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#### Immigration reform will pass --- it’s Obama’s top priority

AP 12/27/13, Associated Press, “President Obama Eyes Immigration Reform As A Top Priority For 2014,” published on Fox News Latino, http://latino.foxnews.com/latino/politics/2013/12/27/president-obama-eyes-immigration-reform-as-top-priority-for-2014/

HONOLULU (AP) – The last vestiges of 2013's political wrangling officially behind him, President Barack Obama is setting his sights on the coming year, when a number of unfinished tasks will increasingly compete for attention with the 2014 midterm elections.¶ High on the agenda for the start of the year is a renewed push on immigration. Bipartisan consensus about the need for action on immigration in the wake of the 2012 presidential election gave way in 2013 to opposition from conservative House Republicans.¶ U.S. House Speaker John Boehner, R-Ohio, has started offering subtle signs he'll put more weight behind the issue despite continued resistance from the tea party.¶ Vacationing in Hawaii, Obama on Thursday signed into law a bipartisan budget deal softening the blow from scheduled spending cuts and a military bill cracking down on sexual assault. The two bills, passed by Congress with broad bipartisan support, constituted a modest step away from gridlock, and both parties cautiously hoped that spirit of cooperation might linger after New Year's Day.¶ "This law is proof that both parties can work together. We can put aside our differences and find common ground," House Budget Committee Chairman Paul Ryan of Wisconsin, who negotiated the budget deal for Republicans, said in a statement.

#### Plan wrecks PC

Douglas L. Kriner 10, Assistant Professor of Political Science at Boston University, 2010, After the Rubicon: Congress, Presidents, and the Politics of Waging War, p. 68-69

Raising or Lowering Political Costs by Affecting Presidential Political Capital

Shaping both real and anticipated public opinion are two important ways in which Congress can raise or lower the political costs of a military action for the president. However, focusing exclusively on opinion dynamics threatens to obscure the much broader political consequences of domestic reaction—particularly congressional opposition—to presidential foreign policies. At least since Richard Neustadt's seminal work Presidential Power, presidency scholars have warned that costly political battles in one policy arena frequently have significant ramifications for presidential power in other realms. Indeed, two of Neustadt's three "cases of command"—Truman's seizure of the steel mills and firing of General Douglas MacArthur—explicitly discussed the broader political consequences of stiff domestic resistance to presidential assertions of commander-in-chief powers. In both cases, Truman emerged victorious in the case at hand—yet, Neustadt argues, each victory cost Truman dearly in terms of his future power prospects and leeway in other policy areas, many of which were more important to the president than achieving unconditional victory over North Korea."¶ While congressional support leaves the president's reserve of political capital intact, congressional criticism saps energy from other initiatives on the home front by forcing the president to expend energy and effort defending his international agenda. Political capital spent shoring up support for a president's foreign policies is capital that is unavailable for his future policy initiatives. Moreover, any weakening in the president's political clout may have immediate ramifications for his reelection prospects, as well as indirect consequences for congressional races.59 Indeed, Democratic efforts to tie congressional Republican incumbents to President George W. Bush and his war policies paid immediate political dividends in the 2006 midterms, particularly in states, districts, and counties that had suffered the highest casualty rates in the Iraq War.60¶ In addition to boding ill for the president's perceived political capital and reputation, such partisan losses in Congress only further imperil his programmatic agenda, both international and domestic. Scholars have long noted that President Lyndon Johnson's dream of a Great Society also perished in the rice paddies of Vietnam. Lacking both the requisite funds in a war-depleted treasury and the political capital needed to sustain his legislative vision, Johnson gradually let his domestic goals slip away as he hunkered down in an effort first to win and then to end the Vietnam War. In the same way, many of President Bush's highest second-term domestic priorities, such as Social Security and immigration reform, failed perhaps in large part because the administration had to expend so much energy and effort waging a rear-guard action against congressional critics of the war in Iraq.61¶ When making their cost-benefit calculations, presidents surely consider these wider political costs of congressional opposition to their military policies. If congressional opposition in the military arena stands to derail other elements of his agenda, all else being equal, the president will be more likely to judge the benefits of military action insufficient to its costs than if Congress stood behind him in the international arena.

#### PC’s key

Reid Epstein 13, 10/17, writer at Politico, “Obama’s latest push features a familiar strategy,” http://www.politico.com/story/2013/10/barack-obama-latest-push-features-familiar-strategy-98512.html

President Barack Obama made his plans for his newly won political capital official — he’s going to hammer House Republicans on immigration.¶ And it’s evident from his public and private statements that Obama’s latest immigration push is, in at least one respect, similar to his fiscal showdown strategy: yet again, the goal is to boost public pressure on House Republican leadership to call a vote on a Senate-passed measure.¶ “The majority of Americans think this is the right thing to do,” Obama said Thursday at the White House. “And it’s sitting there waiting for the House to pass it. Now, if the House has ideas on how to improve the Senate bill, let’s hear them. Let’s start the negotiations. But let’s not leave this problem to keep festering for another year, or two years, or three years. This can and should get done by the end of this year.”¶ (WATCH: Assessing the government shutdown's damage)¶ And yet Obama spent the bulk of his 20-minute address taking whack after whack at the same House Republicans he’ll need to pass that agenda, culminating in a jab at the GOP over the results of the 2012 election — and a dare to do better next time.¶ “You don’t like a particular policy or a particular president? Then argue for your position,” Obama said. “Go out there and win an election. Push to change it. But don’t break it. Don’t break what our predecessors spent over two centuries building. That’s not being faithful to what this country’s about.”¶ Before the shutdown, the White House had planned a major immigration push for the first week in October. But with the shutdown and looming debt default dominating the discussion during the last month, immigration reform received little attention on the Hill.¶ (PHOTOS: Immigration reform rally on the National Mall)¶ Immigration reform allies, including Obama’s political arm, Organizing for Action, conducted a series of events for the weekend of Oct. 5, most of which received little attention in Washington due to the the shutdown drama. But activists remained engaged, with Dream Act supporters staging a march up Constitution Avenue, past the Capitol to the Supreme Court Tuesday, to little notice of the Congress inside.¶ Obama first personally signaled his intention to re-emerge in the immigration debate during an interview Tuesday with the Los Angeles Univision affiliate, conducted four hours before his meeting that day with House Democrats.¶ Speaking of the week’s fiscal landmines, Obama said: “Once that’s done, you know, the day after, I’m going to be pushing to say, call a vote on immigration reform.”¶ (Also on POLITICO: GOP blame game: Who lost the government shutdown?)¶ When he met that afternoon in the Oval Office with the House Democratic leadership, Obama said that he planned to be personally engaged in selling the reform package he first introduced in a Las Vegas speech in January.¶ Still, during that meeting, Obama knew so little about immigration reform’s status in the House that he had to ask Rep. Xavier Becerra (D-Calif.) how many members of his own party would back a comprehensive reform bill, according to a senior Democrat who attended.¶ The White House doesn’t have plans yet for Obama to participate in any new immigration reform events or rallies — that sort of advance work has been hamstrung by the 16-day government shutdown.¶ But the president emerged on Thursday to tout a “broad coalition across America” that supports immigration reform. He also invited House Republicans to add their input specifically to the Senate bill — an approach diametrically different than the House GOP’s announced strategy of breaking the reform into several smaller bills.¶ White House press secretary Jay Carney echoed Obama’s remarks Thursday, again using for the same language on immigration the White House used to press Republicans on the budget during the shutdown standoff: the claim that there are enough votes in the House to pass the Senate’s bill now, if only it could come to a vote.¶ “When it comes to immigration reform … we’re confident that if that bill that passed the Senate were put on the floor of the House today, it would win a majority of the House,” Carney said. “And I think that it would win significant Republican votes.”

#### Immigration’s key to Latin American relations

Shifter 12 Michael is the President of Inter-American Dialogue. “Remaking the Relationship: The United States and Latin America,” April, IAD Policy Report, http://www.thedialogue.org/PublicationFiles/IAD2012PolicyReportFINAL.pdf

Some enduring problems stand squarely in the way of partnership and effective cooperation. The inability of Washington to reform its broken immigration system is a constant source of friction between the United States and nearly every other country in the Americas. Yet US officials rarely refer to immigration as a foreign policy issue. Domestic policy debates on this issue disregard the United States’ hemispheric agenda as well as the interests of other nations.

#### Relations are key to solve a laundry list of existential threats

Michael Shifter 12, is the President of Inter-American Dialogue. “Remaking the Relationship: The United States and Latin America,” April, IAD Policy Report, http://www.thedialogue.org/PublicationFiles/IAD2012PolicyReportFINAL.pdf

There are compelling reasons for the United States and Latin America to pursue more robust ties. Every country in the Americas would benefit from strengthened and expanded economic relations, with improved access to each other’s markets, investment capital, and energy resources. Even with its current economic problems, the United States’ $16-trillion economy is a vital market and source of capital (including remittances) and technology for Latin America, and it could contribute more to the region’s economic performance. For its part, Latin America’s rising economies will inevitably become more and more crucial to the United States’ economic future. The United States and many nations of Latin America and the Caribbean would also gain a great deal by more cooperation on such global matters as climate change, nuclear non-proliferation, and democracy and human rights.With a rapidly expanding US Hispanic population of more than 50 million, the cultural and demographic integration of the United States and Latin America is proceeding at an accelerating pace, setting a firmer basis for hemispheric partnership Despite the multiple opportunities and potential benefits, relations between the United States and Latin America remain disappointing . If new opportunities are not seized, relations will likely continue to drift apart . The longer the current situation persists, the harder it will be to reverse course and rebuild vigorous cooperation . Hemispheric affairs require urgent attention—both from the United States and from Latin America and the Caribbean.

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#### Restrictions are prohibitions on action --- the aff isn’t

Jean Schiedler-Brown 12, Attorney, Jean Schiedler-Brown & Associates, Appellant Brief of Randall Kinchloe v. States Dept of Health, Washington, The Court of Appeals of the State of Washington, Division 1, http://www.courts.wa.gov/content/Briefs/A01/686429%20Appellant%20Randall%20Kincheloe%27s.pdf

3. The ordinary definition of the term "restrictions" also does not include the reporting and monitoring or supervising terms and conditions that are included in the 2001 Stipulation.

Black's Law Dictionary, 'fifth edition,(1979) defines "restriction" as;

A limitation often imposed in a deed or lease respecting the use to which the property may be put. The term "restrict' is also cross referenced with the term "restrain." Restrain is defined as; To limit, confine, abridge, narrow down, restrict, obstruct, impede, hinder, stay, destroy. To prohibit from action; to put compulsion on; to restrict; to hold or press back. To keep in check; to hold back from acting, proceeding, or advancing, either by physical or moral force, or by interposing obstacle, to repress or suppress, to curb.

In contrast, the terms "supervise" and "supervisor" are defined as; To have general oversight over, to superintend or to inspect. See Supervisor. A surveyor or overseer. . . In a broad sense, one having authority over others, to superintend and direct. The term "supervisor" means an individual having authority, in the interest of the employer, to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees, or responsibility to direct them, or to adjust their grievances, or effectively to recommend such action, if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but required the use of independent judgment.

Comparing the above definitions, it is clear that the definition of "restriction" is very different from the definition of "supervision"-very few of the same words are used to explain or define the different terms. In his 2001 stipulation, Mr. Kincheloe essentially agreed to some supervision conditions, but he did not agree to restrict his license.

#### Restrictions on authority are distinct from conditions

William Conner 78, former federal judge for the United States District Court for the Southern District of New York United States District Court, S. D. New York, CORPORACION VENEZOLANA de FOMENTO v. VINTERO SALES, http://www.leagle.com/decision/19781560452FSupp1108\_11379

Plaintiff next contends that Merban was charged with notice of the restrictions on the authority of plaintiff's officers to execute the guarantees. Properly interpreted, the "conditions" that had been imposed by plaintiff's Board of Directors and by the Venezuelan Cabinet were not "restrictions" or "limitations" upon the authority of plaintiff's agents but rather conditions precedent to the granting of authority. Essentially, then, plaintiff's argument is that Merban should have known that plaintiff's officers were not authorized to act except upon the fulfillment of the specified conditions.

#### Vote neg---

#### Neg ground---only prohibitions on particular authorities guarantee links to every core argument like flexibility and deference

#### Precision---only our interpretation defines “restrictions on authority”---that’s key to adequate preparation and policy analysis

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#### The United States Executive should publicly issue an Executive Proclamation that the United States will not introduce United States Armed Forces into hostilities for the purposes of counter proliferation.

#### Presidential commitments solve

Marvin Kalb 13, Nonresident Senior Fellow at Foreign Policy, James Clark Welling Presidential Fellow, The George Washington University Edward R. Murrow Professor of Practice (Emeritus), Kennedy School of Government, Harvard University, 2013, "The Road to War," book,pg. 7-8, www.brookings.edu/~/media/press/books/2013/theroadtowar/theroadtowar\_samplechapter.pdf

As we learned in Vietnam and in the broader Middle East, a presidential commitment could lead to war, based on miscalculation, misjudgment, or mistrust. It could also lead to reconciliation. We live in a world of uncertainty, where even the word of a president is now questioned in wider circles of critical commentary. On domestic policy, Washington often resembles a political circus detached from reason and responsibility. But on foreign policy, when an international crisis erupts and some degree of global leadership is required, the word or commitment of an American president still represents the gold standard, even if the gold does not glitter as once it did.

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#### The central question of the debate is how we respond to anxiety---energy production is a dangerous palliative that gives us the allusion of control by affirming our mastery over nature and distracting us from our consumptive practices---ensures serial policy-failure

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Why psychoanalysis? On the face of it, it seems frankly irrelevant. Surely it is the basic sciences of geology, ecology, biology, and climatology that we need, combined with various hi-tech engineering? Yes and no. The science informing us of the risks and possible technical solutions has run far ahead of our psychological state. We are not yet at the point emotionally of being able to clearly grasp the threat, and act accordingly. We need to ask why this issue, despite its current prominence, fails to ignite people's motivation for the major changes science tells us is necessary. This concerns not only the 'public' but the academy and the psychoanalytic community. In spite of the fact that Harold Searles was already writing in 1960 that psychoanalysts need to acknowledge the psychological importance of the non-human environment, until very recently his colleagues have almost entirely ignored him.

In this section we explore some of the theories with which we may be able to construct a psychoanalysis of ecology. Fuller elaboration will involve incorporating approaches from the sciences of complexity and ecology, and Deleuze and Guattari's 'geophilosophy' or 'ecosophy', which itself emerged in critical dialogue with psychoanalysis and complexity theory. However, we first need to explore the ecological potential within psychoanalysis itself, as without the latter's methods and theories for unmasking hidden motivations and phantasies, this investigation will not be able to proceed.

Renee Lertzman (2008), one of the first psychoanalytically informed social scientists to engage with the ecological crisis, describes a common surreal aspect of our everyday responses to 'eco-anxiety', the experience of flipping through a newspaper and being suddenly confronted with:

the stop-dead-in-your-tracks, bone-chilling kind of ecological travesties taking place around our planet today ... declining honey bees, melting glaciers, plastics in the sea, or the rate of coal plants being built in China each second. But how many of us actually do stop dead in our tracks? Have we become numb? ... if so, how can we become more awake and engaged to what is happening?

Environmental campaigners have become increasingly frustrated and pessimistic. Even as their messages spread further and further, and as scientists unite around their core concerns, there is an alarming gap between increasingly firm evidence and public response. The fact that oil companies donate millions to climate 'sceptic' groups doesn't help (Vidal 2010). Nor does the fact that eight European companies which are together responsible for 5-10 per cent of the emissions covered in the EU emissions trading system (Bayet, BASF, BP, GDF Suez, ArcelorMittal, Lafarge, E.ON, and Solvay) gave $306,100 to senatorial candidates in the 2010 United States midterm elections who either outright deny climate change ($107,200) or pledge they will block all climate change legislation ($240,200), with the most flagrant deniers getting the most funds (Goldenberg 2010; Climate Action Network 2010). These are the same companies that campaign against EU targets of 30 per cent reductions in emissions using current inaction in the United States as a justification, while claiming their official policy is that climate change is a major threat and they are committed to doing all they can to help in the common cause of dealing with the danger (for the full report see Climate Action Network 2010).

Recent opinion polls show climate scepticism is on the rise in the UK as well. In February 2010 a BBC-commissioned poll by Populus (BBC 2010a, 2010b) of 1,001 adults found that 25 per cent didn't think global warming was happening, a rise of 8 per cent since a similar poll in November 2009. Belief that climate change was real fell from 83 per cent to 75 per cent, while only 26 per cent believed climate change was established as largely man-made compared with 41 per cent in November. A third of those agreeing climate change was real felt consequences had been exaggerated (up from a fifth) while the number of those who felt risks had been understated fell from 38 per cent to 25 per cent (see Figure 3). According to Populus director M. Simmonds, 'it is very unusual ... to see such a dramatic shift in opinion in such a short period ... The British public are sceptical about man's contribution to climate change and becoming more so' (BBC 2010a).

Most remarkable here is the discrepancy between public and expert opinion. According to the chief scientific advisor at the Department for the Environment, Food and Rural Affairs, Professor Robert Watson: 'Action is urgently needed ... We need the public to understand that climate change is serious so they will change their habits and help us move towards a low-carbon economy.' Why this shift? Whilst the poll took place with the background of heavy snow and blizzards in the UK, always a convenient backdrop to climate sceptic jokes, the BBC (2010a) article focused on a high-profile story concerning stolen emails alleging scientific malpractice at the University of East Anglia (UEA). While this was a very serious accusation, no mainstream scientific body seriously imagines it changes in any real way the overall science, and yet this is not how the public perceived it.

