### F/W

#### Interpretation- the aff cannot claim advantages not tied to the implementation of the plan

#### Key to predictable limits- infinite number of benefits the aff could claim to their speech act our discourse- impossible to get offense against.

#### Key to education- can’t clash with portions off the aff that aren’t predicated off of affirming the resolution- clash is key to two way education

#### Voting issue for fairness and education

### Production Shell

#### Obama will win- Polls and economic rebound

Cook 9-22

Charlie is the director of the Cook Political Report and a Columnist for National Journal, “Obama’s Uptick,” <http://nationaljournal.com/columns/cook-report/the-cook-report-obama-s-uptick-20120920>

Reality is often more complicated than conventional wisdom would have you believe, a point underscored in the latest NBC News/Wall Street Journal poll. The survey showed President Obama with a 6-point lead among all registered voters, a 7-point edge among registered voters in 12 swing states, and a 5-point advantage among likely voters nationally. The Obama lead in the survey, no matter which set of numbers you focus on, is wider than in many other public polls, including the widely watched automated robo-polls, which are not allowed to dial cell phones. Such robo-polls miss entirely the 30 to 40 percent of the electorate who don’t have land-line phones or rarely use them. The robo-polls rely on respondents who are not representative of the broader public and undercount young and minority voters, who are more likely than other demographic groups to have only cell phones.¶ As widely different as the NBC/WSJ poll is from many other public polls, the numbers are very close to the 4- or 5-point Obama lead I have been picking up in recent days from top pollsters and strategists from both parties. Of course, this shouldn’t be too much of a shocker, as the NBC/WSJ poll is conducted jointly by Peter Hart, the preeminent Democratic pollster (although Hart no longer does political campaigns), and Bill McInturff, a founder and partner of Public Opinion Strategies, a highly respected Republican polling firm.¶ To be sure, other highly regarded polls showed Obama with a smaller lead. The Gallup tracking poll conducted Sept. 11-17 had the race narrowing to a single point, 47 percent to 46 percent, down from a 3-point Obama lead from the two previous days, and a separate Sept. 11-17 Gallup poll in 12 swing states showed Obama up by 2 points, 48 percent to 46 percent. The most recent CBS News/New York Times national poll put the Obama edge at 3 points, 49 percent to 46 percent. Fox News had it at 5 points, 48 percent to 43 percent. The debate is over the margin, not over who is ahead.¶ There has been a lot of news in the past few weeks with the potential to affect the presidential race, including the party conventions and the anti-American violence in the Middle East. Obama’s job-approval rating in the Hart/McInturff survey, conducted Sept. 12-16 among 900 registered voters (including 270 cell-phone-only respondents), ticked up by 2 points since the August survey, from 48 percent to 50 percent, with his disapproval number dropping by a point to 48 percent. Not a big shift, but if you are an incumbent seeking reelection, it’s nice to have a job-approval rating of 50 percent or higher.¶ Three sets of numbers in other questions might explain the uptick. In the key “right direction/wrong track” question, called the “Dow Jones indicator of American politics” by the late Dick Wirthlin, President Reagan’s pollster, the “right direction” jumped up 7 points since August, from 32 percent to 39 percent; the “wrong track” dropped 6 points, from 61 percent to 55 percent. Obama’s job approval on handling the economy ticked up 3 points to 47 percent, while disapproval dropped 3 points, to 51 percent, perhaps driven by stock-market gains and more optimism about housing. In other words, Obama went from a net minus 10 points in August to a net minus 4 points in September. When asked, “During the next 12 months, do you think that the nation’s economy will get better, get worse, or stay about the same?” the percentage of respondents saying they expected the economy to get better increased 6 points, to 42 percent; the “get worse” remained the same at 18 percent; and the share saying “stay about the same” declined to 32 percent. In another question, 51 percent said they thought that the economy is recovering (up a point from August) and those saying that it isn’t dropped a point, so the net responses citing economic recovery shifted slightly from a net 4 to a net 6 points. These aren’t big changes, but they are an improvement on what had been Obama’s biggest liability: the state of the economy and the public’s perception of his stewardship of it.¶ While all of this modestly good news for the president was occurring, however, his approval rating on handling foreign policy dropped 5 points in a month, from 54 percent to 49 percent, with his disapproval number rising from 40 percent to 46 percent. Clearly, what is happening abroad is making an impression on voters, but it is being offset by a cautiously improving view of where the country and economy are going.¶ Central to Mitt Romney’s challenge is that too many Americans either don’t like him or can’t figure out if they do. Only 38 percent of registered voters had a positive view of Romney (the same as last month), while 43 percent had a negative view, 1 point down from August. Romney’s underwater ratings—minus 6 points in August, minus 5 points in September—compare with Obama being plus 5 points in August and plus 6 points this month.¶ Equally dispiriting for Republicans are the responses to questions about which candidate would be better in dealing with three subjects: Medicare, taxes, and the economy. On Medicare, 47 percent said that Obama would be better, while 37 percent chose Romney. On taxes, Obama had a 6-point edge, 45 percent to 39 percent. And on the economy, the two men are now tied at 43 percent, compared with a 6-point Romney edge in July.¶ With six weeks to go before the election, this contest is certainly not over. But it is becoming increasingly clear that Romney needs something to happen to change the trajectory of this race. Right now, it isn’t heading in a good direction for him.

