that threatened the destruction of U.S. state sovereignty, as expressed, for instance, by contemporary antitribalism. The enduring presence of colonial ambivalence has maintained the parameters of this false choice, putting indigenous sovereignty and political life in a seemingly impossible colonial bind that has positioned indigenous tribes as "domestic to the United States in a foreign sense." In fact, this ambivalence has served to forestall the complete imposition of any particular thrust in the vacillating history of U.S. Indian policy. The ambivalence inherent to the false choice is also, in part, a product of and opens room for what I have referred to as indigenous postcolonial resistance. This is a resistance that defies American colonial imperatives and seeks to, reframe the boundaries that purport to bind indigenous political life. Like the approaches offered by the scholars noted earlier, Julie Cassidy's alternative of "concurrent sovereignty" refuses the idea that the only options available result in either the destruction of state sovereignty or the denial of indigenous sovereignty. Her refusal echoes the efforts of indigenous political actors and movements discussed in this book. John Ross and his Cherokee colleagues refused the treaty terms that they thought would destroy their nation. In so doing, although they likely lost more than they won in the 1866 treaty negotiations, they nevertheless maintained the unity of the Cherokee nation and in important ways shaped its sovereign purview in the Indian Territory. During the Progressive era, Clinton Rickard and his compatriots, among others, fought to refuse the imposition of U.S. citizenship and the rigid American political boundaries that they saw as inimical to citizenship in their own nations. Their efforts amounted to a defense of the independent political life of those nations, and they resonate to this day in, among other things, the annual traditions enacted at the U.S.- Canadian border that symbolically and physically express an indigenous refusal to abide settler-state boundaries. In the 196os and 1970s, the politics of indigenous refusal gained its greatest notoriety when the Red Power movement refused the false choice of either the assimilatory aims of the civil rights movement or the nationalist separatism of third world anticolonialism. Instead, Red Power fought for a right to self-determination as a proactive challenge to and even "recolonization" of American colonial boundaries, symbolized by the occupation of Alcatraz Island and by Vine Deloria's notion of the modern "tribe as a nation ex- tending in time and occupying space." Deloria's vision was that of tribes whose identity and expression of sovereignty transcend the boundaries of colonial time-that feeling of being "unreal and ahistorical," as he called it-and by so doing are better able to secure and expand the location of indigenous people in postcolonial space, across the boundaries of colonial rule. The political history of indigenous people's refusals of the false choice set out for them indicate a persistent effort both to self-determine what sovereignty means to them and to expose the uncertainty and even impossibility of U.S. sovereignty as a totalizing claim to supreme, legitimate authority. In this regard, indigenous and U.S. or settler claims to sovereignty face the challenge of dealing with the instability of the term itself. Recall Roxanne Doty's point, noted in chapter 1: "The social construction of sovereignty is always in process, and is a never completed project." This process can be seen in the political interchange between American colonial impositions, colonial ambivalence, and indigenous postcolonial resistance, which continually struggle over the precise meaning and purview of the political authority claimed by the settler-state and the many indigenous tribes. While the American perspective cleaves to a statist notion of sovereignty as a source of domination, indigenous politics in its many forms refuses to be contained by the limits of the boundaries of the settler-state and the nation. These refusals demonstrate that indigenous political identity, agency, and autonomy reside in postcolonial time and space, always already across the temporal and spatial boundaries marked out by the settler-state and the colonialist political culture. By articulating this postcolonial fact, indigenous political actors and institutions reveal that settler-state boundaries are just one way-a colonialist way-to map out a people's relationship to time and space in North America, and they can offer the third space of sovereignty as a politically and discursively locatable alternative. In this regard, it is my hope that the idea of the third space also contributes to the general aims pursued by the scholars noted earlier as well as by scholars of indigenous politics such as Tom Biolsi, who builds his contemporary analysis on the premise that "the nation-state, it turns out, is only one among several (perhaps many) political geographies imagined, lived, and even institutionalized under modernity by American Indians."3 The "imagining" of alternative "political geographies" is a fundamental part of the effort to see viable alternatives to the statist or colonialist conception of sovereignty. To be sure, this antistatist or anticolonial effort does not exist in a vacuum, relevant only to indigenous political concerns, bur is connected to and possibly even constitutive of the effort to reimagine the role and meaning of sovereignty in the political world generally. In a genealogy of the concept of sovereignty, international relations scholar Jens Bartelson urges us to consider "the question of sovereignty [as a] question of the unthought foundations of our political knowledge and how they relate to the concept of sovereignty, when stripped of all predetermined content and opened to definitional change over time."4 Bartelson is encouraging us to imagine various possibilities for conceptualizing the relationship between people, power, and space over time, and, just as important, to take heed of what we lose by not opening ourselves up to at least a consideration of alternatives. For example, what are the implications of allowing hegemonic political space as defined by the state system to remain an "unthought epistemological foundation of sovereignty"? A major political implication, according to Alexander Murphy, is that by constituting and accepting "sovereignty as a territorial ideal ... the modern territorial state has co-opted our spatial imaginations."5 Refusing this co-optation-this false choice-requires a decolonization of our spatial imaginations to reveal forms of political space that cannot simply be mapped onto the boundary lines of the international state system. It is in this regard that indigenous politics can inform and be informed by the reconsiderations of sovereignty occurring more generally because they refuse to say simply Yes or No to state sovereignty, but instead imagine a postcolonial supplemental remapping of sovereign relationships that can include but will not be dictated to or contained by state boundaries. Therefore, I suggest that the third space may also prove of worth as a conceptualization of antistatist autonomy that can be an alternative to the polar imaginaries that either see state sovereignty as the unavoidably exclusive font of legitimate political space or postulate a political world in which we have somehow moved beyond state sovereignty altogether. In accord with this aim of decolonizing our spatial imaginations and thereby drawing out postcolonial supplemental alternatives to state sovereignty, I rurn to the ideas of two contemporary indigenous political voices, one of whortl is looking to reconsider governance from below and one from above. In reconsidering contemporary governance from the ground up, we should consider the decolonization plan proposed by Chief Justice Robert Porter of the Supreme Court of the Sac and Fox nation of Kansas and Missouri. Porter argues for a form of decolonization that I deem postcolonial in nature because it is based on an understanding that "a decolonized relationship does not mean that there is no relationship at all. The United States remains committed by treaty and legal obligations."6 To this end, he proposes specific forms of decolonization that directly reshape the boundaries of U.S.-indigenous legal jurisdiction, such as a change in "federal law to recognize the power of Indian nations over misdemeanors committed by non-Indians within tribal borders."7 1his proposal works across the boundaries in an effort to decolonize them so that instead of representing colonial impositions on indigenous sovereignty they come to represent sites for the fuller expression of tribal sovereignty. Porter's postcolonial decolonization strategy is similar, in a general sense, to what the Oneida nation of New York sought in repurchasing land for their historic reservation: to assert indigenous authority over some components of the overlapping, checkerboarded legal and political jurisdictions of historic indigenous territory. This unilateral assertion of authority would not be seamless or comprehensive, for just as the Oneida were seeking only to be exempt from state and local taxation, Porter's claim is only for tribal jurisdiction over less serious offenses committed in indigenous territory. The intention of both efforts was to express and cultivate a third space of sovereignty, and one cannot fully comprehend either effort without appreciating the role of boundary-crossing here. Nevertheless, as we saw in chapter 6, the Supreme Court's decision in the Oneida case clearly indicates that American colonial impositions continue to seek to defuse and delimit indigenous sovereign expression. Although this was a disappointing decision for the Oneida nation and for indigenous tribes generally, the actions of the Oneida nation that led to this case point to the direction that future expressions of and struggles for indigenous sovereignty may well take across the boundaries of colonial rule.

#### ----Assuming that all Native Americans seek to struggle for sovereignty essentializes Native American identity

Waheed 05 (Sumayyah, J.D. Candidate, University of California, Berkeley School of Law (Boalt Hall), 2005, 12 Asian L.J. 187, lexis)

Again, all of these problems cannot be avoided by simply abandoning coalitions. Delgado's statement that a "steadfast group" of progressives could easily deteriorate "if individual members defect or if the leaders turn out to be assimilated people who fail to appreciate the needs of their group's most impoverished members" applies just as forcefully to "mono-racial" collectives (pretending that such groups exist) as it does to interracial coalitions. 105 **Delgado's breezy suggestion that** Latinos organize for bilingual education and **Native Americans struggle for sovereignty betrays the same essentialism he accuses progressives of having: simply because each group's entire membership fits into the same majority-ascribed, arbitrary racial category does not guarantee that either group will be unified on either goal, or any other conceivable objective**. 106 The pitfalls of internal discord, hierarchical leadership, and assimilated power-mongers can only be avoided if every person works for change individually. In that case, advocates for social change would degenerate into a morass of clucking hens, canceling each other's demands out as the powerful elite continue in their privileged lives unbothered.

### Music

#### Evaluating the content of music is fuzzy and subjective

Marxy 4 (“The Mechanical Coldness of Music Rankings and Evaluation”, Neomarxisme, 11-14, http://www.pliink.com/mt/marxy/archives/2004/11/the-mechanical.html)

Taking this into account, the Japanese would believe there is something fuzzy and chaotic about subjective review systems. I tend to believe that writers fear to engage in subjectivity because they may offend a company that advertises, but Nakane's example seems to suggest that the review system itself has become victim to the mechanization of Japan's strive towards modernity. Mechanization requires rational order, and order requires breaking down all unquantifiable parts of culture and recontextualizing them in a way they can be measured scientifically. This mathematical approach to industry, and ultimately culture, is why I refer to Japan as a "content-less" society. Starting in the 50s, the Japanese imported popular music directly from America, and since they had no pre-existing examples of these new melodic forms and rhythms, they had to copy songs as best as they could to recreate their own versions. Imitation is a dirty word in English, but if anybody anywhere were handed some new weird form of art and told to make something in that style with no indications of context, they too would most likely be forced to imitate the originals until getting comfortable with the conventions. In this process of mechanical imitation, the song must be dismantled into smaller, quantifiable chunks: chord progression, tempo, instrumentation, rhythm, and melodic form. Content is the fuzzy, subjective part of art work. What is a song about? This is different for each person. What does the song feel like? Same answer. What kind of melodic range does the song have? This can be mapped out and directly imitated. Thus, the melodic and lyrical content - which in the West are considered a song's soul - can be mechanically analyzed and recreated once fully understood in quantitative terms. Content must be changed into form in order to make content. The question is, can you go from analog waves to digital coding to back again? No, the original information approximated in the encoding process is gone forever.

#### -- Alternative fails – critical theory has no mechanism to translate theory into practice

**Jones 99** (Richard Wyn, Lecturer in the Department of International Politics – University of Wales, Security, Strategy, and Critical Theory, CIAO, http://www.ciaonet.org/book/wynjones/wynjones06.html)

Because emancipatory political practice is central to the claims of critical theory, one might expect that proponents of a critical approach to the study of international relations would be reflexive about the relationship between theory and practice. Yet their thinking on this issue thus far does not seem to have progressed much beyond **grandiose statements of intent**. There have been no systematic considerations of how critical international theory can help generate, support, or sustain emancipatory politics beyond the seminar room or conference hotel. Robert Cox, for example, has described the task of critical theorists as providing “a guide to strategic action for bringing about an alternative order” (R. Cox 1981: 130). Although he has also gone on to identify possible agents for change and has outlined the nature and structure of some feasible alternative orders, he has not explicitly indicated whom he regards as the addressee of critical theory (i.e., who is being guided) and thus how the theory can hope to become a part of the political process (see R. Cox 1981, 1983, 1996). Similarly, Andrew Linklater has argued that “a critical theory of international relations must regard the practical project of extending community beyond the nation–state as its most important problem” (Linklater 1990b: 171). However, he has little to say about the role of theory in the realization of this “practical project.” Indeed, his main point is to suggest that the role of critical theory “is not to offer instructions on how to act but to reveal the existence of unrealised possibilities” (Linklater 1990b: 172). But the question still remains, reveal to whom? Is the audience enlightened politicians? Particular social classes? Particular social movements? Or particular (and presumably particularized) communities? In light of Linklater’s primary concern with emancipation, one might expect more guidance as to whom he believes might do the emancipating and how critical theory can impinge upon the emancipatory process. There is, likewise, little enlightenment to be gleaned from Mark Hoffman’s otherwise important contribution. He argues that critical international theory seeks not simply to reproduce society via description, but to understand society and change it. It is both descriptive and constructive in its theoretical intent: it is both an intellectual and a social act. It is not merely an expression of the concrete realities of the historical situation, but also a force for change within those conditions. (M. Hoffman 1987: 233) Despite this very ambitious declaration, once again, Hoffman gives no suggestion as to how this “force for change” should be operationalized and what concrete role critical theorizing might play in changing society. Thus, although the critical international theorists’ critique of the role that more conventional approaches to the study of world politics play in reproducing the contemporary world order may be persuasive, their account of the relationship between their own work and emancipatory political practice is unconvincing. Given the centrality of practice to the claims of critical theory, this is a very significant weakness. Without some plausible account of the **mechanisms** by which they hope to aid in the achievement of their emancipatory goals, proponents of critical international theory are hardly in a position to justify the assertion that “it represents the next stage in the development of International Relations theory” (M. Hoffman 1987: 244). Indeed, without a more convincing conceptualization of the theory–practice nexus, one can argue that critical international theory, by its own terms, has no way of redeeming some of its central epistemological and methodological claims and thus that it is a **fatally flawed** enterprise.

#### - Turn – demanding limitations on war powers reverses power relations and encourages resistance to the state

**Campbell 98** (David, Professor of International Relations – University of Newcastle, Writing Security: United States Foreign Policy and the Politics of Identity, p. 203-205)

Recognizing the possibility of rearticulating danger leads us to a final question: what modes of being and forms of life could we or should we adopt? To be sure, a comprehensive attempt to answer such a question is beyond the ambit of this book. But it is important to note that asking the question in this way mistakenly implies that such possibilities exist only in the future. Indeed, the extensive and inten­sive nature of the relations of power associated with the society of security means that there has been and remains a not inconsiderable freedom to explore alternative possibilities. While traditional analy­ses of power are often economistic and negative, Foucault’s under­standing of power emphasizes its productive and enabling nature. Even more important, his understanding of power emphasizes the ontology of freedom presupposed by the existence of disciplinary and normalizing practices. Put simply, there cannot be relations of power unless subjects are in the first instance free: the need to institute negative and constraining power practices comes about only because without them freedom would abound. Were there no possibility of freedom, subjects would not act in ways that required containment so as to effect order.37 Freedom, though, is not the absence of power. On the contrary, because it is only through power that subjects exercise their agency, freedom and power cannot be separated. As Foucualt maintains: At the very heart of the power relationship, and constantly provok­ing it, are the recalcitrance of the will and the intransigence of free­dom. Rather than speaking of an essential freedom, it would be better to speak of an “agonism” — of a relationship which is at the same time reciprocal incitation and struggle; less of a face-to-face confronta­tion which paralyzes both sides than a permanent provocation.38 The political possibilities enabled by this permanent provocation of power and freedom can be specified in more detail by thinking in terms of the predominance of the “bio-power” discussed above. In this sense, because the governmental practices of biopolitics in Western nations have been increasingly directed towards modes of being and forms of life—such that sexual conduct has become an object of concern, individual health has been figured as a domain of discipline, and the family has been transformed into an instrument of government—the ongoing agonism between those pratices and the freedom they seek to contain means that individuals have articulataed a series of counterdemands drawn from those new fields of concern. For example, as the state continues to prosecute people according to sexual orientation, human rights activists have proclaimed the right of gays to enter into formal marriages, adopt children, and receive the same health and insurance benefits granted to their straight coun­terparts. These claims are a consequence of the permanent provoca­tion of power and freedom in biopolitics, and stand as testament to the **“strategic reversibility”** **of power relations**: if the terms of governmental practices can be made into focal points for resistances, then the “history of government as the ‘conduct of conduct’ is interwoven with the history of dissenting ‘counterconducts,’” Indeed, the emergence of the state as the major articulation of “the political” has involved an **unceasing agonism** between those in office and those they rule. State intervention in everyday life has long incited popular collective action, **the result** of which **has been** both **resistance to the state** and new claims upon the state. In particular, “the core of what we now call ‘citizenship’ . . .consists of multiple bargains hammered out by rulers and ruled in the course of their struggles over the means of state action, especially the making of war.” **In** more **recent times, constituencies associated with** women’s, youth, ecological, and peace movements (among others) **have** also **issued claims on society**.

#### -- Alt can’t solve --Appeals for institutional restrain are a crucial supplement to political resistance to executive power.

David COLE Law @ Georgetown ’12 “The Politics of the Rule of Law: The Role of Civil Society in the Surprising Resilience of Human Rights in the Decade after 9/11” http://www.law.uchicago.edu/files/files/Cole%201.12.12.pdf p. 51-53

As I have shown above, while political forces played a significant role in checking President Bush, what was significant was the particular substantive content of that politics; it was not just any political pressure, but pressure to maintain fidelity to the rule of law. Politics standing alone is as likely to fuel as to deter executive abuse; consider the lynch mob, the Nazi Party in Germany, or xenophobia more generally. What we need if we are to check abuses of executive power is a politics that champions the rule of law. Unlike the politics Posner and Vermeule imagine, this type of politics cannot be segregated neatly from the law. On the contrary, it will often coalesce around a distinctly legal challenge, objecting to departures from distinctly legal norms, heard in a court case, as we saw with Guantanamo. Congress’s actions make clear that had Guantanamo been left to the political process, there would have been few if any advances. The litigation generated and concentrated political pressure on claims for a restoration of the values of legality, and, as discussed above, that pressure then played a critical role in the litigation’s outcome, which in turn affected the political pressure for reform. There is, to be sure, something paradoxical about this assessment. The rule of law, the separation of powers, and human rights are designed to discipline and constrain politics, out of a concern that pure majoritarian politics, focused on the short term, is likely to discount the long-term values of these principles. Yet without a critical mass of political support for these legal principles, they are unlikely to be effective checks on abuse, for many of the reasons Posner andVermeule identify. The answer, however, is not to abandon the rule of law for politics, but to develop and nurture a political culture that values the rule of law itself. Civil society organizations devoted to such values, such as Human Rights Watch, the Center for Constitutional Rights, and the American Civil Liberties Union, play a central role in facilitating, informing, and generating that politics. Indeed, they have no alternative. Unlike governmental institutions, civil society groups have no formal authority to impose the limits of law themselves. Their recourse to the law’s limits is necessarily indirect: they can file lawsuits seeking judicial enforcement, lobby Congress for statutory reform or other legislative responses, or seek to influence the executive branch. But they necessarily and simultaneously pursue these goals through political avenues – by appealing to the public for support, educating the public, exposing abuses, and engaging in public advocacy around rule-of-law values. Unlike ordinary politics, which tends to focus on the preferences of the moment, the politics of the rule of law is committed to a set of long-term principles. Civil society organizations are uniquely situated to bring these long-term interests to bear on the public debate. Much like a constitution itself, civil society groups are institutionally designed to emphasize and reinforce our long-term interests. When the ordinary political process is consumed by the heat of a crisis, organizations like the ACLU, Human Rights First, and the Center for Constitutional Rights, designed to protect the rule of law, are therefore especially important. While Congress and the courts were at best compromised and at worst complicit in the abuses of the post-9/11 period, civil society performed admirably. The Center for Constitutional Rights brought the first lawsuit seeking habeas review at Guantanamo, and went on to coordinate a nationwide network of volunteer attorneys who represented Guantanamo habeas petitioners. The ACLU filed important lawsuits challenging secrecy and government excesses, and succeeded in disclosing many details about the government’s illegal interrogation program. Both the ACLU and CCR filed lawsuits and engaged in public advocacy on behalf of torture and rendition victims, and challenging warrantless wiretapping. Human Rights Watch and Human Rights First wrote important reports on detention, torture, and Guantanamo, and Human Rights First organized former military generals and admirals to speak out in defense of humanitarian law and human rights. These efforts are but a small subset of the broader activities of civil society, at home and abroad, that helped to bring to public attention the Bush administration’s most questionable initiatives, and to portray the initiatives as contrary to the rule of law. At their best, civil society organizations help forge a politics of the rule of law, in which there is a symbiotic relationship between politics and law: the appeal to law informs a particular politics, and that politics reinforces the law’s appeal, in a mutually reinforcing relation. Posner and Vermeule understand the importance of politics as a checking force in the modern world, but fail to see the critical qualification that the politics must be organized around a commitment to fundamental principles of liberty, equality, due process, and the separation of powers – in short, the rule of law. Margulies and Metcalf recognize that politics as much as law determines the reality of rights protections, but fail to identify the unique role that civil society organizations play in that process. It is not that the “rule of politics” has replaced the “rule of law,” but that, properly understood, a politics of law is a critical supplement to the rule of law. We cannot survive as a constitutional democracy true to our principles without both. And our survival turns, not only on a vibrant constitution, but on a vibrant civil society dedicated to reinforcing and defending constitutional values.

### State 2AC

#### Negative state action in a positive direction proves that the state can be used to stop doing bad things

Barbrook 97 Dr. Richard Barbrook, Hypermedia Research Centre – U. of Westminster, 6-5-1997, “More Provocations,” Amsterdam.nettime.org/Lists-Archives/nettime-1-9706/msg00034.html

I thought that this position is clear from my remarks about the ultra-left posturing of the ‘zero-work’ demand. In Europe, we have real social problems of deprivation and poverty which, in part, can only be solved by state action. This does not make me a statist, but rather anti-anti-statist. By opposing such intervention because they are carried out by the state anarchists are tacitly lining up with the neo-liberals. Even worse, refusing even to vote for the left, they acquiese to rule by neo-liberal parties. I deeply admire direct action movements. I was a radio pirate and we provide server space for anti-roads and environmental movements. However, this doesn’t mean that I support political abstentionism or, even worse, the mystical nonsense produced by Hakim Bey. It is great for artists and others to adopt a marginality as a life style choice, but most of the people who are economically and socially marginalised were never given any choice. They are excluded from society as a result of deliberate policies of deregulation, privatisation and welfare cutbacks carried out by neo-liberal governments. During the ‘70s. I was a pro-situ punk rocker until Thatcher got elected. Then we learnt the hard way that voting did change things and lots of people suffered if state power was withdrawn from certain areas of our life, such as welfare and employment. Anarchism can be a fun artistic pose. However, human suffering is not.

#### Talking about the state does not mean we grant it legitimacy. Justifying proposals need specific solvency that works within the system ---- proves the alt lacks solvency

Frost 96 Mervyn FROST, Professor, University of Kent [Ethics In International Relations A Constitutive Theory, pp. 90-91, JT]

A first objection which seems inherent in Donelan's approach is that utilizing the modern state domain of discourse in effect sanctifies the state: it assumes that people will always live in states and that it is not possible within such a language to consider alternatives to the system. This objection is not well founded. By having recourse to the ordinary language of international relations I am not thereby committed to argue that the state system as it exists is the best mode of human political organization or that people ought always to live in states as we know them. As I have said, my argument is that whatever proposals for piecemeal or large-scale reform of the state system are made, they must of necessity be made in the language of the modern state. Whatever proposals are made, whether in justification or in criticism of the state system, will have to make use of concepts which are at present part and parcel of the theory of states. Thus, for example, any proposal for a new global institutional arrangement superseding the state system will itself have to be justified, and that justification will have to include within it reference to a new and good form of individual citizenship, reference to a new legislative machinery equipped with satisfactory checks and balances, reference to satisfactory law enforcement procedures, reference to a satisfactory arrangement for distributing the goods produced in the world, and so on. All of these notions are notions which have been developed and finely honed within the theory of the modern state. It is not possible to imagine a justification of a new world order succeeding which used, for example, feudal, or traditional/tribal, discourse. More generally there is no worldwide language of political morality which is not completely shot through with state-related notions such as citizenship, rights under law, representative government and so on.

## Round 4 v. Wyoming BC

### Warming 2AC

#### Catastrophic warming reps are good—it’s the only way to motivate response—their empirics are attributable to climate denialism

Romm 12(Joe Romm is a Fellow at American Progress and is the editor of Climate Progress, which New York Times columnist Tom Friedman called "the indispensable blog" and Time magazine named one of the 25 “Best Blogs of 2010.″ In 2009, Rolling Stone put Romm #88 on its list of 100 “people who are reinventing America.” Time named him a “Hero of the Environment″ and “The Web’s most influential climate-change blogger.” Romm was acting assistant secretary of energy for energy efficiency and renewable energy in 1997, where he oversaw $1 billion in R&D, demonstration, and deployment of low-carbon technology. He is a Senior Fellow at American Progress and holds a Ph.D. in physics from MIT., 2/26/2012, “Apocalypse Not: The Oscars, The Media And The Myth of ‘Constant Repetition of Doomsday Messages’ on Climate”, http://thinkprogress.org/romm/2012/02/26/432546/apocalypse-not-oscars-media-myth-of-repetition-of-doomsday-messages-on-climate/#more-432546)

The two greatest myths about global warming communications are 1) constant repetition of doomsday messages has been a major, ongoing strategy and 2) that strategy doesn’t work and indeed is actually counterproductive! These myths are so deeply ingrained in the environmental and progressive political community that when we finally had a serious shot at a climate bill, the powers that be decided not to focus on the threat posed by climate change in any serious fashion in their $200 million communications effort (see my 6/10 post “Can you solve global warming without talking about global warming?“). These myths are so deeply ingrained in the mainstream media that such messaging, when it is tried, is routinely attacked and denounced — and the flimsiest studies are interpreted exactly backwards to drive the erroneous message home (see “Dire straits: Media blows the story of UC Berkeley study on climate messaging“) The only time anything approximating this kind of messaging — not “doomsday” but what I’d call blunt, science-based messaging that also makes clear the problem is solvable — was in 2006 and 2007 with the release of An Inconvenient Truth (and the 4 assessment reports of the Intergovernmental Panel on Climate Change and media coverage like the April 2006 cover of Time). The data suggest that strategy measurably moved the public to become more concerned about the threat posed by global warming (see recent study here). You’d think it would be pretty obvious that the public is not going to be concerned about an issue unless one explains why they should be concerned about an issue. And the social science literature, including the vast literature on advertising and marketing, could not be clearer **that only repeated messages have any chance of sinking in and moving the needle**. Because I doubt any serious movement of public opinion or mobilization of political action could possibly occur until these myths are shattered, I’ll do a multipart series on this subject, featuring public opinion analysis, quotes by leading experts, and the latest social science research. Since this is Oscar night, though, it seems appropriate to start by looking at what messages the public are exposed to in popular culture and the media. It ain’t doomsday. Quite the reverse, climate change has been mostly an invisible issue for several years and the message of conspicuous consumption and business-as-usual reigns supreme. The motivation for this post actually came up because I received an e-mail from a journalist commenting that the “constant repetition of doomsday messages” doesn’t work as a messaging strategy. I had to demur, for the reasons noted above. But it did get me thinking about what messages the public are exposed to, especially as I’ve been rushing to see the movies nominated for Best Picture this year. I am a huge movie buff, but as parents of 5-year-olds know, it isn’t easy to stay up with the latest movies. That said, good luck finding a popular movie in recent years that even touches on climate change, let alone one a popular one that would pass for doomsday messaging. Best Picture nominee The Tree of Life has been billed as an environmental movie — and even shown at environmental film festivals — but while it is certainly depressing, climate-related it ain’t. In fact, if that is truly someone’s idea of environmental movie, count me out. The closest to a genuine popular climate movie was the dreadfully unscientific The Day After Tomorrow, which is from 2004 (and arguably set back the messaging effort by putting the absurd “global cooling” notion in people’s heads! Even Avatar, the most successful movie of all time and “the most epic piece of environmental advocacy ever captured on celluloid,” as one producer put it, omits the climate doomsday message. One of my favorite eco-movies, “Wall-E, is an eco-dystopian gem and an anti-consumption movie,” but it isn’t a climate movie. I will be interested to see The Hunger Games, but I’ve read all 3 of the bestselling post-apocalyptic young adult novels — hey, that’s my job! — and they don’t qualify as climate change doomsday messaging (more on that later). So, no, the movies certainly don’t expose the public to constant doomsday messages on climate. Here are the key points about what repeated messages the American public is exposed to: The broad American public is exposed to virtually **no doomsday messages**, let alone constant ones, on climate change in popular culture (TV and the movies and even online). There is not one single TV show on any network devoted to this subject, which is, arguably, more consequential than any other preventable issue we face. The same goes for the news media, whose coverage of climate change has collapsed (see “Network News Coverage of Climate Change Collapsed in 2011“). When the media do cover climate change in recent years, the overwhelming majority of coverage is devoid of any doomsday messages — and many outlets still feature hard-core deniers. Just imagine what the public’s view of climate would be if it got the same coverage as, say, unemployment, the housing crisis or even the deficit? When was the last time you saw an “employment denier” quoted on TV or in a newspaper? The public is exposed to constant messages promoting business as usual and indeed idolizing conspicuous consumption. See, for instance, “Breaking: The earth is breaking … but how about that Royal Wedding? Our political elite and intelligentsia, including MSM pundits and the supposedly “liberal media” like, say, MSNBC, hardly even talk about climate change and when they do, it isn’t doomsday. Indeed, there isn’t even a single national columnist for a major media outlet who writes primarily on climate. Most “liberal” columnists rarely mention it. At least a quarter of the public chooses media that devote a vast amount of time to the notion that global warming is a hoax and that environmentalists are extremists and that clean energy is a joke. In the MSM, conservative pundits routinely trash climate science and mock clean energy. Just listen to, say, Joe Scarborough on MSNBC’s Morning Joe mock clean energy sometime. The major energy companies bombard the airwaves with millions and millions of dollars of repetitious pro-fossil-fuel ads. The environmentalists spend far, far less money. As noted above, the one time they did run a major campaign to push a climate bill, they and their political allies including the president explicitly did NOT talk much about climate change, particularly doomsday messaging Environmentalists when they do appear in popular culture, especially TV, are routinely mocked. There is very little mass communication of doomsday messages online. Check out the most popular websites. General silence on the subject, and again, what coverage there is ain’t doomsday messaging. Go to the front page of the (moderately trafficked) environmental websites. Where is the doomsday? If you want to find anything approximating even modest, blunt, science-based messaging built around the scientific literature, interviews with actual climate scientists and a clear statement that we can solve this problem — well, you’ve all found it, of course, but the only people who see it are those who go looking for it. Of course, this blog is not even aimed at the general public. Probably 99% of Americans haven’t even seen one of my headlines and 99.7% haven’t read one of my climate science posts. And Climate Progress is probably the most widely read, quoted, and reposted climate science blog in the world. Anyone dropping into America from another country or another planet who started following popular culture and the news the way the overwhelming majority of Americans do would get the distinct impression that **nobody who matters is terribly worried about climate change**. And, of course, they’d be right — see “The failed presidency of Barack Obama, Part 2.” It is total BS that somehow the American public **has been scared and overwhelmed by repeated doomsday messaging into some sort of climate fatigue**. If the public’s concern has dropped — and public opinion analysis suggests it has dropped several percent (though is bouncing back a tad) — that is **primarily due to the conservative media’s disinformation** **campaign** impact on Tea Party conservatives and to the treatment of this as a nonissue by most of the rest of the media, intelligentsia and popular culture.