Subsequently, the UK Parliament's Commons Science and Technology Committee completed its investigation into the case (BBC 2010c). The MPs' committee concluded there was no evidence that UEA's Professor Phil Jones had manipulated data, or tried 'to subvert the peer review process' and that 'his reputation, and that of his climate research unit, remained intact' (BBC

2010c). The report noted that 'it is not standard practice in climate science to publish the raw data and the computer code in academic papers' and that 'much of the data that critics claimed Prof Jones has hidden, was in fact already publicly available' (BBC 2010c) but called strongly for a greater culture of transparency in science. The report concluded that it 'found no reason in this unfortunate episode to challenge the scientific consensus that global warming is happening and is induced by human activity' (BBC 2010c).

This story was followed closely by another in January 2010 when the IPCC admitted a mistake concerning the timetable of Himalayan glacial melting. In such a lengthy report of over 3 000 pages, produced from the combined efforts of the world scientific community on a topic with as many variables as climate change, it is unsurprising some estimates need revising. Undoubtably there will be more revisions in the future, some major. It is important to emphasize that for the world's scientists the overall picture has not been affected, but public perception is completely different, with triumphant claims of proof 'it is all made up'. No doubt many sceptics will use the Parliamentary committee's report as further evidence of an institutional cover-up.

The important psychological point is that people are ready for such events, indeed eager for it - the psychosocial equivalent of a sandpile in a state of self-organized criticality (Palombo 1999; Bak 1994), when a single grain can cause a major avalanche cascading through the whole system. Understanding such subtle shifts, and the often unconscious motivations behind them, is where psychoanalysis perhaps more than any other discipline has a lot to offer. As Lertzman (2008) writes:

What if the core issue is more about how humans respond to anxiety? ... [Environmental problems ... conjure up anxieties that ... we are done for, and nothing can really be done ... To help me understand more, I turn to Freud ... because I have found few others who speak as eloquently, and sensitively about what humans do when faced with anxiety or anxiety-provoking news.

Freud, civilization, nature and the dialectic of the Enlightenment

Is Freud really relevant to understanding our current crisis? While he was very much engaged in relating psychology to social issues, from war to racism, group psychology and the discontents of civilization (Freud 1913a, 1915, 1921, 1927, 1930), he was writing during a period when the possibility that human activities could bring the Earth's ecosystems to the brink of collapse would have been hard to contemplate. Romanticism may have complained about 'unweaving rainbows' and industry's 'dark satanic mills', but by Freud's day this could be seen as Luddite anti-progress talk, especially for those working within the Weltangschung of science and the Enlightenment to which Freud (1933) pinned his psychoanalytic flag. However, much of our current bewildering situation can be understood as rooted in part in a world view that was at its zenith during Freud's day and, as Lertzman (2008) suggests, in our responses to anxiety. In addition, Freud did offer us some crucial reflections on our relationship with nature:

The principle task of civilization, its actual raison d'etre, is to defend us against nature. We all know that in many ways civilization does this fairly well already, and clearly as time goes on it will do it much better. But no one is under the illusion that nature has already been vanquished; and few dare hope that she will ever be entirely subdued to man.

(Freud 1927: 51)

Here we can see an interesting ambivalence in Freud's rhetorical style, which perhaps unwittingly captures two crucial aspects of our civilization's relationship to 'Nature' and thus begins to open up a psychoanalytic approach to ecology. First, he depicts a series of binary oppositions typical for his era, and not so different in our own: human versus nature, man versus woman and (more implicitly) order versus chaos. Here we find the classic tropes of the Enlightenment, modernity, patriarchy, industrialism and capitalism, which Jungian ecopsychologist Mary-Jane Rust (2008) calls the myths we live by. The myths she is referring to in particular are the 'myth of progress' and the 'myth of the Fall'. She argues that in order to create a sustainable future, or indeed any future, we need to find other stories, other myths, through which to live our lives, to rethink how we have fallen and what it means to progress. Freud's work suggests that Western culture views civilization as a defence against nature, and against wildness, inner and outer, but as Rust (2008: 5) writes, at 'this critical point in human history we most urgently need a myth to live by which is about living with nature, rather than fighting it.' Thus, according to Rust,

we find ourselves ... between stories (Berry 1999), in a transitional space ... of great turbulence, with little to hold onto save the ground of our own experience. Our therapeutic task ... is to understand how these myths still shape our internal worlds, our language, and our defences ... [S]omewhere in the midst of 'sustainability' ... lies an inspiring vision of transformation ... We need to dig deep, to re-read our own myths as well as find inspiration from the stories of others.

(ibid.)

The myth of progress enters the climate change debate in calls for geo-engineering and Utopian techno-fixes such as putting thousands of mirrors in space, and in the dismissal of even gentle questioning of current economic models of unlimited growth. We will later look at Harold Searles' (1972) approach to our fascination with technology and its role in the current crisis. Returning to Freud, however, there is, as always, another side, an implicit awareness that the feeling of mastery civilization gives us is in many ways a dangerous illusion. Behind our need for mastery lies our fear and trembling in the face of the awesome power of mother nature.

There are the elements which seem to mock at all human control: the earth, which quakes and is torn apart and buries all human life and its works; water, which deluges and drowns everything in turmoil; storms, which blow everything before them ... With these forces nature rises up against us, majestic, cruel and inexorable; she brings to our mind once more our weakness and helplessness, which we thought to escape through the work of civilization.

(Freud 1927: 15-16)

Here is the other side of Freud's writing on the relation between 'Nature' and 'Civilization', with humanity portrayed as a weak and helpless infant in awe and fear of a mighty and terrible mother. The lure and horror of matriarchy lie behind the defensive constructs of patriarchal civilization, just as Klein's paranoid-schizoid fears of fragmentation, engulfment, and annihilation lie behind later castration threats (Hinshelwood 1991).

With each new earthquake or flood, nature erupts into culture -similar to Kristeva's (1982) description of the eruption of the 'semiotic' into the 'symbolic' - and we are thrown back into a state of terror. The 'illusion' in the title of Freud's 1927 essay The Future of an Illusion was meant to refer to how religion arose to deal with these anxieties. However, the structural function of the myth of progress, while undoubtably more successful in terms of practical benefits, can also be included here. In these words of Freud we have already a deep understanding, albeit largely implicit, of our own current crisis: a relationship to nature based on a master-slave system of absolute binaries, and an attempt to maintain an illusory autonomy and control in the face of chaos.

There is often a tension in Freud, between the celebration of Enlightenment values found in works such as The Future of an Illusion (1927) and the more Romantic Freud who won the Goethe prize and constantly emphasized the elements Enlightenment rationality leaves out such as jokes, dreams, slips and psychological symptoms. Thus, as well as being a perfect example of the Enlightenment with its call to make the unconscious conscious and give the 'rational' ego greater power over the wilds of the id, psychoanalysis also provides a serious challenge to this way of thinking. There will always be something beyond our control. We are not, and never can be, masters in our own house, and the core of who we are is irrational, and often frightening. Marcuse (1998) touched on a similar tension when declaring Freud's (1930) Civilization and Its Discontents both the most radical critique of Western culture and its most trenchant defence. Psychoanalysis, as always, is exquisitely ambivalent.

Ultimately, for Freud, both the natural world and our inner nature are untamable and the most we can hope for are temporary, fragile, anxious compromises between competing forces (Winter & Koger 2004). The chaos of nature we defend against is also the chaos of our inner nature, the wildness in the depths of our psyche. Civilization does not only domesticate livestock but also humanity itself (Freud & Einstein 1933: 214). However, attempts to eliminate the risk have in many ways dangerously backfired, comparable to the ways that the historical programmes aiming to eliminate forest fires in the United States have led to far bigger and more uncontrollable fires taking the place of previously smaller and more manageable ones (Diamond 2006: 43-47).

The control promised by the Enlightenment, the power of the intellect to overcome chaos (environmental and emotional), is therefore at least partly a defensive and at times dangerous illusion. In our age of anxiety, with the destruction of civilization threatened by nuclear holocaust, ecosystemic collapse, bioweapons and dirty bombs, Freud's warning is more relevant than ever:

Humens\* have gained control over the forces of nature to such an extent that with their help they would have no difficulty in exterminating one another to the last man ... hence comes a large part of their current unrest, their unhappiness and their mood of anxiety.

(Freud 1930: 135)

Freud's binaries 'masculine/Enlightenment/control/autonomy' versus 'feminine/nature/chaos/dependency' also lead us to consider what Gregory Bateson (2000: 95) called the 'bipolar characteristic' of Western thought, which even tries 'to impose a binary pattern upon phenomena which are not dual in nature: youth versus age, labor versus capital, mind versus matter - and, in general, lack[s] the organizational devices for handling triangular systems/ In such a culture, as with the child struggling to come to terms with the Oedipal situation, 'any "third" party is always regarded ... as a threat' (ibid.).

Deleuze and Guattari describe such dualistic forms of thinking using the ecological metaphor of the tree with its fork-branch patterns (although they would not use the term metaphor): 'Arborescent systems are hierarchical systems with centers of signifiance and subjectification ... an element only receives information from a higher unit, and only receives a subjective affection along preestablished paths' (Deleuze & Guattari 2003a: 16). However, Freud's 'arborescent' system of binaries can also show us the way out, capturing the psychological bind we are now in. As Deleuze and Guattari (2003a: 277) write: 'The only way to get outside the dualisms is ... to pass between, the intermezzo.' Deconstructing these dualisms allows us to think about how our destructive urge to dominate and control is connected to our fear of acknowledging dependency on this largest of 'holding environments', the ultimate 'environment mother' (Winnicott 1999,1987).

#### Technological management is an expression of the death drive---causes projection of our fears onto the human and non-human world to justify their annihilation---turns and outweighs the case

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Here there are echoes of Freud's (1916) idea of 'anticipatory mourning' and the associated attacks and spoiling that we will study below (see p. 72). However, for Searles the natural world is not just a space for externalizing our conflicts. Rather, a healthy relationship to the non-human environment is essential for human psychological well-being. Furthermore, one consequence of our alienation from nature is an omnipotent longing for fusion with our technology, and a powerful anxiety should this fully occur.

Over recent decades we have come from dwelling in an outer world in which the living works of nature either predominated or were near at hand, to dwelling in an environment dominated by a technology which is wondrously powerful and yet nonetheless dead ... [T]his technology-dominated world [is] so alien, so complex, so awesome, and so overwhelming that we have been able to cope with it only by regressing, in our unconscious experience ... to a degraded state of nondifferentiation from it ... [T]his 'outer' reality is psychologically as much a part of us as its poisonous waste products are part of our physical selves.

(Searles 1972: 368)

The further we are alienated from nature, the more we are driven into primitive regressive identification and omnipotent fascination with our technology, a powerful positive feedback loop. The inner conflict between our human and non-human selves, and our animal and technological natures, is projected onto the environment, further rupturing the relationship and leading to a spiral of destructiveness as we 'project this conflict upon, and thus unconsciously foster, the war in external reality between the beleaguered remnants of ecologically balanced nature and \*(hu)man's technology which is ravaging them' (ibid.).

Here we are in Klein's paranoid-schizoid world, with a primitive ego unable to differentiate between good and bad mother. While ecologists portray a good eco-mummy doing battle with bad techno-mummy, things are not so simple. As we have seen, civilization (and its technology) is a defence, a 'good mother' to protect us from capricious and uncaring mother nature (Freud 1930), but, as Searles suggests, we are supposed to accept that 'our good mother is poisoning us' (Searles 1972: 369).

For Searles (1972), behind both nuclear danger and ecological catastrophe lies the raw destructiveness Kleinians link to Thanatos, or what Erich Fromm (1992) understands in terms of necrophilia. Searles (1972: 370) argues that at this level of functioning we project 'our own pervasive, poorly differentiated and poorly integrated murderousness, bora of our terror and deprivation and frustration, upon the hydrogen bomb, the military-industrial complex, technology.' We may find the slow, more controllable death from pollution preferable to 'sudden death from nuclear warfare' or we might yearn for the quick relief of a nuclear blast to the 'slow strangulation' of environmental devastation (Searles 1972: 370). Living with such apocalyptic threats leads to a kind of ultimate version of the defence Anna Freud (1936) described as identification with the aggressor.

At an unconscious level we powerfully identify with what we perceive as omnipotent and immortal technology, as a defense against intolerable feelings of insignificance, of deprivation, of guilt, of fear of death ... Since the constructive goal of saving the world can be achieved only by one's working, as but one largely anonymous individual among uncounted millions ... it is more alluring to give oneself over to secret fantasies of omnipotent destructiveness, in identification with the forces that threaten to destroy the world. This serves to shield one from the recognition of one's own guilt-laden murderous urges, experienced as being within oneself, to destroy one's own intrapersonal and interpersonal world.

(Searles 1972: 370)

In this view, we are seeing a kind of repetition on a planetary level of an early intrapsychic anxiety situation. In childhood 'a fantasied omnipotence protected us against the fUll intensity of our feelings of deprivation, and now it is dangerously easy to identify with seemingly limitless technology and to fail to cope with the life-threatening scarcity of usable air, food, and water on our planet' (ibid.). Unfortunately our technological powers have outstripped our emotional maturity, and the omnipotent phantasies of infancy now have a frightening objectivity. In place of a religion we no longer believe in, or hopes for future generations we no longer have meaningful contact with, we identify with our immortal, inanimate technology.

In this realm of omnipotent fantasy ... mother earth is equivalent to all of reality ... a drag ... to our yearnings for unfettered omnipotence ... It may be not at all coincidental that our world today is threatened with extinction through environmental pollution, to which we are so strikingly apathetic, just when we seem on the threshold of technologically breaking the chains that have always bound our race to this planet of our origin. I suspect that we collectively quake lest our infantile omnipotent fantasies become fully actualized through man's becoming interplanetary and ceasing thereby to be man ... [W]e are powerfully drawn to suicidally polluting our planet so as to ensure our dying upon it as men, rather than existing elsewhere as ... gods or robots ... [T]he greatest danger lies neither in the hydrogen bomb ... nor in the more slowly lethal effect of pollution ... [but] in the fact that the world is in such a state as to evoke our very earliest anxieties and at the same time to offer the delusional 'promise' ... of assuaging these anxieties, effacing them, by fully externalizing and reifying our most primitive conflicts ... In the pull upon us to become omnipotently free of human conflict, we are in danger of bringing about our extinction.

(Searles 1972: 371-372)

#### These pathologies distort not only how we respond to crisis but also why and to which crises---as such, your primary role is to investigate the aff’s psychological investment in energy production as an exercise in reprogramming our position in a non-linear and inevitably chaotic world.

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The metaphor of an acrobat on a high wire referred to by Bateson (2000: 506) is particularly apt for us now. The acrobat, in order not to fall, requires maximum freedom to 'move from one position of instability to another.' This is the paradox of order and disorder that we discussed in Chapter 11. In our current ecological crisis we must face the possibility that achieving the freedom and flexibility that we need to survive requires a fundamental re-examination of many of the basic coordinates of our lives, and some of our most cherished theories. In analyzing the rise and fall of past civilizations, we find that a 'new technology for the exploitation of nature or a new technique for the exploitation of other men ... gives elbow room or flexibility' but that 'the using up of that flexibility is death' (Bateson 2000: 503).

Like the patient stuck on a local optima that we discussed in Chapter 12, unable or unwilling to cross the threshold to a more adaptive peak, entire species, and civilizations, have in the past found themselves in dangerous dead ends and unable to change. These dead ends include those within the ecology of mind, ways of thinking and being that become pathological if they fail to evolve along with the constantly shifting relations in the constitution of natural and social ecosystems. Ecopsychoanalysis, which draws on the tools and ideas of nonlinear science, understands that our world is governed by nonlinear dynamics, to the extent that the prediction and control promised by Enlightenment rationality will always remain to some degree illusory. Instead, we need to engage with the creativity of the Earth, and follow the lines of flight we uncover, exploring 'the potential for self-organization inherent in even the humblest forms of matter-energy' (DeLanda 2005:273).

Our species has experienced such severe existential threats before. One of the most extreme examples was an evolutionary bottleneck which molecular biology shows us occurred approximately 70,000 years ago, when the human species was down to the last few thousand individuals or even less. Geological evidence suggests that this near extinction may have been linked to the Toba supervolcano in Indonesia, whose eruption triggered sudden climate change with major environmental impacts (Dawkins 2004). We do not know how we emerged from that particular crisis, or how close we may have come to extinction at various other times in our history.

We might reflect on these experiences as applying to the whole species an idea that Winnicott (1974: 104) once discussed in terms of the fear of breakdown in individual psychoanalysis. For Winnicott, this fear refers to a breakdown that has already occurred, but it was a catastrophe which took place before there was yet a subject to folly experience it with a reflective consciousness. At the risk of anthropocentrism, we might do well to consider Dennett's (2003: 267) point that in many ways we do occupy a unique position in the history of the Earth, as 'wherever lineages found themselves on local peaks of the adaptive landscape, their members had no way of so much as wondering whether or not there might be higher, better summits on the far side of this valley or that.'

Despite all the defensive reasons to not know which we explored in Chapters 4-7. we are, to some extent at least, becoming conscious of the enormity of the danger which confronts us. Today we are forced to think in these complex terms, to wonder about other valleys and other peaks on the plane of immanence, our virtual realm of possibility, to find a path through the current deadlock. As we saw in Part I of this book, these are difficult times. As Bateson (2000: 495) writes, the 'massive aggregation of threats to (hu)man(kind) and his ecological systems arises out of errors in our habits of thought at deep and partly unconscious levels.'