#### Environmental groups hate wind- species loss

Maxwell ’12

Veery is a third-year law student at UC Hastings, “Wind Energy Development: Can Wind Energy Overcome Substantial Hurdles to Reach the Grid,” West Northwest Journal of Environmental Law and Policy, 18 W.-N.W. J. Env. L. & Pol’y323, lexis

Environmental groups have also been opposed to wind development, particularly in sites inhabited by threatened or endangered species. It seems paradoxical that environmentalists actively oppose emission-free energy production. This incongruous conflict is driven by the fact that wind [\*330] turbines have been known to cause species mortality, and are often sited in rural areas that offer needed species habitat. [n44](http://www.lexisnexis.com.ezproxy.baylor.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1344988943875&returnToKey=20_T15322965001&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.221529.4818699054" \l "n44) This has caused environmental groups to pursue lawsuits under the Endangered Species Act, Migratory Bird Act, and other environmental protection statutes, in hopes of seeking an injunction against the wind farm construction and operations. [n45](http://www.lexisnexis.com.ezproxy.baylor.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1344988943875&returnToKey=20_T15322965001&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.221529.4818699054" \l "n45)¶ The Coastal Habitat Alliance sued a Texas wind developer in 2007, demanding an injunction to halt construction on a wind project adjoining the Laguna Madre, an environmentally sensitive bay between the Texas mainland and Padre Island. [n46](http://www.lexisnexis.com.ezproxy.baylor.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1344988943875&returnToKey=20_T15322965001&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.221529.4818699054" \l "n46) The Coastal Habitat Alliance alleged that the defendant developer impinged its rights under the federal Coastal Zone Management Act of 1972 and the Texas Coastal Management Program by not holding public hearings or conducting appropriate environmental review on the wind farm. [n47](http://www.lexisnexis.com.ezproxy.baylor.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1344988943875&returnToKey=20_T15322965001&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.221529.4818699054" \l "n47) A federal court dismissed the case, holding the statutes did not confer a right of action on private parties. [n48](http://www.lexisnexis.com.ezproxy.baylor.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1344988943875&returnToKey=20_T15322965001&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.221529.4818699054" \l "n48) However, the case drew attention to the emerging issue of wind turbine siting in ecologically fragile areas.¶ In West Virginia, environmental plaintiffs were successful in halting operations of a wind farm sited in an area home to endangered Indiana bats. [n49](http://www.lexisnexis.com.ezproxy.baylor.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1344988943875&returnToKey=20_T15322965001&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.221529.4818699054" \l "n49) After exhaustive presentations by expert witnesses, the federal court found, "there is a virtual certainty that Indiana bats will be harmed, wounded, or killed imminently by the Beech Ridge Project, in violation of section 9 of the ESA ...." [n50](http://www.lexisnexis.com.ezproxy.baylor.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1344988943875&returnToKey=20_T15322965001&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.221529.4818699054" \l "n50) The court held that until the developer undergoes the Incidental Take Permitting process through the Fish and Wildlife Service, no new turbines could be approved by the agencies or constructed for the project. [n51](http://www.lexisnexis.com.ezproxy.baylor.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1344988943875&returnToKey=20_T15322965001&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.221529.4818699054" \l "n51)¶ The Beech Ridge case was the first wind farm conflict decided under the Endangered Species Act, and demonstrates the need for federal agencies to actively oversee the development of wind farms. [n52](http://www.lexisnexis.com.ezproxy.baylor.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1344988943875&returnToKey=20_T15322965001&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.221529.4818699054" \l "n52) In order to avoid costly litigation at every turn, the Beech Ridge holding shows that the myriad of federal agencies involved in approving wind farms must develop comprehensive standardized siting and permitting criteria. While the Fish [\*331] and Wildlife Service has been spearheading a collaborative effort to develop wind farm guidelines, only draft voluntary siting guidelines have been published. [n53](http://www.lexisnexis.com.ezproxy.baylor.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1344988943875&returnToKey=20_T15322965001&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.221529.4818699054" \l "n53)¶ The two most noteworthy examples of environmental groups opposing wind farms, differ dramatically in terms of location, technology, rationale of opposition, and timing. However, in both cases the wind developer has continued to press forward with development and operations. The first case involves the Altamont Pass, located just east of the San Francisco Bay Area, which was a massive experiment in wind energy begun in the 1970s. [n54](http://www.lexisnexis.com.ezproxy.baylor.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1344988943875&returnToKey=20_T15322965001&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.221529.4818699054" \l "n54) The second case involves the Cape Wind project, which is more modest in size, but located in a high-visibility area of Nantucket Sound. [n55](http://www.lexisnexis.com.ezproxy.baylor.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1344988943875&returnToKey=20_T15322965001&parent=docview&target=results_DocumentContent&tokenKey=rsh-20.221529.4818699054" \l "n55) The projects are instructive as to the broad range of claims opponents have levied against wind farms. Both cases have directly and indirectly driven a host of solutions to the environmental and local problems generated by wind farms.