### Military Key: 2AC

#### Military is massive emitter – sending a signal of legal compliance is crucial to international perception

Horton 11 [Laura, Doctor of Jurisprudence Candidate 2012, Golden Gate University School of Law, FUTURE FORCE SUSTAINABILITY: DEPARTMENT OF DEFENSE AND ENERGY EFFICIENCY IN A CHANGING CLIMATE, 2011 Golden Gate University Golden Gate University Environmental Law Journal Spring, 2011, L/N]

The United States military is the single largest consumer of fuel in the world. n39 As a result, it has impaired the atmosphere considerably through GHG emissions, which is possibly the DOD's most significant contribution to the planet's ecological destabilization. n40 In 2007, at the [\*308] height of the Iraq and Afghanistan wars, usage was up to sixteen gallons of fuel a day per soldier, which is about three million dollars worth of fuel per day. n41 Those numbers are a major increase from one gallon of fuel a day per soldier during World War II, or even the four gallons of fuel a day during Desert Storm. n42 The military uses about 100 million barrels of oil per year, which is enough to fuel 1,000 cars to drive around the world 4,620 times. n43 At one point, the Army went through forty million gallons of fuel during just three weeks of combat in Iraq. n44 That is almost two million gallons per day, the total combined amount of gasoline used by the Allied armies during World War I. n45 Ninety-four percent of this energy is used for "mobility energy," or the energy required for training, moving, and sustaining forces, weapons, and equipment for military operations around the world. n46 Even without the Iraq and Afghanistan wars, the DOD would still be the largest oil-consuming governmental entity in the world. n47 Approximately 70% of fuel used by the DOD is jet fuel, making the Air Force the largest fossil-fuel-consuming branch in the military. n48 These estimates do not even include the amount of fuel consumption by military contractors. The military increasingly relies on private contractors in the wars in Iraq and Afghanistan. n49 The DOD spends billions of dollars each year on contractors, which provide services such as base support, construction, security, training local security forces, and transportation. Contractors are estimated to make up 40-60% of the workforce in recent operations. n50 Because of the strong presence of private contractors, there is potential for massive amounts of [\*309] fuel use in that sector of military operations. In 2008, the United States Energy Information Agency (EIA) reported that the total conventional energy use by the military was 889 trillion British thermal units (Btu) for the year. n51 Most of that energy came from the use of petroleum products. n52 Scientists calculated that carbon dioxide emissions from the military's total energy use as reported by the EIA amounted to 85 million metric tons (MMt) plus an additional 87 MMt from "manufacturing of materials, equipment, military infrastructure, vehicles, and munitions." n53 Therefore, total military carbon dioxide emissions are approximately 1.5% of total United States emissions, which was calculated at 5,839 MMt of carbon dioxide emissions in 2008 by the Department of Energy (DOE). n54 Carbon dioxide, along with other GHGs such as nitrous oxide, methane, sulfur hexafluoride, hydro-fluorocarbons, and per-fluorocarbons, causes global climate change. n55 The impacts of such a drastic destabilization of the earth's climate are increasingly visible. n56 Almost all of the world's glaciers are melting, the oceans are becoming warmer and more acidic, and animal ranges are shifting. n57 According to the Intergovernmental Panel on Climate Change, "global average sea level rose at an average rate of 1.8 [1.3 to 2.3] mm per year over 1961 to 2003 and at an average rate of about 3.1 [2.4 to 3.8] mm per year from 1993 to 2003." n58 Climate change has created extreme weather-pattern changes both in frequency and intensity over the last fifty years. n59 Frosts have become less frequent over most land areas, while hot days and hot nights have become more frequent; heat waves have become more frequent over most land areas; the frequency of heavy precipitation events (or [\*310] proportion of total rainfall from heavy falls) has increased over most areas; and the incidence of extreme high sea level has increased at a broad range of sites worldwide since 1975. n60 The military is a significant contributor to climate change, and the effects of climate change will prove to be substantially more difficult to deal with than past visible harms such as hazardous waste sites. This is because, as the DOD has acknowledged, the large-scale physical changes on the earth and in the atmosphere are already being observed on a global level. n61 The debate over balancing national security concerns with environmental protection has never been so important, as international concerns over climate change have reached a feverish pitch. These concerns have been recognized by military leaders who, in 2007, issued the National Security and the Threat of Climate Change report. n62 The report was prepared by the CNA, a nonprofit national security analysis organization, in order to inform United States policymakers and the military about the threat of climate change. n63 CNA convened a "Military Advisory Board" comprising several retired senior military officers and national security experts to assist in compiling and analyzing all of the data. n64 Upon analyzing the climate-change issue, CNA and the Military Advisory Board determined that the "nature and pace of climate change being observed today and the consequences projected by the consensus scientific opinion are grave and pose equally grave implications for our national security." n65 The report was unprecedented, because the idea that an environmental problem is also a national security risk is a novel but important declaration considering the past conflict between environmental concerns and national security. The implications of such a report are vast and could result in the greatest clean-up effort by the military to date in the form of alternative energy development.

### T – Hostilities – 2AC

#### Hostilities a state of confrontation

Hardy 84 (William H, Pacific Law Journal Issue 265, Tug of War: The War Powers Resolution and the Meaning of Hostilities, P 281-282)

The House Foreign Affairs Committee (hereinafter H.F.A.C) has adopted its own deﬁnition of hostilities. The H.F.A.C. Report discusses the background, constitutional context, and intent of the WPR. The section-by-section analysis of the H.F.A.C. Report is the clearest statement of the definition of hostilities to be found: The word hostilities was substituted for the phrase armed conﬂict during the subcommittee drafting process because it was considered to be somewhat broader in scope. In addition to a situation in which ﬁghting actually has begun, hostilities also encompasses a state of confrontation in which no shots have been fired but where there is a clear and present danger of armed conflict. Imminent hostilities denotes a situation in which there is a clear potential either for such a state of confrontation or for actual armed conflict. Hearings were held during the Ford Administration in which Chair- man Zablocki used the definition as a benchmark in questioning legal advisors to the President)” The use of this deﬁnition by Zablocki supports a broad interpretation of hostilities because **as long as a clear and present danger of armed conﬂict exists**, even though no shots have been ﬁred, hostilities are present.United States forces are not required to accompany foreign forces in combat or on operational patrols. The President, however, has persisted in defining hostilities more narrowly than Congress apparently intended. The Ford and Reagan Administrations have both adopted a narrow deﬁnition of hostilities that conﬂicts with the H.F.A.C. deﬁnition.

#### Education - Broad definitions are key to topic education

Hardy 84 (William H, Pacific Law Journal Issue 265, Tug of War: The War Powers Resolution and the Meaning of Hostilities, P 277-278)

The determination that “hostilities” is an ambiguous term and therefore, susceptible to different meanings, is supported by selected provisions from congressional hearings. In general, opposition to deﬁning hostilities precisely or too narrowly was evidenced throughout congressional hearing records. The idea of making a “laundry list” or spelling out the circumstances in which the President may involve the military in the absence of a declaration of war was rejected.'°’ Rather than attempting to codify the circumstances that define hostilities, Professor Bickel, a noted constitutional law expert and Professor of Law at Yale University, stated that the preferable mode was a good faith understanding of the term and an assumption that Presidents would act in good faith to discharge their duties.“ Senator Javits, one of the chief sponsors of the WPR, acknowledged that the resolu- tion did not endeavor to spell out a definition of hostilities, but adopted the term as a word of basic understanding)" Members of Congress recognized the peril in trying to be too exact with defini- tions because of the difficulties in achieving a terminology that could anticipate all the emergencies which might arise. By choosing a general approach, rather than trying to be too exact in deﬁnitions, something was “left to judgment, the intelligence, [and] the wisdom” of members of Congress and the President.'" Based on the hearings, some evidence also exists that hostilities was deliberately left undefined and ambiguous so that the meaning of the word could be clariﬁed or gradually spelled out by experience.

### K 2AC

#### Security is not the root cause.

**Kydd**, Autumn **1997** (Andrew – assistant professor of political science at the University of California, Riverside, Sheep in Sheep’s clothing: Why security seekers do not fight each other, Security Studies, 7:1, p. 154)

The alternative I propose, motivational realism, argues that arms races and wars typically involve at least one genuinely greedy state, that is, states that often sacriﬁce their security in bids for power. In the case of the First World War, the four continental powers all had serious nonsecurity-related quarrels that played an indispensable role in producing the war. France was eager to regain Alsace-Lorraine, Russia sought hegemony over fellow Slavs in the Balkans when it could hardly integrate its own bloated empire, Ger- many dreamed of Weltpolitik and empire in the Levant, while Austria-Hungary was focused on its own imminent ethnic meltdown. All of these powers, had they sought just to be secure against foreign threat, could easily have conveyed that to each other and refrained from arms competition and war. Instead they engaged in competitions for power which eventually led to war. As for the Second World War, few structural realists will make a sustained case that Hitler was genuinely motivated by a rational pursuit of security for Germany and the other German statesmen would have responded in the same way to Germany’s international situation. Even Germen generals opposed Hitler’s military adventurism until 1939; it is difficult to imagine a less forceful civilian leader overruling them and leading Germany in an oath of conquest. In the case of the cold war, it is again difficult to escape the conclusion that the Soviet Union was indeed expansionist before Gorbachev and not solely motivated by security concerns. The increased emphasis within international relations scholarship on explaining the nature and origins of aggressive expansionists states reflects a growing consensus that aggressive states are at the root of conflict, not security concerns.

#### -----Securitizing the environment is good – builds public awareness to solve

**Matthew 2**, Richard A, associate professor of international relations and environmental political at the University of California at Irvine, Summer (ECSP Report 8:109-124)

In addition, environmental security's language and findings can benefit conservation and sustainable development."' Much environmental security literature emphasizes the importance of development assistance, sustainable livelihoods, fair and reasonable access to environmental goods, and conservation practices as the vital upstream measures that in the long run will contribute to higher levels of human and state security. The Organization for Economic Cooperation and Development (OECD) and the International Union for the Conservation of Nature (IUCN) are examples of bodies that have been quick to recognize how the language of environmental security can help them. The scarcity/conflict thesis has alerted these groups to prepare for the possibility of working on environmental rescue projects in regions that are likely to exhibit high levels of related violence and conflict. These groups are also aware that an association with security can expand their acceptance and constituencies in some countries in which the military has political control, For the first time in its history; the contemporary environmental movement can regard military and intelligence agencies as potentialallies in the struggle to contain or reverse humangenerated environmental change. (In many situations, of course, the political history of the military--as well as its environmental record-raise serious concerns about the viability of this cooperation.) Similarly, the language of security has provided a basis for some fruitful discussions between environmental groups and representatives of extractive industries. In many parts of the world, mining and petroleum companies have become embroiled in conflict. These companies have been accused of destroying traditional economies, cultures, and environments; of political corruption; and of using private militaries to advance their interests. They have also been targets of violence, Work is now underway through the environmental security arm of the International Institute for Sustainable Development (IISD) to address these issues with the support of multinational corporations. Third, the general conditions outlined in much environmental security research can help organizations such as USAID, the World Bank, and IUCN identify priority cases--areas in which investments are likely to have the greatest ecological and social returns. For all these reasons, IUCN elected to integrate environmental security into its general plan at the Amman Congress in 2001. Many other environmental groups and development agencies are taking this perspective seriously (e.g. Dabelko, Lonergan& Matthew, 1999). However, for the most part these efforts remain preliminary.' Conclusions Efforts to dismiss environment and security research and policy activities on the grounds that they have been unsuccessful are premature and misguided. This negative criticism has all too often been based on an excessively simplified account of the research findings of Homer-Dixon and a few others. Homer-Dixon’s scarcity-conflict thesis has made important and highly visible contributions to the literature, but it is only a small part of a larger and very compelling theory. This broader theory has roots in antiquity and speaks to the pervasive conflicts and security implications of complex nature-society relationships. The theory places incidents of violence in larger structural and historical contexts while also specifying contemporarily significant clusters of variables. From this more generalized and inclusive perspective, violence and conflict are revealed rarely as a society’s endpoint and far more often as parts of complicated adaptation processes. The contemporary research on this classical problematic has helped to revive elements of security discourse and analysis that were marginalized during the Cold War. It has also made valuable contributions to our understanding of the requirements of human security, the diverse impacts of globalization, and the nature of contemporary transnational security threats. Finall,y environmental security research has been valuable in myriad ways to a range of academics, policymakers, and activists, although the full extent of these contributions remains uncertain, rather than look for reasons to abandon this research and policy agenda, now is the time to recognize and to build on the remarkable achievements of the entire environmental security field.

#### Failure to securitize the environment causes war

Kumari 12 -- International Relations Masters graduate @ University of Nottingham (Parmila, 1/29/12, "Securitising The Environment: A Barrier To Combating Environment Degradation Or A Solution In Itself?" <http://www.e-ir.info/2012/01/29/securitising-the-environment-a-barrier-to-combating-environment-degradation-or-a-solution-in-itself/>)

In any case, any disadvantages of ‘loosening’ of security may not outweigh the possible benefits. Securitising the environment attracts the attention of high-level decision makers and results in the mobilisation of resources (Detraz and Betsill 2009:303) because “security encapsulates danger much better than concepts like sustainability, vulnerability or adaptation” (Barnett 2003:14). It is also ideal in that it facilitates communication between a diverse range of interests, which is important since environmental degradation impacts more than just one party (Barnett 2001:136). Consider the following scenario. Continued population growth means greater pressure on governments to provide adequate food, housing, jobs and healthcare. The task is all the more difficult for developing countries, where funds previously going to resource conservation are redirected to meet basic needs. Scarcity of resources due to lack of resource conservation is bad news for these countries’ economic performance, as resources are the natural capital contributions to the economy. This could lead to political instability and conflict, pushing people out of their homes to seek refuge across borders. These refugees will create extra demand for food and place new burdens on the land in the place where they settle (Mathews 1989:162-168). This is one of many paths down which population growth can take states, but the point is that resource scarcity in one area can spread its effects across borders. This is especially so now due to economic interdependence. If the effects of environmental degradation do not respect borders/areas, then this presents a case for cooperation with all those people in the world that are affected. If securitisation achieves high awareness and facilitates communication from various interested parties, then it seems worthwhile. In this way securitisation may allow the meaning of environmental security to be stood and pronounced not just from one place, but from many. The amalgamation of these standpoints may just lead to the closest thing possible to a neutral one.

#### K doesn’t come first

**Owens 2002** (David – professor of social and political philosophy at the University of Southampton, Re-orienting International Relations: On Pragmatism, Pluralism and Practical Reasoning, Millenium, p. 655-657)

Commenting on the ‘philosophical turn’ in IR, Wæver remarks that ‘[a] frenzy for words like “epistemology” and “ontology” often signals this philosophical turn’, although he goes on to comment that these terms are often used loosely.4 However, loosely deployed or not, it is clear that debates concerning ontology and epistemology play a central role in the contemporary IR theory wars. In one respect, this is unsurprising since it is a characteristic feature of the social sciences that periods of disciplinary disorientation involve recourse to reflection on the philosophical commitments of different theoretical approaches, and there is no doubt that such reflection can play a valuable role in making explicit the commitments that characterise (and help individuate) diverse theoretical positions. Yet, such a philosophical turn is not without its dangers and I will briefly mention three before turning to consider a confusion that has, I will suggest, helped to promote the IR theory wars by motivating this philosophical turn. The first danger with the philosophical turn is that it has an inbuilt tendency to prioritise issues of ontology and epistemology **over explanatory** and/or interpretive **power** as if the latter two were merely a **simple function** of the former. But while the explanatory and/or interpretive power of a theoretical account is not wholly independent of its ontological and/or epistemological commitments (otherwise criticism of these features would not be a criticism that had any value), **it is by no means clear that it is**, in contrast, wholly dependent **on these philosophical commitments**. Thus, for example, one need not be sympathetic to rational choice theory to recognise that it can provide powerful accounts of certain kinds of problems, such as the tragedy of the commons in which dilemmas of collective action are foregrounded. It may, of course, be the case that the advocates of rational choice theory cannot give a good account of why this type of theory is powerful in accounting for this class of problems (i.e., how it is that the relevant actors come to exhibit features in these circumstances that approximate the assumptions of rational choice theory) and, if this is the case, it is a philosophical weakness—but **this does not undermine** the point that, for a certain class of problems, rational choice theory may provide the best account available to us. In other words, while the critical judgement of theoretical accounts in terms of their ontological and/or epistemological sophistication is one kind of critical judgement, **it is not the only or even necessarily the** most important kind. The second danger run by the philosophical turn is that because prioritisation of ontology and epistemology promotes theory-construction from philosophical first principles, it cultivates a theory-driven rather than problem-driven approach to IR. Paraphrasing Ian Shapiro, the point can be put like this: since it is the case that there is always a plurality of possible true descriptions of a given action, event or phenomenon, the challenge is to decide which is the most apt in terms of getting a perspicuous grip on the action, event or phenomenon in question given the purposes of the inquiry; yet, from this standpoint, ‘theory-driven work is part of a reductionist program’ in that it ‘dictates always opting for the description that calls for the explanation that flows from the preferred model or theory’.5 The justification offered for this strategy rests on the mistaken belief that it is necessary for social science because general explanations are required to characterise the classes of phenomena studied in similar terms. However, as Shapiro points out, this is to misunderstand the enterprise of science since ‘whether there are general explanations for classes of phenomena is a **question for social-scientific inquiry**, not to be prejudged before conducting that inquiry’.6 Moreover, this strategy easily slips into the promotion of the pursuit of generality over that of empirical validity. The third danger is that the preceding two combine to encourage the formation of a particular image of disciplinary debate in IR—what might be called (only slightly tongue in cheek) ‘the Highlander view’—namely, an image of warring theoretical approaches with each, despite occasional temporary tactical alliances, dedicated to the strategic achievement of sovereignty over the disciplinary field. It encourages this view because the turn to, and prioritisation of, ontology and epistemology stimulates the idea that there can only be one **theoretical approach which gets things right**, namely, the theoretical approach that gets its ontology and epistemology right. This image feeds back into IR exacerbating the first and second dangers, and so a potentially vicious circle arises.

#### -- Alternative fails – critical theory has no mechanism to translate theory into practice

**Jones 99** (Richard Wyn, Lecturer in the Department of International Politics – University of Wales, Security, Strategy, and Critical Theory, CIAO, http://www.ciaonet.org/book/wynjones/wynjones06.html)

Because emancipatory political practice is central to the claims of critical theory, one might expect that proponents of a critical approach to the study of international relations would be reflexive about the relationship between theory and practice. Yet their thinking on this issue thus far does not seem to have progressed much beyond **grandiose statements of intent**. There have been no systematic considerations of how critical international theory can help generate, support, or sustain emancipatory politics beyond the seminar room or conference hotel. Robert Cox, for example, has described the task of critical theorists as providing “a guide to strategic action for bringing about an alternative order” (R. Cox 1981: 130). Although he has also gone on to identify possible agents for change and has outlined the nature and structure of some feasible alternative orders, he has not explicitly indicated whom he regards as the addressee of critical theory (i.e., who is being guided) and thus how the theory can hope to become a part of the political process (see R. Cox 1981, 1983, 1996). Similarly, Andrew Linklater has argued that “a critical theory of international relations must regard the practical project of extending community beyond the nation–state as its most important problem” (Linklater 1990b: 171). However, he has little to say about the role of theory in the realization of this “practical project.” Indeed, his main point is to suggest that the role of critical theory “is not to offer instructions on how to act but to reveal the existence of unrealised possibilities” (Linklater 1990b: 172). But the question still remains, reveal to whom? Is the audience enlightened politicians? Particular social classes? Particular social movements? Or particular (and presumably particularized) communities? In light of Linklater’s primary concern with emancipation, one might expect more guidance as to whom he believes might do the emancipating and how critical theory can impinge upon the emancipatory process. There is, likewise, little enlightenment to be gleaned from Mark Hoffman’s otherwise important contribution. He argues that critical international theory seeks not simply to reproduce society via description, but to understand society and change it. It is both descriptive and constructive in its theoretical intent: it is both an intellectual and a social act. It is not merely an expression of the concrete realities of the historical situation, but also a force for change within those conditions. (M. Hoffman 1987: 233) Despite this very ambitious declaration, once again, Hoffman gives no suggestion as to how this “force for change” should be operationalized and what concrete role critical theorizing might play in changing society. Thus, although the critical international theorists’ critique of the role that more conventional approaches to the study of world politics play in reproducing the contemporary world order may be persuasive, their account of the relationship between their own work and emancipatory political practice is unconvincing. Given the centrality of practice to the claims of critical theory, this is a very significant weakness. Without some plausible account of the **mechanisms** by which they hope to aid in the achievement of their emancipatory goals, proponents of critical international theory are hardly in a position to justify the assertion that “it represents the next stage in the development of International Relations theory” (M. Hoffman 1987: 244). Indeed, without a more convincing conceptualization of the theory–practice nexus, one can argue that critical international theory, by its own terms, has no way of redeeming some of its central epistemological and methodological claims and thus that it is a **fatally flawed** enterprise.

#### - Turn – demanding limitations on war powers reverses power relations and encourages resistance to the state

**Campbell 98** (David, Professor of International Relations – University of Newcastle, Writing Security: United States Foreign Policy and the Politics of Identity, p. 203-205)

Recognizing the possibility of rearticulating danger leads us to a final question: what modes of being and forms of life could we or should we adopt? To be sure, a comprehensive attempt to answer such a question is beyond the ambit of this book. But it is important to note that asking the question in this way mistakenly implies that such possibilities exist only in the future. Indeed, the extensive and inten­sive nature of the relations of power associated with the society of security means that there has been and remains a not inconsiderable freedom to explore alternative possibilities. While traditional analy­ses of power are often economistic and negative, Foucault’s under­standing of power emphasizes its productive and enabling nature. Even more important, his understanding of power emphasizes the ontology of freedom presupposed by the existence of disciplinary and normalizing practices. Put simply, there cannot be relations of power unless subjects are in the first instance free: the need to institute negative and constraining power practices comes about only because without them freedom would abound. Were there no possibility of freedom, subjects would not act in ways that required containment so as to effect order.37 Freedom, though, is not the absence of power. On the contrary, because it is only through power that subjects exercise their agency, freedom and power cannot be separated. As Foucualt maintains: At the very heart of the power relationship, and constantly provok­ing it, are the recalcitrance of the will and the intransigence of free­dom. Rather than speaking of an essential freedom, it would be better to speak of an “agonism” — of a relationship which is at the same time reciprocal incitation and struggle; less of a face-to-face confronta­tion which paralyzes both sides than a permanent provocation.38 The political possibilities enabled by this permanent provocation of power and freedom can be specified in more detail by thinking in terms of the predominance of the “bio-power” discussed above. In this sense, because the governmental practices of biopolitics in Western nations have been increasingly directed towards modes of being and forms of life—such that sexual conduct has become an object of concern, individual health has been figured as a domain of discipline, and the family has been transformed into an instrument of government—the ongoing agonism between those pratices and the freedom they seek to contain means that individuals have articulataed a series of counterdemands drawn from those new fields of concern. For example, as the state continues to prosecute people according to sexual orientation, human rights activists have proclaimed the right of gays to enter into formal marriages, adopt children, and receive the same health and insurance benefits granted to their straight coun­terparts. These claims are a consequence of the permanent provoca­tion of power and freedom in biopolitics, and stand as testament to the **“strategic reversibility”** **of power relations**: if the terms of governmental practices can be made into focal points for resistances, then the “history of government as the ‘conduct of conduct’ is interwoven with the history of dissenting ‘counterconducts,’” Indeed, the emergence of the state as the major articulation of “the political” has involved an **unceasing agonism** between those in office and those they rule. State intervention in everyday life has long incited popular collective action, **the result** of which **has been** both **resistance to the state** and new claims upon the state. In particular, “the core of what we now call ‘citizenship’ . . .consists of multiple bargains hammered out by rulers and ruled in the course of their struggles over the means of state action, especially the making of war.” **In** more **recent times, constituencies associated with** women’s, youth, ecological, and peace movements (among others) **have** also **issued claims on society**.

#### ---No impact

**Dickinson 4** (Dr. Edward Ross, Professor of History – University of Cincinnati, “Biopolitics, Fascism, Democracy: Some Reflections on Our Discourse About ‘Modernity’”, Central European History, 37(1), p. 18-19)

In an important programmatic statement of 1996 Geoff Eley celebrated the fact that Foucault’s ideas have “fundamentally directed attention away from institutionally centered conceptions of government and the state . . . and toward a dispersed and decentered notion of power and its ‘microphysics.’”48 The “broader, deeper, and less visible ideological consensus” on “technocratic reason and the ethical unboundedness of science” was the focus of his interest.49 But the “power-producing effects in Foucault’s ‘microphysical’ sense” (Eley) of the construction of social bureaucracies and social knowledge, of “an entire institutional apparatus and system of practice” ( Jean Quataert), simply do not explain Nazi policy.50 The destructive dynamic of Nazism was a product not so much of a particular modern set of ideas as of a particular modern political structure, one that could realize the disastrous potential of those ideas. What was critical was not the expansion of the instruments and disciplines of biopolitics, which occurred everywhere in Europe. Instead, it was the principles that guided how those instruments and disciplines were organized and used, and the external constraints on them. In National Socialism, biopolitics was shaped by a totalitarian conception of social management focused on the power and ubiquity of the völkisch state. In democratic societies, biopolitics has historically been **constrained** by a rights-based strategy of social management. This is a point to which I will return shortly. For now, the point is that what was decisive was actually politics at the level of the state. A comparative framework can help us to clarify this point. Other states passed compulsory sterilization laws in the 1930s — indeed, individual states in the United States had already begun doing so in 1907. Yet they **did not proceed** tothe next steps adopted by National Socialism — mass sterilization, mass “eugenic” abortion and murder of the “defective.” Individual figures in, for example, the U.S. did make such suggestions. But **neither** the **political structures** of democratic states **nor** their **legal and political principles** **permitted** such policies actually being enacted. Nor did the scale of forcible sterilization in other countries match that of the Nazi program. I do not mean to suggest that such programs were not horrible; but in a **democratic** political **context** they did not develop the dynamic of constant radicalization and escalation that characterized Nazi policies.