The contribution of psychoanalysis is precisely to help us to overcome such errors through investigating their unconscious roots. Ecopsychoanalysis recognizes the need for a radical questioning of our theories, whether psychoanalytic, philosophical, scientific or political, and the corresponding ways of living individually and collectively that they make possible and reflect. However, it does so through a respectful engagement with the best that our various traditions have to offer, entering into uncanny new symbioses, making these disciplines strange to themselves not in order to destroy them but to make them more vital and alive.

Despite the gravity of our situation, there are 'patches of sanity still surviving in the world' (Bateson 2000: 495), ideas in the ecology of mind worth exploring, helping us to construct a new alpha function we can only hope is capable of dreaming at the precipice. This book has sought to uncover what some of the components of this might be, focusing in particular on the constructive synergy between psychoanalysis, complexity theory, ecology, and the philosophy of Deleuze and Guattari. Ecopsychoanalysis wonders whether it is precisely in the very severity of the desperate ecological situation we face that a great opportunity lies for re-imagining the human, our societies, and our place in the world. It is in the ecopsychological spirit of nurturing hope while facing despair that this book was written.

However, there is no 'big Other' (Zizek 2007) to guarantee our success, or even our future existence. In a chaotic world without certainty, ecopsychoanalysis can turn to the experimental pragmatics of Deleuze and Guattari (2003a: 161): 'Lodge yourself on a stratum, experiment with the opportunities it offers ... find potential movements of deterritorialization, possible lines of flight, experience them, produce flow conjunctions here and there, try out continuums of intensities segment by segment, have a small plot of new land at all times.'

Assumptions according to which we have long lived our lives collapse as we begin to feel the disturbing effects of the hyperobject of climate change on the ecology of mind. Ecopsychoanalysis itself can be viewed as a hyperobject in that it does not yet fully exist. It should not be seen as an end state but a process of becoming, a work in progress, a meshwork emerging at the interstices of the three ecologies, and the elaboration of an alpha function that is able to think and dwell in our new uncanny home. As Bateson (2000: 512) writes, 'we are not outside the ecology for which we plan - we are always and inevitably a part of it. Herein lies the charm and the terror of ecology.' Ecopsychoanalysis can never occupy an outside from which to explore and engage with the new strange ecology(s), but is always already extimate with it (Lacan 1992: 139).

For all its chaos, because of all its chaos, the world is still a place of wonder, and we can only hope that we find ways of staying in it at least a little while longer. The nonlinearity and chaos of nature, and the forms of thinking required to sustain our relationship to it beyond the limited horizons of our experience, are both frightening and liberating. Yet, despite the anxiety, guilt and terror that climate change forces us to face, this moment of crisis can also offer us an opportunity for a more open vision of ourselves, as subjects, as societies, and as a species among the interconnected life systems of the Earth.

#### Don’t be blackmailed by their threat of immediate consequences---actomania in the face of environmental apocalypse not only requires a fantasy of natural manipulation but it actively blinds us to a reconfiguration of our consumptive practices

Swyngedouw 6 Erik, Dept of Geography, School of Environment and Development, Manchester University “Impossible “Sustainability” and the Post-Political Condition,” Forthcoming in: David Gibbs and Rob Krueger (Eds.) Sustainable Development, <http://www.liv.ac.uk/geography/seminars/Sustainabilitypaper.doc>

This chapter seeks to destabilise some of the most persistent myths about nature, sustainability and environmental politics. First, I shall argue that there is no such thing as a singular Nature around which a policy of ‘sustainability’ can be constructed. Rather, there are a multitude of natures and a multitude of existing or possible socio-natural relations. Second, the obsession with a singular nature that requires ‘sustaining’ is sustained by an apocalyptic imaginary that forecloses asking serious political questions about possible socio-environmental trajectories, particularly in the context of a neo-liberal hegemony. Third, and most importantly, I shall argue that environmental issues and their political ‘framing’ contribute to the making and consolidation of a post-political and post-democratic condition, one that actually forecloses the possibility of a real politics of the environment. I conclude with a call of a politicization of the environment, one that is predicated upon the recognition of radically different possible socio-environmental futures and the proliferation of new socio-environmental imaginaries.

1. The Question of Natures

 “Nature does not exist” … or …When vegetarians will eat meat!

The Guardian International reported recently (13th August 2005) how a University of Maryland scientist had succeeded in producing “cultured meat”. Soon, he said, “it will be possible to substitute reared beef or chicken with artificially grown meat tissue. It will not be any longer necessary to kill an animal in order to get access to its meat. We can just rear it in industrialised labs”. A magical solution, so it seems, that might tempt vegetarians to return to the flock of animal protein devotees, while promising yet again (after the failed earlier promises made by the pundits of pesticides, the green revolution and now genetic engineering and GM products) the final solution for world hunger and a more sustainable life for the millions of people who go hungry now. Meanwhile, NASA is spending circa US$ 40 million a year on how to recycle wastewater and return it to potable conditions, something that would of course be necessary to permit space missions of long duration, but which would be of significant importance on earth as well. At the same time, sophisticated new technologies are developed for sustainable water harvesting, for a more rational use of water, or a better recycling of residual waters, efforts defended on the basis of the need to reach the Millennium Development Goals that promise, among others, a reduction by half of the 2.5 billion people that do not have adequate access to safe water and sanitation.

In the mean time, other ‘natures’ keep wrecking havoc around the world. The Tsunami disaster comes readily to mind, as do the endless forest fires that blazed through Spain in the summer of 2005 during the country’s driest summer since records started, killing dozens of people and scorching the land; HIV continues its genocidal march through Sub-Saharan Africa, summer heat waves killed thousands of people prematurely in 2004 in France. In 2006, Europeans watched anxiously the nomadic wanderings of the avian flue virus and waits, almost stoically, for the moment it will pass more easily from birds to humans. While all this is going on, South Korea’s leading bio-tech scientist, Hwang Woo Suk proudly presented, in August 2005, the Seoul National University Puppy (SNUPPY) to the global press as the first cloned dog (a Labrador) while a few months later, in December 2005, this science hero was forced to withdraw a paper on human stem cells from Science after accusations of intellectual fraud (later confirmed, prompting his resignation and wounding South-Korea’s great biotech dream). In the UK, male life expectancy between the ‘best’ and ‘worst’ areas is now more than 11 years and the gap is widening with life expectancy actually falling (for the first time since the second world war) in some areas . Tuberculosis is endemic again in East London, obesity is rapidly becoming the most seriously lethal socio-ecological condition in our fat cities (Marvin and Medd, 2006), and, as the ultimate cynical gesture, nuclear energy is again celebrated and iconized by many elites, among whom Tony Blair, as the world’s saviour, the ultimate response to the climatic calamities promised by continuing carbon accumulation in our atmosphere while satisfying our insatiable taste for energy.

This great variety of examples all testify to the blurring of boundaries between the human and the artificial, the technological and the natural, the non-human and the cyborg-human; they certainly also suggest that there are all manner of ‘natures’ out there. While some of the above examples promise ‘sustainable’ forms of development, others seem to stray further away from what might be labelled as sustainable. At first glance, Frankenstein meat, cyborg waters and stem cell research are exemplary cases of possibly ‘sustainable’ ways of dealing with apparently important socio-environmental problems while solving significant social problems (animal ethics and food supply on the one hand, dwindling freshwater resources or unsustainable body metabolisms on the other). Sustainable processes are sought for around the world and solutions for our precarious environmental condition are feverishly developed. Sustainability, so it seems, is in the making, even for vegetarians.

Meanwhile, as some of the other examples attest, socio-environmental processes keep on wrecking havoc in many places around the world. ‘Responsible’ scientists, environmentalists of a variety of ideological stripes and colours, together with a growing number of world leaders and politicians, keep on spreading apocalyptic and dystopian messages about the clear and present danger of pending environmental catastrophes that will be unleashed if we refrain from immediate and determined action. Particularly the threat of global warming is framed in apocalyptic terms if the atmospheric accumulation of CO2 (which is of course the classic ‘side effect’ of the accumulation of capital in the troposphere) continues unheeded. Table 1 collects a sample of some of the most graphic recent doomsday media headlines on the theme. The world as we know it will come to a premature end (or be seriously mangled) unless we urgently reverse, stop, or at least slow down global warming and return the climate to its status quo ante. Political and regulatory technologies (such as the Kyoto Protocol) and CO2 reducing techno-machinery (like hybrid cars) are developed that would, so the hope goes, stop the threatening evolution and return the earth’s temperature to its benevolent earlier condition. From this perspective, sustainability is predicated upon a return, if we can, to a perceived global climatologic equilibrium situation that would permit a sustainable continuation of the present world’s way of life.

So, while one sort of sustainability seems to be predicated upon feverishly developing new natures (like artificial meat, cloned stem cells, or manufactured clean water), forcing nature to act in a way we deem sustainable or socially necessary, the other type is predicated upon limiting or redressing our intervention in nature, returning it to a presumably more benign condition, so that human and non-human sustainability in the medium and long term can be assured. Despite the apparent contradictions of these two ways of ‘becoming sustainable’ (one predicated upon preserving nature’s status quo, the other predicated upon producing new natures), they share the same basic vision that techno-natural and socio-metabolic interventions are urgently needed if we wish to secure the survival of the planet and much of what it contains. But these examples also show that ‘nature’ is not always what it seems to be. Frankenstein meat, dirty water, bird - flue virus symbiosis, stem cells, fat bodies, heat waves, tsunamis, hurricanes, genetic diversity, CO2, to name just a few, are radically different things, expressing radically different natures, pushing in radically different directions, with radically different consequences and outcomes, and with radically different human/non-human connectivities. If anything, before we can even begin to unpack ‘sustainability’, the above examples certainly suggest that we urgently need to interpolate our understandings of ‘nature’, revisit what we mean by nature, and, what we assume ‘nature’ to be.

Surrendering Nature – Indeterminate natures

Slavoj Žižek suggests in Looking Awry that the current ecological crisis is indeed a radical condition that not only constitutes a real and present danger, but, equally importantly, “questions our most unquestionable presuppositions, the very horizon of our meaning, our everyday understanding of ‘nature’ as a regular, rhythmic process” (Zizek, (1992) 2002: 34). It raises serious questions about what were long considered self-evident certainties. He argues that this fundamental threat to our deepest convictions of what we always thought we knew for certain about nature is co-constitutive of our general unwillingness to take the ecological crisis completely serious. It is this destabilising effect that explains “the fact that the typical, predominant reaction to it still consists in a variation of the famous disavowal, “I know very well (that things are deadly serious, that what is at stake is our very survival), but just the same I don’t really believe, … and that is why I continue to act as if ecology is of no lasting consequence for my everyday life” (page 35). The same unwillingness to question our very assumptions about what nature is (and even more so what natures might ‘become’) also leads to the typical obsessive reactions of those who DO take the ecological crisis seriously. Žižek considers both the case of the environmental activist, who in his or her relentless and obsessive activism to achieve a transformation of society in more ecologically sustainable ways expresses a fear that to stop acting would lead to catastrophic consequences. In his words, obsessive acting becomes a tactic to stave off the ultimate catastrophe, i.e. “if I stop doing what I am doing, the world will come to an end in an ecological Armageddon”. Others, of course, see all manner of transcendental signs in the ‘revenge of nature’, read it as a message that signals our destructive intervention in nature and urge us to change our relationship with nature. In other words, we have to listen to nature’s call, as expressed by the pending environmental catastrophe, and respond to its message that pleas for a more benign, associational relation with nature, a post-human affective connectivity, as a cosmopolitical “partner in dialogue”. While the first attitude radically ignores the reality of possible ecological disaster, the other two, which are usually associated with actors defending ‘sustainable’ solutions for our current predicament, are equally problematic in that they both ignore, or are blind to the inseparable gap between our symbolic representation (our understanding) of Nature and the actual acting of a wide range of radically different and, often contingent, natures. In other words, there is – of necessity – an unbridgeable gap, a void, between our dominant view of Nature (as a predictable and determined set of processes that tends towards a (dynamic) equilibrium – but one that is disturbed by our human actions and can be ‘rectified’ with proper sustainable practices) and the acting of natures as an (often) unpredictable, differentiated, incoherent, open-ended, complex, chaotic (although by no means unordered or un-patterned) set of processes. The latter implies the existence not only of many natures, but, more importantly, it also assumes the possibility of all sorts of possible future natures, all manner of imaginable different human-non human assemblages and articulations, and all kinds of different possible socio-environmental becomings.

The inability to take ‘natures’ seriously is dramatically illustrated by the controversy over the degree to which disturbing environmental change is actually taking place and the risks or dangers associated with it. Lomborg’s The Sceptical Environmentalist captures one side of this controversy in all its phantasmagorical perversity (Lomborg, 1998), while climate change doomsday pundits represent the other. Both sides of the debate argue from an imaginary position of the presumed existence of a dynamic balance and equilibrium, the point of ‘good’ nature, but one side claims that the world is veering off the correct path, while the other side (Lomborg and other sceptics) argues that we are still pretty much on nature’s course. With our gaze firmly fixed on capturing an imaginary ‘idealised’ Nature, the controversy further solidifies our conviction of the possibility of a harmonious, balanced, and fundamentally benign ONE Nature if we would just get our interaction with it right, an argument blindly (and stubbornly) fixed on the question of where Nature’s rightful point of benign existence resides. This futile debate, circling around an assumedly centred, known, and singular Nature, certainly permits -- in fact invites -- imagining ecological catastrophe at some distant point (global burning (or freezing) through climate change, resource depletion, death by overpopulation). Indeed, imagining catastrophe and fantasising about the final ecological Armageddon seems considerably easier for most environmentalists than envisaging relatively small changes in the socio-political and cultural-economic organisation of local and global life here and now. Or put differently, the world’s premature ending in a climatic Armageddon seems easier to imagine (and sell to the public) than a transformation of (or end to) the neo-liberal capitalist order that keeps on practicing expanding energy use and widening and deepening its ecological footprint.

## Case

## Solvency

### Circumvention

#### Obama will circumvent the plan --- empirics prove

Levine 12 - Law Clerk; J.D., May 2012, University of Michigan Law School (David Levine, 2013 SURVEY OF BOOKS RELATED TO THE LAW: BOOK NOTICE: A TIME FOR PRESIDENTIAL POWER? WAR TIME AND THE CONSTRAINED EXECUTIVE, 111 Mich. L. Rev. 1195)

Both the Declare War Clause n49 and the War Powers Resolution n50 give Congress some control over exactly when "wartime" exists. While the U.S. military was deployed to Libya during the spring and summer of 2011, the Obama Administration advanced the argument that, under the circumstances, it was bound by neither clause. n51 If Dudziak is worried about "war's presence as an ongoing feature of American democracy" (p. 136), Libya is a potent case study with implications for the use of force over the coming decades.

Article I, Section 8 of the U.S. Constitution grants to Congress the power to "declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water." n52 Although there is substantial debate on the precise scope of these powers, n53 this clause at least provides some measure of congressional control over significant commitments of U.S. forces to battle. However, it has long been accepted that presidents, acting pursuant to the commander-in-chief power, may "introduce[] armed forces into situations in which they encounter[], or risk[] encountering, hostilities, but which [are] not "wars' in either the common meaning or the [\*1207] constitutional sense." n54 Successive administrations have adopted some variant of that view and have invariably deployed U.S. forces abroad in a limited manner based on this inherent authority. n55

The Obama Administration has adopted this position - that a president has inherent constitutional authority to deploy forces outside of war - and even sought to clarify it. In the Office of Legal Counsel's ("OLC") memo to President Obama on the authority to use military force in Libya, n56 the Administration acknowledged that the Declare War Clause is a "possible constitutionally-based limit on ... presidential authority to employ military force." n57 The memo reasoned that the Constitution speaks only to Congress's ability to shape engagements that are "wars," and that presidents have deployed forces in limited contexts from the earliest days of the Union. n58 Acknowledging those facts, the memo concluded that the constitutional limit on congressional power must be the conceptual line between war and not war. In locating this boundary, the memo looked to the "anticipated nature, scope, and duration" of the conflict to which President Obama was introducing forces. n59 OLC found that the "war" standard "will be satisfied only by prolonged and substantial military engagements, typically involving exposure of U.S. military personnel to significant risk over a substantial period." n60