#### The environmental vote will decide the election

Lehrer, 12

(Eli, "How Mitt Romney can win the environmental vote", 6/11, Huffington Post,¶ http://rstreet.org/op-ed/how-mitt-romney-can-win-the-environmental-vote/-http://rstreet.org/op-ed/how-mitt-romney-can-win-the-environmental-vote/

Since the (few) positives in Obama’s record and the incumbency are unalterable, the Romney camp can only win by shaving parts of Obama’s base.¶ And environmentalists are one place big place where it could work. Stanford University researchers have found that about 38 million Americans care a lot about the environment and might vote on it. Assuming that environmental voters turn out at roughly the same rate as other citizens who can vote, this means that somewhere between 15% and 19% of the electorate will vote partly on environmental issues.¶ Although there’s no current, detailed polling, it’s likely that Obama currently stands to get around 75% of this group — taking 50% of it would probably be enough to put Romney over the top. So how can he do it?

#### China label kills relations and the economy

Roach 8-28

Stephen is a lecturer at Yale University’s School of Management and Jackson Institute for International Affairs. He is also a Senior executive with Morgan Stanley, “How Romney Could go Wrong from Day 1,” <http://www.ft.com/intl/cms/s/0/c74802de-f0f9-11e1-89b2-00144feabdc0.html#axzz25ue916Yz>