#### -- Alt can’t solve --Appeals for institutional restrain are a crucial supplement to political resistance to executive power.

David COLE Law @ Georgetown ’12 “The Politics of the Rule of Law: The Role of Civil Society in the Surprising Resilience of Human Rights in the Decade after 9/11” http://www.law.uchicago.edu/files/files/Cole%201.12.12.pdf p. 51-53

As I have shown above, while political forces played a significant role in checking President Bush, what was significant was the particular substantive content of that politics; it was not just any political pressure, but pressure to maintain fidelity to the rule of law. Politics standing alone is as likely to fuel as to deter executive abuse; consider the lynch mob, the Nazi Party in Germany, or xenophobia more generally. What we need if we are to check abuses of executive power is a politics that champions the rule of law. Unlike the politics Posner and Vermeule imagine, this type of politics cannot be segregated neatly from the law. On the contrary, it will often coalesce around a distinctly legal challenge, objecting to departures from distinctly legal norms, heard in a court case, as we saw with Guantanamo. Congress’s actions make clear that had Guantanamo been left to the political process, there would have been few if any advances. The litigation generated and concentrated political pressure on claims for a restoration of the values of legality, and, as discussed above, that pressure then played a critical role in the litigation’s outcome, which in turn affected the political pressure for reform. There is, to be sure, something paradoxical about this assessment. The rule of law, the separation of powers, and human rights are designed to discipline and constrain politics, out of a concern that pure majoritarian politics, focused on the short term, is likely to discount the long-term values of these principles. Yet without a critical mass of political support for these legal principles, they are unlikely to be effective checks on abuse, for many of the reasons Posner andVermeule identify. The answer, however, is not to abandon the rule of law for politics, but to develop and nurture a political culture that values the rule of law itself. Civil society organizations devoted to such values, such as Human Rights Watch, the Center for Constitutional Rights, and the American Civil Liberties Union, play a central role in facilitating, informing, and generating that politics. Indeed, they have no alternative. Unlike governmental institutions, civil society groups have no formal authority to impose the limits of law themselves. Their recourse to the law’s limits is necessarily indirect: they can file lawsuits seeking judicial enforcement, lobby Congress for statutory reform or other legislative responses, or seek to influence the executive branch. But they necessarily and simultaneously pursue these goals through political avenues – by appealing to the public for support, educating the public, exposing abuses, and engaging in public advocacy around rule-of-law values. Unlike ordinary politics, which tends to focus on the preferences of the moment, the politics of the rule of law is committed to a set of long-term principles. Civil society organizations are uniquely situated to bring these long-term interests to bear on the public debate. Much like a constitution itself, civil society groups are institutionally designed to emphasize and reinforce our long-term interests. When the ordinary political process is consumed by the heat of a crisis, organizations like the ACLU, Human Rights First, and the Center for Constitutional Rights, designed to protect the rule of law, are therefore especially important. While Congress and the courts were at best compromised and at worst complicit in the abuses of the post-9/11 period, civil society performed admirably. The Center for Constitutional Rights brought the first lawsuit seeking habeas review at Guantanamo, and went on to coordinate a nationwide network of volunteer attorneys who represented Guantanamo habeas petitioners. The ACLU filed important lawsuits challenging secrecy and government excesses, and succeeded in disclosing many details about the government’s illegal interrogation program. Both the ACLU and CCR filed lawsuits and engaged in public advocacy on behalf of torture and rendition victims, and challenging warrantless wiretapping. Human Rights Watch and Human Rights First wrote important reports on detention, torture, and Guantanamo, and Human Rights First organized former military generals and admirals to speak out in defense of humanitarian law and human rights. These efforts are but a small subset of the broader activities of civil society, at home and abroad, that helped to bring to public attention the Bush administration’s most questionable initiatives, and to portray the initiatives as contrary to the rule of law. At their best, civil society organizations help forge a politics of the rule of law, in which there is a symbiotic relationship between politics and law: the appeal to law informs a particular politics, and that politics reinforces the law’s appeal, in a mutually reinforcing relation. Posner and Vermeule understand the importance of politics as a checking force in the modern world, but fail to see the critical qualification that the politics must be organized around a commitment to fundamental principles of liberty, equality, due process, and the separation of powers – in short, the rule of law. Margulies and Metcalf recognize that politics as much as law determines the reality of rights protections, but fail to identify the unique role that civil society organizations play in that process. It is not that the “rule of politics” has replaced the “rule of law,” but that, properly understood, a politics of law is a critical supplement to the rule of law. We cannot survive as a constitutional democracy true to our principles without both. And our survival turns, not only on a vibrant constitution, but on a vibrant civil society dedicated to reinforcing and defending constitutional values.

#### Death anxiety is critical to recognizing a value to life.

Geshe **Kelsang**, Internationally Renowned Teacher of Buddhism, **99**

[“Fear of Death,” http://www.tharpa.com/background/fear-of-death.htm]

A healthy fear of death would be the fear of dying unprepared, as this is a fear we can do something about, a danger we can avert. If we have this realistic fear, this sense of danger, we are encouraged to prepare for a peaceful and successful death and are also inspired to make the most of our very precious human life instead of wasting it. This "sense of danger" inspires us to make preparations so that we are no longer in the danger we are in now, for example by practicing moral discipline, purifying our negative karma, and accumulating as much merit, or good karma, as possible. We put on a seat belt out of a sense of danger of the unseen dangers of traffic on the road, and that seat belt protects us from going through the windshield. We can do nothing about other traffic, but we can do something about whether or not we go through the windscreen if someone crashes into us. Dying with regrets is not at all unusual. To avoid a sad and meaningless end to our life we need to remember continually that we too must die. Contemplating our own death will inspire us to use our life wisely by developing the inner refuge of spiritual realizations; otherwise we shall have no ability to protect ourself from the sufferings of death and what lies beyond.

**Maximizing life allows people to decide their own values – their alternative is totalitarianism**

**Szacki, 1996** (Jerzy, Professor of Sociology at Warsaw University, Liberalism After Communism, p. 197)

Liberalism does not say which of these different moralities is better than others. It is neutral on this question and regards it neutrality as a virture. Liberalism as a political doctrine assumes that – as Joseph Raz wrote – **‘there are many** worthwhile and **valuable** relationships, commitments and **plans of life which are mutually incompatible’**. It recognizes that – as John Rawls put it – ‘a modern democratic society is characterized not simply by a pluralism of comprehensive religious, philosophical and moral doctrines but by a pluralism of incompatible yet reasonable comprehensive doctrines’. What is more, for a liberal this is not only a fact to take not of; he or she is ready to acknowledge that ‘now **this variety** of conceptions of the good **is itself a good thing,** that is, it is rational for members of a well-ordered society to want their plans to be different’. Thus, **the task of politics cannot and should not be to resolve the dispute among different conceptions of life. This is** completely unattainable or **attainable only by a totalitarian enslavement of society in the name of some one conception.** This being the case, according to Dworkin, **‘political decisions must be as far as possible independent of conceptions of** the good life, or **what gives value to life.** Since citizens of a society differ in these conceptions, the government does not treat them as equals if it prefers one conception to another’.

#### Life has intrinsic value that is unattached to instrumental capacity

Penner 5 (Melinda, Director of Operations – STR, “End of Life Ethics: A Primer”, Stand to Reason, http://www.str.org/site/News2?page=NewsArticle&id=5223)

Intrinsic value is very different. Things with intrinsic value are valued for their own sake. They don’t have to achieve any other goal to be valuable. They are goods in themselves. Beauty, pleasure, and virtue are likely examples. Family and friendship are examples. Something that’s intrinsically valuable might also be instrumentally valuable, but even if it loses its instrumental value, its intrinsic value remains. Intrinsic value is what people mean when they use the phrase "the sanctity of life." Now when someone argues that someone doesn’t have "quality of life" they are arguing that life is only valuable as long as it obtains something else with quality, and when it can’t accomplish this, it’s not worth anything anymore. It's only instrumentally valuable. The problem with this view is that it is entirely subjective and changeable with regards to what might give value to life. Value becomes a completely personal matter, and, as we all know, our personal interests change over time. There is no grounding for objective human value and human rights if it’s not intrinsic value. Our legal system is built on the notion that humans have intrinsic value. The Declaration of Independence: "We hold these truths to be self-evident, that all men are created equal, that each person is endowed by his Creator with certain unalienable rights...." If human beings only have instrumental value, then slavery can be justified because there is nothing objectively valuable that requires our respect. There is nothing other than intrinsic value that can ground the unalienable equal rights we recognize because there is nothing about all human beings that is universal and equal. Intrinsic human value is what binds our social contract of rights. So if human life is intrinsically valuable, then it remains valuable even when our capacities are limited. Human life is valuable even with tremendous limitations. Human life remains valuable because its value is not derived from being able to talk, or walk, or feed yourself, or even reason at a certain level. Human beings don’t have value only in virtue of states of being (e.g., happiness) they can experience.

#### -- No link: the Aff is compassion, not pity – none of their evidence applies

**Tevenar 5** (Gudrun Von, Birkbeck College (London), “Nietzsche’s Objections to Pity and Compassion”, www.bbk.ac.uk/phil/staff/academics/gemes-work/GurdrenvonTevenar18Oct05)

I take it as given that there is a difference between pity and compassion and that we can describe this difference as follows: both pitying and compassionate agents are distressed by the suffering of others, but compassionate agents show, in addition to this distress, also attentive concern for the way suffering persons endure their suffering. Thus compassion focuses on and is attentive to suffering persons while pity tends to focus just on the suffered condition, say, homelessness or disease. However, focusing just on the suffered condition allows a gap of distance, of separation, of otherness to develop between pitying agents and the pitied and this, in turn, can lead to feelings of superiority and contempt on the part of pitying agents and to feelings of alienation, shame, and inferiority on the part of the pitied. Compassion, by contrast, with its attentive concern for the suffering person, is based on awareness of our common humanity and thus, at its best, is able to bridge the damaging gap of separation and otherness with its associated negative feelings. Hence it follows that **only pity, and not** also **compassion**, is open to the much voiced objection of allowing, perhaps even fostering, feelings of superiority and contempt and thus of shaming and humiliating its recipients. [2] Due to the fact that there is only one German word, namely Mitleid, for pity and compassion, it is frequently not immediately obvious from an original text whether the author is talking about pity or compassion without careful consideration of context. Yet in the case of Nietzsche context alone is often not conclusive – hence the variations in translation – and I recommend therefore the additional device of close scrutiny of the kinds of objection against Mitleid Nietzsche is actually engaged in. And here we can distinguish three different kinds of objection. These are [1] psychological objections; [2] detrimental-to-recipients objections; and [3] detrimental-to-givers objections. In what follows I will give examples of all three kinds. [3] Schopenhauer, famously, celebrated Mitleid as the greatest of all virtues and as the sole basis of genuine morality. He argued that Mitleid alone is able to overcome our naturally selfish inclinations and thus to motivate agents to act solely for the well-being of others, this being the characteristic of morally worthy actions. Nietzsche vehemently rejected this elevation of what he considered to be one of the more regrettable outcomes of slave morality. And while objections against Mitleid are voiced throughout Nietzsche’s work, Daybreak 133 is notable for its strong polemic against Schopenhauer’s psychological explanations of Mitleid. In Daybreak 133 Nietzsche alleges that Schopenhauer could not possibly have had much relevant experience of Mitleid ‘because he observed and described it so badly’. In particular, Nietzsche utterly dismisses as ‘mere inventions’ Schopenhauer’s psychological foundations of Mitleid such as its supposed motivational purity of selflessness. Nietzsche derides the superficial evidence of selflessness and claims, in opposition, that subconsciously we are always and throughout concerned with our own selves. We therefore never act solely for the sake of others but usually harbour a variety of motives which include, in the case of Mitleid, the co-motivations of ‘subtle self-defence or even a piece of revenge’. Two sections on, in Daybreak 135, Nietzsche provides us with a particularly vivid detrimental-to-recipient objection. He states that the mere idea of being pitied ‘evokes a moral shudder’ in savages, because to savages, being still, we are meant to assume, uncorrupted by conventional morality, ‘to offer pity is as good as to offer contempt’. Indeed, should a defeated enemy weep and plead then savages will, out of Mitleid and contempt, let him live, humiliated like a dog, while those who endure suffering with defiant pride repulse Mitleid and thus earn their admiration and praise. Regarding the detrimental-to-givers objection, Nietzsche has Zarathustra declare, in the by now familiar detrimental-to-recipients tone, that he badly wronged a sufferer’s pride when he helped him. But, importantly, Zarathustra also declares that he washes his hand and also wipes clean his soul because he has helped a sufferer, and he admits, furthermore, that he feels ashamed because of the sufferer’s shame. These latter statements show quite conclusively that Nietzsche believed agents pollute and degrade themselves when they show Mitleid and that Mitleid is therefore detrimental to its givers. Variations of the psychological and detrimental-to-recipients objections described above are widely known and much used even in our ordinary, everyday reactions to instances of pity. But the detrimental-to-givers objection is, I believe, distinctly Nietzschean and we will see later on how this kind of objection is informed by distinctly Nietzschean views of the role and significance of suffering. [4] When we examine these objections with the pity/compassion distinction as briefly outlined at the beginning in mind, then we find that **Nietzsche’s objections are almost exclusively concerned with** Mitleid understood as **pity and not** as **compassion**. Notice that Mitleid is either contaminated from the beginning with contempt and shame as in the examples of the savages and Zarathustra, or Mitleid seems preoccupied mainly with the mental state of the agent and not with the sufferer. Understanding Mitleid merely as pity seems to me the main reason why Nietzsche’s objections, though very sophisticated and eminently plausible, somehow miss their target as far as Schopenhauer is concerned. Because Schopenhauer, when elevating Mitleid as the highest virtue, speaks throughout of Mitleid as compassion. Thus Schopenhauer claims that compassionate agents can act selflessly and solely for the weal of sufferers precisely because they see in sufferers someone like themselves. In other words, in the eyes of compassionate agents there is, according to Schopenhauer, no gap of distance and otherness between agents and sufferers and hence no associated negative feelings of alienation and shame. Indeed, Schopenhauer takes great pains to distinguish his kind of Mitleid, i.e. compassion, from various deviations and aberrations such as those that Nietzsche concentrates on and grants them no moral value whatsoever. We can conclude therefore that Schopenhauer could, in a way, willingly agree with most of Nietzsche’s objections and yet keep his own theory intact, since he elevates compassion while Nietzsche denigrates pity.

### Consumption 2AC

#### Consumption focus fails-~--political action key

Bryant 12—prof of philosophy at Collin College (Levi, Black Ecology: A Pessimistic Moment, larvalsubjects.wordpress.com/2012/03/19/black-ecology-a-pessimistic-moment/)

So why is this an issue? It’s an issue because while environmentalists prescribe all sorts of action we need to take to avert the climate catastrophe, it seems to me that in failing to engage in an ecology of social and political institutions they are whistling past the graveyard by failing to address the question of the conditions under which action is possible. Here’s the part where everyone gets angry with me. Given the way in which government and corporations are today intertwined, I don’t think there’s much we can do to avert the coming catastrophe. As Morton says, referring to logical time, “the catastrophe has already happened”. So what would it mean, I wonder, to take Morton’s thesis seriously? Here I know Tim will disagree with me. When I look at environmental discussions in popular media and from many around me, I see the discussion revolving almost entirely around consumers. We’re told that we have to consume differently to solve this problem. I agree that we need to consume differently, but **I don’t see any feasible way in which** driving fuel efficient cars, **using less** heat and AC, eating less meat, etc **will solve these problems**. This is because the lion’s share of our climate change problems arise from the production and distribution end of the equation, rather than the consumption end. They are problems arising from agricultural practices, factories, and how we ship goods throughout countries and the world. The problem is that given the way in which governments and corporations are intertwined with one another, and given the way in which third world countries are dependent on fossil fuels for their development, and given the fact that only governmental solutions can address problems of production and distribution, **we’re left with no recourse for action**. We can only watch helplessly while our bought and sold politicians continue to fiddle as the world burns.

#### Perm do the plan and reorient our relationship to consumption -~-- the perm radicalizes reformism

Doran and Barry 6 – worked at all levels in the environment and sustainable development policy arena - at the United Nations, at the Northern Ireland Assembly and Dáil Éireann, and in the Irish NGO sector. PhD--AND-- Reader in Politics, Queen's University School of Politics, International Studies, and Philosophy. PhD Glasgow (Peter and John, Refining Green Political Economy: From Ecological Modernisation to Economic Security and Sufficiency, Analyse and Kritik 28/2006, p. 250–275, http://www.analyse-und-kritik.net/2006-2/AK\_Barry\_Doran\_2006.pdf)

EM = Ecological Modernization

Viewed in isolation EM can be painted as a reformist and limited strategy for achieving a more sustainable economy and society, and indeed questions could be legitimately asked as to whether the development of a recognisably ‘green’ political economy for sustainable development can be based on it. In this paper, it is contended that there are strategic advantages in seeking to build upon and radicalise EM. There are indications in the UK that the debate on sustainable consumption may lead to new deliberative fora for a re-negotiation of the meaning and ends of consumption. Could it be that ‘suﬃciency’ will emerge as the logical complement (on the consumer side) of the early production-side debate on EM on the limits of ‘eﬃciency’ without an ecological context? While there are various reasons one can give for this, in this conclusion we focus on two—one normative/principled the other strategic. From a strategic point of view, it is clear that, as Dryzek and his colleagues have shown, **if green and sustainability goals, aims and objectives are to be integrated within state policy, these need to attach themselves to one of the core state imperatives—accumulation/economic growth or legitimacy** (Dryzek et al. 2003; Barry 2003b). It is clear that the discourse of EM allows (some) green objectives to be integrated/translated into a policy language and framework which complements and does not undermine the state’s core imperative of pursuing orthodox economic growth. Therefore if (in the absence of a Green Party forming a government or being part of a ruling coalition, or even more unlikely of one of the main traditional parties initiating policies consistent with a radical understanding of sustainable development), the best that can be hoped for under current political conditions is the ‘greening of growth and capitalism’ i. e. a narrow, ‘business as usual’ version of EM. Or as Jonathan Porritt has put it, “We need more emphasis about the inherent unsustainability of our dominant economic model, even as we seek to improve the delivery of that model in the short to medium term” (Porritt 2004, 5). 23 On a more principled note, the adoption of EM as a starting point for the development of a model/theory of green political economy does carry with it the not inconsiderable beneﬁt of removing the ‘anti-growth’ and ‘limits to growth’ legacy which has (in our view) held back the theoretical development of a positive, attractive, modern conceptualisation of green political economy and radical conceptualisations of sustainable development. Here the technological innovation, the role of regulation driving innovation and eﬃciency, the promise that the transition to a more sustainable economy and society does not necessarily mean completely abandoning currently lifestyles and aspirations—strategically important in generating democratic support for sustainable development, and as indicated above, importance if the vision of a green sustainable economy is one which promotes diversity and tolerance in lifestyles and does not demand everyone conform to a putative ‘green’ lifestyle. Equally, this approach does not completely reject the positive role/s of a regulated market within sustainable development. However, it does demand a clear shift towards making the promotion of economic security (and quality of life) central to economic (and other) policy. Only when this happens can we say we have begun the transition to implementing the principles of sustainable development rather than fruitlessly seeking for some ‘greenprint’ of an abstract and utopian vision of the ‘sustainable society’.

## Round 5 v. Weber State HT

### Warming 2AC

#### DOD complies with NEPA

**Baldwin 12** (Charlotte Fay Baldwin, US Department of the Army Fort Hood, Texas, “The National Environmental Policy Act (NEPA) Process with Military Projects By October 2012,” <http://dukespace.lib.duke.edu/dspace/bitstream/handle/10161/6030/C.%20Baldwin_Capstone%20Paper%20Oct%20%209%202012_FINAL.pdf?sequence=1>)

The Department of Defense (DoD) follows the rigorous requirements outlined in NEPA, the National Historic Preservation Act of 1966 (NHPA), and all other statutes that involve protecting the environment and vital land resources under DoD stewardship. The DoD has a long and successful program to comply with NEPA. DoD’s policy is in DoD Instruction 4715.9, Environmental Planning and Analysis. Each of the military Departments and Defense Agencies are required to demonstrate how they will comply with NEPA prior to selection of each military construction project using Recovery Act funds. In addition, the Department is tracking compliance with NEPA for every project and reporting its status, as required, to the Council on Environmental Quality. The Department is using the full range of actions available under NEPA.8 To adhere and comply with NEPA, the Department of the Army engaged in three major efforts that benefited from the NEPA analysis process: Army Transformation, the Installation Sustainability Program and the Sustainable Range Program. All contributed to the long-term reduction of environmental impacts associated with Army programs and projects. The Army Transformation process is extensive, including the expansion and upgrading of installation training ranges, or the development of new ranges. As training requirements become more collaborative and sophisticated, training ranges may require different land areas, airspace, and support facilities. As this complex Army Transformation process proceeds, **NEPA planning** is **increasingly integrated into Army policies**. The planning process associated with the Army’s Installation Sustainability Program to address installation encroachment issues integrates the NEPA analysis process and is similar to CEQ’s cumulative effects analysis process. The installation and community jointly identify affected resources within the region in both processes. Once the resources have been identified and evaluated a **collaborative management plan** is developed that will provide solutions for all stakeholders. The Army’s Sustainable Range Program incorporates the same principles of these processes into its planning procedures. Site selection and range design for training facilities begin with a design “charrette” to insure stakeholder collaboration. This effort ensures a design that will satisfy training requirements and environmental issues.9 The Army NEPA implementation regulation provides the following **broad policy** statement**s**10: “NEPA establishes broad federal policies and goals for the protection of the environment and provides a flexible framework for balancing the need for environmental quality with other essential societal functions, including national defense. The Army is expected to manage those aspects of the environment affected by Army activities; **comprehensively integrating** environmental policy objectives into planning and decision-making. Meaningful integration of environmental considerations is accomplished by efficiently and effectively informing Army planners and decision makers. The Army will use the flexibility of NEPA to ensure implementation in the most cost-efficient and effective manner. The depth of analyses and length of documents will be proportionate to the nature and scope of the action, the complexity and level of anticipated effects on important environmental resources, and the capacity of Army decisions to influence those effects in a productive, meaningful way from the standpoint of environmental quality. The Army will actively incorporate environmental considerations into informed decisionmaking, in a manner consistent with NEPA. Communication, cooperation, and, as appropriate, collaboration between government and extra-government entities is an integral part of the NEPA process. Army proponents, participants, reviewers, and approvers will balance environmental concerns with mission requirements, technical requirements, economic feasibility, and long-term sustainability of Army operations. While carrying out its mission, the Army will also encourage the wise stewardship of natural and cultural resources for future generations. Decision makers will be cognizant of the impacts of their decisions on cultural resources, soils, forests, rangelands, water and air quality, fish and wildlife, and other natural resources under their stewardship, and, as appropriate, in the context of regional ecosystems.”

### Bioterror 2AC

#### standing and political questions key

Guarino 11 -- Exec Editor @ Boston College Enviro Affairs Law Review, Edwards Wildman Palmer LLP Associate (Katherine A., 2011, "NOTE: THE POWER OF ONE: CITIZEN SUITS IN THE FIGHT AGAINST GLOBAL WARMING," 38 B.C. Envtl. Aff. L. Rev. 125, L/N)