The Obama Administration's position was not out of sync with previous presidential practice - the Declare War Clause did not require congressional approval prior to executive deployment of troops. In analyzing the "nature, scope, and duration" questions, the memo looked first to the type of missions that U.S. forces would be engaged in. The air missions envisioned for the Libya operation did not pose the threat of withdrawal difficulty or escalation risk that might indicate "a greater need for approval [from Congress] at the outset." n61 The nature of the mission, then, was not similar to full "war." Similarly, the scope of the intended operation was primarily limited, at the time the memo was written, to enforcing a no-fly zone. n62 Consequently, [\*1208] the operation's expected duration was not long. Thus, concluded OLC, "the use of force by the United States in Libya [did not rise] to the level of a "war' in the constitutional sense." n63 While this conclusion may have been uncontroversial, it highlights Dudziak's concerns over the manipulation of the idea of "wartime," concerns that were heightened by the Obama Administration's War Powers Resolution analysis. Congress passed the War Powers Resolution in 1973 in an attempt to rein in executive power in the wake of the Vietnam War. n64 The resolution provides that the president shall "in every possible instance ... consult with Congress before introducing United States Armed Forces into hostilities or into situations where imminent involvement in hostilities is clearly indicated by the circumstances." n65 Additionally, when the president sends U.S. forces "into hostilities or into situations where imminent involvement in hostilities is clearly indicated," the resolution requires him to submit a report to Congress describing the circumstances of the deployment and the expected involvement of U.S. troops in the "hostilities." n66 Within sixty days of receiving that report, Congress must either declare war or in some other way extend the deployment; in the absence of some ratifying action, the resolution requires that the president withdraw U.S. forces. n67 Though eschewing the plainly confrontational route of directly challenging Congress's power under the War Powers Resolution, the Obama Administration implicitly challenged Congress's ability to affect future operations. In declining to withdraw forces, despite Congress's lack of approving legislation, President Obama claimed that the conflict in Libya could not be deemed "hostilities" as that term is used in the resolution. This argument was made both in a letter to Congress during the summer of 2011 n68 and in congressional testimony given by Harold Koh, the State Department Legal Advisor under the Obama Administration. n69 [\*1209] Koh's testimony provides the most complete recitation of the Obama Administration's analysis and focuses on four factors that distinguish the fighting in Libya (or at least the United States' participation) from "hostilities": the scope of the mission, the exposure of U.S. forces, the risk of escalation, and the nature of the tactics to be used. First, "the mission is limited." n70 That is, the objectives of the overall campaign led by the North American Treaty Organization ("NATO") were confined to a "civilian protection operation ... implementing a U.N. Security Council resolution." n71 Second, the "exposure" of the U.S. forces involved was narrow - the conflict did not "involve active exchanges of fire with hostile forces" in ways that would endanger U.S. service members' safety. n72 Third, the fact that the "risk of escalation [was] limited" weighed in favor of not categorizing the conflict as "hostilities." n73 Finally, the "military means" the United States used in Libya were limited in nature. n74 The majority of missions were focused on "providing intelligence capabilities and refueling assets." n75 Those American flights that were air-to-ground missions were a mix of suppression-of-enemy-air-defenses operations to enforce a no-fly zone and strikes by armed Predator drones. n76 As a point of comparison, Koh noted that "the total number of U.S. munitions dropped has been a tiny fraction of the number dropped in Kosovo." n77 With the exception of this final factor, these considerations are quite similar to the factors that define whether a conflict is a "war" for constitutional purposes. n78

The result of this reasoning is a substantially relaxed restraint on presidential authority to use force abroad going forward. As armed drones begin [\*1210] to make up a larger portion of the United States' arsenal, n79 and as other protective technologies, such as standoff munitions n80 and electronic warfare techniques, gain traction, it is far more likely that the "exposure" of U.S. forces will decrease substantially. The force used in Yemen and the Horn of Africa is illustrative of this new paradigm where U.S. service members are not "involved [in] active exchanges of fire with hostile forces," n81 but rather machines use force by acting as human proxies. To the same point, if the "military means" used in Libya are markers of something short of "hostilities," the United States is only likely to see the use of those means increase in the coming decades. Pressing the logic of Koh's testimony, leeway for unilateral executive action will increase as the makeup of our arsenal continues to modernize. n82

Dudziak worries about the invocation of "wartime" as an argument for the perpetual exercise of extraordinary powers. The Libya scenario, of course, is somewhat different - the president has argued that the absence of "war" leaves him a residuum of power such that he may use force abroad without congressional input. The two positions are of a piece, though. Dudziak argues that legacy conceptions of "wartime" and "peacetime" have left us vulnerable to the former's use, in and of itself, as a reason for increased executive power. Such literal thinking - that "war" is something specific or that the word "hostilities" has certain limits - also opens the door to the Obama Administration's defense of its position on Libya. And looking at the substance of that position leaves much to be desired.

Both Koh's testimony and the OLC memo pay lip service to the idea that the policy considerations underlying their position are consistent with the policy considerations of the Framers with respect to the Declare War Clause and Congress with respect to the War Powers Resolution. But the primary, if not the only, consideration mentioned is the loss of U.S. forces. That concern is front and center when analyzing the "exposure" of service [\*1211] members, n83 and it is also on display with respect to discussions about the nature and scope of an operation. n84 This is not the only policy consideration that one might intuit from those two provisions, however. Using lethal force abroad is a very serious matter, and the U.S. polity might rationally want input from the more representative branch in deciding when, where, and how that force is used in its name. In that same vein, permitting one individual to embroil the nation in foreign conflicts - limited or otherwise - without the input of another coequal branch of government is potentially dangerous. n85

As Dudziak's framework highlights the limits of the Obama Administration's argument for expansive power, so does the Administration's novel dissection of "hostilities" illustrate the limits of Dudziak's analysis. Dudziak presents a narrative arc bending toward the expansion of wartime and, as a result, increased presidential power. That is not the case with Libya: the president finds power in "not war" rather than in "wartime." If the American public is guilty, as Dudziak asserts, of using the outmoded and misleadingly concrete terminology of "wartime" to describe an increasingly complex phenomenon, Dudziak herself is guilty of operating within a paradigm where wartime necessarily equals more executive power (than does "not war"), a paradigm that has been supplanted by a more nuanced reality. Although [\*1212] Dudziak identifies the dangers of manipulating the boundaries of wartime, her catalog of manipulations remains incomplete because of the inherent limits of her framework.

This realization does not detract from Dudziak's warnings about the perils of endless wartime, however. Indeed, the powers that President Obama has claimed seem, perhaps, more palatable after a decade in which war has been invoked as an argument for many executive powers that would, in other eras, seem extraordinary. Though he has not explicitly invoked war during the Libya crisis, President Obama has certainly shown a willingness to manipulate its definition in the service of expanded executive power in ways that seem sure to increase "war's presence as an ongoing feature of American democracy" (p. 136).

Conclusion Dudziak presents a compelling argument and supports it well. War Time is potent as a rhetorical device and as a way to frame decisionmaking. This is especially so for the executive branch of the U.S. government, for which wartime has generally meant increased, and ever more expansive, power. As the United States continues to transit an era in which the lines between "war" and "peace" become increasingly blurred and violent adversaries are a constant, the temptation to claim wartime powers - to render the extraordinary ordinary - is significant.

This Notice has argued that, contrary to Dudziak's concerns, the temptation is not absolute. Indeed, in some instances - notably, detention operations in Iraq and Afghanistan - we are still able to differentiate between "war" and "peace" in ways that have hard legal meaning for the actors involved. And, importantly, the executive still feels compelled to abide by these distinctions and act in accordance with the law rather than claim wartime exceptionalism.

That the temptation is not absolute, however, does not mean that it is not real or that Dudziak's concerns have not manifested themselves. This detachment of expansive power from temporally bound periods has opened the door for, and in some ways incentivized, limiting wartime rather than expanding it. While President Obama has recognized the legal constraints that "war" imposes, he has also followed in the footsteps of executives who have attempted to manipulate the definition of "war" itself (and now the definition of "hostilities") in order to evade those constraints as much as possible. To the extent he has succeeded in that evasion, he has confirmed what seems to be Dudziak's greatest fear: that "military engagement no longer seems to require the support of the American people, but instead their inattention" (p. 132).

## Warming

### NPT Alt-Cause---1NC

#### NPT credibility is high

CFR 13 – Council on Foreign Relations, 6/25/13, “The Global Nuclear Nonproliferation Regime,” http://www.cfr.org/arms-control-disarmament-and-nonproliferation/global-nuclear-nonproliferation-regime/p18984

But nonproliferation as an international issue has recently benefited from revived attention. The United States and Russia signed a legally binding replacement agreement to the Strategic Arms Reduction Treaty (START), which expired in December 2009. New START entered into force in February 2011. President Obama has made nuclear issues a centerpiece of his international agenda, convening a high-level Nuclear Security Summit in April 2010, dedicating serious political effort to strengthen the NPT at the NPT Review in May 2010, and building consensus in the UN Security Council and elsewhere for new economic sanctions targeting Iran. The Obama administration has also pledged to win U.S. Senate ratification of the Comprehensive Test Ban Treaty (CTBT), reduce the role of nuclear weapons in U.S. defense doctrine. Recently, it initiated discussions with the Pentagon about potential deep cuts to the U.S. nuclear arsenal. Yet even with these renewed efforts, major challenges and threats remain, namely with regard to Iran and North Korea.

Establishing a normative and legal framework: Fairly comprehensive, but with significant gaps

The Nuclear Nonproliferation Treaty (NPT) is the core component of the global nonproliferation regime, and establishes a comprehensive, legally binding framework based on three principles: (1) states without nuclear weapons as of 1967—a year before the treaty opened for signature—agree not to acquire them; (2) the five states known to have tested nuclear weapons as of 1967—the nuclear weapon states (NWS)—agree to not assist other states in acquiring them and to move toward eventual disarmament; and (3) the nonnuclear weapon states (NNWS) are guaranteed access to civilian nuclear technology and energy development.

NNWS are subject to safeguards to ensure that materials and technology from civilian activities are not diverted to weapons programs. The International Atomic Energy Agency (IAEA) is the implementing body for the NPT, monitoring compliance with the treaty and assisting NNWS in developing civilian technology. Although the scope and mandate of the NPT and the IAEA are relatively broad, there is a critical gap in coverage: 189 states are party to the treaty, but three of the world's nine nuclear powers—India, Israel, and Pakistan—have never joined, and a fourth—North Korea—withdrew in 2003. Thus, even if enforcement of the existing regime were not an issue, nearly half of the world's nuclear-armed states are excluded from its provisions.

By design, the NPT does not address proliferation by nonstate actors. After the September 11 attacks, the UN Security Council (UNSC) adopted Resolution 1540, a legally binding instrument requiring all UN member states to enact and enforce measures to prevent nonstate actors from acquiring WMD. Many states in the UN General Assembly, however, have argued that the UNSC did not have the authority to impose a binding resolution in this area. Partly as a result, some states have resisted cooperation with the 1540 Committee established to oversee implementation of the resolution. The UNSC, however, recommitted itself to1540 in April 2011 with Resolution 1977, extending the mandate of the 1540 Committee by ten years. In addition to resistance facing the implementation of Resolution 1540, the legally binding Convention on Nuclear Terrorism—which defines nuclear terrorism and requires international cooperation to prevent and punish such acts—had only seventy-nine parties as of June 2012.

Moreover, two important elements of the nonproliferation regime have never come into effect, largely because of resistance by the United States and other nuclear weapon states. The Comprehensive Nuclear Test Ban Treaty (CTBT) of 1996 has been signed by 183 countries but cannot enter into force until all forty-four states with significant military or civilian nuclear capacity ratify it. China, India, Israel, Pakistan, and the United States have not yet done so. Efforts to conclude a Fissile Material Cutoff Treaty (FMCT) to ban the production of weapons-grade material have also stalled. The United States has been criticized for blocking progress on both issues, but the Obama administration has signaled that it will move to again ask the Senate's advice and consent on ratification of the CTBT (the body rejected the treaty in 1999) and to revive negotiations on an FMCT with verification measures.

A review of the NPT in 2010 concluded with modest success. The final outcome document recommits signatories to the principles of the treaty, provides some specific action plans for nonproliferation and disarmament, and calls for the elimination of nuclear weapons from the Middle East through the establishment of a nuclear weapons-free zone in the region. The need for unanimous agreement resulted in some new U.S. initiatives, such as stronger verification requirements, being eliminated from the final document.

Preventing proliferation by state actors: Poor record on compliance Poor compliance, continued risk of breakout

Despite the broad legal coverage of the Nuclear Nonproliferation Treaty (NPT), a string of failures since the early 1990s have highlighted the ineffectiveness of existing nonproliferation instruments to deter would-be nuclear weapon states. In theory, the International Atomic Energy Agency (IAEA) can refer countries that do not comply with the NPT to the UN Security Council (UNSC), which in turn can impose sanctions or other punitive measures. In practice, however, political calculations have often caused deadlock at the UNSC, enabling nuclear rogues such as Iran to defy successive, fairly weak UN sanctions resolutions with virtual impunity. The IAEA did however, refer Syria to the UNSC in June 2011 due to an "absence of confidence that Syria's nuclear program is exclusively for peaceful purposes."

Another problem is the lack of adequate verification and enforcement mechanisms available to the IAEA, whose budget, intelligence capabilities, and technological resources fall far short of what would be needed to detect, prevent, or punish NPT violations. In 2010, the IAEA's inspections budget was approximately $164 million. Not surprisingly, even discounting nuclear facilities the IAEA does not have access to, such as those in Iran and North Korea, nuclear materials have reached the black market from installations under IAEA safeguards, namely from several in Pakistan. One positive step has been the adoption of IAEA Additional Protocols, which strengthen the agency's inspections mandate and is in force in 115 countries, including all five recognized nuclear weapon states and, as of 2009, India. Nonetheless, more than half of all NPT member states—including Syria and Iran (which has ratified but not implemented the protocol)—have yet to agree to the toughened inspections regime. A review of the NPT in 2010 failed to reach consensus on U.S. efforts to make the additional protocols mandatory.

Other multilateral, informal organizations also play a role in implementing and enforcing the NPT, notably the Nuclear Suppliers Group (NSG). Made up of forty-six advanced nuclear states, the NSG prohibits the transfer of civilian nuclear materials or technology to states outside the NPT, or those that do not fully comply with IAEA safeguards. However, the NSG's export bans are not legally binding, and members (including the United States, Russia, and China) have taken advantage of the weakness of the NSG regime to pursue civilian nuclear projects with non-NPT members.

#### Their Mueller ev is about the NPT, not preemptive counterprolif by force --- proven by CX

John Mueller 8, Professor of Political Science at Ohio State, July 16, 2008, “THE COSTS AND CONSEQUENCES OF EFFORTS TO PREVENT PROLIFERATION,” online: http://polisci.osu.edu/faculty/jmueller/APSA08.pdf

Nonproliferation efforts worldwide also hamper worldwide economic development by increasing the effective costs of developing nuclear energy--sometimes even making them prohibitive for some countries. As countries grow, they require ever increasing amounts of power. Any measure that limits their ability to acquire this vital commodity--or increases its price--effectively slows economic growth and essentially kills people by reducing the gains in life expectancy commonly afforded by economic development. The Non-Proliferation Treaty specifically guarantees to signing nonnuclear countries "the fullest possible exchange of technology" for the development of peaceful nuclear power. However, as Richard Betts points out, this rationale has been undermined by the development of a "nuclear suppliers cartel" which has worked to "cut off trade in technology for reprocessing plutonium or enriching uranium," thereby reducing the NPT to "a simple demand to the nuclear weapons have-nots to remain so."49

### Renewables Tradeoff

#### Renewables inevitable

Leone 11—Associate Editor, RenewableEnergyWorld.com (Steve, 10 Reasons Renewable Energy May Beat the Projections, http://www.renewableenergyworld.com/rea/news/article/2011/09/10-reasons-renewables-may-beat-the-projections)

We won’t have to wait until 2035 to find grid parity, considering it’s already here in some select areas. Pricing will truly be the transformative force that redefines the world’s energy mix. Once we’re at true grid parity, it will become a matter of retiring existing fossil fuel plants. Consider two companies that are making huge strides toward grid parity. First Solar announced it is developing a thin-film cell with a 15 percent efficiency in mass production. GE, meanwhile, is working to create a 10- to 15-MW turbine. Advancements like these will combine with the inevitable manufacturing gains that come with greater scale to make grid parity a reality perhaps sooner than later.

#### Nuclear power trades off with other alternative energy and efficiency programs---that increases overall emissions

Roche 9 - Pete Roche, Energy and Environment consultant working mainly for Greenpeace and the Nuclear-Free Local Authorities, June 2009, “Building New Reactors Damages Attempts to Tackle Climate Change,” NO2Nuclear Power Briefing, online: http://www.no2nuclearpower.org.uk/reports/NewNuclearDamagesClimate.pdf

But, in fact the risk associated with building new reactors is much worse than simply increasing the risks associated with nuclear power. As The Independent highlighted in an editorial after the 2007 Energy White Paper, the danger is that nuclear investment will crowd out investment in renewables and undermine energy efficiency. (4) If we divert attention political effort and resources from the urgent programmes needed to effectively tackle climate change not only will we miss our targets, but as past experience suggests we could end up with carbon emissions still rising in 2025 because the nuclear programme has been hit by the problems and delays we have seen in the past and by then it will be too late to start implementing alternative strategies.

In February 2003 the Government itself had similar concerns. After the 2003 Energy White Paper (5) was published, Patricia Hewitt, the Secretary of State for Trade and Industry at the time, said:

“It would have been foolish to announce …a new generation of nuclear power stations, because that would have guaranteed we would not make the necessary investments in energy efficiency and renewables.” (6)

### Warming D

#### Nuclear power doesn’t offset oil usage --- means they don’t solve their fossil fuels internal link

#### No impact---mitigation and adaptation will solve---no tipping point or “1% risk” args

Robert O. Mendelsohn 9, the Edwin Weyerhaeuser Davis Professor, Yale School of Forestry and Environmental Studies, Yale University, June 2009, “Climate Change and Economic Growth,” online: http://www.growthcommission.org/storage/cgdev/documents/gcwp060web.pdf

The heart of the debate about climate change comes from a number of warnings from scientists and others that give the impression that human-induced climate change is an immediate threat to society (IPCC 2007a,b; Stern 2006). Millions of people might be vulnerable to health effects (IPCC 2007b), crop production might fall in the low latitudes (IPCC 2007b), water supplies might dwindle (IPCC 2007b), precipitation might fall in arid regions (IPCC 2007b), extreme events will grow exponentially (Stern 2006), and between 20–30 percent of species will risk extinction (IPCC 2007b). Even worse, there may be catastrophic events such as the melting of Greenland or Antarctic ice sheets causing severe sea level rise, which would inundate hundreds of millions of people (Dasgupta et al. 2009). Proponents argue there is no time to waste. Unless greenhouse gases are cut dramatically today, economic growth and well‐being may be at risk (Stern 2006).¶ These statements are largely alarmist and misleading. Although climate change is a serious problem that deserves attention, society’s immediate behavior has an extremely low probability of leading to catastrophic consequences. The science and economics of climate change is quite clear that emissions over the next few decades will lead to only mild consequences. The severe impacts predicted by alarmists require a century (or two in the case of Stern 2006) of no mitigation. Many of the predicted impacts assume there will be no or little adaptation. The net economic impacts from climate change over the next 50 years will be small regardless. Most of the more severe impacts will take more than a century or even a millennium to unfold and many of these “potential” impacts will never occur because people will adapt. It is not at all apparent that immediate and dramatic policies need to be developed to thwart long‐range climate risks. What is needed are long‐run balanced responses.