True to his word as a candidate, a few hours after taking office as US president on January 20, 2013, Mitt Romney issued his first executive order, declaring China guilty of currency manipulation. In accordance with the Omnibus Trade and Competitiveness Act of 1988, President Romney’s act triggered immediate negotiations between US and Chinese officials. But the negotiations stalled and both parties blamed the other in press releases.¶ In early February, in his first State of the Union address, Mr Romney said: “Enough is enough. It is high time for China to play by our rules.” Congress roared its approval and within a week, overwhelming bipartisan majorities of both houses passed the Defend America Trade Act of 2013. Modelled on the currency manipulation “remedies” of countervailing tariffs first proposed in 2005, DATA was signed into law on President’s Day, February 18 2013. China was quickly deemed to be in violation of the new statute.¶ More¶ At that point negotiations took on a new urgency. But the new leaders in both countries were in no mood for compromise and the talks failed. In accordance with the provisions of DATA, Washington slapped immediate tariffs of 20 per cent on all Chinese products entering the US.¶ As plants shut down across China, Beijing declared this to be an act of economic war and filed a complaint with the World Trade Organization. Li Keqiang, newly installed as premier, announced after the National People’s Congress in March that China had no patience to endure a WTO dispute process that could take anywhere from two to five years to run its course.¶ China’s Ministry of Commerce then announced retaliatory tariffs of 20 per cent on all US exports to China. This hit growth-starved America right between the eyes. With $104bn of American-made goods sold in Chinese markets in 2011, China had become the US’s third-largest and its fastest-growing export market. To add insult to injury, China-dependent Walmart announced average price increases of 5 per cent. Other retailers followed suit. Talk of stagflation was in the air and hard-pressed American consumers hunkered down further.¶ US financial markets swooned. The stock market was hit by pressures on profit margins, growth and inflation. The bond market was also unnerved by the realisation that the Federal Reserve was seriously behind the curve. With good reason. After its meeting in June 2013, the Fed reaffirmed its ever-extending commitment to keep its benchmark policy rate near zero through 2015, and even dangled the possibility of yet another round of quantitative easing, QE4. Yields on 10-year Treasuries moved back above 4 per cent and stocks fell sharply further.¶ Feeling the heat from financial markets, Washington turned up the heat on China. Mr Romney called Congress back from its Independence Day holiday into a special session. By unanimous consent, Congress passed an amendment to DATA – upping the tariffs on China by another 10 percentage points.¶ At that point an indignant China turned to its own version of the big bazooka. The biggest foreign buyer of US debt was nowhere to be seen at the Treasury’s August 2013 auction. Long-term interest rates spiked and within weeks yields on 10-year Treasuries hit 7 per cent. The dollar plunged and the US stock market went into free fall.¶ Just like that, the so-called exorbitant privilege of the haven asset vanished. When asked at a press conference why China would willingly engage in actions that would undermine the value of more than $2tn in Treasuries and other dollar-based holdings, Zhou Xiaochuan, retiring governor of the People’s Bank of China, said: “This is not about risk-adjusted portfolio returns. We are defending our people against an act of economic war.”¶ By the autumn of 2013 there was little doubt of the severity of renewed recession in the US. Trade sanctions on China had backfired. Beleaguered American workers paid the highest price of all, as the unemployment rate shot back up above 10 per cent. A horrific policy blunder had confirmed that there was no bilateral fix for the multilateral trade imbalance of a savings-starved US economy.¶ In China, growth had slipped below the dreaded 6 per cent threshold and the new leadership was rolling out yet another investment stimulus for a still unbalanced and unstable Chinese economy. As the global economy slipped back into recession, the Great Crisis of 2008-09 suddenly looked like child’s play. Globalisation itself hung in the balance.¶ History warns us never to say never. We need only look at the legacy of US Senator Reed Smoot and Representative Willis Hawley, who sponsored the infamous Tariff Act of 1930 – America’s worst economic policy blunder. Bad dreams can – and have – become reality.