I. THE JUSTICIABILITY AND STANDING BARRIERS Since their inception, global warming suits have faced challenging legal barriers. n26 The most significant barriers have been justiciability of a global warming claim and standing to sue for a crisis affecting millions. n27 A. The Political Question Doctrine One of the most challenging obstacles facing global warming plaintiffs is justiciability, or the political question doctrine. n28 Under Article III of the Constitution, the federal courts only have jurisdiction over questions, issues, cases, and controversies that are "justiciable." n29 A matter is "'justiciable' when it is constitutionally capable of being decided by a federal court." n30 Conversely, "nonjusticiability" or a "political question" exists when a matter has been committed exclusively to the political branches by the Constitution or by federal law. n31 In that case, a federal court would not have jurisdiction over the matter. n32 When a matter is justiciable, however, a federal court has an obligation to exercise [\*129] jurisdiction over it. n33 The policy behind this duty is to prevent a court from dismissing an action because it has political implications. n34 In practice, dismissal for nonjusticiability has been rare; since Baker v. Carr in 1962, discussed below, the Supreme Court has only dismissed two cases as political questions. n35 The Court has yet to rule explicitly on the justiciability of a global warming claim. n36 1. The Baker Factors Until the 1960s, determining which matters were better left to other branches of the government was a confusing and disorderly task. n37 Baker v. Carr rescued the doctrine of justiciability from irregular application by proposing a list of six "formulations" that describe a political question: n38 [(1)] a textually demonstrable constitutional commitment of the issue to a coordinate political department; or [(2)] a lack of judicially discoverable and manageable standards for resolving it; or [(3)] the impossibility of deciding without an initial policy determination of a kind clearly for nonjudicial discretion; or [(4)] the impossibility of a court's undertaking independent resolution without expressing lack of the respect due coordinate branches of government; or [(5)] an unusual need for unquestioning adherence to a political decision already made; or [(6)] the potentiality of embarrassment from multifarious pronouncements by various departments on one question. n39 [\*130] The Baker Court ensured that these factors would not be used to block legitimate cases from federal court by setting a high standard for non-justiciability. n40 The effect has been rare assertion of the political question doctrine in most cases, n41 including common law tort claims. n42 However, the political question doctrine has presented a challenge for plaintiffs in the nascent area of global warming. n43 The Supreme Court later added a threshold requirement to the Baker analysis: "whether and to what extent the issue is textually committed" to a political branch. n44 In Nixon v. United States, the Court set out a two-pronged test for determining whether this threshold was met: (1) identification of the issues that the plaintiff's claims pose and (2) interpreting the constitutional text in question to determine the extent to which the issues are "textually committed" to a political branch. n45 2. Global Warming Claims are Held Justiciable The first global warming case to apply the Baker factors was Connecticut v. American Electric Power Co. (AEP). n46 When AEP was brought before the District Court for the Southern District of New York, the court conservatively chose to view the global warming issue as too complex and too entwined with politics to be justiciable. n47 However, by the time the case reached the Second Circuit on appeal, the first global warming case, Massachusetts v. EPA, had been handed down by the Supreme [\*131] Court. n48 Although that case did not explicitly address the justiciability issue, it stands for the principle that federal courts have jurisdiction to hear cases alleging global warming as an injury. n49 By upholding a state's standing to sue for injury deriving from the EPA's failure to regulate greenhouse gas emissions, the Supreme Court had endorsed, for the first time, global warming suits in general. n50 In the wake of Massachusetts v. EPA's recognition of global warming as an adequate injury for standing--and in effect, nonjusticiability n51 --the Second Circuit reversed. n52 Applying the Baker factors, the Second Circuit in AEP rejected the power companies' argument that the plaintiffs' use of a federal common law nuisance cause of action to reduce domestic carbon dioxide emissions would "impermissibly interfere with the President's authority to manage foreign relations." n53 The court countered that the plaintiffs were not asking the court "to fashion a comprehensive and far-reaching solution to global climate change." n54 Instead, they were seeking to limit the emissions of only the six defendant plants based upon their contention that these defendants are causing them injury. n55 Assessing the second Baker factor, the court reasoned that complex federal public nuisance cases have been commonplace during the past century of legal history, n56 and that "well-settled principles of tort and public nuisance law" have frequently been used to analyze a variety of new and complex problems. n57 [\*132] As to the third Baker factor, defendants argued that the complexities surrounding global warming give way to "unmanageable policy questions a court would then have to confront" in deciding the case. n58 The court disagreed, holding that a federal court deciding a common law nuisance cause of action, "brought by domestic plaintiffs against domestic companies for domestic conduct, does not establish a national or international emissions policy." n59 The court added that the plaintiffs "need not await an 'initial policy determination' in order to proceed on this . . . claim," n60 and that Congress's hesitancy to pass a law regulating greenhouse gas emissions does not equal an intent "to supplant the existing common law in that area." n61 In assessing the final three Baker factors, the court recognized that the United States does not have a "unified" global warming policy. n62 Thus, by deciding this case, it is impossible for the court to "demonstrate any lack of respect for the political branches, contravene a relevant political decision already made, or result in multifarious pronouncements that would embarrass the nation." n63 The defendants themselves cited legislation indicating that the United States intends to create legislation in the future, which will reduce the emission of greenhouse gases. n64 In sum, the court held that the district court erred in its dismissal of the plaintiffs' claim on justiciability grounds. n65 B. Standing Another hurdle for global warming plaintiffs is standing. n66 This prerequisite to suit limits the jurisdiction of federal courts to certain delineated "Cases" and "Controversies" under Article III, Section 2 of the U.S. Constitution. n67 There are two basic forms of standing: state--or [\*133] parens patriae--standing n68 and individual standing. n69 As parens patriae, or "parent of the country," a state asserts a "quasi-sovereign interest" in protecting the health and well-being of its citizens, as well as its own "interest independent of and behind the titles of its citizens, in all the earth and air within its domain." n70 The Supreme Court has allowed states a lowered bar, or special solicitude, for standing given their unique status. n71 An individual, in contrast, sues for his or her own personal injury without the benefit of a lowered bar to standing. n72 In the case of global warming plaintiffs, standing is problematic in three ways: (1) the uncertainty of the injury; (2) the sufficiency of scientific evidence linking global warming with its effects; and (3) the redressability of a world-wide problem. n73 1. Modern Standing: The Lujan Cases In the 1980s, the Reagan Administration's policies to stem the flow of citizen suits and limit the EPA's enforcement capabilities narrowed the standing doctrine. n74 These policies resulted in two landmark standing decisions, both written by Justice Scalia: n75 Lujan v. National Wildlife Federation (Lujan I) and Lujan v. Defenders of Wildlife (Lujan II). n76 The Lujan cases turned the modern standing doctrine into a strict test. a. The Modern Standing Test In Lujan I, decided in 1990, the Supreme Court identified two requirements that an individual must establish in order to bring suit: (1) [\*134] some specific harm caused by the defendant; and (2) either a "legal wrong" caused by the challenged action, or that the plaintiff is "adversely affected or aggrieved . . . within the meaning of a relevant statute." n77 In that case, the plaintiffs' claim failed to satisfy the standing test due to lack of specificity and certainty of injury. n78 If there was any question that Lujan I had altered the standing doctrine, Justice Scalia affirmed that the doctrine was indeed narrowed two years later in Lujan II. n79 In his plurality opinion, Justice Scalia synthesized a three-part "irreducible constitutional minimum of standing" from past cases: (1) injury in fact, which is (a) "concrete and particularized" and (b) "actual or imminent"; (2) "a causal connection between the injury and the conduct complained of"; and (3) "it must be likely, as opposed to merely speculative, that the injury will be redressed by a favorable decision." n80 The Court held that a nebulous future intent to observe endangered species in a foreign country did not constitute actual or imminent injury. n81 Also, redressability could not be obtained because even if the Court granted the "injunction requiring the Secretary to publish [the plaintiffs'] desired regulation," it would not be binding on the agencies and thus ineffective in producing the desired result. n82 In his concurrence, Justice Kennedy foreshadowed the global warming cases of the new millennium with a broad proclamation: "Congress has the power to define injuries and articulate chains of causation that will give rise to a case or controversy where none existed before." n83 b. Burden of Proof for Standing and the Merits Another important part of the Lujan II decision is its discussion of the requisite burden of proof of standing for each stage in the litigation. n84 When a plaintiff seeks to assert standing at the pleading stage, "general factual allegations of injury resulting from the defendant's conduct may suffice, for on a motion to dismiss we 'presum[e] that general allegations embrace those specific facts that are necessary to [\*135] support the claim.'" n85 Summary judgment, on the other hand, requires an assertion of specific facts. n86 Finally, when proving a claim on the merits, the facts must be adequately supported by the evidence. n87 At this point in the litigation, the burden of proof is a preponderance of the evidence. n88 Thus, proof of standing at the pleading stage requires a lower burden than proof on the merits. n89 2. Global Warming Suits a. The Broadening of the Standing Doctrine for Global Warming Plaintiffs The first global warming case to be decided by the Supreme Court, Massachusetts v. EPA, changed the course of the standing doctrine, broadening it to allow more plaintiffs standing to sue under a cause of action based on global warming. n90 The case is considered a landmark decision in environmental law because of its bold grant of standing for a seemingly untraceable and unparticularized injury. n91 Massachusetts sought review of the EPA's decision not to regulate greenhouse gas emissions from motor vehicles under the Clean Air Act. n92 In its capacity as parens patriae, the Commonwealth claimed both present and future injuries, such as loss of coastline due to rising sea levels and more intense storm events, "severe and irreversible changes to natural ecosystems," and an increase in the spread of disease. n93 The Court could have [\*136] followed Lujan II and rejected the claim of injury for lack of particularity, imminence, or traceability. n94 Instead, the Court reached back to turn-of-the-century precedent, Georgia v. Tennessee Copper, Co., for the notion that states deserve "special solicitude" in the standing analysis when invoking a quasi-sovereign interest. n95 In a 5-4 decision, the Court held that Massachusetts had alleged: (1) particularized injury, because of its ownership of substantial property that had already been swallowed by rising seas; n96 (2) causation, because defendants had contributed significantly to the plaintiff's injuries by refusing to regulate greenhouse gas emissions; n97 and (3) redressability, because even an incremental improvement in the plaintiff's harm would help redress the injury. n98 Massachusetts v. EPA gave plaintiffs with pending global warming cases new hope by opening up the courts to their claims for the first time. n99 However, the decision on standing was surprising to the legal community, as evidenced by Chief Justice Roberts's vigorous dissent. n100 The dissent accused the majority of using "the dire nature of global warming . . . as a bootstrap for causation and redressability." n101 It further argued that the plaintiff's alleged injury was neither imminent nor actual, but "pure conjecture," going so far as to deny that global warming could ever constitute a particularized injury. n102 In spite of these concerns, the majority of the Supreme Court placed its imprimatur on global warming suits in general, n103 giving future global warming litigants positive authority to cite in their arguments. n104 [\*137] b. The Second Circuit Grants Non-State Entities Standing for Global Warming AEP, a public nuisance action for global warming injury brought by a group of states, land trusts, and a city, solidified the new broader standing analysis of Massachusetts v. EPA and extended it to non-state parties. n105 In that case, the plaintiffs sued electric power plants for injuries arising from defendants' contribution to global warming by burning fossil fuels. n106 The states and city asserted a litany of present and future injuries, including temperature increase leading to a decrease in mountain snowpack used for drinking water, earlier spring melting, flooding, and sea level rise, which had already begun to inundate their coastal property and would continue without abatement. n107 The trusts claimed the following "special" future injuries: a decrease in the ecological value of their properties, permanent inundation of some of their property, and destruction of wildlife habitat from smog and salinization. n108 At the district court level, the plaintiffs' claims were dismissed as nonjusticiable. n109 The district court judge refused to analyze the issue of standing because it "would involve an analysis of the merits of Plaintiffs' claims." n110 However, on appeal, the Second Circuit vacated the lower court's decision, holding that the state plaintiffs had asserted concrete, particularized, and redressable injury that was "fairly traceable" to the actions of defendants, thus meeting the standing test under Lujan II. n111 For the first time, non-state plaintiffs--New York City and the land trusts--were also granted standing for asserting similar injuries. n112 Since the court vacated and remanded back to the district court, it never addressed the merits of the case. n113 In December of 2010, the Supreme Court granted certiorari to American Electric Power Co. n114 This will be the first opportunity for the Supreme Court to rule on the legitimacy of public nuisance [\*138] claims against greenhouse-gas-emitting companies for global warming injuries. n115

### Executive CP – 2AC

#### Overseas application: Counterplan isn’t applied extraterritorially

Hilbert 12 (Sarah – J.D. Candidate, William & Mary Law School, “A Legislative Solution to Environmental Protection in Military Action Overseas”, 2012, 37 Wm. & Mary Envtl. L. & Pol'y Rev. 263, lexis)

III. Solution A. Executive Orders It has been suggested that the solution to the inadequate DoD environmental regulation is an executive order. n119 Executive orders have been proposed because of the power of the executive branch and its ability to produce change. n120 Laporte points to President Carter's executive order as a successful way to promote NEPA's ideals overseas and cites DoD action prompted by President Carter's executive order as an indication that the executive order was successful. n121 Although Laporte acknowledges the downfalls of the DoD's response to President Carter's executive order, she attributes the response to "exemptions or ambiguities in the Order itself," rather than the DoD's response to the Order. n122 Executive orders, however, are not the best answer. It is true that executive orders can affect the extraterritorial application of environmental principles as President Carter's executive order furthered the goals of NEPA, n123 but this benefit is limited. n124 President Carter's executive order's purpose was to further the goals of NEPA, n125 but it did not have the power to override the presumption that NEPA could not apply extraterritorially. n126 The executive order may be able to capture general [\*278] ideals or priorities of the executive, but President Carter's executive order illustrated that those ideals and priorities can be implemented very differently after the DoD interprets the meaning of the executive order. n127 Laporte assumes that the executive branch has the expertise and time to draft an executive order that has the perfect amount of specificity, flexibility, and practicality, n128 but this is not realistic. Creating standards for the DoD in the way that Laporte describes the ideal executive order n129 is not a job for the executive branch.

#### Doesn’t solve Certainty – Legal decision key

Pildes 13 (Rick, udler Family Professor of Constitutional Law and Co-Faculty Director for the Program on Law and Security at NYU School of Law, "Does Judicial Review of National-Security Policies Constrain or Enable the Government?," 8/5, <http://www.lawfareblog.com/2013/08/does-judicial-review-of-national-security-policies-constrain-or-enable-the-government/>)

First, government actors have a need for legal clarity, particularly in national-security areas where the legal questions are novel and the stakes of guessing wrong particularly high. In the absence of more definitive court guidance, government lawyers and policymakers have spent a staggering number of hours trying to anticipate what courts might conclude is the valid scope of the government’s power to detain, or to use military trials, and similar questions. In many contexts, a significant element in what government actors need is simply legal clarity; knowledge of where the lines lie between the permitted and the forbidden can help government actors figure out how best to reach their legitimate goals. Surely there is something not fully functional about a system that requires a decade’s worth of guesswork, and all the resources involved, about exactly where the legal boundaries lie.

#### ---Congress will roll back the counterplan during a conflict – kills solvency

Tisler **11**

[Tiffany, J.D. Candidate, University of Toledo, 2011., FEDERAL ENVIRONMENTAL LAW WAIVERS AND HOMELAND SECURITY: ASSESSING WAIVER APPLICATION IN HOMELAND SECURITY SETTINGS AT THE SOUTHERN BORDER IN COMPARISON TO NATIONAL SECURITY SETTINGS INVOLVING THE MILITARY, Spring, 2011 The University of Toledo Law Review, L/N]

In times of war, the conflict between national-security goals and environmental laws tends to come out in favor of national security, n54 and shortly after 9/11 the United States was at war. As it was, the U.S. military never particularly liked the pre-9/11 waiver system, finding the scope of waivers too narrow and the time limits incompatible with long-term activities. n55 Thus, sensing the time to strike, the military began lobbying for changes to environmental-waiver provisions in the aftermath of 9/11. n56 The military has since actively and successfully sought changes to the waiver system, giving them much broader authority to disregard environmental laws, especially for reasons of "military readiness." n57 First, the military convinced Congress to attach riders to the 2004 and 2005 Defense Appropriations Acts exempting them from provisions of the Marine Mammal Protection Act ("MMPA"), some provisions of the ESA, and the entire Migratory [\*784] Bird Treaty Act. n58 Not only did the military successfully change the application of various sections of statute, it also changed the waiver structure for the MMPA, giving the Secretary of Defense the authority to grant waivers in addition to the President. n59 Though not always successful, military lobbying efforts have removed many external checks on military activities that impact the environment, creating a dim future for the environment. n60

#### ---**CP is misconstrued – military avoids change**

Hilbert 12 (Sarah – J.D. Candidate, William & Mary Law School, “A Legislative Solution to Environmental Protection in Military Action Overseas”, 2012, 37 Wm. & Mary Envtl. L. & Pol'y Rev. 263, lexis)

IV. Call to Action Judicial action through liability for the government and government contractors in the courts is not a viable solution for the environmental degradation and human health problems that result from military action overseas because the burdens that plaintiffs must overcome are too heavy to result in consistent decisions, or in any decisions at all. n180 Executive action through an executive order would not cause the kind of change in military behavior that is needed at this point, and Executive Orders have been ineffective in the past because the DoD was able to [\*287] misconstrue each Order through its own interpretations. n181 Legislative action provides the best option for a long-term solution that will apply to all military action, will have the intent of many federal statutes that already apply within United States borders, will hold military leaders accountable to a rigid set of procedures and standards, and will effectuate the change our country needs. n182

#### Takes out solvency - Empirically proven

Hilbert 12 (Sarah – J.D. Candidate, William & Mary Law School, “A Legislative Solution to Environmental Protection in Military Action Overseas”, 2012, 37 Wm. & Mary Envtl. L. & Pol'y Rev. 263, lexis)

II. Current Government Direction The current environmental protection plan for military efforts overseas has allowed burn pits to continue to cause health and environmental problems. Through an Executive Order, President Carter first emphasized the importance of government actors considering the environmental effects of proposed actions, n60 but the DoD interpreted the key parts of the Executive Order n61 and created the environmental protection plan it currently follows. Allowing the DoD to essentially create their own regulatory regime is contrary to environmental interests and poses a classic "fox guarding the hen house" problem. A. Executive Order 12,114 President Carter issued Executive Order 12,114-Environmental Effects Abroad of Major Federal Actions ("Executive Order 12,114") on January 4, 1979. n62 Executive Order 12,114 required officials of Federal Agencies to examine environmental effects of proposed actions and consider these effects in making decisions about actions. n63 The Executive Order mandated an information exchange between the Department of State, the Council on Environmental Quality, and any other interested agency or nation to provide information to decisionmakers through the use of environmental impact statements, bilateral or multilateral environmental studies, or concise reviews of environmental issues. n64 The Executive Order sought to further the goals of the National Environmental Policy Act ("NEPA") n65 which required environmental [\*271] assessment for governmental actions having environmental effects within the United States. n66 Executive Order 12,114 forced federal agencies to consider the environmental effect of their actions abroad, but it provided no substantive requirements or procedure for ensuring that protocol was followed. n67 The Executive Order was a start down the long road of a comprehensive environmental protection plan for the United States military, yet it was hardly a binding plan for the military to live by. Because President Carter's Executive Order lacked any substantial guidance but still mandated the military to consider the environmental effects of proposed actions, the DoD was left to interpret what the Executive Order required of it. B. Department of Defense Directive 6050.7 The DoD issued Directive 6050.7 soon after President Carter issued Executive Order 12,114 to define key terms of Executive Order 12,114 and elaborate as to what the DoD must consider when approving "major actions." n68 Because Executive Order 12,114 was not specific, the DoD granted ample discretion to commanders reviewing proposed actions. n69 The DoD interpreted "major action" to mean actions "of considerable importance involving substantial expenditures of time, money, and resources, that affect[] the environment on a large geographic scale or has substantial environmental effects on a more limited geographical area," and it sought to establish procedures for review of these actions. n70 Beyond establishing what is meant by "major action," the DoD does not define any other standard for determining when an environmental assessment is necessary. There is no definition of "substantial expenditures" or an elaboration on the geographic area requirements. n71 [\*272] The DoD also defined exceptions. Included in the list of exceptions are actions taken by the President, actions taken at the direction of the President or a cabinet officer in the course of armed conflict or when a national security risk is involved, activities of intelligence components, actions of the Office of the Assistant Secretary of Defense or the Defense Security Assistance Agency, and actions relating to nuclear activities and nuclear material except actions providing to a foreign nation a nuclear production or utilization facility. n72 The DoD's interpretation of what is required from President Carter's Executive Order weighs in the favor of the DoD. The amount of discretion given to reviewing officers allows an officer to decide that a project does not require an environmental review simply by finding that it is not a major action, which, according to DoD's interpretation of a "major action," would be easy for an officer to find. n73

#### ---Court has unique symbolic effect --- key to foreign perception of the plan

Fontana 8 (David, Associate Professor of Law – George Washington University Law School, “The Supreme Court: Missing in Action”, Dissent Magazine, Spring, http://www.dissentmagazine.org/article/?article=1165)

*The Results of Inaction*
What is the problem with this approach? The answer, simply put, is that it legitimates and even catalyzes political activity by Congress and the president, but it does so without including in this political activity the critically influential background voice of the Supreme Court on issues related to individual rights. The Court has two main powers: one has to do with law and compulsion, the other has to do with political debate. The Court can legally compel other branches of government to do something. When it told states and the federal government in Roe v. Wade that they could not criminalize all abortions, for example, the Court’s decision was a binding legal order. But the Supreme Court also plays a role in political debate, even when it does not order anyone to do anything. If the Justices discuss the potential problems for individual rights of a governmental action, even if they don’t contravene the action, their decision still has enormous import. This is because other actors (members of Congress, lawyers, newspaper editorial writers, college teachers, and many others) can now recite the Court’s language in support of their cause. Supreme Court phrases such as “one person, one vote” have enormous symbolic effect and practical influence. If there had been a case about torture, for example, and some of the justices had written in detail about its evils, then Senator Patrick Leahy (senior Democrat on the Judiciary Committee) could have used the Justices’ arguments to criticize attorney general nominee Michael Mukasey during his confirmation hearings. Attorneys for those being detained at Guantánamo could have made appearances on CNN and (even) Fox News reciting the evils of torture as described by the Court. Concerns about rights could have been presented far more effectively than if, as actually happened, the Court refused to speak to these issues. The Supreme Court’s discussion of constitutional questions is particularly important for two reasons. First, the justices view these questions from a distinct standpoint. While members of Congress and the president have to focus more on short-term and tangible goods, members of the Court (regardless of which president appointed them) focus more on the long term and on abstract values. The Court offers a perspective that the other branches simply cannot offer. Second, when the Supreme Court presents this perspective, people listen. It is and has been for some time the most popular branch of American government. Although there is some debate about terminology and measurement, most scholars agree that the Court enjoys “diffuse” rather than “specific” support. Thus, even when Americans don’t like a specific decision, they still support the Court. By contrast, when the president or Congress does something Americans don’t like, their support drops substantially. AMERICANS BECOME more aware of the Court the more it involves itself in controversies. This is because of what political scientists call “positivity bias.” The legitimating symbols of the Court (the robes, the appearance of detachment, the sophisticated legal opinions) help to separate it from other political institutions—and in a good way for the Court. If the Justices had drawn attention to violations of individual rights, most of America would have listened and possibly agreed. As it is, our politics has been devoid of a voice—and an authoritative voice—on individual rights. For most of the time since September 11, few major political figures have been willing to stand up and speak in support of these rights. Recall that the Patriot Act was passed in 2001 by a vote of ninety-eight to one in the Senate, with very little debate. Congress overwhelmingly passed the Detainee Treatment Act (DTA) of 2005, which barred many of those complaining of torture from access to a U.S. court. Congress also overwhelmingly passed the Military Commissions Act (MCA) of 2006, which prevented aliens detained by the government from challenging their detention—and barred them from looking to the Geneva Conventions as a source of a legal claim.

#### ---Courts k2 effective foreign policy

Knowles 9 -- Acting assistant Professor, New York University School of Law (Robert, 2009, “American Hegemony and the Foreign Affairs Constitution,” Arizona State Law Journal, 41 Ariz. St. L.J. 87, October)

International relations scholars are still struggling to define the current era. The U.S.-led interna tional order is unipolar, hegemonic, and, in some ways, imperial. In any event, this or der diverges from traditional realist assumptions in important respects. It is unipolar, but stable. It is more hierarchical. The U.S. is not the same as other states; it performs unique functions in the world and has a government open and accessible to foreigners. And **the stability and legitimacy of the system depends more on successful functioning of the U.S. government as a whole than it does on balancing alliances** crafted by elite statesmen practicing realpolitik . “[W]orld power politics are shaped prim arily not by the stru cture created by interstate anarchy but by the fore ign policy developed in Washington.” 368 These differences require a new model for assessing the institutional competences of the executive and judicial branches in foreign affairs. One approach would be to adapt an institutional competence model using insights from a major alternative th eory of international relations – liberalism. Liberal IR theory generally holds that internal characteristics of states – in particular, the form of go vernment – dictate st ates behavior, and that democracies do not go to war against one another. 369 Liberalists also regard economic interdependence and in ternational institutions as important for maintaining peace and stability in the world. 370 Dean Anne-Marie Slaughter has proposed a binary model that distinguishes between liberal, democratic states and non-democratic states. 371 Because domestic and foreign issues are “more convergent” among liberal democracies, Slaughter reasons, the courts should decide issues concerning the scope of the political branches’ powers. 372 With respect to non-liberal states, the position of the U.S. is more “realist,” and courts should deploy a high level of deference. 373 A strength of Dean Slaughter’s binary approach is that it would tend to reduce the uncertainty in foreign affa irs adjudication. Professor Nzelibe has criticized this approach because it would put courts in the difficult position of determining which countri es are liberal democracies. 374 But even if courts are capable of making these dete rminations, they would still face the same dilemmas adjudicating controve rsies regarding non-liberal states. Where is the appropriate boundary betw een foreign affairs and domestic matters? How much discretion should be afforded the executive when individual rights and accountabi lity values are at stake? To resolve these dilemmas, an institutional competence model should be applicable to foreign affairs adjudica tion across the board. In constructing a new realist model, it is worth recalling that the functional justifications for special deference are aimed at addressi ng problems of a particular sort of role effectiveness—which allocation of power among the branches will best achieve general governmental effectiven ess in foreign affairs. In the 21 st Century, America’s global role has changed, and the best means of achieving effectiveness in foreign a ffairs have changed as well. The international realm remains highly politic al—if not as much as in the past— but **it is American politics that matters most.** If the U.S. is truly an empire— and in some respects it is—the prob lems of imperial management will be far different from the problems of ma naging relations with one other great power or many great powers. Similarl y, the management of hegemony or unipolarity requires a di fferent set of competences. Although American predominance is recognized as a sali ent fact, there is no consensus among realists about the precise nature of the current international order. 375 The hegemonic model I offer here adopts **common insights from the three IR frameworks**—unipolar, hegemonic, and imperial—described above. First, the “hybrid” hegemonic mode l assumes that the goal of U.S. foreign affairs should be the **preservation of American hegemony**, which is more stable, more peaceful, and be tter for America’s security and prosperity, than the alternatives. If th e United States were to withdraw from its global leadership role , no other nation would be capable of taking its place. 376 The result would be radical instab ility and a greater risk of major war. 377 In addition, the United States would no longer benefit from the public goods it had form erly produced; as the largest consumer, it would suffer the most. Second, the hegemonic model assumes that American hegemony is unusually stable and durable. 378 As noted above, other nations have many incentives to continue to tolerate the current order. 379 And although other nations or groups of nations—China, the European Union, and India are often mentioned—may eventually overt ake the United States in certain areas, such as manufacturing, the U.S. will remain dominant in most measures of capability for decades to come. In 2025, the U.S. economy is projected to be twice the size of China’s. 380 The U.S. accounted for half of the world’s military spending in 2007 and holds enormous advantages in defense technology that far out strip would-be competitors. 381 Predictions of American decline are not new, and th ey have thus far proved premature. 382 Third, the hegemonic model assumes that preservation of American hegemony depends not just on power, but legitimacy. 383 All three IR frameworks for describing predom inant states—although unipolarity less than hegemony or empire—suggest that legitimacy is crucial to the stability and durability of the system. Although empires and predominant states in unipolar systems can conceivably mainta in their position through the use of force, this is much more likely to ex haust the resources of the predominant state and to lead to counter-bal ancing or the loss of control. 384 Legitimacy as a method of maintaining predominance is far more efficient. The hegemonic model generally values courts’ **institutional competences** more than the anarchic realist model. The courts’ strengths in offering a **stable interpretation of the law**, relative **insulation from political pressure**, and **power to bestow legitimacy** are im portant for realizing the functional constitutional goal of effective U.S. foreign policy. This means that courts’ treatment of deference in foreign affairs will, in most respects, resemble its treatment of domestic affairs. Gi ven the amorphous quality of foreign affairs deference, this “domestication” reduces uncertainty. The increasing boundary problems caused by the pro liferation of treaties and the infiltration of domestic law by fore ign affairs issues are lessened by reducing the deference gap. And the dilemma caused by the need to weigh different functional considerations—liberty, accountability, and effectivenes s—against one another is made less intractable because it becomes part of the same project that the courts constantly grapple with in adjudicating domestic disputes.

#### ---Executive fails – external regulation key

Yap 05

[Julie, J.D. Candidate, 2005, Fordham University School of Law, Fordham Law Review, JUST KEEP SWIMMING: GUIDING ENVIRONMENTAL STEWARDSHIP OUT OF THE RIPTIDE OF NATIONAL SECURITY, L/N]

Environmental self-regulation solely by the executive branch is not a serious proposal. n331 **The military should not be the sole regulator of its own environmental stewardship.** The role of the military is "to fight and win the nation's wars." n332 An important part of this role is preparation and realistic training; the DOD consistently reiterates the concept that ""we need to train as we fight, but the reality is we fight as we train.'" n333 It is naive to think that military leaders and soldiers, no matter how much training in considering environmental damages that may result from their action, will place a **top level priority on environmental concerns when the job of the military is to prepare for, fight, and win wars.** The military also has a poor track record of environmental stewardship. Military readiness and preparation to protect the country's national security during the Cold War "left a legacy of hazardous waste, nuclear contamination, polluted air, water and soil, [\*1333] and resulted in the destruction of natural and cultural resources." n334 With the advent of new technology and highly advanced methods of warfare, the potential environmental dangers have become even more devastating. The military manages "unexploded and surplus ordnance, millions of gallons of liquid waste that is both extremely corrosive and highly radioactive, chemical weapons, excess nuclear warheads and weapons-grade plutonium, and defoliant production residues ... ." ,FN='335'> Given the enormous responsibilities that come with the handling of these substances, coupled with a poor history of proper environmental consideration, the military needs external regulation in order to ensure that decisions that represent all of society's values are being made. Another problem with regulation of defense activities by the executive branch alone is the unitary executive policy of the Department of Justice. n336 This policy **prevents the EPA "from issuing administrative compliance orders or filing suit against other federal agencies for violations"** n337 "without the President's [approval], if at all." n338 Under most environmental statutes, the EPA cannot levy a penalty against other agencies. n339 The principles behind the unitary executive theory have merit, "implicating very real executive branch management and separation of powers issues." n340 Regardless, the unitary executive approach eliminates another method of regulation that helps ensure environmental compliance of private entities. The military has made major improvements to its environmental policy over the past fifteen years. The DOD has created an environmental program that centers on the "four pillars" of [\*1334] restoration, compliance, pollution prevention, and conservation. n341 Environmental planning is a component to each of these four pillars and is included in DOD manuals for proposed actions. n342 Military commanders and soldiers operate under new statements of mission that include "stewardship of the land, air, water and natural ... resources." n343 The incorporation of environmental responsibility in the mission and culture of the military is an important step that should be encouraged in the future. It is not, however, a large enough step to validate internal regulation of environmental stewardship.

### Obama Good – 2AC

#### Won’t pass –

#### Immigration reform won't pass - conservative opposition, House blocks

The Hindu 2/8/14 ("Obama signs $950-bn farm bill," http://www.thehindubusinessline.com/news/international/obama-signs-950bn-farm-bill/article5667375.ece)

Prospects for more significant legislation in Obama’s second term seem less bright though, as hopes for comprehensive immigration reform have suffered a setback amid grassroots conservative opposition and Republicans in the House of Representatives blocking much of the President’s agenda.