### No Tipping Point

#### Tipping points theory is wrong---zero data can reliably identify specific tipping points

Andrew C. Revkin 9, senior fellow at Pace University's Pace Academy for Applied Environmental Studies, has taught at Columbia's Graduate School of Journalism and the Bard College Center for Environmental Policy, March 29, 2009, “Among Climate Scientists, a Dispute Over ‘Tipping Points’,” The New York Times, online: http://www.nytimes.com/2009/03/29/weekinreview/29revkin.html?\_r=1&pagewanted=print

But the idea that the planet is nearing tipping points — thresholds at which change suddenly becomes unstoppable — has driven a wedge between scientists who otherwise share deep concerns about the implications of a human-warmed climate.

Environmentalists and some climate experts are increasingly warning of impending tipping points in their efforts to stir public concern. The term confers a sense of immediacy and menace to potential threats from a warming climate — dangers that otherwise might seem too distant for people to worry about.

But other scientists say there is little hard evidence to back up specific predictions of catastrophe. They worry that the use of the term “tipping point” can be misleading and could backfire, fueling criticism of alarmism and threatening public support for reducing greenhouse gas emissions.

 “I think a lot of this threshold and tipping point talk is dangerous,” said Kenneth Caldeira, an earth scientist at Stanford University and the Carnegie Institution and an advocate of swift action to reduce carbon dioxide emissions. “If we say we passed thresholds and tipping points today, this will be an excuse for inaction tomorrow,” he said.

While studies of climate patterns in the distant past clearly show the potential for drastic shifts, these scientists say, there is enormous uncertainty in making specific predictions about the future.

In some cases, there are big questions about whether climate-driven disasters — like the loss of the Amazon or a rise in sea levels of several yards in a century — are even plausible. And even in cases where most scientists agree that rising temperatures could lead to unstoppable change, no one knows where the thresholds lie that would set off such shifts.

### AT: BioD Impact

#### No species loss---their studies use bad models and haven’t been independently validated

David Stockwell 11, Researcher at the San Diego Supercomputer Center, Ph.D. in Ecosystem Dynamics from the Australian National University, developed the Genetic Algorithm for Rule-set Production system making contributions modeling of invasive species, epidemiology of human diseases, the discovery of new species, and effects on species of climate change, April 21, 2011, “Errors of Global Warming Effects Modeling,” online: <http://landshape.org/enm/errors-of-global-warming-effects-modeling/>

Predictions of massive species extinctions due to AGW came into prominence with a January 2004 paper in Nature called Extinction Risk from Climate Change by Chris Thomas et al.. They made the following predictions: ¶ “we predict, on the basis of mid-range climate-warming scenarios for 2050, that 15â€“37% of species in our sample of regions and taxa will be â€˜committed to extinctionâ€™.¶ Subsequently, three communications appeared in Nature in July 2004. Two raised technical problems, including one by the eminent ecologist Joan Roughgarden. Opinions raged from “Dangers of Crying Wolf over Risk of Extinctions” concerned with damage to conservationism by alarmism, through poorly written press releases by the scientists themselves, and Extinction risk [press] coverage is worth the inaccuracies stating “we believe the benefits of the wide release greatly outweighed the negative effects of errors in reporting”.¶ Among those believing gross scientific inaccuracies are not justified, and such attitudes diminish the standing of scientists, I was invited to a meeting of a multidisciplinary group of 19 scientists, including Dan Bodkin from UC Santa Barbara, mathematician Matt Sobel, Craig Loehle and others at the Copenhagen base of BjÃ¸rn Lomborg, author of The Skeptical Environmentalist. This resulted in Forecasting the Effects of Global Warming on Biodiversity published in 2007 BioScience. We were particularly concerned by the cavalier attitude to model validations in the Thomas paper, and the field in general: ¶ Of the modeling papers we have reviewed, only a few were validated. Commonly, these papers simply correlate present distribution of species with climate variables, then replot the climate for the future from a climate model and, finally, use one-to-one mapping to replot the future distribution of the species, without any validation using independent data. Although some are clear about some of their assumptions (mainly equilibrium assumptions), readers who are not experts in modeling can easily misinterpret the results as valid and validated. For example, Hitz and Smith (2004) discuss many possible effects of global warming on the basis of a review of modeling papers, and in this kind of analysis the unvalidated assumptions of models would most likely be ignored.¶ The paper observed that few mass extinctions have been seen over recent rapid climate changes, suggesting something must be wrong with the models to get such high rates of extinctions. They speculated that species may survive in refugia, suitable habitats below the spatial scale of the models.¶ Another example of an unvalidated assumptions that could bias results in the direction of extinctions, was described in chapter 7 of my book Niche Modeling.¶ When climate change shifts a species’ niche over a landscape (dashed to solid circle) the response of that species can be described in three ways: dispersing to the new range (migration), local extirpation (intersection), or expansion (union). Given the probability of extinction is correlated with range size, there will either be no change, an increase (intersection), or decrease (union) in extinctions depending on the dispersal type. Thomas et al. failed to consider range expansion (union), a behavior that predominates in many groups. Consequently, the methodology was inherently biased towards extinctions.¶ One of the many errors in this work was a failure to evaluate the impact of such assumptions.¶ The prevailing view now, according to Stephen Williams, coauthor of the Thomas paper and Director for the Center for Tropical Biodiversity and Climate Change, and author of such classics as “Climate change in Australian tropical rainforests: an impending environmental catastrophe”, may be here.¶ Many unknowns remain in projecting extinctions, and the values provided in Thomas et al. (2004) should not be taken as precise predictions. … Despite these uncertainties, Thomas et al. (2004) believe that the consistent overall conclusions across analyses establish that anthropogenic climate warming at least ranks alongside other recognized threats to global biodiversity. ¶ So how precise are the figures? Williams suggests we should just trust the beliefs of Thomas et al. — an approach referred to disparagingly in the forecasting literature as a judgmental forecast rather than a scientific forecast (Green & Armstrong 2007). These simple models gloss over numerous problems in validating extinction models, including the propensity of so-called extinct species quite often reappear. Usually they are small, hard to find and no-one is really looking for them.

### AT: Ocean Impact

#### Latest research proves CO2 doesn’t cause acidification and most species are hugely resilient

Dr. S. Fred Singer et al 11, Research Fellow at The Independent Institute, Professor Emeritus of Environmental Sciences at the University of Virginia, President of the Science and Environmental Policy Project, a Fellow of the American Association for the Advancement of Science, and a Member of the International Academy of Astronautics; Robert M. Carter, Research Professor at James Cook University (Queensland) and the University of Adelaide (South Australia), palaeontologist, stratigrapher, marine geologist and environmental scientist with more than thirty years professional experience; and Craig D. Idso, founder and chairman of the board of the Center for the Study of Carbon Dioxide and Global Change, member of the American Association for the Advancement of Science, American Geophysical Union, American Meteorological Society, Arizona-Nevada Academy of Sciences, and Association of American Geographers, et al, 2011, “Climate Change Reconsidered: 2011 Interim Report,” online: <http://www.nipccreport.org/reports/2011/pdf/FrontMatter.pdf>

• While some corals exhibit a propensity to bleach and die when sea temperatures rise, others exhibit a positive relationship between calcification, or growth, and temperature. "Such variable bleaching susceptibility implies that there is a considerable variation in the extent to which coral species are adapted to local environmental conditions" (Maynard et al., 2008).¶ • The latest research suggests corals have effective adaptive responses to climate change, such as symbiont shuffling, that allow reefs in some areas to flourish despite or even because of rising temperatures. Coral reefs have been able to recover quickly from bleaching events as well as damage from cyclones.¶ • Bleaching and other signs of coral distress attributed to global warming are often due to other things, including rising levels of nutrients and toxins in coastal waters caused by runoff from agricultural activities on land and associated increases in sediment delivery.¶ • The IPCC expresses concern that rising atmospheric CO2 concentrations are lowering the pH values of oceans and seas, a process called acidification, and that this could harm aquatic life. But the drop in pH values that could be attributed to CO2 is tiny compared to natural variations occurring in some ocean basins as a result of seasonal variability, and even day-to-day variations in many areas. Recent estimates also cut in half the projected pH reduction of ocean waters by the year 2100 (Tans, 2009).¶ • Real-world data contradict predictions about the negative effects of rising temperatures, rising CO2 concentrations, and falling pH on aquatic life. Studies of algae, jellyfish, echinoids, abalone, sea urchins, and coral all find no harmful effects attributable to CO2 or acidification.

### No Nuclear Renaissance – Laundry List

#### Global pushback against nuclear now---Fukushima

Sharon Squassoni 12, Director and Senior Fellow of the Proliferation Prevention Program at CSIS, “NUCLEAR POWER IN THE GLOBAL ENERGY PORTFOLIO”, *Federation of American Scientists*, February, "The Future of Nuclear Power in the United States", [www.fas.org/pubs/\_docs/Nuclear\_Energy\_Report-lowres.pdf](http://www.fas.org/pubs/_docs/Nuclear_Energy_Report-lowres.pdf)

Perhaps most importantly, the March 2011 accident at Japan’s Fukushima Daiichi Nuclear Power Plant shook the confidence of the public not just in Japan but also abroad. The devastating earthquake and tsunami that killed tens of thousands of people eliminated off-site and backup electricity for four of six reactors and their spent fuel pools at Fukushima Daiichi. Hydrogen explosions destroyed secondary containments, exposing spent fuel pools, and three of the reactors had partial core meltdowns. The Japanese government evacuated some of the population immediately. The clean-up effort at Fukushima will drag on for years and the cost will likely range in the billions of dollars.¶ Other countries with operating nuclear power plants, including the United States, announced safety reviews, and some halted construction and even operation of existing power reactors.2 Several countries that had been considering nuclear power may face a significant challenge in overcoming public mistrust. Still, the long-term impact of the Fukushima accident on nuclear power in Japan and worldwide is unknowable. Although many countries regard the possibility of another event combining a magnitude 9.0 earthquake and tsunami to be very low, the difficulties Japan – a highly sophisticated and technologically competent country – experienced because of the lack of electricity is raising questions about the costs and risks of nuclear power.

#### Nuclear expansion impossible – laundry list of supply and siting constraints

Lisa Zyga 11, 5-11, “Why nuclear power will never supply the world’s energy needs,” PhysOrg, http://phys.org/news/2011-05-nuclear-power-world-energy.html

The 440 commercial nuclear reactors in use worldwide are currently helping to minimize our consumption of fossil fuels, but how much bigger can nuclear power get? In an analysis to be published in a future issue of the Proceedings of the IEEE, Derek Abbott, Professor of Electrical and Electronic Engineering at the University of Adelaide in Australia, has concluded that nuclear power cannot be globally scaled to supply the world’s energy needs for numerous reasons. The results suggest that we’re likely better off investing in other energy solutions that are truly scalable. As Abbott notes in his study, global power consumption today is about 15 terawatts (TW). Currently, the global nuclear power supply capacity is only 375 gigawatts (GW). In order to examine the large-scale limits of nuclear power, Abbott estimates that to supply 15 TW with nuclear only, we would need about 15,000 nuclear reactors. In his analysis, Abbott explores the consequences of building, operating, and decommissioning 15,000 reactors on the Earth, looking at factors such as the amount of land required, radioactive waste, accident rate, risk of proliferation into weapons, uranium abundance and extraction, and the exotic metals used to build the reactors themselves. “A nuclear power station is resource-hungry and, apart from the fuel, uses many rare metals in its construction,” Abbott told PhysOrg.com. “The dream of a utopia where the world is powered off fission or fusion reactors is simply unattainable. Even a supply of as little as 1 TW stretches resources considerably.” His findings, some of which are based on the results of previous studies, are summarized below. Land and location: One nuclear reactor plant requires about 20.5 km2 (7.9 mi2) of land to accommodate the nuclear power station itself, its exclusion zone, its enrichment plant, ore processing, and supporting infrastructure. Secondly, nuclear reactors need to be located near a massive body of coolant water, but away from dense population zones and natural disaster zones. Simply finding 15,000 locations on Earth that fulfill these requirements is extremely challenging. Lifetime: Every nuclear power station needs to be decommissioned after 40-60 years of operation due to neutron embrittlement - cracks that develop on the metal surfaces due to radiation. If nuclear stations need to be replaced every 50 years on average, then with 15,000 nuclear power stations, one station would need to be built and another decommissioned somewhere in the world every day. Currently, it takes 6-12 years to build a nuclear station, and up to 20 years to decommission one, making this rate of replacement unrealistic. Nuclear waste: Although nuclear technology has been around for 60 years, there is still no universally agreed mode of disposal. It’s uncertain whether burying the spent fuel and the spent reactor vessels (which are also highly radioactive) may cause radioactive leakage into groundwater or the environment via geological movement. Accident rate: To date, there have been 11 nuclear accidents at the level of a full or partial core-melt. These accidents are not the minor accidents that can be avoided with improved safety technology; they are rare events that are not even possible to model in a system as complex as a nuclear station, and arise from unforeseen pathways and unpredictable circumstances (such as the Fukushima accident). Considering that these 11 accidents occurred during a cumulated total of 14,000 reactor-years of nuclear operations, scaling up to 15,000 reactors would mean we would have a major accident somewhere in the world every month. Proliferation: The more nuclear power stations, the greater the likelihood that materials and expertise for making nuclear weapons may proliferate. Although reactors have proliferation resistance measures, maintaining accountability for 15,000 reactor sites worldwide would be nearly impossible. Uranium abundance: At the current rate of uranium consumption with conventional reactors, the world supply of viable uranium, which is the most common nuclear fuel, will last for 80 years. Scaling consumption up to 15 TW, the viable uranium supply will last for less than 5 years. (Viable uranium is the uranium that exists in a high enough ore concentration so that extracting the ore is economically justified.) Uranium extraction from seawater: Uranium is most often mined from the Earth’s crust, but it can also be extracted from seawater, which contains large quantities of uranium (3.3 ppb, or 4.6 trillion kg). Theoretically, that amount would last for 5,700 years using conventional reactors to supply 15 TW of power. (In fast breeder reactors, which extend the use of uranium by a factor of 60, the uranium could last for 300,000 years. However, Abbott argues that these reactors’ complexity and cost makes them uncompetitive.) Moreover, as uranium is extracted, the uranium concentration of seawater decreases, so that greater and greater quantities of water are needed to be processed in order to extract the same amount of uranium. Abbott calculates that the volume of seawater that would need to be processed would become economically impractical in much less than 30 years. Exotic metals: The nuclear containment vessel is made of a variety of exotic rare metals that control and contain the nuclear reaction: hafnium as a neutron absorber, beryllium as a neutron reflector, zirconium for cladding, and niobium to alloy steel and make it last 40-60 years against neutron embrittlement. Extracting these metals raises issues involving cost, sustainability, and environmental impact. In addition, these metals have many competing industrial uses; for example, hafnium is used in microchips and beryllium by the semiconductor industry. If a nuclear reactor is built every day, the global supply of these exotic metals needed to build nuclear containment vessels would quickly run down and create a mineral resource crisis. This is a new argument that Abbott puts on the table, which places resource limits on all future-generation nuclear reactors, whether they are fueled by thorium or uranium. As Abbott notes, many of these same problems would plague fusion reactors in addition to fission reactors, even though commercial fusion is still likely a long way off.