#### Economic decline causes nuclear war

Harris and Burrows, 09 –

PhD in European History @ Cambridge and Counselor of the US National Intelligence Council AND Member of the National Intelligence Council’s Long Range Analysis Unit (Mathew J. and Jennifer, “Revisiting the Future: Geopolitical Effects of the Financial Crisis,” April, Washington Quarterly, <http://www.twq.com/09april/docs/09apr_Burrows.pdf>)

Of course, the report encompasses more than economics and indeed believes the future is likely to be the result of a number of intersecting and interlocking forces. With so many possible permutations of outcomes, each with ample Revisiting the Future opportunity for unintended consequences, there is a growing sense of insecurity. Even so, history may be more instructive than ever. While we continue to believe that the **Great Depression** is not likely to be repeated, the **lessons** to be drawn from that period **include the harmful effects on** **fledgling** **democracies** and multiethnic societies (think Central Europe in 1920s and 1930s) **and** on the sustainability of **multilateral institutions** (think League of Nations in the same period). **There is no reason to think that this would not be true in the twenty-first** as much as in the twentieth **century.** For that reason, the ways in which **the potential for greater conflict could grow** would seem to be even more apt **in a** constantly **volatile economic environment** as they would be if change would be steadier. In surveying those risks, the report stressed the likelihood that terrorism and nonproliferation will remain priorities even as resource issues move up on the international agenda. **Terrorism**’s appeal **will decline if** economic **growth continues** in the Middle East and youth unemployment is reduced. For those terrorist groups that remain active in 2025, however, the **diffusion of technologies** and scientific knowledge **will place** some of **the world’s most dangerous capabilities within their reach**. Terrorist groups in 2025 will likely be a combination of descendants of long established groups\_inheriting organizational structures, command and control processes, and training procedures necessary to conduct sophisticated attacks and newly emergent collections of the angry and disenfranchised that become self-radicalized, particularly in the absence of economic outlets that would become narrower in an economic downturn. The most dangerous casualty of any economically-induced drawdown of U.S. military presence would almost certainly be the Middle East. Although Iran’s acquisition of nuclear weapons is not inevitable, worries about a nuclear-armed Iran could lead states in the region to develop new security arrangements with external powers, acquire additional weapons, and consider pursuing their own nuclear ambitions. It is not clear that the type of stable deterrent relationship that existed between the great powers for most of the Cold War would emerge naturally in the Middle East with a nuclear Iran. Episodes of low intensity **conflict** and terrorism taking place under a nuclear umbrella **could lead to an unintended escalation** and broader conflict if clear red lines between those states involved are not well established. The close **proximity of** potential **nuclear rivals** combined with underdeveloped surveillance capabilities and mobile dual-capable Iranian missile systems also will produce inherent difficulties in achieving reliable indications and warning of an impending nuclear attack. The lack of strategic depth in neighboring states like Israel, short warning and missile flight times, and uncertainty of Iranian intentions **may place more focus on preemption** rather than defense, potentially **leading to escalating crises**. 36 Types of **conflict** that the world continues to experience, such as **over resources, could reemerge,** particularly if protectionism grows and there is a resort to neo-mercantilist practices. **Perceptions of renewed energy scarcity** will drive countries to take actions to assure their future access to energy supplies. In the worst case, this **could result in interstate conflicts** if government leaders deem assured access to energy resources, for example, to be essential for maintaining domestic stability and the survival of their regime. Even actions short of war, however, will have important geopolitical implications. Maritime security concerns are providing a rationale for naval buildups and modernization efforts, such as China’s and India’s development of blue water naval capabilities. If the fiscal stimulus focus for these countries indeed turns inward, one of the most obvious funding targets may be military. Buildup of regional naval capabilities could lead to increased tensions, rivalries, and counterbalancing moves, but it also will create opportunities for multinational cooperation in protecting critical sea lanes. With water also becoming scarcer in Asia and the Middle East, **cooperation** to manage changing water resources **is** likely to be increasingly **difficult** both within and between states **in a** more **dog-eat-dog world.**

### 1NC Generic

#### CP text: the 50 States and all relevant Territories should enter into a compact that requires all signatories to accept all liability imposed by the Comprehensive Environmental Response, Compensation, and Liability Act for the production and construction of wind projects on Brownfields.