#### Immigration reform won’t pass – Boehner concedes, Senate/House differences irresolvable

Associated Press 2/6/14 ("House Speaker John Boehner casts doubt on getting immigration reform done in 2014," http://www.nydailynews.com/news/politics/house-speaker-john-boehner-casts-doubt-immigration-reform-2014-article-1.1604511#ixzz2skLdJwCN)

House Speaker John Boehner said Thursday it will be difficult to pass immigration legislation this year, dimming prospects for one of President Barack Obama’s top domestic priorities.¶ “Listen, there’s widespread doubt about whether this administration can be trusted to enforce our laws. And it’s going to be difficult to move any immigration legislation until that changes,” Boehner told reporters at his weekly news conference.¶ Bloomberg Businessweek's Josh Green and Bloomberg's Peter Cook discuss immigration reform on Bloomberg Television's "Market Makers." (Source: Bloomberg)¶ While Boehner called on Obama to restore that trust, he made no mention of the rank-and-file Republicans who were unenthusiastic about a set of broad principles circulated by the leadership last week. The principles included legal status but no special path for citizenship for the estimated 11 million immigrants who live in the country illegally and tougher border and interior security.¶ A group of conservative Republicans said Wednesday that Congress should wait until next year to address immigration, arguing that it made no sense to take up an issue that divides the GOP in an election year. They also argued that the Republicans have a legitimate shot at capturing Senate control and could dictate the terms of any legislation.“I have made clear for 15 months the need for the Congress and the administration to work together on the issue of immigration reform. It needs to get done. I’m going to continue to talk to my members about how to move forward, but the president is going to have to do his part,” Boehner said.¶ The Senate last June passed a bipartisan bill that would tighten border security, provide enforcement measures and offer a path to citizenship for immigrants living here without government authorization.¶ The measure has stalled in the House where Boehner and other leaders have rejected a comprehensive approach in favor of a bill-by-bill process.¶ Boehner’s pessimistic comments came just two days after Senate Minority Leader Mitch McConnell, R-Ky., told reporters that differences between the Senate’s comprehensive approach and the House’s piecemeal strategy were an “irresolvable conflict.”

#### --Economic decline doesn’t cause war

Tir 10 [Jaroslav Tir - Ph.D. in Political Science, University of Illinois at Urbana-Champaign and is an Associate Professor in the Department of International Affairs at the University of Georgia, “Territorial Diversion: Diversionary Theory of War and Territorial Conflict”, The Journal of Politics, 2010, Volume 72: 413-425)]

Empirical support for the economic growth rate is much weaker. The finding that poor economic performance is associated with a higher likelihood of territorial conflict initiation is significant only in Models 3–4.14 The weak results are not altogether surprising given the findings from prior literature. In accordance with the insignificant relationships of Models 1–2 and 5–6, Ostrom and Job (1986), for example, note that the likelihood that a U.S. President will use force is uncertain, as the bad economy might create incentives both to divert the public’s attention with a foreign adventure and to focus on solving the economic problem, thus reducing the inclination to act abroad. Similarly, Fordham (1998a, 1998b), DeRouen (1995), and Gowa (1998) find no relation between a poor economy and U.S. use of force. Furthermore, Leeds and Davis (1997) conclude that the conflict-initiating behavior of 18 industrialized democracies is unrelated to economic conditions as do Pickering and Kisangani (2005) and Russett and Oneal (2001) in global studies. In contrast and more in line with my findings of a significant relationship (in Models 3–4), Hess and Orphanides (1995), for example, argue that economic recessions are linked with forceful action by an incumbent U.S. president. Furthermore, Fordham’s (2002) revision of Gowa’s (1998) analysis shows some effect of a bad economy and DeRouen and Peake (2002) report that U.S. use of force diverts the public’s attention from a poor economy. Among cross-national studies, Oneal and Russett (1997) report that slow growth increases the incidence of militarized disputes, as does Russett (1990)—but only for the United States; slow growth does not affect the behavior of other countries. Kisangani and Pickering (2007) report some significant associations, but they are sensitive to model specification, while Tir and Jasinski (2008) find a clearer link between economic underperformance and increased attacks on domestic ethnic minorities. While none of these works has focused on territorial diversions, my own inconsistent findings for economic growth fit well with the mixed results reported in the literature.15 Hypothesis 1 thus receives strong support via the unpopularity variable but only weak support via the economic growth variable. These results suggest that embattled leaders are much more likely to respond with territorial diversions to direct signs of their unpopularity (e.g., strikes, protests, riots) than to general background conditions such as economic malaise. Presumably, protesters can be distracted via territorial diversions while fixing the economy would take a more concerted and prolonged policy effort. Bad economic conditions seem to motivate only the most serious, fatal territorial confrontations. This implies that leaders may be reserving the most high-profile and risky diversions for the times when they are the most desperate, that is when their power is threatened both by signs of discontent with their rule and by more systemic problems plaguing the country (i.e., an underperforming economy).

#### PC low –

#### Obama has no political capital – lost his mojo, lack of party support

Van Sustern 2/6/14 (Greta, "GRETA: President Obama Has Lost His Mojo," http://nation.foxnews.com/2014/02/06/greta-president-obama-has-lost-his-mojo)

Let's go "Off the Record" for just a minute. The nation has a big problem and this should worry you, regardless of your political party. President Obama has lost his mojo.¶ Yes, he came to office with very little experience, but he had that incredible power to inspire. America was rooting for him -- even his political opponents could not help but be inspired. He was exciting.¶ (BEGIN VIDEO CLIP)¶ BARACK OBAMA, PRESIDENT OF THE UNITED STATES: America, we cannot turn back. Not with so much work to be done. Not with so many children to educate and so many veterans to care for, not with an economy to fix and cities to rebuild and farms to save.¶ (END VIDEO CLIP)¶ That power inspire is a potent political weapon. If used effectively you can get people with very deep differences to work together.¶ But now, that is not happening. President Obama has lost his mojo. Frankly, he is depressing. He shows no fire in his belly. No passion to solve issues. If he hasn't the passion, why would anyone else? He almost sounds like he has just given up.¶ (BEGIN VIDEO CLIP)¶ PRESIDENT OBAMA: At this point, my goal every single day is just to make sure that I can look back and say we're delivering something, not everything, because this a long haul.¶ (END VIDEO CLIP)¶ And his team taking a lead from him is just as bad.¶ (BEGIN VIDEO CLIP)¶ JAY CARNEY, WHITE HOUSE PRESS SECRETARY: We have been calling on the Afghan government to sign the agreement for some time now.¶ JASON FURMAN, WHITE HOUSE COUNCIL OF ECONOMIC ADVISERS CHAIRMAN: This has given that option that they didn't used to have.¶ TOM VILSACK, U.S. SECRETARY OF AGRICULTURE: I'm excited about the opportunities that this bill provides in terms of the issue of climate.¶ (END VIDEO CLIP)¶ Wow, those press briefings feel like a funeral home viewing. They are collectively sinking the nation's morale. When that happens, it becomes every man for himself. People grabbing whatever they can, waivers, exemptions deals, you name it. It is the "me" attitude. That is bad for the nation. It doesn't help.¶ President Obama blames his woes on others -- Fox News, Congress, Tea Party, Republicans. He needs to knock that off. That's not leadership. Those are excuses. Even his own party is disspirited by him. His national poll rating has sunk from 67 percent to now 42 percent. The nation is not happy with him.

#### Fiscal battles thump – debt, budget, Obamacare fights now

Raum 10/7/14 (Tom, Associated Press, "Analysis: Washington gridlock at a crossroads," http://www.pekintimes.com/article/20140207/NEWS/140209335?template=printart)

Finger-pointing still abounds between the Democrats who control the White House and the Senate and the Republicans who control the House of Representatives ahead of midterm elections later this year that will determine control of Congress for the remainder of Obama’s presidency.¶ “The president’s policies are not working,” House Speaker John Boehner, R-Ohio, declared. ¶ Senate Majority Leader Harry Reid, D-Nev., countered: “We cannot have a country that’s paralyzed because of a group of people — the group of people who are the tea party-driven Republicans in Congress.”¶ “There are no winners here,” suggested Obama, with just under three years to go to complete his economic legacy. “The American people are completely fed up with Washington.” ¶ An important indicator of the state of the economy came Friday, when the Labor Department reported that the U.S. jobless rate in January fell to a five-year low of 6.6 percent. But employers added just 113,000 jobs, a modest gain. The numbers were a slight improvement from the 6.7 percent rate of the month before and a lot lower than the 10 percent reached briefly in 2009. But that is still significantly higher than the 5 percent or lower unemployment rate that usually signifies a healthy economy.¶ But even as public confidence in the economy is improving, polls also show that Americans’ approval of Congress is at or near record lows.¶ More key fiscal battles are looming after self-inflicted wounds like last fall’s government shutdown and repeated debt-limit crises over the past few years. ¶ The federal government once again is about to bump into the limit on its borrowing authority, which is set by law. Last October’s deal to end the 16-day partial government shutdown suspended the debt ceiling until Feb. 7. That’s Friday.¶ Treasury Secretary Jacob Lew has urged Congress to act quickly to raise the debt limit, saying “at some point very soon,” probably by month’s end, he’ll run out of delaying strategies, and the nation could default for the first time ever on some of its debt.¶ “This can and should be a breakthrough year for our economy,” Lew told the Bipartisan Policy Center. “The table is now set for us to build on the economic progress that we have made over the last five years — and it is incumbent on Washington to be part of the solution, and to avoid the brinksmanship of recent years that has done so much to diminish economic momentum.” ¶ Some congressional Republicans are looking for concessions from the administration in exchange for their support on the debt limit increase. ¶ Also, early next month, Obama will submit his federal budget for the fiscal year that begins Oct. 1. Presidential budgets almost always trigger partisan warfare. In fact, the White House is already drawing heat from some Republicans for delaying its fiscal 2015 budget submission by a month. Presidential budgets are traditionally sent to Congress in early February.¶ “The president failed to meet one of his most basic responsibilities — submit a budget to Congress,” complained Sen. John Cornyn, R-Texas, noting that Obama had called on Congress only two weeks ago in his State of the Union address to act quickly on his priorities. Cornyn is the sponsor of a bill that would withhold Lew’s government salary for every day the president’s budget is late. ¶ Republicans constantly blame Obama and Democrats on Capitol Hill for a range of problems, beginning with the president’s rocky rollout of his health care overhaul and expensive government programs, claiming such policies are threatening to derail the recovery that began in 2009. Democrats, in turn, point at Republicans and accuse them of triggering the government shutdown and advocating hurtful spending cuts on social programs.

#### 3. Congress likes the plan

Janofsky 05

[Michael, NY Times, 5/11/05, Pentagon Is Asking Congress to Loosen Environmental Laws, <http://www.nytimes.com/2005/05/11/politics/11enviro.html?_r=0>]

Dozens of groups have complained to Congress that the military's needs are covered by the laws that they seek to change and that waivers would result in conditions getting worse on and around the nation's military bases, endangering the health of millions of people. As the owner of 425 active bases and more than 10,000 training ranges, the Defense Department is widely regarded as one of the nation's leading polluters, producing vast amounts of chemicals from ordnance that leach into groundwater, as well as air pollution from military vehicles. The Environmental Protection Agency lists more than 130 Superfund sites on military bases. "Congress would never consider letting the nation's biggest corporate polluter off the hook," Heather Taylor, deputy legislative director for the Natural Resources Defense Council, said in a conference call with reporters. "Why, then, would Congress grant immunity to America's, and the world's, largest polluter?" Since 2001, the Pentagon has been asking Congress for greater latitude in complying with environmental laws. When it came to birds and animals, lawmakers were willing to compromise, granting exemptions to federal laws. But they have been more resistant to changes that might affect human health under the Clean Air Act; the Resource Conservation and Recovery Act, dealing with solid waste; and the Comprehensive Environmental Response, Compensation and Liability Act, which deals with toxic wastes and is better known as the Superfund law.

#### 4. Courts don’t link

Litwick and Schragger 10/8/06(Dahlia and Richard, Legal Affairs Correspondent @ Slate Magazine + Prof of Law @ UVA, Wash Post, lexis)

Criticizing the court for overturning the laws passed by Congress -- as Specter did repeatedly during the confirmation hearings for John G. Roberts Jr. and Samuel A. Alito Jr. -- is fair . But crying "judicial activism" at the same time you rely on the courts for political cover when you're too timid to defy the electorate -- or your president -- is hypocritical . Why should the Supreme Court defer to a Congress that adopts laws it suspects are unconstitutional? And what should we think of those elected officials who would take so cavalier an attitude toward their oath to uphold the Constitution? Members of Congress take the same oath as Supreme Court justices do, after all. And Congress regularly asserts its institutional capacity to interpret the Constitution -- to act on an equal footing with the Supreme Court in deciding the constitutionality of a law. Moreover, the justices are supposed to assume that Congress never intentionally adopts an unconstitutional law, and you need attend oral argument for only a few moments to know how seriously they take that charge. So how is it possible that an oath-bound member of Congress can support a law that he or she believes violates the Constitution? Congress gives in to the temptation of passing bills that are of questionable constitutionality because it's easy and convenient . Political expediency seems to trump constitutional principle. The elected branches need never defy the popular will if the courts are available to do so instead. And those members of Congress who insist that the courts should stay out of Congress's business should recognize Congress for the enabler it has become. It's a two-way street: The courts work with what Congress sends them and sometimes Congress purposely sends them unconstitutional legislation, because it is politically expedient to do so. That's why lawmakers who know that legislation to ban flag burning violates the First Amendment regularly trot it out anyway. It is an easy way to mollify voters, while letting some other branch grapple with what the Constitution requires. As a bonus , lawmakers then can blame the courts for usurping the will of the electorate, turning an ordinary political pander into an Olympic-worthy double-pander. So instead of pointing fingers at the court, let's call the whole relationship what it is: dysfunctional . For all its railing against the court, Congress sometimes relies on it to achieve substantive aims. The court, sheltered from political fallout, can sometimes afford to be brave when Congress cannot . But this suggests that cries of "judicial activism" from the Congress should be suspect. As is the case in any dysfunctional relationship, Congress has a vested interest in being upheld when it wants to be, and struck down when it needs to be bailed out.

#### 5. Plan’s announced in June

Ward 10 (Jake, “Bilski Decision Tomorrow (Thursday, June 17th)? Maybe?”, Anticipate This! (Patent and Trademark Law Blog), 6-17, http://anticipatethis.wordpress.com/2010/06/16/bilski-decision-tomorrow-thursday-june-17th-maybe/)

In mid-May until the end of June, the Supreme Court of the United States (SCOTUS) releases orders and opinions.  SCOTUS has yet to issue a number of decisions this term, however, and it is rapidly moving toward summer recess.  Most notable from a patent law perspective is that the decision in [Bilski v. Kappos](http://anticipatethis.wordpress.com/?s=bilski), which was argued in November 2009, has yet to be decided.

#### Losers lose has already been triggered

**NPR 9/21**/13 (NPR, “Have Obama's Troubles Weakened Him For Fall's Fiscal Fights?”

[http://www.ideastream.org/news/npr/224494760](http://www.ideastream.org/news/npr/224494760m), September 21, 2013)

President Obama has had a tough year. He failed to pass gun legislation. Plans for an immigration overhaul have **stalled** in the House. He barely escaped what would have been a humiliating rejection by Congress on his plan to strike Syria.¶ Just this week, his own Democrats forced Larry Summers, the president's first choice to head the Federal Reserve, to withdraw.¶ Former Clinton White House aide Bill Galston says all these issues have **weakened the unity of the president's coalition.**¶"It's not a breach, but there has been some real tension there," he says, "and that's something that neither the president nor congressional Democrats can afford as the budget battle intensifies."¶ Obama is now facing showdowns with the Republicans over a potential government shutdown and a default on the nation's debt. On Friday, the House voted to fund government operations through mid-December, while also defunding the president's signature health care law — a position that's bound to fail in the Senate.¶ As these fiscal battles proceed, **Republicans have been emboldened by the president's recent troubles**, says former GOP leadership aide Ron Bonjean.

#### 7. PC not real

Hirsch 13

[Michael, chief correspondent for the National Journal and former senior editor and columnist at Newsweek, "There's no such thing as political capital.” 2/27/13, <http://news.yahoo.com/no-thing-political-capital-201002390--politics.html>]

On Tuesday, in his State of the Union address, President Obama will do what every president does this time of year. For about 60 minutes, he will lay out a sprawling and ambitious wish list highlighted by gun control and immigration reform, climate change and debt reduction. In response, the pundits will do what they always do this time of year: They will talk about how unrealistic most of the proposals are, discussions often informed by sagacious reckonings of how much “political capital” Obama possesses to push his program through. Most of this talk will have no bearing on what actually happens over the next four years. Consider this: Three months ago, just before the November election, if someone had talked seriously about Obama having enough political capital to oversee passage of both immigration reform and gun-control legislation at the beginning of his second term—even after winning the election by 4 percentage points and 5 million votes (the actual final tally)—this person would have been called crazy and stripped of his pundit’s license. (It doesn’t exist, but it ought to.) In his first term, in a starkly polarized country, the president had been so frustrated by GOP resistance that he finally issued a limited executive order last August permitting immigrants who entered the country illegally as children to work without fear of deportation for at least two years. Obama didn’t dare to even bring up gun control, a Democratic “third rail” that has cost the party elections and that actually might have been even less popular on the right than the president’s health care law. And yet, for reasons that have very little to do with Obama’s personal prestige or popularity—variously put in terms of a “mandate” or “political capital”—chances are fair that both will now happen. What changed? In the case of gun control, of course, it wasn’t the election. It was the horror of the 20 first-graders who were slaughtered in Newtown, Conn., in mid-December. The sickening reality of little girls and boys riddled with bullets from a high-capacity assault weapon seemed to precipitate a sudden tipping point in the national conscience. One thing changed after another. Wayne LaPierre of the National Rifle Association marginalized himself with poorly chosen comments soon after the massacre. The pro-gun lobby, once a phalanx of opposition, began to fissure into reasonables and crazies. Former Rep. Gabrielle Giffords, D-Ariz., who was shot in the head two years ago and is still struggling to speak and walk, started a PAC with her husband to appeal to the moderate middle of gun owners. Then she gave riveting and poignant testimony to the Senate, challenging lawmakers: “Be bold.” As a result, momentum has appeared to build around some kind of a plan to curtail sales of the most dangerous weapons and ammunition and the way people are permitted to buy them. It’s impossible to say now whether such a bill will pass and, if it does, whether it will make anything more than cosmetic changes to gun laws. But one thing is clear: The political tectonics have shifted dramatically in very little time. Whole new possibilities exist now that didn’t a few weeks ago. Meanwhile, the Republican members of the Senate’s so-called Gang of Eight are pushing hard for a new spirit of compromise on immigration reform, a sharp change after an election year in which the GOP standard-bearer declared he would make life so miserable for the 11 million illegal immigrants in the U.S. that they would “self-deport.” But this turnaround has very little to do with Obama’s personal influence—his political mandate, as it were. It has almost entirely to do with just two numbers: 71 and 27. That’s 71 percent for Obama, 27 percent for Mitt Romney, the breakdown of the Hispanic vote in the 2012 presidential election. Obama drove home his advantage by giving a speech on immigration reform on Jan. 29 at a Hispanic-dominated high school in Nevada, a swing state he won by a surprising 8 percentage points in November. But the movement on immigration has mainly come out of the Republican Party’s recent introspection, and the realization by its more thoughtful members, such as Sen. Marco Rubio of Florida and Gov. BobbyJindal of Louisiana, that without such a shift the party may be facing demographic death in a country where the 2010 census showed, for the first time, that white births have fallen into the minority. It’s got nothing to do with Obama’s political capital or, indeed, Obama at all. The point is not that “political capital” is a meaningless term. Often it is a synonym for “mandate” or “momentum” in the aftermath of a decisive election—and just about every politician ever elected has tried to claim more of a mandate than he actually has. Certainly, Obama can say that because he was elected and Romney wasn’t, he has a better claim on the country’s mood and direction. Many pundits still defend political capital as a useful metaphor at least. “It’s an unquantifiable but meaningful concept,” says Norman Ornstein of the American Enterprise Institute. “You can’t really look at a president and say he’s got 37 ounces of political capital. But the fact is, it’s a concept that matters, if you have popularity and some momentum on your side.” The real problem is that the idea of political capital—or mandates, or momentum—is so poorly defined that presidents and pundits often get it wrong. “Presidents usually over-estimate it,” says George Edwards, a presidential scholar at Texas A&M University. “The best kind of political capital—some sense of an electoral mandate to do something—is very rare. It almost never happens. In 1964, maybe. And to some degree in 1980.” For that reason, political capital is a concept that misleads far more than it enlightens. It is distortionary. It conveys the idea that we know more than we really do about the ever-elusive concept of political power, and it discounts the way unforeseen events can suddenly change everything. Instead, it suggests, erroneously, that a political figure has a concrete amount of political capital to invest, just as someone might have real investment capital—that a particular leader can bank his gains, and the size of his account determines what he can do at any given moment in history. Naturally, any president has practical and electoral limits. Does he have a majority in both chambers of Congress and a cohesive coalition behind him? Obama has neither at present. And unless a surge in the economy—at the moment, still stuck—or some other great victory gives him more momentum, it is inevitable that the closer Obama gets to the 2014 election, the less he will be able to get done. Going into the midterms, Republicans will increasingly avoid any concessions that make him (and the Democrats) stronger. But the abrupt emergence of the immigration and gun-control issues illustrates how suddenly shifts in mood can occur and how political interests can align in new ways just as suddenly. Indeed, the pseudo-concept of political capital masks a larger truth about Washington that is kindergarten simple: You just don’t know what you can do until you try. Or as Ornstein himself once wrote years ago, “Winning wins.” In theory, and in practice, depending on Obama’s handling of any particular issue, even in a polarized time, he could still deliver on a lot of his second-term goals, depending on his skill and the breaks. Unforeseen catalysts can appear, like Newtown. Epiphanies can dawn, such as when many Republican Party leaders suddenly woke up in panic to the huge disparity in the Hispanic vote. Some political scientists who study the elusive calculus of how to pass legislation and run successful presidencies say that political capital is, at best, an empty concept, and that almost nothing in the academic literature successfully quantifies or even defines it. “It can refer to a very abstract thing, like a president’s popularity, but there’s no mechanism there. That makes it kind of useless,” says Richard Bensel, a government professor at Cornell University. Even Ornstein concedes that the calculus is far more complex than the term suggests. Winning on one issue often changes the calculation for the next issue; there is never any known amount of capital. “The idea here is, if an issue comes up where the conventional wisdom is that president is not going to get what he wants, and he gets it, then each time that happens, it changes the calculus of the other actors” Ornstein says. “If they think he’s going to win, they may change positions to get on the winning side. It’s a bandwagon effect.”

#### 8. Public likes the plan

ENS 01

[Environmental News Service , U.S. Military Under Attack on Environmental Grounds, 6/25/01, <http://www.ens-newswire.com/ens/jun2001/2001-06-25-03.asp>]

A coalition of citizen’s organizations is challenging the U.S. Armed Forces, alleging that the health and safety of communities across the country is under assault from past and current polluting military operations. In a new national campaign, citizens impacted by military operations **from Hooper Bay, Alaska to Vieques, Puerto Rico** are participating in the Military Toxics Project�s effort to hold the U.S. military accountable to the same laws that apply to all other sectors of society. The military is not subject to most laws that protect communities and workers, either because it is completely exempt or because the Environmental Protection Agency has no enforcement authority, says Steve Taylor, national coordinator for the Maine based Military Toxics Project. The campaign is timed to support the introduction of a bill by Congressman Bob Filner, a California Democrat, who represents San Diego, home to a large contingent of U.S. Navy ships in the Pacific Fleet, the Space and Naval Warfare Systems Center, and the Naval Air Force. On June 13, Filner introduced the Military Environmental Responsibility Act, which seeks to remove all military exemptions from existing environmental, worker and public safety laws and regulations. To back up the new bill, the Military Toxics Project (MTP) released to Congress a report entitled "Defend Our Health: The U.S. Military�s Environmental Assault On Communities." Prepared by MTP and Environmental Health Coalition, an environmental justice organization based in San Diego, the report shows how military exemptions from laws and lax enforcement by regulatory agencies have contributed to the existence of more than 27,000 toxic hot spots on 8,500 military properties across the country. Based on the findings of this report, the citizens' groups charge that military activities like legal and illegal toxic dumping, testing and use of munitions, manufacture and use of depleted uranium ammunition, hazardous waste generation, nuclear propulsion, toxic air emissions have created "an environmental catastrophe.

#### Key to PC

Sinclair UCLA Prof of Poli Sci 09 - Professor Emerita of Political Science at UCLA.

[Barbara, "Barack Obama and the 111th Congress: Politics as Usual?" http://www.ou.edu/carlalbertcenter/extensions/spring2009/Sinclair.pdf]

Whether the stimulus bill was even in danger of losing significant public support is unclear; but Obama's efforts meant he got the credit when the bill passed to strong public acclaim. A February 10 Gallup poll found that 59 percent of the public favored the stimulus bill while 33 percent opposed it; furthermore, support had increased after Obama went on the road to sell the program. Obama himself maintained his high approval ratings with the American people and the proportion approving of Congress increased significantly.7 Voters approved of the job congressional Democrats are doing by 46 percent to 45 percent and disapproved of the GOP’s performance by 56 percent to 34 percent, according to a February 17-18 poll conducted by Fox News/Opinion Dynamics.8 By using the bully pulpit effectively, Obama makes it easier for congressional Democrats to support his initiatives and for the congressional leaders to deliver for him legislatively.9 When the president attempts to build public support for his agenda by “going to the people,” it is sometimes interpreted as “going over the heads” of members of Congress to pressure them via their constituents and is thought to breed resentment. However, when the president's efforts allow members to do what they would like to do anyway, their response is likely to be quite different. And if a few Republicans do, in fact, feel constituency pressure, any resentment is likely to be considered a reasonable price to pay for their occasional votes.

### K 2AC

#### K doesn’t come first

**Owens 2002** (David – professor of social and political philosophy at the University of Southampton, Re-orienting International Relations: On Pragmatism, Pluralism and Practical Reasoning, Millenium, p. 655-657)

Commenting on the ‘philosophical turn’ in IR, Wæver remarks that ‘[a] frenzy for words like “epistemology” and “ontology” often signals this philosophical turn’, although he goes on to comment that these terms are often used loosely.4 However, loosely deployed or not, it is clear that debates concerning ontology and epistemology play a central role in the contemporary IR theory wars. In one respect, this is unsurprising since it is a characteristic feature of the social sciences that periods of disciplinary disorientation involve recourse to reflection on the philosophical commitments of different theoretical approaches, and there is no doubt that such reflection can play a valuable role in making explicit the commitments that characterise (and help individuate) diverse theoretical positions. Yet, such a philosophical turn is not without its dangers and I will briefly mention three before turning to consider a confusion that has, I will suggest, helped to promote the IR theory wars by motivating this philosophical turn. The first danger with the philosophical turn is that it has an inbuilt tendency to prioritise issues of ontology and epistemology **over explanatory** and/or interpretive **power** as if the latter two were merely a **simple function** of the former. But while the explanatory and/or interpretive power of a theoretical account is not wholly independent of its ontological and/or epistemological commitments (otherwise criticism of these features would not be a criticism that had any value), **it is by no means clear that it is**, in contrast, wholly dependent **on these philosophical commitments**. Thus, for example, one need not be sympathetic to rational choice theory to recognise that it can provide powerful accounts of certain kinds of problems, such as the tragedy of the commons in which dilemmas of collective action are foregrounded. It may, of course, be the case that the advocates of rational choice theory cannot give a good account of why this type of theory is powerful in accounting for this class of problems (i.e., how it is that the relevant actors come to exhibit features in these circumstances that approximate the assumptions of rational choice theory) and, if this is the case, it is a philosophical weakness—but **this does not undermine** the point that, for a certain class of problems, rational choice theory may provide the best account available to us. In other words, while the critical judgement of theoretical accounts in terms of their ontological and/or epistemological sophistication is one kind of critical judgement, **it is not the only or even necessarily the** most important kind. The second danger run by the philosophical turn is that because prioritisation of ontology and epistemology promotes theory-construction from philosophical first principles, it cultivates a theory-driven rather than problem-driven approach to IR. Paraphrasing Ian Shapiro, the point can be put like this: since it is the case that there is always a plurality of possible true descriptions of a given action, event or phenomenon, the challenge is to decide which is the most apt in terms of getting a perspicuous grip on the action, event or phenomenon in question given the purposes of the inquiry; yet, from this standpoint, ‘theory-driven work is part of a reductionist program’ in that it ‘dictates always opting for the description that calls for the explanation that flows from the preferred model or theory’.5 The justification offered for this strategy rests on the mistaken belief that it is necessary for social science because general explanations are required to characterise the classes of phenomena studied in similar terms. However, as Shapiro points out, this is to misunderstand the enterprise of science since ‘whether there are general explanations for classes of phenomena is a **question for social-scientific inquiry**, not to be prejudged before conducting that inquiry’.6 Moreover, this strategy easily slips into the promotion of the pursuit of generality over that of empirical validity. The third danger is that the preceding two combine to encourage the formation of a particular image of disciplinary debate in IR—what might be called (only slightly tongue in cheek) ‘the Highlander view’—namely, an image of warring theoretical approaches with each, despite occasional temporary tactical alliances, dedicated to the strategic achievement of sovereignty over the disciplinary field. It encourages this view because the turn to, and prioritisation of, ontology and epistemology stimulates the idea that there can only be one **theoretical approach which gets things right**, namely, the theoretical approach that gets its ontology and epistemology right. This image feeds back into IR exacerbating the first and second dangers, and so a potentially vicious circle arises.