# Block

## K

### FW

#### We don’t need an alternative besides our framework of analysis---the fantasy will reveal itself as long as we continue asking questions to expose their concealment of the lack---in other words, it’s your job to confuse and frustrate them via a refusal to partake in their politics---this crushes the permutation

Dean 6Jodi, Prof of Political Science at Hobart and William Smith Colleges, 2006, Zizek’s Politics. Xviii-xx

Žižek emphasizes that Lacan conceptualized this excessive place, this place without guarantees, in his formula for “the discourse of the analyst” (which I set out in Chapter Two). In psychoanalysis, the analyst just sits there, asking questionsfrom time to time. She is some kind of object or cipher onto which the analysand transfers love, desire, aggression, and knowledge. The analysand, in other words, proceeds through analysis by positing the analyst as someone who knows exactly what is wrong with him and exactly what he should do to get rid of his symptom and get better. But, really, the analyst does not know. Moreover, the analyst steadfastly refuses to provide the analysand with any answers whatsoever. No ideals, no moral certainty, no goals, no choices. Nothing. This is what makes the analyst so traumatic, Žižek explains, the fact that she refuses to establish a law or set a limit, that she does not function as some kind of new master.7 Analysis is over when the analysand accepts that the analyst does not know, that there is not any secret meaning or explanation, and then takes responsibility for getting on with his life. The challenge for the analysand, then, is freedom, autonomously determining his own limits, directly assuming his own enjoyment. So, again, the position of the analyst is in this excessive place as an object through which the analysand works through the analytical process. Why is the analyst necessary in the first place? If she is not going to tell the analysand what to do, how he should be living, then why does he not save his money, skip the whole process, and figure out things for himself? There are two basic answers. First, the analysand is not self-transparent. He is a stranger to himself, a decentered agent “struggling with a foreign kernel.”8 What is more likely than self-understanding, is self-misunderstanding, that is, one’s fundamental misperception of one’s own condition. Becoming aware of this misperception, grappling with it, is the work of analysis. Accordingly, second, the analyst is that external agent or position that gives a new form to our activity. Saying things out loud, presenting them to another, and confronting them in front of this external position concretizes and arranges our thoughts and activities in a different way, a way that is more difficult to escape or avoid. The analyst then provides a form through which we acquire a perspective on and a relation to our selves. Paul’s Christian collectives and Lenin’s revolutionary Party are, for Žižek, similarly formal arrangements, forms “for a new type of knowledge linked to a collective political subject.”9 Each provides an external perspective on our activities, a way to concretize and organize our spontaneous experiences. More strongly put, a political Party is necessary precisely because politics is not given; it does not arise naturally or organically out of the multiplicity of immanent flows and affects but has to be produced, arranged, and constructed out of these flows in light of something larger. In my view, when Žižek draws on popular culture and inserts himself into this culture, he is taking the position of an object of enjoyment, an excessive object that cannot easily be recuperated or assimilated. This excessive position is that of the analyst as well as that of the Party. Reading Žižek as occupying the position of the analyst tells us that it is wrong to expect Žižek to tell us what to do, to provide an ultimate solution or direction through which to solve all the world’s problems. The analyst does not provide the analysand with ideals and goals; instead, he occupies the place of an object in relation to which we work these out for ourselves. In adopting the position of the analyst, Žižek is also practicing what he refers to as “Bartleby politics,” a politics rooted in a kind of refusal wherein the subject turns itself into a disruptive (of our peace of mind!) violently passive object who says, “I would prefer not to.”10 Thus, to my mind, becoming preoccupied with Žižek’s style is like becoming preoccupied with what one’s analyst is wearing. Why such a preoccupation? How is this preoccupation enabling us to avoid confronting the truth of our desire, our own investments in enjoyment? How is complaining that Žižek (or the analyst) will not tell us what to do a way that we avoid trying to figure this out for ourselves?11 Reading Žižek in terms of an excessive object also means seeing his position as analogous to the formal position of the Party. Here it tells us that rather than a set of answers or dictates, Žižek is providing an intervention that cuts through the multiplicity of affects and experiences in which we find ourselves and organizes them from a specific perspective. As we shall see, for Žižek, this perspective is anchored in class struggle as the fundamental antagonism rupturing and constituting the social. So again, he does not give us an answer; he does not know what we should do, but his thought provides an external point in relation to which we can organize, consider, and formalize our experiences as ideological subjects.

### AT: Falsification

#### Falsification is an epistemically bankrupt standard---all theories of knowledge definitionally require axiomatic tautologies and then proceed with different methods of verification

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It is not always easy to see if a statement or series of statements functions as a tautology. Before analysis, circular statements often appear to be empirical descriptions. Moreover, empirical descriptions can come to function as a priori tautologies or definitions. Statements can function as definitions that in a sense set out what we mean by the empirical verification they purport to offer. For example, in exploring the nature of "language games," Wittgenstein asks the following question: If under "normal conditions" water boils at 100°C, is this statement true on empirical grounds or does it function as a definition of what water is? Or, in some sense, as both? Clearly, if under normal conditions, we were to heat a clear liquid and find that it did not boil at one hundred degrees, we would have good reason to suspect that it was not water. By definition. But what if we had some water that did not boil at one hundred degrees, would we be facing a theoretical or an empirical dilemma? In historical terms, it seems that our statement about water once functioned as an empirical description: this description was part of the work undertaken to quantify nature. But today it is more accurate to say that the statement functions as a definition, or as a tautology that goes to make up our worldview. It is one of the many definitions that we use to define what we mean by water and, in turn, to define many relationships involving water, heat, and identities quantifying the world. Tautologies, or definitions, are tools we use to bring order to the world and what we find in the world.

Definitions are part of knowledge, but the crucial issue for any theory is to set forth the criteria for how definitions are used in making models and applying them. Use is meaningful only if rules can be given that link the definition to a context. Context imposes the constraints of verification. Science or knowledge in any meaningful sense demands rules for verification. Verification is an issue, however, that is rarely brought up by literary theorists. It is a bit as if literary theorists had all read the philosopher of science Karl Popper and, having found they cannot meet his demands that they offer criteria for falsifying their models, had decided that verification is a pseudoissue for the humanities or social sciences. But modern epistemology hardly makes of falsification the only criterion for verification. Popper rejected evolution as a scientific theory on the grounds that there are no adequate grounds for falsifying it. Given this absurdity, it is reasonable to argue that if everything speaks for a model, there is no need to find something to speak against it. But something must speak for it.

There is no single set of criteria for verification. Paleontology, neurology, and quantum mechanics cannot have exactly the same criteria for verification. In some sciences the nature of their models demand, minimally, for verification the reproduction of the same results by more than one researcher under the same conditions (recall the recent comedy of trying to duplicate the low-temperature fusion of hydrogen atoms in several laboratories). Falsification can play an important role in this type of verification. But disciplines like astrophysics and paleobiology work in areas in which reproduction of results or falsification are largely pseudoissues because they are not possible. My point is, then, that each individual science—or form of knowledge—has its own protocols for confirmation or falsification of its results, even if ideally the universal applicability of procedures is a demand of science. One ideal goal of science is to formulate a testable hypothesis and therewith confirm a model that admits of universal application. In practice, each individual discipline must finally resort to various types of confirmation based on the rationality of their inquiry. They must content themselves with what the pragmatic philosopher Bas C. Van Fraassen calls the empirical adequacy of their results and recognize what the logician Willard Quine calls the possibility that multiple models may offer adequate explanations of the same empirical phenomena.1

#### It’s falsifiable, but even if not it’s irrelevant [explain] – also good AT: “but social sciences are a good heuristic model”

Dean 5 COLIN LESLIE DEAN, BSC, BA, B.LITT(HON) ,MA, B.LITT(HON), MA, MA(PSYCHOANALYTIC STUDIES), "THE IRRATIONAL AND ILLOGICAL NATURE OF SCIENCE AND PSYCHOANALYSIS: THE DEMARCATIONOF SCIENCE AND NON-SCIENCE IS A PSEUDO PROBLEM" gamahucherpress.yellowgum.com/books/psychoanalysis/THE\_IRRATIONAL\_AND\_ILLOGICAL\_NATURE\_OF\_SCIENCE\_AND\_PSYCHOANA.pdf

Grunbaum, in 1984, published a book which took issue with the positivist attack upon the un-falsifiablity of psychoanalysis Grunbaum " argues that, although perhaps more difficult to study than in the physical sciences, cause-effect principles apply just as strongly in psychology as in physics. He also shows that many psychoanalytical postulates are falsifiable ..." A, Bateman, & J, Holmes claim that repression, unconscious awareness, identification and internalization are scientifically proven. Now despite Grunbaum's apparent demonstration of the falsifablity of psychoanalysis some theorists claim that the external validation of psychoanalysis is doomed to fail. These theorists follow Ricoeur in claiming a hermeneutic understanding of psychoanalysis. They claim that instead of a correspondence with reality, as being the criteria upon which to assess psychoanalysis, they claim that ". internal coherence and narrative plausibility as the basis for settling disputes."

Thus we see there are those, like Grunbaum, who argue that psychoanalysis can be tested against the facts of reality and potentially its postulates can be falsified by reality. On the other hand there are those, like Ricoeur, who advocate a hermenutical approach where it is not a correspondence with reality that matters but whether the psychoanalytic theory is internally consistent and its interpretations or narratives satisfying or not. A theory is falsifiable, in the correspondence theory of 'truth' if it does not agree with reality. In the coherence theory of 'truth' a theory is falsifiable ifit is inconsistent in terms of the system. I will argue that both criteria are flawed and lack epistemological support.

In this regard we see that the debate on the falsifiablity of psychoanalysis is a debate between correspondence and coherence theorists. Now the correspondence and coherence theories of 'truth' are philosophically flawed. I will show how they are flawed and lack epistemological support. What I will draw from this is my claim that it does not matter whether psychoanalysis is falsifiable or not either in terms of the correspondence or coherence theories of 'truth' because both lack epistemological support.

A way of looking at a theory is to see at as a set of statements which say something about a state of affair about reality. Under this viewpoint the issue is what is the relation between the statement and reality that makes it 'true' or 'false'. O'Hear notes 'true' statements correspond or picture reality . But the problem with this is that " how can a statement- something linguistic - correspond to a fact or state of affairs. Certainly it cannot be a replica of a state of affairs , nor does it fit with it in the way a nut might be said to correspond with a nut. Further, even if we could make some sense of a simple affirmative factual statement .... There are considerable problems with knowing just what it is other statements are supposed to correspond to." What about negative statements that say something is not or does not exist? What aboutcounterfactural statements? Do mathematical and moral statements correspond to something in reality? Are there universal statements that correspond to reality?

The correspondence theory of 'truth' that sees statements as corresponding to reality is thus problematic. The problems are such that, as O'Hear notes " ... the correspondence relation are simply shadowy reflections of statements we regard as true for other reasons rather than as generally mind-independent realities." When we realize that there is no non-conceptual view about reality we realize that even 'reality' is a value-laden conceptual laden term. As some argue all theory is value laden there are no facts uncontaminated by epistemological, metaphysical, other theories, and ontological views. The result of all this is to undermine the claims of the correspondence theory such that "... there is something futile in thinking that what we know is achieved by direct access to a mind-independent reality, which would suggest that a naive correspondence view of truth, at least, is likely to be able to give us little guidance in our actual inquiries and researches." We shall see that the coherence theory of 'truth' fares no better in guiding our research or acessing our actual statements about 'truth' or falsidity.

In the coherence theory of 'truth' the criteria of 'truth' is that a statement does not contradict other statements. O'Hear notes that "systems here are regarded as being governed by nothing more mysterious than normal relations of implication and contradiction." But as has been pointed out it is quite easy to avoid contradiction by dropping inconsistent statements . If a statement is inconsistent with theory or observation we can just drop either the theory or observational statement. Also many scientific theory suffer from empirical counter-evidence which we nevertheless still accept. What happens when two or more theories i.e. Kleinian, Lacanian, Freudian, ego-psychology etc, are lets say coherent but contain mutually contradictory statements in regard to each other. In other words what about the situation when theories are coherent but contradict each other. O'Hear points out " that many would regard this as a conclusive objection to the coherence theory of truth, for surely whether a statement is true or not depends on the facts and not on the systems we are using to interpret the facts." But here is the big problem. We showed above that facts are themselves value conceptual laden. The correspondence theory of 'truth' in fact is not epistemologically or metaphysically etc neutral- we see the facts through other theories. But we have just seen that in seeing the facts through other theories assumes that the theories are coherence, but coherence theories of 'truth' as we have seen are epistemologically flawed.

Thus we see that epistemologically both the correspondence and coherence theories of 'truth' are flawed. This to my mind say that it does not matter whether psychoanalysis is falsifiable. Whether it is, or is not is based upon a particular theory of 'truth' that has no epistemological support. Now regardless of these philosophical investigations I will show that in terms of each theory there is evidence that even though their criteria are not met for some theories these theories are still used with ongoing validity. This evidence will also lend weight to my claim that it does not matter whether psychoanalysis is falsifiable or not, it can still have validity.

There are examples from physics where correspondence with reality has not resulted in the abandonment of the theory. A theory has been falsified yet nevertheless it is still used. A classic example is that of Newtonian physics. Newtonian prediction of black-body radiation failed -this was left to quantum physics to do. Also Newtonian physics failed to predict the motion of three bodies in combined gravitational motion i.e. planets . Kuhn points out that no one denied that Newtonian physic was not as science because it could not predict the speed of sound, or Newton's laws of gravitation failed to predict and account for the perigee of the moon or the motion of the moon; as he states " no one seriously questioned Newtonian theory because of the long recognized discrepancies between predictions from the theory and both the speed the speed of sound and the motion of Mercury." Thus we see that even if psychoanalysis is falsified in terms of the correspondence theory of 'truth ,the case of Newtonian physics shows us that it need not matter in the least. In this regard there is truth in Freud's provocative idea, when he states, " even if psychoanalysis showed itself as unsuccessful in every other form of nervous and psychical disease as it does in delusions, it would still remain completely justified as an irreplacable instrument of scientific research. It is true that in that case we should not be in a position to practice it." Now even in science and mathematics there are un-falsifiable entities but this does not stop them being used in those disciplines.

At the very core of science and mathematics there are un-falsifiable entities. Such things as matter, the mathematical point, anti-matter force etc. are unfalsifiable. Freud notes the presence of un-falsiable objects in psychoanalysis when he states " too it will be entirely in accord with our expectations if the basic concepts and principles of the new science (instincts, nervous energy, etc) remain for a considerable time no less indeterminate than those of the older sciences (force, mass, attraction, etc)." Thus we see that even if psychoanalysis is not falsifiable, in terms of the correspondence theory of 'truth'. just like in mathematics and science, it does not matter for a theories validity. The coherence theory of 'truth's says that if a theory or statement is inconsistent then it is false. But there are examples where this is the state of affairs but nevertheless the theories are still used.

### Backhous

#### The doctrine of continued re-engineering of nature results in more insidious destructive practices that make their impacts inevitable---unforeseen non-linearities ensure serial policy failure and extinction

Gary Backhaus 9 Phil @ Loyola Maryland, "Automobility: Global Warming as Symptomatology" April 2009, [www.mdpi.com/2071-1050/1/2/187](http://www.mdpi.com/2071-1050/1/2/187)

Many environmental thinkers have questioned the presupposed tenets, e.g., the doctrine of linear progress, on which Gore bases his belief in the success of a scientific/technological solution to global warming and environmental problems in general. "Professional ecologists such as Frank Egler have countered that 'Nature is not only more complex than we think, it is more complex than we can think [6]'". I believe that a commitment to sustainability must recognize limits to human cognition and thus must take a radically different approach. This does not mean that science and technology have reduced roles, but that their roles must be based on a new attitude of respectful humility [7]. The manipulation and appropriation of nature must no longer be our technological goals. Rather, we should be modifying our own societal/cultural forms, which include science and technology, to live in greater harmony within the context of natural conditions and agencies. Sciences and technologies that apprehend those conditions can serve to help us become much more respectful of natural conditions. Neither science nor technology needs to challenge natural processes; it rather needs to challenge us to live more responsibly. The chauvinist worldview with its doctrine of reactive reparation when it comes to environmental degradation, no longer can be promoted as a viable behavioral process. We can no longer appropriate nature and then deal with the so called "unintended side-effects"—a dealing that amounts to a continual re-engineering of nature, which leads to consequences that dangerously exceed our powers of forecasting. But a new pro-activity conducive to sustainability should be more focused on changing our relation to nature, not so much on changing nature. Gore's critical analysis merely focuses on wiser uses of technology; he does not call into question radically enough the doctrine of forcing nature to serve us and does not clearly advocate a science and technology that serves nature as first priority. This can be accomplished only by fundamental transformations in human interpretative praxes. In practical language the transformation advocated here means that we dramatically minimize our ecological footprints, which entails new geo- economic/political/social spatial productions, concerning which science and technology play a vital role. Cultural transformation for sustainability requires a new epistemological basis that recognizes the ontological structure of sustainable ecology as having priority over human intentions such that we eliminate certain of our expressivities and objectivations, rather than continuing with the manipulation of nature to accommodate our intentions— a move away from anthropocentric hegemony to a model of human contextualization that leads away from a worldview that presupposes the culture/nature dualism.

Bio-regionalists have called for new and radical political changes such as the re-construction of political boundaries to be correlative with biospheric boundaries so that the political domain becomes interfused with the natural domain in an organic development pattern [8]. Forms of human life then are organized in context with natural ecologies—an interrelation for mutual benefit. This ecological rootedness to a place, to its place-character or genius loci as the key to ecological bounded praxes, must be accomplished without the fascist tendencies of race/nation imperialisms of the past, which are avoidable through the political tactics of decentralization and networking and the value of diversity within local-bounds. Gore champions the democratic process but really offers no proposals that would restructure political bodies in a way that would support the implementation of sustainability. A society that culturally and politically does not attune its practices to place-bound ecologies and their interrelations does not merit the accolade of supporting sustainability. As I will show, to call into question the geography of automobility requires thinking about how the task to de-structure automobility might show us how to re-structure life toward the goal of sustainability.

There is still another point germane to the issue of automobility which shows the non-viability of Gore's shallow ecology. Peak oil theorists are issuing very serious warnings concerning non-renewable energy consumption [9]. Hypothetically, if we could immediately solve the global warming (climate change) problem in Gore's shallow, technological sense, then we would nevertheless still be in the most utterly grave circumstances concerning energy. Even if it were possible to solve the problem of global warming with the use of alternative energy sources, there still would remain an energy crisis both in terms of shortages and implementations that carry many unwanted so-called side-effects. A policy of sustainability would entail tackling the energy crisis directly, not because of its link to the global warming problem; sustainability entails more dramatic measures, necessary curbs on modern excesses promoted by neo-liberal economic globalization and the social structures that it constructs, concerning which Gore's sanguine liberal-based ideology is not prepared to face.

My fundamental criticism, however, is that Gore sees global warming as the problem rather than as a symptom of a much deeper flaw/problematic in culture, and this delimits his thinking to remain within a shallow ecological viewpoint, foiling an analysis that would develop toward a viable sustainability. His focus on global warming limits his solution to the environmental crisis to a shallow technological fix. Sure he advocates a change in forms of life, but these are merely a function of, or the requirement for, the implementation of technologies that will save us and the planet. In this way his thinking remains within the modern scientistic attitude that in a deep or foundational sense has led to the predicament in which we find ourselves [10]. The efforts to dominate nature, dominations implemented through modern technological praxes, have led to drastic changes to the planet as a whole in an extremely short time. We now see that those changes, based on considering our needs only (the mentality of natural resources to be ordered about on our terms), are destroying the life of, and on, the planet.