**The Compact should collect revenue via a Clean Energy Community Finance Initiative.**

#### Federal support not needed for wind power growth – state policies are more important.

Ronald H. Rosenberg 9, \*Associate Dean of Academic Affairs, Chancellor Professor of Law, William and Mary Law School (North Dakota LR, http://web.law.und.edu/lawreview/issues/web\_assets/pdf/85/85-4/85NDLR781.pdf)

This article will concentrate on the third element necessary for the future growth of wind power—government policy support. Much attention has been focused on recent advances and potential future measures to promote federal energy law and policy suggesting the primacy of the federal government in the energy field. While federal initiatives and resources are certainly important, they do not represent the exclusive, nor necessarily the most important, energy policy initiatives taken to date. This emphasis on federal action also ignores the reality that the states have taken the lead over the past three decades in devising a wide range of programs and policies that have successfully promoted renewable energy and wind power development. Using the metaphor from Justice Louis D. Brandeis’s famous dissent from New State Ice Co. v. Liebmann,22 the states have truly been “laborator[ies]” for novel policy experiments when it has come to encouraging “green” power through a variety of regulatory and subsidy mechanisms.23 In the absence of a sweeping federally preemptive law, the states, as the partners in federalism with the national government, retain their freedom to choose their own policies regarding energy supply and consumption within their jurisdictions.24 Within our multi-tiered system of governance, coordination to reach national policy objectives can be difficult to achieve due to differing policy preferences, to the uneven distribution of authority, and to the uncertainty surrounding the boundaries between the policies of different governmental units. Harmonious integration of governmental policy at all levels will be a necessary condition for the longterm development of wind power in America.

#### Compacts solve faster than the federal government

Mountjoy ‘01

John is a policy analyst with the council of State Governments, “Interstate Compacts Make a Comeback,” Spring <http://www.csg.org/knowledgecenter/docs/ncic/Comeback.pdf>