#### ---No impact

**Dickinson 4** (Dr. Edward Ross, Professor of History – University of Cincinnati, “Biopolitics, Fascism, Democracy: Some Reflections on Our Discourse About ‘Modernity’”, Central European History, 37(1), p. 18-19)

In an important programmatic statement of 1996 Geoff Eley celebrated the fact that Foucault’s ideas have “fundamentally directed attention away from institutionally centered conceptions of government and the state . . . and toward a dispersed and decentered notion of power and its ‘microphysics.’”48 The “broader, deeper, and less visible ideological consensus” on “technocratic reason and the ethical unboundedness of science” was the focus of his interest.49 But the “power-producing effects in Foucault’s ‘microphysical’ sense” (Eley) of the construction of social bureaucracies and social knowledge, of “an entire institutional apparatus and system of practice” ( Jean Quataert), simply do not explain Nazi policy.50 The destructive dynamic of Nazism was a product not so much of a particular modern set of ideas as of a particular modern political structure, one that could realize the disastrous potential of those ideas. What was critical was not the expansion of the instruments and disciplines of biopolitics, which occurred everywhere in Europe. Instead, it was the principles that guided how those instruments and disciplines were organized and used, and the external constraints on them. In National Socialism, biopolitics was shaped by a totalitarian conception of social management focused on the power and ubiquity of the völkisch state. In democratic societies, biopolitics has historically been **constrained** by a rights-based strategy of social management. This is a point to which I will return shortly. For now, the point is that what was decisive was actually politics at the level of the state. A comparative framework can help us to clarify this point. Other states passed compulsory sterilization laws in the 1930s — indeed, individual states in the United States had already begun doing so in 1907. Yet they **did not proceed** tothe next steps adopted by National Socialism — mass sterilization, mass “eugenic” abortion and murder of the “defective.” Individual figures in, for example, the U.S. did make such suggestions. But **neither** the **political structures** of democratic states **nor** their **legal and political principles** **permitted** such policies actually being enacted. Nor did the scale of forcible sterilization in other countries match that of the Nazi program. I do not mean to suggest that such programs were not horrible; but in a **democratic** political **context** they did not develop the dynamic of constant radicalization and escalation that characterized Nazi policies.

#### -- Alt can’t solve --Appeals for institutional restrain are a crucial supplement to political resistance to executive power.

David COLE Law @ Georgetown ’12 “The Politics of the Rule of Law: The Role of Civil Society in the Surprising Resilience of Human Rights in the Decade after 9/11” http://www.law.uchicago.edu/files/files/Cole%201.12.12.pdf p. 51-53

As I have shown above, while political forces played a significant role in checking President Bush, what was significant was the particular substantive content of that politics; it was not just any political pressure, but pressure to maintain fidelity to the rule of law. Politics standing alone is as likely to fuel as to deter executive abuse; consider the lynch mob, the Nazi Party in Germany, or xenophobia more generally. What we need if we are to check abuses of executive power is a politics that champions the rule of law. Unlike the politics Posner and Vermeule imagine, this type of politics cannot be segregated neatly from the law. On the contrary, it will often coalesce around a distinctly legal challenge, objecting to departures from distinctly legal norms, heard in a court case, as we saw with Guantanamo. Congress’s actions make clear that had Guantanamo been left to the political process, there would have been few if any advances. The litigation generated and concentrated political pressure on claims for a restoration of the values of legality, and, as discussed above, that pressure then played a critical role in the litigation’s outcome, which in turn affected the political pressure for reform. There is, to be sure, something paradoxical about this assessment. The rule of law, the separation of powers, and human rights are designed to discipline and constrain politics, out of a concern that pure majoritarian politics, focused on the short term, is likely to discount the long-term values of these principles. Yet without a critical mass of political support for these legal principles, they are unlikely to be effective checks on abuse, for many of the reasons Posner andVermeule identify. The answer, however, is not to abandon the rule of law for politics, but to develop and nurture a political culture that values the rule of law itself. Civil society organizations devoted to such values, such as Human Rights Watch, the Center for Constitutional Rights, and the American Civil Liberties Union, play a central role in facilitating, informing, and generating that politics. Indeed, they have no alternative. Unlike governmental institutions, civil society groups have no formal authority to impose the limits of law themselves. Their recourse to the law’s limits is necessarily indirect: they can file lawsuits seeking judicial enforcement, lobby Congress for statutory reform or other legislative responses, or seek to influence the executive branch. But they necessarily and simultaneously pursue these goals through political avenues – by appealing to the public for support, educating the public, exposing abuses, and engaging in public advocacy around rule-of-law values. Unlike ordinary politics, which tends to focus on the preferences of the moment, the politics of the rule of law is committed to a set of long-term principles. Civil society organizations are uniquely situated to bring these long-term interests to bear on the public debate. Much like a constitution itself, civil society groups are institutionally designed to emphasize and reinforce our long-term interests. When the ordinary political process is consumed by the heat of a crisis, organizations like the ACLU, Human Rights First, and the Center for Constitutional Rights, designed to protect the rule of law, are therefore especially important. While Congress and the courts were at best compromised and at worst complicit in the abuses of the post-9/11 period, civil society performed admirably. The Center for Constitutional Rights brought the first lawsuit seeking habeas review at Guantanamo, and went on to coordinate a nationwide network of volunteer attorneys who represented Guantanamo habeas petitioners. The ACLU filed important lawsuits challenging secrecy and government excesses, and succeeded in disclosing many details about the government’s illegal interrogation program. Both the ACLU and CCR filed lawsuits and engaged in public advocacy on behalf of torture and rendition victims, and challenging warrantless wiretapping. Human Rights Watch and Human Rights First wrote important reports on detention, torture, and Guantanamo, and Human Rights First organized former military generals and admirals to speak out in defense of humanitarian law and human rights. These efforts are but a small subset of the broader activities of civil society, at home and abroad, that helped to bring to public attention the Bush administration’s most questionable initiatives, and to portray the initiatives as contrary to the rule of law. At their best, civil society organizations help forge a politics of the rule of law, in which there is a symbiotic relationship between politics and law: the appeal to law informs a particular politics, and that politics reinforces the law’s appeal, in a mutually reinforcing relation. Posner and Vermeule understand the importance of politics as a checking force in the modern world, but fail to see the critical qualification that the politics must be organized around a commitment to fundamental principles of liberty, equality, due process, and the separation of powers – in short, the rule of law. Margulies and Metcalf recognize that politics as much as law determines the reality of rights protections, but fail to identify the unique role that civil society organizations play in that process. It is not that the “rule of politics” has replaced the “rule of law,” but that, properly understood, a politics of law is a critical supplement to the rule of law. We cannot survive as a constitutional democracy true to our principles without both. And our survival turns, not only on a vibrant constitution, but on a vibrant civil society dedicated to reinforcing and defending constitutional values.

#### -- Too late: intervention has irreparably altered the environment. Abandoning management risks extinction.

Levy 99 (Neil, Ph.D. in Comparative Literature and Critical Theory – Monash University, and Currently Tutor, Centre for Critical Theory – Monash University, Discourses of the Environment edited by Eric Darier, p. 214-215)

If our current situation can really be accurately characterized as the extension of bio-power from the realm of population to that of all life, does that entail that the strategies we should be adopting are those of management of the non-human world, as well as that of the human? I believe that it does. But I do not believe that this necessitates, or even makes possible, the genetically engineered, artificial world which McKibben and many others who have advocated non-anthropocentric ethics have feared, the replacement of the natural world with `a space station' (McKibben 1989: 170). And not just for the reason that, after the end of nature, the artificial/natural distinction is impossible to maintain. The world McKibben fears, in which forests are replaced by trees designed by us for maximum efficiency at absorbing carbon, and new strains of genetically engineered corn flourish in the new conditions brought about by global warming, seems to me unlikely in the extreme. The systems with which we are dealing, the imbrication of a huge variety of forms of life with chemical processes, with meteorological and geographic processes, are so complex, and occur on such scale, that I can see no way in which they could be replaced by artificial systems which would fulfil the same functions. Every intervention we make in' that direction has consequences which are so far-reaching, and involve so many variables and as yet undetected connections between relatively independent systems, that they are practically unforeseeable. To replace non-human systems with mechanisms of our own devising would involve thousands of such interventions, each of which would then require follow-up interventions in order to reverse or control their unintended consequences. Even when, and if, our knowledge of the environment were to reach a stage at which we were able to predict the consequences of our interventions, it would be likely to be far easier, and, in the long run, cheaper, simply to turn the already functioning, `natural' systems to our advantage. No method of reducing the amount of carbon dioxide in our atmosphere is likely to be more effective than preserving the Amazonian rain forest. For this reason, I believe, environmentalists have nothing to fear fromsuchan apparently instrumental approach. If the `technological fix' is unlikely to be more successful than strategies of limitation of our use of resources, we are nevertheless unable simply to leave the environment as it is.There is a real and pressing need for more, and more accurate, technical and scientific information about the non-human world. For we are faced with a situation in which the processes we have **already** set in train will continue to impact upon that world, and therefore us, for centuries. It is therefore necessary, not only to stop cutting down the rain forests, but to develop real, concrete proposals for action, to reverse, or at least limit, the effects of our previous interventions. Moreover, there is another reason why our behaviour towards the non-human cannot simply be a matter of leaving it as it is, at least in so far as our goals are not only environmental but also involve social justice. For if we simply preserve what remains to us of wilderness, of the countryside and of park land, we also preserve patterns of very unequal access to their resources and their consolations (Soper 1995: 207). In fact, we risk exacerbating these inequalities. It is not us, but the poor of Brazil, who will bear the brunt of the misery which would result from a strictly enforced policy of leaving the Amazonian rain forest untouched, in the absence of alternative means of providing for their livelihood. It is the development of policies to provide such ecologically sustainable alternatives which we require, as well as the development of technical means for replacing our current green-house gas-emitting sources of energy. Such policies and proposals for concrete action must be formulated by ecologists, environmentalists, people with expertise concerning the functioning of ecosystems and the impacts which our actions have upon them. Such proposals are, therefore, very much the province of Foucault's specific intellectual**,** the one who works `within specific sectors, at the precise points where their own conditions of life or work situate them' (Foucault 1980g: 126). For who could be more fittingly described as `the strategists of life and death' than these environmentalists? After the end of the Cold War, it is in this sphere, more than any other, that man's `politics places his existence as a living being in question' (Foucault 1976: 143). For it is in facing the consequences of our intervention in the non-human world that the **fate of our species**, and of those with whom we share this planet, **will be decided**.

#### -- Alt fails – it has no mechanism for change and disables all concrete environmental efforts

Thiele 98 (Leslie Paul, Professor – University of Florida, “Review of Ecocritique”, American Political Science Review, 92(3), September, p. 690-691)

Luke rejects "ecosocialist millenarianism." He also dismisses the "utopian ecologism" of deep ecologists because it fails to outline the practicable means for realizing its moral vision and, like most other revolutionary programs, lacks "a theory of the transition" (pp. 24-5). This is **clearly a case of the pot calling the kettle black**. Notwithstanding a fine chapter on Murray Bookchin's environmental philosophy and Luke's insistence that all environmental advocacy must be "workable and realistic" (p. 203), Ecocritique **remains divorced from practicality and is a stranger to transitional strategy**. The "ecological populism" promoted by Luke would entail "rebuilding the contemporary city and society from the ground up around new aesthetic sensibilities." It would require "equal participation by every community member in shared action to make collective decisions," such that, in the end, everyone will hold "equitable shares of property, power, and privilege in the community commonwealth" (pp. 200-1). Luke's unwillingness to suggest **any viable means** of achieving these ends is **troubling**. It is particularly suspect owing to his disparagement of those who take the small steps that might slowly move individuals and societies down the road to ecological responsibility. Luke insists that "only the actions of a very small handful of the humans that are now living, namely those in significant positions of decisive managerial power in business or central executive authority in government, can truly do something to determine the future" (p. 126). That conviction is what most separates environmental activists from those who write books about environmental activists. Reflecting on Plato's idealism, Aristotle observed that the best often becomes the enemy of the good. One senses that Luke's diatribe against environmental reformism gains its fire from a vision of the ecological and sociopolitical best. This alluring vision will never come closer to realization, however, if yearnings for what is best **undermine all concrete efforts to achieve what is good**. Luke's ideal of a global confederation of ecologically benign and fully egalitarian communities is infatuating. Yet, in the end, Luke's unwillingness to address the **practical means** of its achievement leaves the reader forlorn. One is reminded of the traveler who asked a resident for directions to a small town in the region. "Ah, yes, that's quite a few turns in the road. If I were you, I wouldn't start from here!"That is a frustrating response, and Ecocritique is a frustrating book. But it is also lively, provocative, and insightful. With the understanding that frustration is often the mother of invention, I would recommend Ecocritique to all those whose environmental concerns will be piqued rather than palsied by the dearth of easy solutions.

#### -- No impact: management is reflexive and beneficial

Hudson 2 (Mark, Ph.D. Sociology – University of Oregon, BA Economics – University of Manitoba, and MA Environmental Studies – York University, Environments, December)

Similarly, the management of the environment, or, more appropriately, the regulation of human-environmental exchange - metabolism, in the Marxist lexicon(f.#3) - offers a potential avenue toward the mitigation, if not resolution, of environmental destruction. Human groups, organized and working toward collectively determined objectives, can and do 'regulate' themselves and their interaction with nature. This is what it is to labour socially. It is not inconceivable that such conscious regulation would have beneficial ecological consequences in terms of the development of a practical, restitutive relationship between humans and their environment. However, this potential can conceivably be realized only in the absence of the constraints created by the requirements of infinite growth and capitalist alienation of workers from the means of production. It is the specifically capitalist form of management that thwarts the human potential of arriving at a sustainable relationship of co-production with nature, just as Marx argues it thwarts the full potential of co-operative labour.

#### -- Local changes fail – the scope of degradation demands the plan

Dalby 2 (Simon, Professor of Geography and Political Economy, Environmental Security, p. 169-75)

Focusing on ecological endangerment in a global urban system suggests repeatedly that the geopolitical precepts of security thinking and the implicit assumptions in conventional environmental thinking severely limit the formulations of political alternatives and the identities that might be secured in the future. The possibilities of autonomous, self-sufficient polities and the invocation of local community have frequently been used in environmental discourses, as in so many other expressions of contemporary ontotheological aspiration, and undoubtedly have considerable utility in practical struggles in many rural areas. But to uncritically repeat these Aristotelian formulations of the polis as a political ideal, given the scale of the global ecological footprint and the pace of carboniferous modernization, suggests both a failure of geopolitical imagination and a nostalgia for a nonexistent past that cannot offer a model for secure lives in the future in many urbanizing places. Moral spaces, to invoke the title of a recent compilation of thinking on this theme, have to include a recognition of the ethical relations between people at a distance, omnivores and eco system people, if they are to encapsulate modern identities in ways that are sensitive to interconnections and in ways that extend also to nonhuman entities, as in the aboriginal formulations of these things in terms of “all our relations.”

#### No link—we are a challenge message – increases salience and collective action

Brulle 10 (Robert BRULLE Sociology & Envt’l Science @ Drexel ’10 “From Environmental Campaigns to Advancing the Public Dialog: Environmental Communication for Civic Engagement” Environmental Communication 4 (1) p. 92)

From Identity to Challenge Campaigns One of the most common assumptions in designing identity-based environmental communication campaigns is that fear appeals are counterproductive. As Swim et al. (2009, p. 80) note: ‘‘well meaning attempts to create urgency about climate change by appealing to fear of disasters or health risks frequently lead to the exact opposite of the desired response: denial, paralysis, apathy, or actions that can create greater risks than the one being mitigated.’’ While the author goes on to qualify and expand this line of argument, this has been taken as an absolute in the popular press and much of the grey literature produced by nonprofit organizations and foundations. However, the academic literature portrays a much more complex picture: whereas apocalyptic rhetoric has been shown to be able to evoke powerful feelings of issue salience (O’Neill & Nicholson-Cole, 2009, p. 373), reassuring messages, such as those advocated by ecoAmerica, have the least ability to increase issue salience (de Hoog, Stroebe, & de Wit, 2007; Lowe et al., 2006; Meijinders, Cees, Midden, & Wilke, 2001; Witte & Allen, 2000). Additionally, apocalyptic messages do not necessarily result in denial. A number of empirical studies show that individuals respond to threat appeals with an increased focus on collective action (Eagly & Kulesa, 1997; Langford, 2002; Leiserowitz, Kates, & Parris, 2006, p. 437; Maiteny, 2002; Shaiko, 1999; Swim et al., 2009, p. 94). Tomaka, Blascovich, Kelsey, and Leitten (1993, p. 248) distinguish between threat and challenge messaging: threat messages ‘‘are those in which the perception of danger exceeds the perception of abilities or resources to cope with the stressor. Challenge appraisals, in contrast, are those in which the perception of danger does not exceed the perception of resources or abilities to cope.’’ If a meaningful response to a threat can be taken that is within the resources of the individual, this results in a challenge, which ‘‘may galvanize creative ideas and actions in ways that transform and strengthen the resilience and creativity of individuals and communities’’ (Fritze, Blashki, Burke, & Wieseman, 2008, p. 12). While fear appeals can lead to maladaptive behaviors, fear combined with information about effective actions can also be strongly motivating (O’Neill & Nicholson-Cole, 2009, p. 376; Witte & Allen, 2000).

#### Securitizing the environment is good – builds public awareness to solve

**Matthew 2**, Richard A, associate professor of international relations and environmental political at the University of California at Irvine, Summer (ECSP Report 8:109-124)

In addition, environmental security's language and findings can benefit conservation and sustainable development."' Much environmental security literature emphasizes the importance of development assistance, sustainable livelihoods, fair and reasonable access to environmental goods, and conservation practices as the vital upstream measures that in the long run will contribute to higher levels of human and state security. The Organization for Economic Cooperation and Development (OECD) and the International Union for the Conservation of Nature (IUCN) are examples of bodies that have been quick to recognize how the language of environmental security can help them. The scarcity/conflict thesis has alerted these groups to prepare for the possibility of working on environmental rescue projects in regions that are likely to exhibit high levels of related violence and conflict. These groups are also aware that an association with security can expand their acceptance and constituencies in some countries in which the military has political control, For the first time in its history; the contemporary environmental movement can regard military and intelligence agencies as potentialallies in the struggle to contain or reverse humangenerated environmental change. (In many situations, of course, the political history of the military--as well as its environmental record-raise serious concerns about the viability of this cooperation.) Similarly, the language of security has provided a basis for some fruitful discussions between environmental groups and representatives of extractive industries. In many parts of the world, mining and petroleum companies have become embroiled in conflict. These companies have been accused of destroying traditional economies, cultures, and environments; of political corruption; and of using private militaries to advance their interests. They have also been targets of violence, Work is now underway through the environmental security arm of the International Institute for Sustainable Development (IISD) to address these issues with the support of multinational corporations. Third, the general conditions outlined in much environmental security research can help organizations such as USAID, the World Bank, and IUCN identify priority cases--areas in which investments are likely to have the greatest ecological and social returns. For all these reasons, IUCN elected to integrate environmental security into its general plan at the Amman Congress in 2001. Many other environmental groups and development agencies are taking this perspective seriously (e.g. Dabelko, Lonergan& Matthew, 1999). However, for the most part these efforts remain preliminary.' Conclusions Efforts to dismiss environment and security research and policy activities on the grounds that they have been unsuccessful are premature and misguided. This negative criticism has all too often been based on an excessively simplified account of the research findings of Homer-Dixon and a few others. Homer-Dixon’s scarcity-conflict thesis has made important and highly visible contributions to the literature, but it is only a small part of a larger and very compelling theory. This broader theory has roots in antiquity and speaks to the pervasive conflicts and security implications of complex nature-society relationships. The theory places incidents of violence in larger structural and historical contexts while also specifying contemporarily significant clusters of variables. From this more generalized and inclusive perspective, violence and conflict are revealed rarely as a society’s endpoint and far more often as parts of complicated adaptation processes. The contemporary research on this classical problematic has helped to revive elements of security discourse and analysis that were marginalized during the Cold War. It has also made valuable contributions to our understanding of the requirements of human security, the diverse impacts of globalization, and the nature of contemporary transnational security threats. Finall,y environmental security research has been valuable in myriad ways to a range of academics, policymakers, and activists, although the full extent of these contributions remains uncertain, rather than look for reasons to abandon this research and policy agenda, now is the time to recognize and to build on the remarkable achievements of the entire environmental security field.

### Anthro 2AC

**No root cause – war causes their impacts**

**Goldstein** **01**

[Professor of International Relations at American University, 2001 (Joshua S., War and Gender: How Gender Shapes the War System and Vice Versa, pp.411-412) ]

First, peace activists face a dilemma in thinking about causes of war and working for peace. Many peace scholars and activists support the approach, “if you want peace, work for justice”. Then if one believes that sexism contributes to war, one can work for gender justice specifically (perhaps among others) in order to pursue peace. This approach brings strategic allies to the peace movement (women, labor, minorities), but rests on the assumption that injustices cause war. The evidence in this book suggests that causality runs at least as strongly the other way. War is not a product of capitalism, imperialism, gender, innate aggression, or any other single cause, although all of these influences wars’ outbreaks and outcomes. Rather, war has in part fueled and sustained these and other injustices.  So, “if you want peace, work for peace.” Indeed, if you want justice (gener and others), work for peace. Causality does not run just upward through the levels of analysis from types of individuals, societies, and governments up to war. It runs downward too. Enloe suggests that changes in attitudes toward war and the military may be the most important way to “reverse women’s oppression/” The dilemma is that peace work focused on justice brings to the peace movement energy, allies and moral grounding, yet, in light of this book’s evidence, the emphasis on injustice as the main cause of war seems to be empirically inadequate.

**Life comes first ----- value to life is biologically tied**

BERNSTEIN ‘2 (Richard J., Vera List Prof. Phil. – New School for Social Research, “Radical Evil: A Philosophical Interrogation”, p. 188-192)

There is a basic value inherent in **organic** being, a basic affirmation, "The Yes' of Life" (IR 81). 15 "The self-affirmation of being becomes emphatic in the opposition of life to death. Life is the explicit confrontation of being with not-being. . . . The 'yes' of all striving is here sharpened by the active `no' to not-being" (IR 81-2). Furthermore — and this is the crucial point for Jonas — this affirmation of life that is in all organic being has a binding obligatory force upon human beings. This blindly self-enacting "yes" gains obligating force in the seeing freedom of man, who as the supreme outcome of nature's purposive labor is no longer its automatic executor but, with the power obtained from knowledge, can become its destroyer as well. He must adopt the "yes" into his will and impose the "no" to not-being on his power. But precisely this transition from willing to obligation is the critical point of moral theory at which attempts at laying a foundation for it come so easily to grief. Why does now, in man, that become a duty which hitherto "being" itself took care of through all individual willings? (IR 82). We discover here the transition from is to "ought" — from the self-affirmation of life to the binding obligation of human beings to preserve life not only for the present but also for the future. But why do we need a new ethics? The subtitle of The Imperative of Responsibility — In Search of an Ethics for the Technological Age — indicates why we need a new ethics. Modern technology has transformed the nature and consequences of human action so radically that the underlying premises of traditional ethics are no longer valid. For the first time in history human beings possess the knowledge and the power to destroy life on this planet, including human life. Not only is there the new possibility of total nuclear disaster; there are the even more invidious and threatening possibilities that result from the unconstrained use of technologies that can destroy the environment required for life. The major transformation brought about by modern technology is that the consequences of our actions frequently exceed by far anything we can envision. Jonas was one of the first philosophers to warn us about the unprecedented ethical and political problems that arise with the rapid development of biotechnology. He claimed that this was happening at a time when there was an "ethical vacuum," when there did not seem to be any effective ethical principles to limit ot guide our ethical decisions. In the name of scientific and technological "progress," there is a relentless pressure to adopt a stance where virtually anything is permissible, includ-ing transforming the genetic structure of human beings, as long as it is "freely chosen." We need, Jonas argued, a new categorical imperative that might be formulated as follows: "Act so that the effects of your action are compatible with the permanence of genuine human life"; or expressed negatively: "Act so that the effects of your action are not destructive of the future possibility of such a life"; or simply: "Do not compromise **the conditions for** an indefinite continuation of humanity on earth**"; or again turned positive:** "In your present choices, include the future wholeness of Man among the objects of your will." (IR 11)

**Perm—do both. Perm solves best; pragmatism is necessary because it can overcome the prevalent anthropocentric mindset, only the perm solves.**

**Light 02**

[Light, Andrew, Assistant Professor of Environmental Philosophy and Director, Environmental Conservation Education Program, 2002 (Environmental Ethics: What Really Matters What Really Works David Schmidtz and Elizabeth Willott, p. 556-57)]

In recent years a critique of this predominant trend in environmental ethics has emerged from within the pragmatist tradition in American philosophy.' The force of this critique is driven by the intuition that environmental philosophy cannot afford to be qui­escent about the public reception of ethical argu­ments over the value of nature. The original moti­vations of environmental philosophers for turning their philosophical insights to the environment sup­port such a position., Environmental philosophy evolved out of a concern about the state of the grow­ing environmental crisis, and a conviction that a philosophical contribution could be made to the res­olution of this crisis. But if environmental philoso­phers spend all of their time debating non­-human centered forms of value theory they will ar­guably never get very far in making such a contri­bution. For example, to continue to ignore human motivations for the act of valuing nature causes many in the field to overlook the fact that most people find it very difficult to extend moral consideration to plants and animals on the grounds that these entities possess some form of intrinsic, inherent, or other­wise conceived nonanthropocentric value. It is even more difficult for people to recognize that non­humans could have rights. Claims about the value of nature as such do not appear to resonate with the or­dinary moral intuitions of most people who, after all, spend most of their livesthinking of value, moral obligations, and rights in exclusively human terms. Indeed, while most environmental philosophers be­gin their work with the assumption that most people think of value in human-centered terms (a problem that has been decried since the very early days of the field), few have considered the problem of how a non-human-centered approach to valuing nature can ever appeal to such human intuitions. The particular version of the pragmatist critique of environmental ethics that I have endorsed recognizes that we need to rethink the utility of anthropocentric arguments in environmental moral and political theory, not nec­essarily because the traditional nonanthropocentric arguments in the field are false, but because they hamper attempts to contribute to the public discus­sion of environmental problems, in terms familiar to the public

**Their value system turns itself**

Bobertz 97

Bobertz Ass’t Prof of Law, Nebraska College of Law, 1997, Bradley Columbia Journal of Environmental Law, Lexis

Apart from the political dangers Ferry associates with deep ecology, he believes the philosophy suffers from a fundamental self-contradiction. The argument that natural objects can possess their own interests strikes Ferry as "one of the most absurd forms of anthropomorphism." n100 We cannot "think like a mountain," to use Aldo Leopold's famous phrase, n101 because, quite obviously, we are not mountains. Recalling Sierra Club v. Morton, n102 the famous standing case involving a proposal to construct a ski resort in California's Mineral King valley, Ferry claims that environmentalists "always suppose that the interests of objects (mountains, lakes and other natural things) are opposed to development. But how do we know? After all, isn't it possible that Mineral King would be inclined to welcome a ski slope after having remained idle for millions of years?" n103 Yet few people, including the writers Ferry labels as deep ecologists, would disagree with the fact that recognizing value in natural objects is an act of human cognition. Perhaps a person suffering from profound psychosis might claim the ability to understand how a mountain "thinks," but the writers Ferry criticizes do not advance such bizarre claims. n104 For deep ecologists and environmental ethicists, phrases such as "think like a mountain" are metaphorical and heuristic, not literal and agenda-setting.