### Crist

#### Warming crisis discourse trades off with solving other environmental crises by circumscribing the frame of environmental policy

Crist 7 Eileen, Assistant Professor at the Center for Interdisciplinary Studies at Virginia Polytechnic Institute, Winter, “Beyond the Climate Crisis: A Critique of Climate Change Discourse,” Telos 141, Winter 2007, [www.sts.vt.edu/faculty/crist/Beyond\_the\_Climate\_Crisis.pdf](http://www.sts.vt.edu/faculty/crist/Beyond_the_Climate_Crisis.pdf)

While the dangers of climate change are real, I argue that **there are even greater dangers in representing it as the most urgent problem we face**. Framing climate change in such a manner deserves to be challenged for two reasons: it encourages the restriction of proposed solutions to the technical realm, by powerfully insinuating that the needed approaches are those that directly address the problem; and it detracts attention from the planet’s ecological predicament as a whole, by virtue of claiming the limelight for the one issue that trumps all others.

Identifying climate change as the biggest threat to civilization, and ushering it into center stage as the highest priority problem, **has bolstered the proliferation of technical proposals that address the specific challenge**. The race is on for figuring out what technologies, or portfolio thereof, will solve “the problem.” Whether the call is for reviving nuclear power, boosting the installation of wind turbines, using a variety of renewable energy sources, increasing the efficiency of fossil-fuel use, developing carbon-sequestering technologies, or placing mirrors in space to deflect the sun’s rays, the narrow character of such proposals is evident: confront the problem of greenhouse gas emissions by technologically phasing them out, superseding them, capturing them, or mitigating their heating effects. In his The Revenge of Gaia, for example, Lovelock briefly mentions the need to face climate change by “changing our whole style of living.”?6 But the thrust of this work, what readers and policy-makers come away with, is his repeated and strident call for investing in nuclear energy as, in his words, “the one lifeline we can use immediately.”?7 In the policy realm, the first step toward the technological fix for global warming is often identified with implementing the Kyoto protocol. Biologist Tim Flannery agitates for the treaty, comparing the need for its successful endorsement to that of the Montreal protocol that phased out the ozone-depleting CFCs. “The Montreal protocol,” he submits, “marks a signal moment in human societal development, representing the first ever victory by humanity over a global pollution problem.”?8 He hopes for a similar victory for the global climate-change problem. Yet the deepening realization of the threat of climate change, virtually in the wake of stratospheric ozone depletion, also suggests that dealing with global problems treaty-by-treaty is **no solution to the planet’s predicament**. Just as the risks of unanticipated ozone depletion have been followed by the dangers of a long underappreciated climate crisis, so it would be naïve not to anticipate another (perhaps even entirely unforeseeable) catastrophe arising after the (hoped-for) resolution of the above two. Furthermore, if greenhouse gases were restricted successfully by means of technological shifts and innovations, **the** root cause **of the ecological crisis as a whole would remain unaddressed. The destructive patterns of production, trade, extraction, land-use, waste proliferation, and consumption, coupled with population growth, would go unchallenged,** continuing to run down the integrity, beauty, and biological richness of the Earth. Industrial-consumer civilization has entrenched a form of life that admits **virtually no limits to** its **expansiveness** within, and perceived entitlement to, the entire planet.?9 But questioning this civilization is by and large sidestepped in climate-change discourse, with **its single-minded quest for a global-warming techno-fix**.20 Instead of confronting the forms of social organization that are causing the climate crisis—among numerous other catastrophes—climate-change literature often focuses on how global warming is endangering the culprit, and agonizes over what technological means can save it from impending tipping points.2? The dominant frame of climate change funnels cognitive and pragmatic work toward specifically addressing global warming, while muting a host of equally monumental issues. Climate change looms so huge on the environmental and political agenda today that it has contributed to downplaying other facets of the ecological crisis: **mass extinction of species, the devastation of the oceans by industrial fishing, continued old-growth deforestation, topsoil lossesand desertification, endocrine disruption, incessant development**, and so on, **are** made to appear secondary

**and more forgiving** by comparison with “dangerous anthropogenic interference” with the climate system.

In what follows, I will focus specifically on how climate-change discourse encourages the continued marginalization of the biodiversity crisis—a crisis that has been soberly described as a holocaust,22 and which despite decades of scientific and environmentalist pleas remains a virtual non-topic in society, the mass media, and humanistic and other academic literatures. Several works on climate change (though by no means all) extensively examine the consequences of global warming for biodiversity, 23 but rarely is it mentioned that **biodepletion predates dangerous greenhouse-gas buildup by decades, centuries, or longer, and will not be stopped by a technological resolution of global warming**. Climate change is poised to exacerbate species and ecosystem losses—indeed, is doing so already. But while technologically preempting the worst of climate change may temporarily avert some of those losses, such a resolution of the climate quandary will not put an end to—will barely address—**the ongoing destruction of life on Earth**.

### Perm

#### The perm’s supplementing fails

Stavrakakis 12 Yannis Stavrakakis, Associate Professor at the School of Political Sciences, Aristotle University of Thessaloniki, "SYMPOSIUM: FANTASY AND MARKETS: Beyond the Spirits of Capitalism? Prohibition, Enjoyment, and Social Change" Cardozo Law Review August, 2012 Cardozo Law Review 33 Cardozo L. Rev. 2289

However, the current crisis seems to call for a renewed analysis of this "spiritual" dimension. And, although a necessary first step, it is not sufficient to supplement the first ascetic spirit with another spirit associated with an ambiguous consumer and employee "freedom" and "autonomy." n7

What is, first, necessary is to grasp the exact way "spirits" function in over-determining social behavior and sustaining hegemonic orders, creating the inter-subjective network needed for the reproduction of (capitalist) relations of domination. We need, in other words, to enhance our understanding of the two spirits of capitalism, the spirit of ascetic prohibition and that of commanded enjoyment. Here Lacanian theory can greatly enhance the long, if marginalized, tradition highlighting the importance of the two spirits. For example, drawing on the enjoyment explosion surrounding us in consumer society, Lacanian theorist Todd McGowan has put forward the hypothesis that it marks a significant shift in the structure of the social bond and the organization of the social fabric: n8 the passage from a society of prohibition into a society of commanded enjoyment. n9 While more traditional forms of social organization "required subjects to renounce their private enjoyment in the name of social duty, today the only duty seems to consist in enjoying oneself as much as possible." n10

According to this perspective, the classical bourgeois attitude - and bourgeois political economy - was initially based on "postponement, the deferral of jouissances, patient retention with a view to the supplementary jouissance that is calculated. Accumulate in order to accumulate, produce in order to produce." n11 This is the first spirit of capitalism, associated with a sense of professional duty based on "rational asceticism" - a gradually secularized version of protestant asceticism - and the concomitant tabooing of enjoyment, conspicuous consumption (in Thorstein Veblen's sense) and luxury. n12 One of the nodal points of this framework of sacrifice was "saving":

In the form of the first spirit of capitalism that dominated the nineteenth century and the first third of the twentieth, saving constituted the main means of access to the world of capital and the instrument of social advancement. It was, in large part, by means of inculcating an ethic of saving that the values of self-control, moderation, restraint, hard work, regularity, perseverance, and stability prized by firms was transmitted. n13

In The System of Objects, Baudrillard had also described the shift from an ascetic model of ethics organized around sacrifice to a new morality of enjoyment. n14

Indeed, psychoanalysis can provide important insights as to the mechanisms at work in the construction and reproduction of the two models. It can explain how social subjects come to identify with them and account for obedience and attachment by focusing on the mutual engagement between language and enjoyment, symbolic and real, beatific and horrific fantasies. In effect, what a Lacanian perspective highlights is the non-teleological dialectic between subject and "Other," n15 which operates, and unfolds, in a variety of distinct but deeply inter-implicated levels: on the one hand, at the level of the symbolic, of socio-semiotic construction; on the other hand, at the level of affective investment, of the mobilization of the passions, of what Lacan calls jouissance (enjoyment). In that sense, if economics often sees reason and passion as opposites, to psychoanalysis they are corollaries - two sides of the same coin. Most importantly, if economics ignores the role of the unconscious and fantasy in market behavior, psychoanalysis is determined to bring such forces to the limelight. Besides, psychoanalysis and economic reflection are no strangers. Echoing Freud's introduction of an "economic" perspective on the operations of the unconscious in his Papers on Metapsychology - a metaphor he uses to highlight and discuss the circulation, vicissitudes and various investments of libidinal energy - Lacan will proceed a step further, drawing inspiration from Marx's "surplus-value" in theorizing the operations of jouissance and eventually [\*2294] dealing directly with the type of social bond instituted by the "discourse of capitalism." n16

### Predictions/SPF (0:50)---2NC

#### Energy policy and predictions are subject to too many unforeseen non-linearities---proves the impossibility of symbolizing the real---also means you should vote neg on presumption and discount their harms/solvency

Morris et al 12 Adele C. Morris, Fellow and Deputy Director of the. Climate and Energy Economics project at Brookings, Pietro S. Nivola, Charles Schultze, Brookings Scholars, "CLEAN ENERGY:REVISITING THE CHALLENGES OF INDUSTRIAL POLICY" June 4 www.brookings.edu/~/media/research/files/papers/2012/6/04%20clean%20energy%20morris%20nivola%20schultze/04\_clean\_energy\_morris\_nivola\_schultze.pdf

All of which leads us to examine a little more fully the practical difficulties facing policymakers in the real world of American government as they struggle to choose and sustain the right enterprises.

Identifying plausible candidates might be a more dependable process if the commercial prospects of emerging technologies could be accurately predicted. Too often, however, the predictions have foundered. Decades ago the government launched robust programs to develop nuclear breeder reactors and to facilitate synthetic fuels.

These did not appear to be fanciful schemes in the contexts of their times. But they proved to be premised on unreliable forecasts. In the first instance, experts were anticipating continued explosive growth of domestic demand for electricity. (Instead, demand, especially for baseload capacity, settled onto a much slower trajectory.) In the second, the forecasters assumed that the price of petroleum would not plunge far below $40 a barrel, over $ 100 a barrel in today's money. (Instead, it collapsed by the mid-1980s.) Similar unexpected twists have bedeviled attempts to foretell the potential market for various forms of cleaner energy. When prices tumble, as they do periodically, the government's best-laid plans get stranded.

The caprice of the marketplace frustrates energy planning. So does the fact that public decisions regarding which producers to favor are all but impossible to insulate from political pressures. For the sake of argument, let us suppose that technocrats in highly competent government agencies were able to foresee and then objectively compare the lead-times for commercializing the multiple options under consideration. With that knowledge, one might think, only the most viable green businesses would be tapped to receive public funds. The power of the purse, however, lies with Congress—and the irresistible temptation there is to distribute resources widely and often injudiciously, not to concentrate them on just a few worthy targets.

Following the energy shocks of the 1970s, the Carter administration mounted the most concerted and sustained campaign to enact national energy laws that, it was hoped, would moderate the use of fossil fuels, especially oil. Scrambling to build the coalitions needed to pass these measures, Congress heard from stakeholders of nearly every conceivable kind seeking a piece of the action. The queue of claimants even included opponents of school integration, who lobbied to graft anti-busing amendments onto bills on the grounds that these would conserve fuel.26 In the end, not every supplicant got its appetite satisfied, of course, but the prospect of federal subsidies and dispensations had clearly invited a feeding frenzy by interest groups, many of whom would keep circling Washington for decades.

The political dynamics have been similar in nearly every subsequent effort to refine the nation's desultory energy agenda. Thanks to extensive logrolling, proposed legislation before Congress during the past decade has been rather indiscriminately stuffed with loans, loan guarantees, grants, procurement mandates, and tax advantages for seemingly all comers—small businesses, green-building retrofitters, railroads, bicyclists, and electric vehicle manufacturers, as well as renewable energy suppliers that include ethanol plants and planters, biodiesel producers, developers of hydrogen technology, and nuclear power.27 Even coal producers seek to qualify as a clean energy source on the theory that coal-fired electricity generators might someday be equipped for carbon sequestration.

In short, the American political system seldom sticks to sponsoring and sheltering only genuine industrial winners, green or otherwise. For as the late Senator William Roth of Delaware observed years ago, 'The trouble with picking winners is that each Congressman would want one for his district."28

Further complicating the situation is the role of new players who may learn to game a regime of subsidies or preferential regulations in unexpected ways. An example: "Tax equity" financiers profit by charging homeowners slightly below-market electricity prices in exchange for installing residential solar PV systems for which a 30% tax credit applies. Some environmentalists hail the development as buying down the up-front cost of solar systems and making firms, homeowners, and the environment better off. 29 Critics contend, however, that "solar-backed securities," which bundle the returns from such investments into assets sold to third parties, drive demand for Chinese PV panels, risk creating a new financial bubble and encumber properties with uncertain effects on housing markets.30 Whatever the case, policymakers should not be surprised if the consequences of industrial subsidies can wind up in unanticipated places or take unintended forms.

### Nuclear Security

#### Expansion of nuclear energy as a security strategy displaces environmental impacts onto the periphery and makes structural violence inevitable

Kaur 11 Dr. Raminder Kaur is Senior Lecturer in University of Sussex, "A ‘Nuclear Renaissance’, Climate Change and the State of Exception" London The Australian Journal of Anthropology, 2011 www.dianuke.org/a-‘nuclear-renaissance’-climate-change-and-the-state-of-exception/

In Jaitapur, we have already seen how the local village Panchayats (representative self-governance bodies) are gagged and overruled to clear way for Areva’s nuclear power park. Ironically, India’s nuclear deal with the US was touted as a deal between world’s oldest and biggest democracies. Read below Dr. Raminder Kaur’s brilliant analysis on how nuclear discourse becomes totalizing, more so when it meets the official discourses on climate change.

Increasingly, nation-states such as China, France, Russia, Britain and India are promoting the nuclear option: firstly, as the main large-scale solution to developing economies, growing populations, and increasing demands for a consumer-led lifestyle, and secondly, in order to tend to environmental concerns of global warming and climate change.[i] India’s Prime Minister, Manmohan Singh, speaking at a conference of atomic scientists in Delhi, for instance, announced a hundred-fold increase to 470,000 megawatts of energy that could come from Indian nuclear power stations by 2050. He said, ‘This will sharply reduce our dependence on fossil fuels and will be a major contribution to global efforts to combat climate change, adding that Asia was seeing a huge spurt in “nuclear plant building” for these reasons (Ramesh 2009).The Fukushima nuclear reactor disaster of March 2011 has, for the time being at least, dented some nation-state’s nuclear power programmes. In India, however, the government has declared that it has commissioned further safety checks whilst continuing its nuclear development as before.

Whilst the ‘carbon lobby’, including the fossil-fuels industries, stand to gain by undermining the validity of global warming, it appears that the ‘nuclear lobby’ benefits enormously from the growing body of evidence for human-based global warming. This situation has led to a significant nuclear renaissance with the promotion of nuclear power as ‘clean and green energy’. John Ritch, Director General of the World Nuclear Association, goes so far as to describe the need to embrace nuclear power as a ‘global and environmental imperative’, for ‘Humankind cannot conceivably achieve a global clean-energy revolution without a huge expansion of nuclear power’ (Ritch nd). To similar ends, India’s Union Minister of State for Environment and Forests, Jairam Ramesh, remarked, ‘It is paradoxical that environmentalists are against nuclear energy’ (Deshpande 2009). With a subtle sleight of hand, nuclear industries are able to promote themselves as environmentally beneficial whilst continuing business-as-usual at an expansive rate.

Such global and national views on climate change are threatening to monopolise the entire environmentalist terrain where issues to do with uranium and thorium mining, the ecological costs of nuclear power plant construction, maintenance, operation and decommissioning, the release of water coolant, and the transport and storage of radioactive waste are held as subsidiary considerations to the threat of climate change. Basing much of my evidence in India, I note how the conjunction of nuclear power and climate change has lodged itself in the public imagination and is consequently in a powerful position, creating a ‘truth regime’ favoured both by the nuclear lobby and those defenders of climate change who want more energy without restructuration of market-influenced economies or changes in consumerist lifestyle. The urgency of climate change discourses further empower what I call the ‘nuclear state of exception’ which, in turn, lends credence to the veracity of human-centric global warming.

The Nuclear State of Exception

Although Giorgio Agamben’s (2005) work on the normalisation of exceptional state practice has been much cited, it would appear that Robert Jungk anticipated some of his main axioms. Jungk outlines how the extraordinary, as it pertains to the state’s possession of nuclear weapons and the development of atomic industries since the mid-1940s, became the ordinary (Jungk 1979: 58). When associated with nuclear weapons, the state operates under the guise of a paradigm of security which promises ‘peace’ in terms of a nuclear deterrence to other countries, and also legitimates the excesses of state conduct whilst abrogating citizens’ rights in the name of ‘national security’. Jungk adds that, in fact, state authoritarianism applied to all nation-states with nuclear industries: ‘Nuclear power was first used to make weapons of total destruction for use against military enemies, but today it even imperils citizens in their own country, because there is no fundamental difference between atoms for peace and atoms for war’ (Jungk 1979: vii). The inevitable spread of technological know-how through a range of international networks and the effects of the US’ ‘atoms for peace’ program in the 1950s led to a greater number of nations constructing institutions for civilian nuclear power, a development that was later realised to enable uranium enrichment for the manufacture of weapons.