Some may question the need for interstate compacts to address multi-state policy issues. Why **¶** not leave such regulation to the feds? **¶** “Interstate compacts help us maintain state control,” said Gary McConnell, director of the ¶ Georgia Emergency Management Agency. ¶ During his 10 years as GEMA director, McConnell has played an instrumental role in developing ¶ and promoting a successful interstate compact —the Emergency Management Assistance ¶ Compact, or EMAC. EMAC allows state emergency management agencies to cooperate and ¶ share resources in the event of natural and man-made disasters. ¶ “We can go to the federal government for all kinds of help when natural disasters strike, but the **¶** states [cooperating under an interstate compact] can provide specific resources quicker, which **¶** are likely to be problem specific,” McConnell said. “It’s less bureaucratic, and it’s far cheaper. ¶ It’s easier for us under EMAC to obtain resources from surrounding states than it is to use ¶ federal assistance, which we’d end up having to pay more for anyway. I suspect this is the case **¶** with many other interstate compacts as well.” **¶** “States are rediscovering that they have the power to address their own problems better than the **¶** federal government,” said Rick Masters, The Council of State Governments’ legal counsel and ¶ special counsel for interstate compacts. ¶ CSG, which has tracked interstate compacts for more than 40 years, maintains a clearinghouse of ¶ compact information. More recently, CSG helps administer EMAC and is facilitating the update ¶ of the Interstate Compact for Adult Offender Supervision and the Interstate Compact on ¶ Juveniles. Article I, Section 10, Clause 3 of the U.S. Constitution laid the legal foundation for interstate ¶ compacts: “No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep ¶ Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another ¶ State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent ¶ Danger as will not admit of delay.” Compacts actually preceded the Constitution, having been ¶ used in colonial times to resolve boundary disputes between colonies. ¶ Prior to the 1920s, interstate compacts were typically bi-state agreements, addressing boundary ¶ disputes and territorial claims. In fact, only 36 interstate compacts were formed between 1783 ¶ and 1920. It is only in this century that states have turned to interstate compacts to facilitate ¶ cooperative solutions to multi-state problems. ¶ After a lull in the late 1970s and early 1980s, interstate compacts are beginning to enjoy a ¶ resurgence. Since the early 1990s, states have initiated or updated several high-profile compacts. ¶ Examples include EMAC, the Interstate Compact on Industrialized/Modular Buildings and the ¶ Interstate Insurance Receivership Compact. Interstate compacts can set the framework for cooperative solutions to today’s cross-state ¶ challenges, from policing drugs to supplying energy or controlling sprawl. ¶ “Issues within the states are becoming more complex and aren’t confined by state boundaries. As ¶ a result, solutions are becoming multi-state as well. Compacts are the only tool that is truly ¶ adequate for addressing these multi-state issues,” said Bill Voit, senior project director at The ¶ Council of State Governments. ¶ An example is an interstate compact being considered to facilitate taxation of e-commerce. ¶ Opponents of Internet taxation claim that it would be virtually impossible for online vendors to ¶ comply with the complex, often confusing system of state and local sales and use taxes. Since ¶ Internet sales are expected to reach $184 billion annually by 2004, states have a vested interest in ¶ breaking down this and other barriers to taxing online transactions. ¶ Congress currently is considering the Internet Tax Moratorium Equity Act (S. 512) to help states ¶ simplify their sales and use taxes, in part by authorizing states to enter into an Interstate Sales ¶ and Use Tax Compact. The compact would create a “uniform, streamlined sales and use tax ¶ system,” convenient to remote sales. ¶ At least 18 states are considering the model streamlined sales tax legislation in 2001. Kentucky, ¶ South Dakota, Utah and Wyoming already have signed bills into law. ¶ Existing interstate compacts, many drafted in the 1930s, 1940s and 1950s, are ripe for ¶ amendment and revision. Technology and the Internet now make the sharing of information ¶ seamless and immediate, yet several interstate compacts are plagued by inadequate ¶ administration. ¶ “Not only do we see the development of new compacts, but we are seeing the re-examination of ¶ existing compacts…revising them to keep pace with our changing world,” Masters said. ¶ Developed in 1937, the Interstate Compact for the Supervision of Parolees and Probationers is ¶ one example of a compact in need of update. Adopted by all 50 states, the compact regulates the ¶ movement of parolees and probationers across state lines. The burgeoning offender population ¶ and the ease with which offenders now can travel have created several problems for the compact, ¶ including: frequent violations of compact rules, inability to enforce compliance, difficulty in ¶ creating new rules and slow, unreliable exchange of case information. ¶ The antiquated compact needed a replacement that would provide states the authority, ¶ enforcement tools and resources to adequately track and ensure supervision of parolees and ¶ probationers. ¶ The new interstate compact, the Interstate Compact for Adult Offender Supervision, provides ¶ these solutions. The new compact includes mechanisms for enforcement, accountability, resource provision, information sharing and state-to-state cooperation. Currently, the compact ¶ has been introduced in 39 states and enacted in 18. ¶ Just as technology can smooth the operation of interstate compacts, alternative dispute resolution ¶ techniques can increase their self-sufficiency. Enforcement tools within interstate compacts need ¶ to utilize more of the mediation and arbitration services that have proven successful throughout ¶ state government. By developing additional self-contained enforcement mechanisms, compact ¶ members would not need to rely solely on the crowded docket of the U.S. Supreme Court. ¶ States should further utilize interstate compacts to address new problems and create new **¶** methods of interstate cooperation. If not, federal preemption in certain policy areas is a distinct **¶** possibility.

### Shell

#### BROWNFIELDS ARE JUST A BENEVOLENT GUISE FOR URBAN REDEVELOPMENT FOR CORPORATE PROFIT.

Wilson and butler 2k2

[Daniel and tara, the new market frontier: unlocking community capitalism through Brownfields Redevelopment, brownfields a comprehensive guide to redeveloping contaminated property]