**Dubbing people “anthropocentric” because they didn’t talk about animals turns the alternative**

Lewis 92 – Professor of Environment

Martin Lewis professor in the School of the Environment and the Center for International Studies at Duke University. Green Delusions, 1992 p17-18

Nature for Nature’s Sake—And Humanity for Humanity’s It is widely accepted that environmental thinkers can be divided into two camps: those who favor the preservation of nature for nature’s sake, and those who wish only to maintain the environment as the necessary habitat of humankind (see Pepper 1989; O’Riordan 1989; W Fox 1990). In the first group stand the green radicals, while the second supposedly consists of environmental reformers, also labeled “shallow ecologists.” Radicals often pull no punches in assailing the members of the latter camp for their anthropocentrism, managerialism, and gutless accommo­dationism—to some, “shallow ecology” is “just a more efficient form of exploitation and oppression” (quoted in Nash 1989:202). While this dichotomy may accurately depict some of the major approaches of the past, it is remarkably unhelpful for devising the kind of framework required for a truly effective environmental movement. § Marked 09:38 § It incorrectly assumes that those who adopt an anti-anthropocentric view (that is, one that accords intrinsic worth to nonhuman beings) will also embrace the larger political programs of radical environmentalism. Sim­ilarly, it portrays those who favor reforms within the political and economic structures of representative democracies as thereby excluding all nonhumans from the realm of moral consideration. Yet no convincing reasons are ever provided to show why these beliefs should necessarily be aligned in such a manner. (For an instructive discussion of the pitfalls of the anthropocentric versus nonanthropocentric dichotomy, see Nor­ton 1987, chapter ir.)

## Round 8 v. Arizona State RC

### CO2 Agriculture 2AC

#### Warming results in less productive plants – initial growth doesn’t outweigh long term consequences

Laeschke 12 (Bernard – Science reporter, George Koch – Professor of Forestry at NAU, Coauthor of Study cited “Global warming: Plants exposed to rising temperatures deteriorate”, 4/10, http://www.global-adventures.us/2012/04/10/global-warming-plants/)

Global warming related to rising average temperatures of Earth's atmosphere, lakes and oceans may initially make the grass greener, but not for long periods of time. Plants begin to deteriorate quickly after the early stages of a warming environment, new research suggests. "We were really surprised by the pattern, where the initial boost in growth just went away," said scientist Zhuoting Wu of Northern Arizona University (NAU), a lead author of the study. "As ecosystems adjusted, the responses changed." Ecologists subjected four grassland ecosystems to simulated climate change during a decade-long study. Plants grew more the first year in the global warming treatment, but this effect progressively diminished over the next nine Drought years and finally disappeared. The research shows the long-term effects of global warming on plant growth, on the plant species that make up a community, and on changes in how plants use or retain essential resources like nitrogen. "The plants and animals around us repeatedly serve up surprises," said Saran Twombly, program director in the National Science Foundation (NSF)'s Division of Environmental Biology. "These results show that we miss these surprises because we don't study natural communities over the right time scales. For plant communities in Arizona, it took researchers 10 years to find that responses of native plant communities to warmer temperatures were the opposite of those predicted." The team transplanted four grassland ecosystems from a higher to lower elevation to simulate a future warmer environment, and coupled the warming with the range of predicted changes in precipitation -more, the same, or less. The grasslands studied were typical of those found in northern Arizona along elevation gradients from the San Francisco Peaks down to the Great Basin Desert. The researchers found that long-term warming resulted in loss of native species and encroachment of species typical of warmer environments, ultimately pushing the plant community toward less productive species. The warmed grasslands also cycled nitrogen more rapidly. This should make more nitrogen available to plants, scientists believed, helping plants grow more. But instead much of the nitrogen was lost, converted to nitrogen gases in the atmosphere or leached out by rainfall washing through the soil. Bruce Hungate, senior author of the paper and an ecologist at NAU, said the study challenges the expectation that warming will increase nitrogen availability and cause a sustained increase in plant productivity. "Faster nitrogen turnover stimulated nitrogen losses, likely reducing the effect of warming on plant growth," Hungate said. "More generally, changes in species, changes in element cycles--these really make a difference. Its classic systems ecology: the initial responses elicit knock-on effects, which here came back to bite the plants. These ecosystem feedbacks are critical--you can't figure this out with plants grown in a greenhouse."

#### The harms of CO2 outweigh CO2 ag- independently it causes 5.5 billion people to starve

Strom 7 (Robert, University of Arizona planetary science emeritus professor, studied climate change for 15 years, the former Director of the Space Imagery Center at NASA Regional Planetary Image Facility, “Hot House”, SpringerLink, p.211-216)

The future consequences of global warming are the least known aspect of the problem. They are based on highly complex computer models that rely on inputs that are sometimes not as well known or factors that may be completely unforeseen. Most models assume certain scenarios concerning the rise in greenhouse gases. Some assume that we continue to release them at the current rate of increase while others assume that we curtail greenhouse gas release to one degree or another. Furthermore, we are in completely unknown territory. The current greenhouse gas content of the atmosphere has not been as high in at least the past 650,000 years, and the rise in temperature has not been as rapid since civilization began sonic 10,000 years ago. What lies ahead for us is not completely understood, but it certainly will not be good, and it could be catastrophic. We know that relatively minor climatic events have had strong adverse effects on humanity, and some of these were mentioned in previous chapters. A recent example is the strong El Niño event of 1997—1998 that caused weather damage around the world totaling $100 billion: major flooding events in China, massive fires in Borneo and the Amazon jungle, and extreme drought in Mexico md Central America. That event was nothing compared to what lies in store for us in the future if we do nothing to curb global warming. We currently face the greatest threat to humanity since civilization began. This is the crucial, central question, but it is very difficult to answer (Mastrandea and Schneider, 2004). An even more important question is: “At what temperature and environmental conditions is a threshold crossed that leads to an abrupt and catastrophic climate change?” It is not possible to answer that question now, but we must be aware that in our ignorance it could happen in the not too distant future. At least the question of a critical temperature is possible to estimate from studies in the current science literature**.** This has been done by the Potsdam Institute for Climate Impact Research, Germany’s leading climate change research institute (Hare, 2005). According to this study, global warming impacts multiply and accelerate rapidly as the average global temperature rises. We are certainly beginning to see that now. According to the study, as the average global temperature anomaly rises to i °C within the next 25 years (it is already 0.6°C in the Northern Hemisphere), some specialized ecosystems become very stressed, and in some developing countries food production will begin a serious decline, water shortage problems will worsen, and there will be net losses in the gross domestic product (GDP). At least one study finds that because of the time lags between changes in radiative forcing we are in for a I °C increase before equilibrating even if the radiative forcing is fixed at today’s level (Wetherald et al., 2001). It is apparently when the temperature anomaly reaches 2°C that serious effects will start to come rapidly and with brute force (International Climate Change Taskfòrce, 2005). At the current rate of increase this is expected to happen sometime in the middle of this century. At that point there is nothing to do but try to adapt to the changes. Besides the loss of animal and plant species and the rapid exacerixation of our present problems. there are likely to be large numbers of hungry, diseased and starving people, and at least 1.5 billion people facing severe water shortages. GDP losses will be significant and the spread of diseases will be widespread (see bd ow).We are only about 30 years away from the 440 ppm CO2 level where the eventual 2°C global average temperature is probable. When the temperature reaches 3°C above today’s level, the effects appear to become absolutely critical. At the current rate of greenhouse gas emission that point is expected to be reached in the second half of the century. For example, it is expected that the Amazon rainforest will become irreversibly damaged leading to its collapse, and that the complete destruction of coral reefs will be widespread. As these things are already happening, this picture may be optimistic. As for humans, there will be widespread hunger and starvation with up to 5.5 billion people living in regions with large crop losses and another 3 billion people with serious water shortages. If the Amazon rainforest collapses due w severe drought it would result in decreased uptake of CO2 from the soil and vegetation of about 270 billion tons, resulting in an enormous increase in the atmospheric level of CO2**.** This, of course, would lead to even hotter temperatures with catastrophic results for civilization.A Regional Climate Change Index has been established that estimates the impact of global warming on various regions of the world (Giorgi, 2006). The index is based on fi’mr variables that include changes in suthce temperature and precipitation in 2080—2099 compared to the period 1960—1979. All regions of the world are affected significantly, but some regions are much more vulnerable than others. The biest impacts occur in the Mediterranean and northeastern European regions, followed by high—latitude Northern Hemisphere regions and Central America. Central America is the most affected tropical region Íillowed by southern equatorial Africa and southeast Asia. Other prominent mid—latitude regions very vulnerable to global warming are eastern North America and central Asia. It is entirely obvious that we must start curtailing greenhouse gas emissions now, not 5 or 10 or 20 years from now**.** Keeping the global average temperature anomaly under 2°C will not be easy according to a recent report (Scientific Expert Group Report on Climate Change, 2007). It will require a rapid worldwide reduction in methane, and global CO2 emissions must level off to a concentration not much greater than the present amount by about 2020**.** Emissions would then have to decline to about a third of that level by 2100. Delaying action will only insure a grim Future for our children and grandchildren. If the current generation does not drastically reduce its greenhouse gas emission, then, unfortunately, our grandchildren will get what we deserve.There are three consequences that have not been discussed in previous chapters but could have devastating impacts on humans: food production, health, and the economy. In a sense, all of these topics are interrelated, because they affect each other. Food Production Agriculture is critical to the survival of civilization. Crops feed not only us but also the domestic animals we use for food. Any disruption in food production means a disruption of the economy, government, and health. The increase in CO2 will result in some growth of crops, and rising temperatures will open new areas to crop production at higher latitudes and over longer growing seasons; however,the overall result will be decreased crop production in most parts of the world**.** A 1993 study of the effects of a doubling of CO2 (550 ppm) above pre industrial levels shows that there will be substantial decreases in the world food supply (Rosenzweig et al., 1993). In their research they studied the effects of global warming on four crops (wheat, rice, protein feed, and coarse grain) using four scenarios involving various adaptations of crops to temperature change and CO2 abundance. They found that the amount of world food reduction ranged from 1 to 27%. However, the optimistic value of 1% is almost certainly much too low, because it assumed that the amount of degradation would be offset by more growth from “CO2 fertilization.” We now know that this is not the case, as explained below and in Chapter 7. The most probable value is a worldwide food reduction between 16 and 27%. These scenarios are based on temperature and CO2 rises that may be too low, as discussed in Chapter 7. However, even a decrease in world food production of 16% would lead to large-scale starvation in many regions of the world. Large-scale experiments called Free-Air Concentration Enrichment have shown that the effects of higher C 02 levels on crop growth is about 50% less than experiments in enclosure studies (Long et aL, 2006). This shows that the projections that conclude that rising CO2 will fully offset the losses due to higher temperatures are wrong. The downside of climate change will fair outweigh the benefits of increased CO2 and longer growing seasons. One researcher (Prof. Long) from the University of Illinois put it this way: Growing crops much closer to real conditions has shown that increased levels of carbon dioxide in the atmosphere will have roughly half the beneficial 214 What’s in Store for Us? Officials previously hoped for in the event of climate change. In addition, ground—level ozone, which is also predicted to rise but has not been extensively studied before, has been shown to result in a loss of photosynthesis and 20 per cent reduction in crop yield. Both these results show that we need to seriously re-examine our predictions for future global food production, as they are likely to be tàr lower than previously estimated. Also, studies in Britain and Denmark show that only a few days of hot temperatures can severely reduce the yield of major food crops such as wheat, soy beans, rice, and groundnuts if they coincide with the flowering of these crops. This suggests that there are certain thresholds above which crops become very vulnerable to climate change. The European heat wave in the summer of 2003 provided a large-scale experiment on the behavior of crops to increased temperatures. Scientists from several European research institutes and universities found that the growth of plants during the heat wave was reduced by nearly a third (Ciais et al., 2005). In Italy, the growth of corn dropped by about 36% while oak and pine had a growth reduction of 30%. In the affected areas of the mid-west and California the summer heat wave of 2006 resulted in a 35% loss of crops, and in California a 15% decline in dairy production due to the heat-caused death of dairy cattle. It has been projected that a 2°C rise in local temperature will result in a $92 million loss to agriculture in the Yakima Valley of Washington due to the reduction of the snow pack. A 4°C increase will result in a loss of about $163 million. For the first time, the world’s train harvests have fallen below the consumption level fbr the past tour years according to the Earth Policy Institute (Brown, 2003). Furthermore, the shortfall in grain production increased each year, from 16 million tons in 2000 to 93 million tons in 2003. These studies were done in industrialized nations where agricultural practices are the best in the world. In developing nations the impact will be much more severe. It is here that the impact of global warming on crops and domestic animals will be most felt. In general, the world’s most crucial staple food crops could fall by as much as one-third because of resistance to flowering and setting of seeds due to rising temperatures. Crop ecologists believe that many crops grown in the tropics are near, or at, their thermal limits. Already research in the Philippines has linked higher night—time temperatures to a reduction in rice yield. It is estimated that for rice, wheat, and corn, the grain yields are likely to decline by 10% for every local 1 °C increase in temperature. With a decreasing availability of food, malnutrition will become more frequent accompanied by damage to the immune system. This will result in a greater susceptibility to spreading diseases. For an extreme rise in global temperature ( 6°C), it is likely that worldwide crop failures will lead to mass starvation, and political and economic chaos with all their ramifications (be civilization. Health Rising temperatures will result in the spread of disease (Pata et al., 2005). The incidence of certain diseases depends to a large extent on the climate. Diseases that are now found in the tropics will spread to higher latitudes and greater altitudes as the climate warms. Those that occur in subtropical and temperate regions for only short periods each year will afflict residents for longer durations as warming intensifies. There are a number of tropical diseases that are likely to spread northward as the climate warms (McMichel et al., 2003; Martens et al., 1995). These include malaria, dengue fever, schistomiasis, onchoncercia sis, lymphatic filariasis, sleeping sickness, leishmaniisis, chagas disease, and yellow fever. Currently, these diseases infect a total of about 800 million people, but the disease with the greatest potential for dissemination to higher latitudes is malaria. Figure 12.1 shows the potential risk of malaria epidemics for an increase of the global mean temperature of only 1.2°C compared for the risk during the 1931—1981 baseline climate. According to this projection, much of North America and Europe are at risk of large outbreaks of the disease with only moderate amounts of global warming. As the climate warms, human populations will become far more vulnerable to heat—related mortality, air pollution—related illnesses, infectious diseases, and malnutrition. Areas of increased rainfall will become much more susceptible to the spread of waterborne and foodborne disease. Increased local rainfall will also nuke it easier for the insects and animals that carry some human diseases to flourish. At present about 9 million cases of waterbome disease occur each year in the United States where most people have access to treated water. Global warming will almost certainly increase that number. The World Health Organization estimates that currently 150,000 people die annually from the climate changes that have taken place in the past 30 years, and projects that millions of people will die from climate—rated diseases in the coining decades. In fact, the spread of disease has already begun. Malaria has quadrupled between 1995 and 2000 due, at least in part, to warmer climates. Malaria is reappearing both north and south of the tropics. It is showing up more frequently in the United States, and has returned to the Korean peninsula, parts of southern Europe, Russia, and to the coast of South Africa along the Indian Ocean.

#### Photosynthesis will halt – destroying yields

Brown 8 (Lester E., Founder – Earth Policy Institute, “Plan B 3.0: Mobilizing to Save Civilization”)

Higher temperatures can reduce or even halt photosynthesis, prevent pollination, and lead to crop dehydration. Although the elevated concentrations of atmospheric C02 that raise temper­ature can also raise crop yields, the detrimental effect of higher temperatures on yields overrides the C02 fertilization effect for the major crops. In a study of local ecosystem sustainability, Mohan Wali and his colleagues at Ohio State University noted that as tempera­ture rises, photosynthetic activity in plants increases until the temperature reaches 20 degrees Celsius (68 degrees Fahrenheit). The rate of photosynthesis then plateaus until the temperature hits 35 degrees Celsius (95 degrees Fahrenheit), whereupon it begins to decline, until at 40 degrees Celsius (104 degrees Fahrenheit), photosynthesis ceases entirely '? The most vulnerable part of a plant's life cycle is the polli­nation period. Of the world's three food staples-rice, wheat, and corn-corn is particularly vulnerable. In order for corn to reproduce, pollen must fall from the tassel to the strands of silk that emerge from the end of each ear of corn. Each of these silk strands is attached to a kernel site on the cob. If the kernel is to develop, a grain of pollen must fall on the silk strand and then journey to the kernel site. When temperatures are uncommonly high, the silk strands quickly dry out and turn brown, unable to play their role in the fertilization process. The effects of temperature on rice pollination have been studied in detail in the Philippines. Scientists there report that the pollination of rice falls from 100 percent at 34 degrees Cel­sius to near zero at 40 degrees Celsius, leading to crop failure. IR ''

#### Err Neg – best studies conclude CO2 suppresses growth – even with warmer temperatures

 -- Multifactoral studies

 -- Grasslands are uniquely suited for climate modeling

Shaw 2 (Department of Global Ecology at Carnegie, 12/6 (Science, Pg. 1987)

Human actions are affecting many aspects of the Earth system. The composition of the atmosphere, the climate, the abundance of invasive species, and the area of managed landscapes have all undergone important changes in the past century. These changes are likely to be even greater in this century (1). In almost any setting, realistic global change is decidedly multifactorial. Warming, increased precipitation, increased deposition of N-containing compounds, and increased atmospheric CO2 are all likely consequences of CO2 emissions from fossil fuel combustion and land use change (2). In the past century, atmospheric CO2 concentration has increased globally by more than 30% (2). Temperature, precipitation, and deposition of biologically available N have increased for large regions (3-5). Further increases in the future are almost certain. Most of the experimental research on ecosystem responses to global change has addressed responses to single global changes, with relatively few studies exploring responses to two or more interacting treatments (6-8). Experimental manipulations of both temperature and CO2 concentration are rare at the ecosystem scale (9, 10), even though elevated CO2 is a primary driver of climate change (2). Several modeling studies have addressed ecosystem responses to multifactor global changes (11, 12), but the theoretical foundation for predicting ecosystem responses to simultaneous changes in multiple factors is incomplete. For some processes (such as photosynthesis), well-tested mechanistic models support the simulation and interpretation of multifactor responses (13). For many other processes, however, including biomass allocation, the timing of seasonal activity, and species replacements, the empirical data are too sparse to support credible models or allow comprehensive hypothesis tests. Both empirical and modeling studies highlight potential contrasts in responses to single global changes and multiple, interacting global changes. Stimulation of plant growth by elevated CO2, for example, may be strongest when water is limiting (14), when nutrients are abundant (15), or when plant species diversity is high (6). Simulated ecosystem responses to future global changes depend strongly on such interactions. In many settings, simulated warming increases decomposition more than net primary production (NPP), leading to a loss of carbon (16). In others, elevated CO2 and N deposition tend to increase NPP more than decomposition, leading to carbon storage. In some simulations, the responses of carbon storage to the three factors nearly cancel one another out. In others, changes combine in nonadditive ways, with examples of both suppression and amplification (11). One of the keys to understanding the long-term impacts of multiple global changes on ecosystem function will be experiments on model ecosystems that are amenable to factorial manipulations and respond rapidly. Annual grassland, with a high diversity of small short-lived plants, is an attractive model system for global change experiments. An area of less than 1 m2 is sufficient for a meaningful global-change manipulation of a complete ecosystem with thousands of plants and a full suite of plant, animal, microbial, and soil processes. The annual life cycle of the dominant plants allows relatively brief experiments to span several complete generations (17). We investigated the impacts of individual and multiple simultaneous global changes on NPP of a moderately fertile California annual grassland (18), using the Jasper Ridge Global Change Experiment (JRGCE). The JRGCE involved four global change factors at two levels: CO2 [ambient and 680 parts per million (ppm)], temperature (ambient and ambient plus 80 W m2 of thermal radiation), precipitation (ambient and 50% above ambient plus 3-week growing season elongation), and N deposition (ambient and ambient plus 7 g of N m2 year1) in a complete factorial design. The JRGCE, initiated in 1998, includes eight replicates of each of the 16 treatments. These are organized as a split-plot design with 32 circular plots, each divided into four 0.78-m2 quadrants, separated by solid partitions below ground and mesh partitions above ground (Fig. 1) (19). Manipulations began at the start of the 1998-1999 growing season. Each year, we estimated NPP as peak biomass (above and below ground) in late spring (20). Over the first 2 years of the manipulations and across all of the treatment combinations, elevated CO2 had no significant effect on NPP (21) (Fig. 2). In the third year, 2001, the mean NPP for all treatment combinations with elevated CO2 was 988 ± 52 g m2 versus 1089 ± 54 g m2 for all treatment combinations with ambient CO2 (P = 0.081). The absence of significant biomass increases in response to elevated CO2 is consistent with several prior studies at the ecosystem scale (8, 9, 14, 22-24) but contrasts sharply with the results of most greenhouse experiments and many ecosystem studies, where elevated CO2 leads to increased aboveground growth (25-28). Each of the treatments involving increased temperature, N deposition, or precipitation (alone or in combination) tended to increase aboveground biomass and NPP, but elevated CO2 consistently dampened these increases (Fig. 3) (29). The three-factor combination of increased temperature, precipitation, and N deposition produced the largest stimulation of NPP (84%, P = 0.021), but the addition of CO2 reduced this to 40% (P = 0.028). The suppressive effect of elevated CO2 was even clearer for below ground biomass, where the average effect across all treatments was a decrease of 22% (P = 0.005) (21).

\*\*\* Note – NPP = Net Primary Production – Measurement of Plant Growth

#### Limiting factors hinder CO2 induced agriculture – negative effects outweigh

Cook 11 (John is the Climate Communication Fellow for the Global Change Institute at the University of Queensland. He studied physics at the University of Queensland, Australia. After graduating, he majored in solar physics in his post-grad honors year. <http://www.skepticalscience.com/Increasing-Carbon-Dioxide-is-not-good-for-plants.html>)

An argument, made by those who deny man made Global Warming, is that the Carbon Dioxide that is being released by the burning of fossil fuels is actually good for the environment. Their argument is based on the logic that, if plants need CO2 for their growth, then more of it should be better. We should expect our crops to become more abundant and our flowers to grow taller and bloom brighter. However, this "more is better" philosophy is not the way things work in the real world. There is an older, wiser saying that goes, "Too much of a good thing can be a bad thing." For example, if a doctor tells you to take one pill of a certain medicine, taking four is not likely to heal you four times faster or make you four times better. It's more likely to make you sick. It is possible to help increase the growth of some plants with EXTra CO2, under controlled conditions, inside of greenhouses. It is based on this that 'skeptics' make their claims. However, such claims are simplistic. They fail to take into account that once you increase one substance that plants need, you automatically increase their requirements for other substances. **It also fails to take into account that a warmer earth will have an increase in deserts and other arid lands which would reduce the area available for crops**.Plants cannot live on CO2 alone. They get their bulk from more solid substances like water and organic matter. This organic matter comes from decomposing plants and animals or from man made fertilizers. It is a simple task to increase water and fertilizer and protect against insects in an enclosed greenhouse but what about doing it in the open air, throughout the entire Earth? What would be the effects of an increase of CO2 on agriculture and plant growth in general? The following points make it clear. 1. CO2 enhanced plants will need EXTra water both to maintain their larger growth as well as to compensate for greater moisture evaporation as the heat increases. Where will it come from? Rainwater is not sufficient for current agriculture and the aquifers they rely on are running dry throughout the Earth ([1](http://www.economist.com/node/17199914), [2](http://www.naturalnews.com/031658_aquifer_depletion_Ogallala.html)). On the other hand, as predicted by Global Warming, we are receiving intense storms with increased rain throughout of the world. One would think that this should be good for agriculture. Unfortunately, when rain falls down very quickly, it does not have time to soak into the ground. Instead, it builds up above the soil then starts flowing to the lowest level. It then quickly floods into creeks, then rivers, and finally out into the ocean carrying off large amounts of soil and fertilizer. 2. Unlike Nature, our way of agriculture does not self fertilize by recycling all dead plants, animals and their waste. Instead we have to be constantly producing artificial fertilizers from natural gas which will eventually start running out**.** By increasing the need for such fertilizer you will shorten the supply of natural gas creating competition between the heating of our homes and the growing of our food. This will drive the prices of both up. 3. Too high a concentration of CO2 causes a [reduction of photosynthesis](http://resources.metapress.com/pdf-preview.axd?code=32370807846477k5&size=largest) in certain of plants. There is also [evidence from the past of major damage](http://www.pnas.org/content/105/6/1960) to a wide variety of plants species from a sudden rise in CO2 (See illustrations below). Higher concentrations of CO2 also reduce the nutritional quality of some staples, [such as wheat.](http://www.sciencemag.org/content/328/5980/899.abstract) 4. The worse problem, by far, is that increasing CO2 will increase temperatures throughout the Earth. **This will make deserts and other types of dry land grow**. While deserts increase in size, other eco-zones, whether tropical, forest or grassland will try to migrate towards the poles. However, soil conditions will not necessarily favor their growth even at optimum temperatures. 5. When plants do benefit from increased Carbon Dioxide, it is only in enclosed areas, strictly isolated from insects. However, when the growth of Soybeans is boosted out in the open, it creates major changes in its chemistry that makes it more vulnerable to insects In conclusion, it would be reckless to keep adding CO2 **to the atmosphere. Assuming there are any positive impacts on agriculture in the short term, they will be overwhelmed by the negative impacts of climate change**.It will simply increase the size of deserts and decrease the amount of arable land. It will also increase the requirements for water and soil fertility as well as plant damage from insects. Increasing CO2 levels would only be beneficial inside of highly controlled, enclosed spaces like greenhouses.

#### Negative effects of warming outweigh new production

Lynas 7 (Mark, Environmental Activist, Six Degrees, p. 197)

It is plausible that new areas of production in subpolar regions of Canada and Russia will be able to cover some of the shortage, through warmer temperatures across thawed tundra do not equate to higher rainfall or decent soils. It is also likely that new technological developments, with more drought-resistant strains, could help to stave off disasters for a while, as could the fertilization effect of higher CO2 levels in the air. But none of this can make up for the loss of most of the planet’s key agricultural areas, and it is difficult to avoid the conclusion that mass starvation will be a permanent danger for much of the human race in the four-degree world—and possibly, as suggested previously, much earlier. With major global breadbaskets dusty and abandoned, rising demand will be chasing rapidly diminishing supply.