Due to the indeterminacy between atoms for peace and atoms for war, the nuclear industries began to play a key part in several nations’ security policies, both externally with reference to other states, and also internally with reference to objectors and suspected anti-national contingents. Jungk notes ‘the important social role of nuclear energy in the decline of the constitutional state into the authoritarian nuclear state’ by focusing on a range of indicators, including a report published by the American National Advisory Committee on Criminal Justice in 1977 which suggested that:

in view of the ‘high vulnerability of technical civilization’, emergency legislation should be introduced making it possible temporarily to ignore constitutional safeguards without previous congressional debate or consultation with the Supreme Court. (1979: 135)

The bio-techno-political mode of governance encapsulates subjects into its folds such that it becomes a ‘technical civilisation’ – a civilisation that, although promising favourable aspects of modernity to the populace and development for the country, is also to be accompanied by several risks to human and environmental safety that propel states including democracies further towards authoritarianism. ‘Big science’ – that is, science that is centralised or at least circumscribed by the state – and the bureaucracies surrounding it play a critical part in the normalisation of the state of exception, and the exercise of even more power over their citizens.

Jungk elaborates on the routinisation of nuclear state violence, epistemological, juridical and physical:

Such measures will be justified, not as temporary measures made necessary by an exceptional emergency … but by the necessity of providing permanent protection for a perpetually endangered central source of energy that is regarded as indispensable. A nuclear industry means a permanent state of emergency justified by a permanent threat. (1979: 135)

This permanent state of emergency with respect to anything nuclear applies to restrictions on citizens’ freedom, the surveillance and criminalisation of critics and campaigners, the justification of the mobilisation of thousands of policemen and sometimes military to deal with peaceful demonstrators against nuclear power, and a hegemony on ‘truth-claims’ where the nuclear industries are held as the solution to growing power needs whilst advancing themselves as climate change environmentalists. In this way, power structures and lifestyles need not be altered where nuclear power becomes, ironically, a powerful mascot of ‘clean and green’ energy.

In India, the capitalist modality of the nuclear state was exacerbated by the ratification of the Indo-US civilian nuclear agreement in 2008, a bilateral accord which enables those countries in the Nuclear Suppliers Group to provide material and technology for India’s civilian nuclear operations even though it is not a signatory to the Nuclear non-Proliferation Treaty. This has led to an expansion of the nuclear industries in the country where the limited indigenous resources of uranium could then be siphoned into the nuclear weapons industries. The imposition of the nuclear state hand-in-hand with multinational corporations in regions such as Koodankulam in Tamil Nadu (with the Russian nuclear company, Atomstroyexport), Haripur in West Bengal (with the Russian company, Rosatom) or Jaitapur in Maharashtra (with the French company, Areva), without due consultation with residents around the proposed nuclear power plants, has prompted S. P. Udayakumar (2009) to recall an earlier history of colonisation describing the contemporary scenario as an instance of ‘nucolonization (nuclear + colonization)’.

The Indian nuclear state, with its especial mooring in central government, has conducted environmental enquiries primarily for itself – and this so in only a summary fashion. In a context where the Ministry of Environment and Forests can override the need for an Environmental Impact Assessment (EIA) report for the first two nuclear reactors at Koodankulam in 2001, saying that the decision was first made in the 1980s before the EIA Notification Act (1994); or where the Supreme Court of India can dismiss a petition against the construction of these reactors simply by saying: ‘There is no reason as to why this court should sit in appeal over the Governmental decision relating to a policy matter more so, when crores of rupees having [sic] been invested’ (cited in Goyal 2002), then there is a strong basis upon which to consider the Indian state as a whole as a nuclearised state – that is, a state wherein matters relating to nuclear issues are given inordinate leeway across the board. The nuclear enclave consisting of scientists, bureaucrats and politicians, is both the exception to and the rule that underpins the rest of state practice. So even though we may be talking about a domain of distinct governmental practice and political technology as encapsulated by the notion of a nuclear state, it is evident that its influence spreads beyond the nuclear domain in a discourse of nuclearisation through state-related stratagems which have become increasingly authoritarian and defence-orientated since the late 1990s. In a nutshell, discourses about the urgency of climate change, global warming, nuclear power and defence have converged in a draconian and oppressive manner that now parades itself as the necessary norm for the nation.

## Case

### NPT

#### The U.S. pushes international nonprolif controls that deny access to nuclear power outside the plan

Laird 9 – Burgess, National Security Analyst at the Carnegie Council on Ethics in International Policy, July 21, 2009, “A Guide to the Challenges Facing President Obama’s Nuclear Abolition Agenda,” online: http://www.cceia.org/resources/articles\_papers\_reports/0025.html

President Obama's support of an International Fuel Bank seeks to address the dilemma of reducing the chances for nuclear proliferation even as nations build more civilian nuclear infrastructure in the years ahead in an effort to meet projected energy demands and climate change concerns. The technologies necessary to the production of both civilian nuclear power and nuclear weapons extensively overlap. An International Fuel Bank would store uranium enriched to the level needed for civilian nuclear power plants and disburse it to nations which have agreed not to make the material themselves. This would serve the end of consolidating and better controlling the production and use of civilian fissile materials at a time of growing concern over proliferation. The idea of such a bank has been resisted by many nations on the grounds that it would violate their right to civilian nuclear energy technology and would constitute an infringement of their sovereignty. To surmount these objections, the IAEA emphasizes that the bank would provide a guaranteed supply at below-market prices. To date, these incentives have not won over the necessary support from non-nuclear weapons states, but many experts believe that with U.S. leadership on the matter—as evinced in President Obama's initiative—they will.

Finally, the President's third objective of securing international commitment to punish states found in violation of the NPT is aimed at rallying the NPT member states to take concrete action with regard to North Korea and Iran, and more generally, other nations that would contemplate following their example. There are a number of rationales offered to explain why the international community has not taken more concerted action regarding such violations. One is that U.S. policies in this regard amount to an effort to deny nations their right to civilian nuclear technology, and is, in the final analysis, part of a larger effort to lock-in a world of nuclear haves and have-nots. A second rationale is that the United States itself is in no position to make such demands because it is not living up to its obligation of pursuing disarmament. A third argument is that U.S. claims that other nations are pursuing nuclear weapons are not to be believed; here, the U.S.'s post-9/11 claims of Iraq's WMD program are cited as the prime example.

**The central U.S. nonproliferation strategy is convincing states to forgo developing the fuel cycle**

Elhefnawy 8 – Nader Elhefnawy, Professor of English at the University of Miami, writer on IR published in journals including International Security, Astropolitics, and Survival, Autumn 2008, “The Next Wave of Nuclear Proliferation,” Parameters: The US Army War College Quarterly, p. 39

The increase in nuclear energy production described above will mean greater production, trading, and consumption of the fissile materials and other technologies that are part of the nuclear fuel cycle. The specifics differ according to reactor type, but every reactor uses uranium in the production of its fuel and produces plutonium in its waste, extractable in the fuel reprocessing procedure, and in such a manner that every type of reactor poses a measure of proliferation risk.12 Gas-cooled and heavy-water reactors use natural uranium as fuel, but are ideal for producing weapons-grade plutonium. “Fast-neutron” reactors use fissile material (such as highly enriched uranium or plutonium) at the very start of their fuel cycle, and Fast Breeder Reactors in particular produce more fissile material than they consume.

Even Light Water Reactors (LWRs), which have been described as “proliferation-resistant” (two of which were provided to North Korea under the Agreed Framework), are no exception.13 They use low-enriched uranium, which is not useful for making weapons, but which is produced in the same enrichment process used to manufacture weapons. Additionally, low-enriched uranium can be seen as halfway to weapons grade, since it can be more rapidly enriched to the needed level than stock natural uranium. At the same time, while these reactors produce relatively smaller quantities of lower quality plutonium than other types, it has been estimated that a 1,000-megawatt LWR can still generate enough “weapons-usable” plutonium for up to 50 bombs a year.14

The **response on the part of those seeking to limit proliferation** has**,** accordingly, been to **encourage as many nuclear energy users as possible not to develop the entire fuel cycle**; that is, to **forgo** building up their own fuel **enrichment** and reprocessing capabilities. Instead, it is proposed that they buy fuel and reprocessing services on the world market, as proposed in the Global Nuclear Energy Partnership of February 2006.

**Non-nuclear states oppose restrictions on nuclear power but link their willingness to shift explicitly to U.S. NPT credibility**

Sergio de Queiroz **Duarte**, **Brazilian Ambassador** at Large **for Disarm**ament and Non-Proliferation Matters, April 27, **2004**, Statement to the Third Preparatory Committee of the 2005 NPT Review Conference, online: http://www.reachingcriticalwill.org/legal/npt/prepcom04/BrazilCL3.pdf

The adoption of **increased curbs and restrictions** on nuclear research and on the **development of the peaceful nuclear industry** in non-nuclear-weapon States, which require greater intrusiveness, beyond the mandatory and the voluntary system of control already in place, **has been advocated with increasing vehemence.** In view of the urgency attached to them by their proponents, there is the risk that such new restrictions be decided and enforced by small clubs of "like-minded nations" or even unilaterally by the more powerful among them. My delegation believes that it is important to differentiate between members in good standing of the existing control mechanisms and would-be proliferates, and to respect the legitimate scientific and/or commercial interests of developing nations. The monopoly on weapons must not become a monopoly on technology.

Mr. Chairman,

The strength, credibility and permanence of the NPT rests on a fundamental bargain which must be recognized and upheld if we want the Treaty to be effective and lasting by virtue of its own merits rather than let it be used to serve selective interests through the perpetuation of discrimination and imbalance.

The development of nuclear energy is an essential element for Stales to supply their own energy needs. The right of developing States to pursue their energy needs should not in any way be jeopardized. The lawful exercise of the rights granted under Article IV must not be considered by itself an indication of intention of non-compliance.

We have witnessed how the need to secure energy supplies has been a core concern throughout the XXth Century. What are the perspectives for energy supplies in the XXIst Century? Nuclear energy - particularly as new, safer, proliferation-resistant reactors are developed - will have a prominent role in the energy profile of the world. Developing countries should not be shut out of the perspectives of energy security.

The development of nuclear weapons has never been an accidental by-product of peaceful pursuits. It has always involved political decisions, related to security and power perceptions, and has always derived from specific efforts thereto.

I would stress that **further restrictions** and controls over legitimate peaceful nuclear programs **which might be deemed necessary** in the light of the current realities **must be matched by** both the reinforcement of the obligation to achieve nuclear disarmament and by **concrete**, irreversible and verifiable **action** in that direction, based on the consensual 13 steps of 2000. The uncovering of a couple of real or suspected cheaters should not become a pretext to curtail bona fide, lawful programs of scientific or commercial interest in developing countries, opening the way to the confiscation of sensitive technologies making them the exclusive property of a few.

We are ready to examine ways and means to make non-compliance with .Article II less rewarding and more onerous, particularly to minimize the negative proliferation impact of noncompliance, in conjunction with Article XII of the IAEA Statute.

#### This is the main causal factor that explains restrictions on peaceful nuclear energy---swamps fears of counter-prolif

Andrew J. **Grotto**, Senior National Security Analyst at the Center for American Progress, November 7, **2008**, “What Drives States to Support New Nonproliferation Obligations? Three Portraits of the 1995 NPT Indefinite Extension Decision,” online: http://ssrn.com/abstract=1286231

The implications of this portrayal of events for nonproliferation policy are fairly straightforward: the main causal driver of nonproliferation policy decision-making in NNWS is whether the NWS have achieved satisfactory progress towards nuclear disarmament. At stake in 1995 was the very future of the NPT regime, and what assured its indefinite extension were commitments by NWS to satisfy NNWS concerns about nuclear disarmament. If this causal logic is true today, then just as the NWS were able to achieve the indefinite extension in 1995 by addressing NNWS concerns about their nuclear disarmament records, the NWS should be able to attract significantly greater NNWS support for nonproliferation initiatives such as the IAEA Additional Protocol, fuel cycle restraint, or robust export controls by continuing to address concerns about nuclear disarmament.

### No Warming Impact

#### the 4 degree distinction doesn’t make sense

Bjorn Lomborg 8, adjunct professor at the Copenhagen Business School, where he founded and directs its Copenhagen Consensus Center, August 15, 2008, “Warming warnings get overheated,” The Guardian, online: <http://www.guardian.co.uk/commentisfree/2008/aug/15/carbonemissions.climatechange>

Much of the global warming debate is perhaps best described as a constant outbidding by frantic campaigners, producing a barrage of ever-more scary scenarios in an attempt to get the public to accept their civilisation-changing proposals. Unfortunately, the general public – while concerned about the environment – is distinctly unwilling to support questionable solutions with costs running into tens of trillions of pounds. Predictably, this makes the campaigners reach for even more outlandish scares.

These alarmist predictions are becoming quite bizarre, and could be dismissed as sociological oddities, if it weren't for the fact that they get such big play in the media. Oliver Tickell, for instance, writes that a global warming causing a 4C temperature increase by the end of the century would be a "catastrophe" and the beginning of the "extinction" of the human race. This is simply silly.

His evidence? That 4C would mean that all the ice on the planet would melt, bringing the long-term sea level rise to 70-80m, flooding everything we hold dear, seeing billions of people die. Clearly, Tickell has maxed out the campaigners' scare potential (because there is no more ice to melt, this is the scariest he could ever conjure). But he is wrong. Let us just remember that the UN climate panel, the IPCC, expects a temperature rise by the end of the century between 1.8 and 6.0C. Within this range, the IPCC predicts that, by the end of the century, sea levels will rise 18-59 centimetres – Tickell is simply exaggerating by a factor of up to 400.

Tickell will undoubtedly claim that he was talking about what could happen many, many millennia from now. But this is disingenuous. First, the 4C temperature rise is predicted on a century scale – this is what we talk about and can plan for. Second, although sea-level rise will continue for many centuries to come, the models unanimously show that Greenland's ice shelf will be reduced, but Antarctic ice will increase even more (because of increased precipitation in Antarctica) for the next three centuries. What will happen beyond that clearly depends much more on emissions in future centuries. Given that CO2 stays in the atmosphere about a century, what happens with the temperature, say, six centuries from now mainly depends on emissions five centuries from now (where it seems unlikely non-carbon emitting technology such as solar panels will not have become economically competitive).

Third, Tickell tells us how the 80m sea-level rise would wipe out all the world's coastal infrastructure and much of the world's farmland – "undoubtedly" causing billions to die. But to cause billions to die, it would require the surge to occur within a single human lifespan. This sort of scare tactic is insidiously wrong and misleading, mimicking a firebrand preacher who claims the earth is coming to an end and we need to repent. While it is probably true that the sun will burn up the earth in 4-5bn years' time, it does give a slightly different perspective on the need for immediate repenting.

Tickell's claim that 4C will be the beginning of our extinction is again many times beyond wrong and misleading, and, of course, made with no data to back it up. Let us just take a look at the realistic impact of such a 4C temperature rise. For the Copenhagen Consensus, one of the lead economists of the IPCC, Professor Gary Yohe, did a survey of all the problems and all the benefits accruing from a temperature rise over this century of about approximately 4C. And yes, there will, of course, also be benefits: as temperatures rise, more people will die from heat, but fewer from cold; agricultural yields will decline in the tropics, but increase in the temperate zones, etc.

The model evaluates the impacts on agriculture, forestry, energy, water, unmanaged ecosystems, coastal zones, heat and cold deaths and disease. The bottom line is that benefits from global warming right now outweigh the costs (the benefit is about 0.25% of global GDP). Global warming will continue to be a net benefit until about 2070, when the damages will begin to outweigh the benefits, reaching a total damage cost equivalent to about 3.5% of GDP by 2300. This is simply not the end of humanity. If anything, global warming is a net benefit now; and even in three centuries, it will not be a challenge to our civilisation. Further, the IPCC expects the average person on earth to be 1,700% richer by the end of this century.

### No Nukes

#### No nuclear renaissance – laundry list of barriers

Tyson Slocum 12, dir. Public Citizen’s Energy Program, 2-13-2012, “NRC Approval Doesn’t Signal Much,” National Journal, http://energy.nationaljournal.com/2012/02/is-america-poised-for-nuclear.php

The Nuclear Regulatory Commission’s license approval for two new reactors at Southern Company’s Georgia Vogtle plant does not signal the beginning of nuclear renaissance in the U.S. In fact, it does not even guarantee that the reactors will come online. Continued financial risks, an inability to deal with radioactive waste storage, long-term domestic energy demand destruction and cost advantages of competing renewable and natural gas fuels are making nuclear power an unaffordable relic.

By approving the license before the full suite of lessons from Japan has been learned and before new safety regulations that were recommended by a task force established post-Fukushima have been implemented, the NRC is creating the same regulatory environment that contributed to the mid-construction cancellation of more than 30 reactors during the initial wave of nuclear development 30 years ago.¶ Regulators responded to the 1979 Three Mile Island partial meltdown in Pennsylvania by introducing new safety requirements. Incorporating these new safety features during construction of reactors post-TMI led to delays and skyrocketing costs. As a result, projects were abandoned, companies went bankrupt and ratepayers were left paying for power plants that would never produce a kilowatt of energy.¶ Even before the TMI accident, hundreds of construction plans were being scrapped because of daunting financial costs and lowering energy demand. These realities are the same today and in part, explain the dormancy of the industry over the past 40 years, and predict its grim future.¶ Despite the successful efforts of nuclear company lobbyists to secure generous public subsidies - most notably the sweep of incentives for nuclear power in the 2005 Energy Policy Act— Southern Company and its partners remain the only nuclear consortium able to secure the financing to move forward, receiving $8 billion in federal loan guarantees to back the $14 billion project in February 2010. This incentive, combined with the 2009 Georgia law allowing the company to charge ratepayers up front for costs associated with the project, shields Southern Company from financial risk (in addition, federal stimulus-law Build American Bonds are providing an additional $2 billion in financing for the project).¶ Any significant nuclear development in the U.S. would require significant, additional commitments of the public’s money, a viable solution to the mounting stockpile of radioactive nuclear waste at our existing reactor sites and public confidence that a Fukishima accident could not happen here. I just don’t see these stars aligning for new nukes, particularly with the continued advancement of competing renewable technologies.