### Yes Extinction

#### Causes extinction—4 degree projections trigger a laundry list of extinction scenarios

Roberts 13—citing the World Bank Review’s compilation of climate studies

- 4 degree projected warming, can’t adapt

- heat wave related deaths, forest fires, crop production, water wars, ocean acidity, sea level rise, climate migrants, biodiversity loss

David, “If you aren’t alarmed about climate, you aren’t paying attention” [http://grist.org/climate-energy/climate-alarmism-the-idea-is-surreal/] January 10 //mtc

We know we’ve raised global average temperatures around 0.8 degrees C so far. We know that 2 degrees C is where most scientists predict catastrophic and irreversible impacts. And we know that we are currently on a trajectory that will push temperatures up 4 degrees or more by the end of the century. What would 4 degrees look like? A recent World Bank review of the science reminds us. First, it’ll get hot: Projections for a 4°C world show a dramatic increase in the intensity and frequency of high-temperature extremes. Recent extreme heat waves such as in Russia in 2010 are likely to become the new normal summer in a 4°C world. Tropical South America, central Africa, and all tropical islands in the Pacific are likely to regularly experience heat waves of unprecedented magnitude and duration. In this new high-temperature climate regime, the coolest months are likely to be substantially warmer than the warmest months at the end of the 20th century. In regions such as the Mediterranean, North Africa, the Middle East, and the Tibetan plateau, almost all summer months are likely to be warmer than the most extreme heat waves presently experienced. For example, the warmest July in the Mediterranean region could be 9°C warmer than today’s warmest July. Extreme heat waves in recent years have had severe impacts, causing heat-related deaths, forest fires, and harvest losses. The impacts of the extreme heat waves projected for a 4°C world have not been evaluated, but they could be expected to vastly exceed the consequences experienced to date and potentially exceed the adaptive capacities of many societies and natural systems. [my emphasis] Warming to 4 degrees would also lead to “an increase of about 150 percent in acidity of the ocean,” leading to levels of acidity “unparalleled in Earth’s history.” That’s bad news for, say, coral reefs: The combination of thermally induced bleaching events, ocean acidification, and sea-level rise threatens large fractions of coral reefs even at 1.5°C global warming. The regional extinction of entire coral reef ecosystems, which could occur well before 4°C is reached, would have profound consequences for their dependent species and for the people who depend on them for food, income, tourism, and shoreline protection. It will also “likely lead to a sea-level rise of 0.5 to 1 meter, and possibly more, by 2100, with several meters more to be realized in the coming centuries.” That rise won’t be spread evenly, even within regions and countries — regions close to the equator will see even higher seas. There are also indications that it would “significantly exacerbate existing water scarcity in many regions, particularly northern and eastern Africa, the Middle East, and South Asia, while additional countries in Africa would be newly confronted with water scarcity on a national scale due to population growth.” Also, more extreme weather events: Ecosystems will be affected by more frequent extreme weather events, such as forest loss due to droughts and wildfire exacerbated by land use and agricultural expansion. In Amazonia, forest fires could as much as double by 2050 with warming of approximately 1.5°C to 2°C above preindustrial levels. Changes would be expected to be even more severe in a 4°C world. Also loss of biodiversity and ecosystem services: In a 4°C world, climate change seems likely to become the dominant driver of ecosystem shifts, surpassing habitat destruction as the greatest threat to biodiversity. Recent research suggests that large-scale loss of biodiversity is likely to occur in a 4°C world, with climate change and high CO2 concentration driving a transition of the Earth’s ecosystems into a state unknown in human experience. Ecosystem damage would be expected to dramatically reduce the provision of ecosystem services on which society depends (for example, fisheries and protection of coastline afforded by coral reefs and mangroves.) New research also indicates a “rapidly rising risk of crop yield reductions as the world warms.” So food will be tough. All this will add up to “large-scale displacement of populations and have adverse consequences for human security and economic and trade systems.” Given the uncertainties and long-tail risks involved, “there is no certainty that adaptation to a 4°C world is possible.” There’s a small but non-trivial chance of advanced civilization breaking down entirely. Now ponder the fact that some scenarios show us going up to 6 degrees by the end of the century, a level of devastation we have not studied and barely know how to conceive. Ponder the fact that somewhere along the line, though we don’t know exactly where, enough self-reinforcing feedback loops will be running to make climate change unstoppable and irreversible for centuries to come. That would mean handing our grandchildren and their grandchildren not only a burned, chaotic, denuded world, but a world that is inexorably more inhospitable with every passing decade.

### T – Presidential Authority – 2AC

#### 1. We meet – war powers restrictions include limits on weapons, forces and rules

Lobel 8 (Jules – Professor of Law, University of Pittsburgh Law School, “Conflicts Between the Commander in Chief and Congress: Concurrent Power over the Conduct of War”, 2008, Ohio State Law Journal, 69 Ohio St. L.J. 391, lexis)

More generally, the Court held that Congress has the power to authorize limited, undeclared war in which the President's power as Commander in Chief would be restricted. In such wars, the Commander in Chief's power would extend no further than Congress had authorized. As President Adams recognized, Congress had as a functional matter "declared war within the meaning of the Constitution" against France, but "under certain restrictions and limitations." n123 Under this generally accepted principle in our early constitutional history, Congress could limit the type of armed forces used, the number of such forces available, the weapons that could be utilized, the theaters of actions, and the rules of combat. In short, it could dramatically restrict the President's power to conduct the war.

#### 2. Authority means the power to make discretionary policy judgments

**Spector, 90** (Arthur, US Bankruptcy Judge, In re Premo, UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF MICHIGAN, NORTHERN DIVISION, 116 B.R. 515; 1990 Bankr. LEXIS 1471; Bankr. L. Rep. (CCH) P73,555; 90-2 U.S. Tax Cas. (CCH) P50,396;71A A.F.T.R.2d (RIA) 4677, lexis)

The word "authority", on the other hand, is defined as the "power to influence or command thought, opinion, or behavior." Id. These definitions suggest that the terms "duty" and "authority" are not synonymous. The notion of a duty implies an affirmative obligation to perform specific acts, whereas "**authority" is by its nature discretionary**. A high-level corporate officer, for example, may have the authority to "command" that any number of actions be taken, but that does not mean that he or she is obliged or required to do so. Decreasing authority requires reducing the permission to act, not the ability to act.\

### CP

#### Latex bubbles don’t solve warming AND cause ocean acidification

Robock 10 (Alan, Prof of Environmental Sciences @ Rutgers, "Bubble, bubble, toil and trouble," http://climate.envsci.rutgers.edu/pdf/Bubble2.pdf)

Robock (2008a) and Robock et al. (2009) point out that while production of a¶ stratospheric aerosol cloud would indeed cool the climate and prevent or reverse¶ ice melting and sea level rise, it would also bring a large number of potential risks¶ (Table 1). While Seitz correctly states that his bubble method would remove some of¶ these risks, it would bring its own list of risks. These include impacts on convection¶ in the ocean once you cool the ocean surface, which would remove the bubbles. A¶ cooler ocean will also absorb CO2 more efficiently, enhancing ocean acidification. As¶ artificial surfactants would be needed in some situations, the costs and environmental¶ impacts of these chemicals may present problems. And what would be the effects of¶ bubble clouds on oceanic life, through their effects on temperature and amount of¶ sunlight? Bubble clouds would also induce changes in oceanic circulation and anom-alous evaporation, which would in turn affect atmospheric heating and atmospheric¶ circulation. Would the bubble patterns allow regional climate control, with potential¶ benefits, but also potential for use as a weapon?

#### Even bubble advocates concede the tech isn't ready – bubbles will dissipate too quickly

Science 10 ("Could Tiny Bubbles Cool the Planet?," http://news.sciencemag.org/physics/2010/03/could-tiny-bubbles-cool-planet)

Seitz says adding bubbles to a 1-square-kilometer patch of ocean is feasible, but scaling it up may be technically difficult. Energy is not the limiting factor, he says, estimating that the energy output of 1000 windmills might be sufficient to add bubbles to an entire ocean. The larger challenge to large-scale deployment, he says, would be ensuring that the bubbles last as long as possible. In nature, a bubble’s lifetime depends on the level of dissolved organic matter and nanoparticles, without which small bubbles rapidly shrink and disappear. If the water is too clean, the bubbles might not last long enough to be effectively spread over large areas, Seitz says.

#### NEPA review process key to environmental science

Rosenbaum 5 (Walter A., “Environmental Impact Statements: Gift Box or Black Box?,” in Environmental Policymaking: Assessing the Use of Alternative Policy Instruments, Michael T. Hatch, Editor, State University of New York Press, Albany, p. 2198)

Despite a need for belter data, monitoring and evaluation related to projects affected by EIS preparation, one undisputed result of NEPA procedures has been a significant enrichment and expansion of the data base, scientific research, and professional training associated with environmental management. EIS preparation, for example, has undoubtedly been a major reason for the development of the relatively new science of ecosystem analysis and for increased research in the cumulative effects of environmental intervention.

#### Impact is famine and nuclear war

Treder 6 (Mike, Executive Director – Center for Responsible Nanotechnology, “From Heaven to Doomsday: Seven Future Scenarios”, Future Brief, http://ieet.org/index.php/IEET/more/468/)

In this scenario, reactionary critics of scientific progress, from supporters of "creationism" to radical environmental protection groups, and from neo-Luddites to educated technophobes (such as [Francis Fukuyama](http://reason.com/debate/eh-debate1.shtml) and [Leon Kass](http://www.fightaging.org/archives/000084.php)), are successful in essentially halting development. The result is a monumental increase in world misery. Research scientists, technology entrepreneurs, open-minded academics and political progressives are persecuted and stymied in most countries, including the U.S.; they are systematically silenced, jailed, or exterminated in other places. Advancements in artificial intelligence, genetic engineering, space exploration, robotics, and nanotechnology come to a halt. [Moore’s Law](http://en.wikipedia.org/wiki/Moore%27s_law) is finally overturned. Famine, pestilence, disease, and starvation at levels never seen before devastate much of the world. As millions suffer horrible wasting deaths, billions more are born into inescapable poverty and squalor. Chronic worldwide economic crises result in massive political instability that leads to civil wars, regional wars, and ultimately nuclear wars. At the close of the 21st century, world conditions have returned to a state more like the 19th century. It is the second Dark Ages.

#### China will model citizen provisions – solves pollution

Goldman 5 (Patti, Managing Attorney for Earthjustice's Seattle office, “Environmental Law in China,” 10-22-5, <http://earthjustice.org/features/dispatches-from-china>)

Sun Youhai, the Director of the Environmental and Resource Committee of the People's Congress provided an overview of the development of China's environmental law, moving from an early period of little regulation to framework laws and then progressive amendments and enactment of new laws to cover various modes of pollution and natural resource issues. He candidly identified the key weaknesses in the current scheme as: (1) lack of enforcement because local governments are so closely tied to and economically dependent (through their tax revenues) on the polluting industries; and (2) the lack of specific standards and implementing systems in the current laws. However, he expressed optimism that China could attain a stronger legal environmental protection regime due to greater public attention to the environment, a growing focus on public participation in environmental decisionmaking, and current government policies that favor building a harmonious society that integrates economic development, sustainability, human health and environmental protection. What was striking to this American observer was the strength of the pro-environment rhetoric coming from a Chinese official. Sun Youhai admitted that economic development is a strong force that often trumps environmental protection, but he then identified the need to have mechanisms in place to curb that impulse. He also gave credence to embodying into Chinese law such concepts as the precautionary principle, corporate social responsibility, and the polluter pays principle. And he touted the benefits of public participation as anti-environmental forces in the United States are poised to weaken the U.S. National Environmental Policy Act. The afternoon turned to China's 2003 Environmental Impact Assessment law with Wang Canfa, Professor at China University of Politics and Law and founder and director of the Center for Legal Assistance to Pollution Victims. He walked through the law's provisions with criticisms that echo those experienced under the U.S. National Environmental Policy Act. For example, a power plant divided its project into two components, neither of which warranted a full environmental impact assessment alone when such an assessment would be required by the project as a whole. He also lamented the fact that an environmental impact assessment does not compel the government to make the most environmentally sound decision and recounted an example where the government's analysis of an appeal supported canceling construction of a high-voltage electric line but it allowed the project to proceed in the end. While many of the issues resemble those still experienced in the U.S., China's law suffers from its early stage where implementation mechanisms are still not fully developed. When the law was adopted, a provision that would have allowed citizens to enforce the law's mandates was rejected. As a result, advocates like Professor Wang are struggling to create effective mechanisms for administrative and judicial review. The law's principal enforcement mechanism is currently in the hands of the government, which recently responded to criticism of its lack of enforcement by ordering approximately 30 projects to stop because they had proceeded without an environmental impact assessment. While the stop work orders may seem bold on the surface, they merely delayed most of the projects by a few weeks while additional paperwork was filed. The decision to proceed with the projects received little or no scrutiny in light of the tardy assessments.

**Extinction**

**Yee and Storey 02**

[Herbert Yee, Professor of Politics and IR, Hong Kong Baptist University --AND-- Ian Storey, Lecturer in Defence Studies at Deakin, 02

“The China Threat: Perceptions, Myths and Reality,” p5]

The fourth factor contributing to the perception of a China threat is the fear of political and economic collapse in the PRC, resulting in territorial fragmentation, civil war and waves of refugees pouring into neighbouring countries. Naturally, any or all of these scenarios would have a profoundly negative impact on regional stability. Today the Chinese leadership faces a raft of internal problems, including the increasing political demands of its citizens, a growing population, a shortage of natural resources and a deterioration in the natural environment caused by rapid industrialisation and pollution. These problems are putting a strain on the central government's ability to govern effectively. Political disintegration or a Chinese civil war might result in millions of Chinese refugees seeking asylum in neighbouring countries. Such an unprecedented exodus of refugees from a collapsed PRC would no doubt put a severe strain on the limited resources of China's neighbours. A fragmented China could also result in another nightmare scenario - nuclear weapons falling into the hands of irresponsible local provincial leaders or warlords.2 From this perspective, a disintegrating China would also pose a threat to its neighbours and the world.

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#### Fear of nuclear weapons is critical to restraining nations from making unlimited war

**Futterman, nuclear physicist, 1994 (J.A.H. “Mediations on the Bomb”,** <http://www.dogchurch.org/indexfrm.html>)

But my friend was referring to the moral stain she perceives me to take upon my soul by associating with an industry of potential mass death and destruction. She believes that I am selling out by doing physics associated with instruments of doom. Permit me to rephrase her question to read, "How will you feel, on that white-hot morning, when the bombs fall, when we all die because of your handiwork? Don't you realize that if you and everyone like you just quit supporting this industry, it couldn't happen?" I could say that if I didn't do it, someone else would, but that answer was rejected at Nuremberg. (It's also a better reason to leave the weapons program than to stay.) I continue to support the nuclear weapons business with my effort for many reasons, which I discuss throughout this piece. But mostly, I do it because the fear of nuclear holocaust is the only authority my own country or any other has respected so far when it comes to nationalistic urges to make unlimited war. As William L. Shirer states in his preface to *The Rise and Fall of the Third Reich* (Touchstone Books, New York, 1990), "Adolf Hitler is probably the last of the great adventurer-conquerors in the tradition of Alexander, Caesar, and Napoleon, and the Third Reich the last of the empires which set out on the path taken earlier by France, Rome and Macedonia. The curtain was rung down on that phase of history, at least, by the sudden invention of the hydrogen bomb, of the ballistic missile, and of rockets which can be aimed to hit the moon." Now this contrasts with the argument of those who would "reinvent government" by putting up bureaucratic roadblocks to maintaining the reliability of the US nuclear arsenal through research and testing. They reason that if the reliability of everyone's nuclear arsenals declines, everyone will be less likely to try using them. The problem is that some "adventurer-conqueror" may arise and use everyone's doubt about their arsenals to risk massive conventional war instead. An expansionist dictatorship might even risk nuclear war with weapons that are simpler, cruder, less powerful, much riskier (in terms of the possibility of accidental detonation) but much more reliable than our own may eventually become without adequate "stockpile stewardship."[[14]](http://www.dogchurch.org/books/nuke0.html%22%20%5Cl%20%22%5B14%5D#[14]) But the inhibitory effect of reliable nuclear weapons goes deeper than Shirer's deterrence of adventurer-conquerors. It changes the way we think individually and culturally, preparing us for a future we cannot now imagine. Jungian psychiatrist Anthony J. Stevens states, [[15]](http://www.dogchurch.org/books/nuke0.html%22%20%5Cl%20%22%5B15%5D#[15]) "History would indicate that people cannot rise above their narrow sectarian concerns without some overwhelming paroxysm. It took the War of Independence and the Civil War to forge the United States, World War I to create the League of Nations, World War II to create the United Nations Organization and the European Economic Community. Only catastrophe, it seems, forces people to take the wider view. Or what about fear? Can the horror which we all experience when we contemplate the possibility of nuclear extinction mobilize in us sufficient libidinal energy to resist the archetypes of war? Certainly, the moment we become blasé about the possibility of holocaust we are lost. As long as horror of nuclear exchange remains uppermost we can recognize that nothing is worth it. War becomes the impossible option. Perhaps horror, the experience of horror, the consciousness of horror, is our only hope. Perhaps horror alone will enable us to overcome the otherwise invincible attraction of war." Thus I also continue engaging in nuclear weapons work to help fire that world-historical warning shot I mentioned above, namely, that as our beneficial technologies become more powerful, so will our weapons technologies, unless genuine peace precludes it. We must build a future more peaceful than our past, if we are to have a future at all, with or without nuclear weapons — a fact we had better learn before worse things than nuclear weapons are invented. If you're a philosopher, this means that I regard the nature of humankind as mutable rather than fixed, but that I think most people welcome change in their personalities and cultures with all the enthusiasm that they welcome death — thus, the fear of nuclear annihilation of ourselves and all our values may be what we require in order to become peaceful enough to survive our future technological breakthroughs.[[16]](http://www.dogchurch.org/books/nuke0.html%22%20%5Cl%20%22%5B16%5D#[16])

#### Suppressing emotions makes us more likely to act upon them

**Roberts, 1995 (Paul, Psychology Today, May/June, ebsco)**

We all have dark impulses. None of us wants them. Yet attempts to suppress them can turn them into agents of harm. Be forewarned: Forces at work in our culture's value system may be making us more vulnerable to forbidden thoughts--and less able to cope with them.

Have you ever thought of cheating on your spouse? What about slapping an obnoxious colleague? Or ramming some jerk on the freeway? Have you ever had thoughts about taboo or wild sex? Or divorce? Or leaving home? What about harming someone close? Or even harming yourself? Then there are the tamer varieties: Do you not fantasize about food, for example, when you are on a diet? Who has not gloated over someone else's misfortune or coveted a neighbor's house, car, or flashy lifestyle when we want to picture ourselves as perfectly content?

Few of us would dispute the notion that humans spend a great deal of time thinking thoughts we'd rather not have.

Most of us will never act out our forbidden impulses. Yet just the fact that we can think such thoughts may be so disturbing that we make Herculean efforts to repress them, to keep them secret. "I couldn't even tell my husband," recalls Beth, a gentle West Coast mother of three, after experiencing vivid thoughts about hurting her own children. "I spent a lot of time asking myself, 'What does this mean? Am I sick'"

For as long as humankind has celebrated the creative powers of the mind, we've been forced to confront the darker side of the imagination: thoughts so mortifying, so frightening, so contrary to social custom and our own principles that we recoil in disgust or fear. In 1852, nearly three decades before the rounding of modern psychology, author Herman Melville offered one of the more poignant observations on the life of the mind. "One trembles to think," he wrote, "of that mysterious thing in the soul, which. . .in spite of the individual's own innocent self, will still dream horrid dreams, and mutter unmentionable thoughts."

In times past, we blamed these dark impulses on the Devil, or on our own weak moral character. We regarded thoughts as but a step away from deeds, and admonished ourselves--or were admonished by others--to squelch the inappropriate notions at every turn. (No coincidence, surely, that five of the seven deadly sins--anger, avarice, envy, greed, and lust--refer specifically to states of mind.)

Even today, after more than a century of scientific exploration of the mind, Melville's "unmentionable thoughts" still raise vexing questions. What causes them? Do they reflect the "real" us? Should they be read as warning signs? Are some thoughts truly off-limits? If so, when does a thought cross the line, and how should it be dealt with?

We know the dangers of denial, and we understand the importance of accepting even the less-than-perfect parts of ourselves. Yet in a culture obsessed with, and increasingly defined by, stories of psychological dysfunction, and in a century punctuated with premeditated atrocity, some of what our own brains conjure up still has the power to terrify us. "For a lot of people, it's like discovering they have an animal inside them," says University of Washington sociologist Pepper Schwartz, Ph.D., who studies sexuality and sexual fantasies. "Oftentimes the feeling is 'My God! Am I one of those weirdos you read about in the paper?'"

Debated for centuries as a moral or philosophical question, the dilemma of forbidden thoughts has since become a compelling psychological subject, and research is yielding some intriguing, if not altogether reassuring, data. Forbidden thoughts--thoughts we feel we shouldn't have because they violate unwritten, yet ingrained, cultural codes--are universal, although the specific content varies across cultures, populations, and historical periods. Unwanted sexual fantasies, for example, typically involve behaviors our culture tells us are inappropriate, such as adultery, homosexuality, incest, and rape. Forbidden thoughts we might have about other people often involve stereotypes, which society frowns upon. Forbidden thoughts have an intuitive quality to them: It's the things we're not supposed to think about that often seem most alluring.

They're clearly linked to our decision-making mechanisms, our ability to distinguish "right" from "wrong," and our capacity to avoid dangerous, unfavorable outcomes. They may also be associated with our creative processes.

However, they can spin wildly out of control. in extreme cases, forbidden thoughts may become so powerful that they break out as actual behavior. More often, though, they get "stuck," become virtually impossible to dispel, and wreak havoc on our mental and physical health.

#### Representations of death and extinction are vital to challenging corporations and states that would have you believe otherwise—our deployment of these representations are vital to challenging the normalization of the apocalypse

**McMurray, 96** (Andrew, Indiana University, Postmodern Culture, March,

<http://muse.jhu.edu/journals/postmodern_culture/v006/6.3mcmurry.html>)

This idea that the world is already moribund gets picked up in mainstream writer Paul Theroux's disturbing futuristic novel, O-Zone, which once again is really just a hypertrophic version of today. When the billionaire Hooper Allbright thinks about his own era, and then waxes nostalgic about ours, we realize that if the future is ill-fated that's because it's merely a playing out of the present:

It was a meaner, more desperate and worn out world. It had been scavenged by crowds. Their hunger was apparent in the teethmarks they had left, in the slashes of their claws. There was some beauty in the world's new wildernesses, of which O-Zone was just one; but its cities were either madhouses or sepulchers. Fifty years ago was simply a loose expression that meant before any of them had been born. It meant another age. And yet sometimes they suspected that it had closely resembled this age -- indeed, that it was this one, with dust on it, and cracks, and hiding aliens, and every window broken: smoke hung over it like poisoned clouds. (13)

In the America of O-Zone what is more frightening than the routine round-up of economic refugees, the death-squads, the degraded environment, and the national "sacrifice zones," is the casual acceptance by everybody that this is the way the world must be, perhaps has always been. In Theroux's vision, the real horror lies in the way the slow apocalypse is normalized, the Unheimlich made Heimlich, murder and mayhem become healthful pastimes.

There are other writers who are sketching out the details of the end of the world, and they aren't even fabulists. A recent spate of articles in no less liberal organs than The Atlantic and Harper's take the first tentative steps down a road that should soon make earth's deathwatch a mainstream topic of journalism. Robert Kaplan's "The Coming Anarchy" looks at the Third World's accelerating social, political, and environmental breakdowns, and their potential effects on the First World in the coming century. The scenario of O-Zone might have been drawn from Kaplan's analysis: resource wars, massive migrations, climate change, tribalism and disease. Kaplan's case study is west Africa, where these stresses, clearly exacerbated by the legacy of Western imperialism and post-colonial development policies, are producing "criminal anarchy." "The coming upheaval," he suggests, "in which foreign embassies are shut down, states collapse, and contact with the outside world takes place through dangerous, disease-ridden coastal trading posts, will loom large in the century we are entering . . . Africa suggests what war, borders, and ethnic politics will be like a few decades hence" (54). Not just Africa will be affected, of course, for many of the problems there are endemic to the Balkans, Latin America, and much of Asia. As the state disintegrates in the Third World, the First World is destabilized by the chaos beyond its borders, borders it can no longer effectively control. Federal authority, incapable of dealing with regional problems, finds itself ceding powers to ever more isolated local communities.

That isolation will likely find itself playing out along predictable fault lines, as Michael Lind previews in a recent Harper's article. In Lind's view, the growing unwillingness of economic elites to support education, income redistribution, and health care, along with their retreat into the protected, privileged spaces of the neo-feudal society, combine to spell the end of the broad middle-class. The new underclass (Which Dares Not Speak Its Name due to its allegiance to the myth of egalitarian society) poses no threat to the economic royalists at the top, because as the war of all-against-all is felt particularly sharply at the bottom of the food chain, the various sub-groups that reside there can be counted on to perceive each other as the more immediate source of their problems.[1](http://muse.jhu.edu/journals/postmodern_culture/v006/6.3mcmurry.html#foot1) Lind sees a two-tiered society in the making: an upper tier, provided with work, security, comfort, hope, and insulation/protection from a disenfranchised, fragmented, and squabbling underclass, which faces a hard-scrabble existence with little chance of improvement. The proper image for the new world order with its international moneyed class: an air-conditioned, tinted-windowed, bullet-proofed limousine gliding safely over a pot-holed, squalid, dangerous street in Lagos -- or New York or Toronto.

Paul Kennedy, historian and author of Preparing for the Twenty-First Century, presents a wealth of evidence to support his own grimly compelling vision. Even as he performs the appropriate genuflections to the logic of the market and does a journeyman's work in ranking countries' "competitive advantages" as they face the road ahead, unlike his ebullient contemporaries Alvin Toffler or Bill Gates Kennedy has the good grace not to elide the incredible suffering that is going to occur in the Third World, and the honesty to admit the possibility of a no-win scenario all round. Kennedy also understands the importance of scale when it comes to thinking about human history, which in turn suggests the need to consider whether we are justified in thinking our past success in overcoming adversity provides any sort of basis for believing we are up to the challenges that now confront us:

this work also asks whether today's global forces for change are not moving us beyond our traditional guidelines into a remarkable new set of circumstances -- one in which human social organizations may be unequal to the challenges posed by overpopulation, environmental damage, and technology-driven revolutions and where the issue of winners and losers may to some degree be irrelevant. If, for example, the continued abuse of the developing world's environment leads to global warming, or, if there is a massive flood of economic refugees from the poorer to the richer parts of the world, everyone will suffer, in various ways. In sum, just as nation-state rivalries are being overtaken by bigger issues, we may have to think about the future on a far broader scale than has characterized thinking about international politics in the past. Even if the Great Powers still seek to rise, or at least not to fall, their endeavors could well occur in a world so damaged as to render much of that effort pointless. (15)

Unfortunately (for all of us), Kennedy's book goes on to prove that the tone in this introductory passage is entirely too tentative.

In general, apocalyptic scenarios take place against the prior and persistent conceit that human culture does truly move to culmination, that there is a larger goal or a target toward which time's arrow is moving. Like children inferring mommy and daddy will always be there because they have always been there in the past, we project our history forward under the presumption that the human presence on this planet is a durable one and, no matter how or why, purposive. We can't imagine an alternative. But while in cultural development there has been innovation, differentiation, and amplification, such changes can no longer be taken as evidence for an overall direction or telos. For there is no teleology at work here, let alone an eschatology, a dialectic, or even a simple logic. In fact, it is precisely the absence of any point to our history that makes this apocalypse unreadable except as an accretion of systemically deleterious effects which, incredibly, have become indistinguishable from progress. Skeptical of totalizing theories, postmodern intellectuals are reluctant to prophesy doom, but without coherent oppositional narratives to clarify such effects those who profit from the positive spin **have the stage to themselves.** Thus every sign gets read as its opposite, every trend that points to a decline is seen as the prelude to improvement, and every person becomes a shareholder in the fantasies of the boosters. In this environment of doublethink, the now-routine failure of corporations or nations to provide even short-term security for their members can be glossed as bitter but necessary "medicine," § Marked 20:33 § or as the "growing pains" associated with increasing economic "rationalization." We are left in the paradoxical position described in game theory as the "prisoner's dilemma" and in environmental thought as the "tragedy of the commons": the incentive for individuals to ignore the evidence for unqualified disaster far outweighs the personal risks involved in seeking to slow it. Everyone proceeds according to this same calculation, indeed is encouraged to do so, and everyone suffers minimally -- that is, until the collective moment of reckoning is reached.

#### Negative state action in a positive direction proves that the state can be used to stop doing bad things – reason roleplaying good

Barbrook 97 Dr. Richard Barbrook, Hypermedia Research Centre – U. of Westminster, 6-5-1997, “More Provocations,” Amsterdam.nettime.org/Lists-Archives/nettime-1-9706/msg00034.html

I thought that this position is clear from my remarks about the ultra-left posturing of the ‘zero-work’ demand. In Europe, we have real social problems of deprivation and poverty which, in part, can only be solved by state action. This does not make me a statist, but rather anti-anti-statist. By opposing such intervention because they are carried out by the state anarchists are tacitly lining up with the neo-liberals. Even worse, refusing even to vote for the left, they acquiese to rule by neo-liberal parties. I deeply admire direct action movements. I was a radio pirate and we provide server space for anti-roads and environmental movements. However, this doesn’t mean that I support political abstentionism or, even worse, the mystical nonsense produced by Hakim Bey. It is great for artists and others to adopt a marginality as a life style choice, but most of the people who are economically and socially marginalised were never given any choice. They are excluded from society as a result of deliberate policies of deregulation, privatisation and welfare cutbacks carried out by neo-liberal governments. During the ‘70s. I was a pro-situ punk rocker until Thatcher got elected. Then we learnt the hard way that voting did change things and lots of people suffered if state power was withdrawn from certain areas of our life, such as welfare and employment. Anarchism can be a fun artistic pose. However, human suffering is not.