The architect is a designer, coalition builder, problem solver, mediator, advocate, and planner. He or she is trained to overcome problems and incorporate the needs and resources of the community into a design proposal.¶ As illustrated in the case studies presented in this chapter, architects rel-¶ ish the design challenges and rewards of revitalizing urban brownfields sites.¶ According to Mayor Harvey Johnson of Jackson, Mississippi, the "impact of¶ brownfields is not just on that one parcel of land, but on the surrounding¶ neighborhoods as well. These sites need to be cleaned up, redeveloped, and¶ put back into productive use." Architects across the nation echo this call. By converting these former industrial sites to differing uses, such as parks, shopping areas, learning centers, and housing, we are investing not only in marketable real estate, but in the most valuable resource of all—our communities.**¶** Brownfields are untapped resources that hold a wealth of opportunity.¶ Often in central urban locations with costly infrastructure already in place,¶ brownfields are diamonds in the rough. Brownfields redevelopment "taps¶ the hidden value of extensive roads, streets, and other utilities that are¶ already in place to serve the next generation of business development."1 . In a time when our nation is searching for solutions to suburban sprawl,¶ these urban sites are the new market frontier bursting with community capitalism.2 When combined with intelligent planning, community involvement,¶ entrepreneurial spirit, and a clear vision, brownfields sites can be transformed**¶** from environmentally contaminated landscapes to thriving urban meccas.

#### This drive to accumulate is the root cause of exploitation, imperialism, war and eco-doom – threatens our extinction

Foster 07 **(John Bellamy, University of Oregon, “The Ecology of Destruction,” MONTHLY REVIEW, February 2007,** www.monthlyreview.org/0207jbf.htm, accessed 3-27-08.)

My intention here is not of course to recount Pontecorvo’s entire extraordinary film, but to draw out some important principles from this allegory that will help us to understand capitalism’s relation to nature. Joseph Schumpeter once famously praised capitalism for its “creative destruction.”2 But this might be better seen as the system’s destructive creativity. Capital’s endless pursuit of new outlets for class-based accumulation requires for its continuation the destruction of both pre-existing natural conditions and previous social relations. Class exploitation, imperialism, war, and ecological devastation are not mere unrelated accidents of history but interrelated, intrinsic features of capitalist development. There has always been the danger, moreover, that this destructive creativity would turn into what István Mészáros has called the “destructive uncontrollability” that is capital’s ultimate destiny. The destruction built into the logic of profit would then take over and predominate, undermining not only the conditions of production but also those of life itself. Today it is clear that such destructive uncontrollability has come to characterize the entire capitalist world economy, encompassing the planet as a whole.3

#### The Alternative is to Reject the Aff.

#### ECOLOGICAL CATASTROPHE NECESSITATES REJCTING MINOR FIXES TO ECOLOGICAL EXPLOITATION IN ORDER TO ENSURE SURVIVAL.

Foster 2k11

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In the twenty-first century it is customary to view the rise of planetary ecological problems as a surprising development scarcely conceivable prior to the last few decades. It is here, however, that we have the most to learn from the analysis of nineteenth-century thinkers who played a role in the development of ecology, including both early ecological scientists and classical historical materialists. Science has long warned of the negative, destructive side of the human transformation of the earth—a warning which the system, driven by its own imperatives, has continually sought to downplay. Indeed, what distinguishes our time from earlier centuries is not so much the conservation of catastrophe, which has long been recognized, but rather the accelerated pace at which such destruction is now manifesting itself, i.e., what I am calling the accumulation of catastrophe. The desertification arising in pre-capitalist times, partly through human action, manifested itself over centuries, even millennia. Today changes in the land, the atmosphere, the oceans, indeed the entire life-support system of the earth, are the product of mere decades. If in the past, Darwin was struck that in a mere three centuries after European colonization, the ecology of the island of St. Helena had been destroyed to the point that it was reduced to “desert”—today, in only two generations, we have altered the biogeochemical processes of the entire planet.28The absence of a historical perspective on the conservation, even accumulation, of catastrophe is a major barrier to needed change in our time. Many environmentalists, including some who perceive themselves as being on the left, persist in believing that we can address our immense and growing ecological problems without altering our fundamental social-production relationships. All that is necessary in this view is the combined magic of green technology and green markets. Short-term fixes are presumed to be adequate solutions, while society remains on the same essential course as before. Indeed, the dominant perspective on ecology can be characterized, I believe, as consisting of three successive stages of denial: (1) the denial altogether of the planetary ecological crisis (or its human cause); (2) the denial that the ecological crisis is fundamentally due to the system of production in which we live, namely capitalism; and (3) the denial that capitalism is constitutionally incapable of overcoming this global ecological threat—with capital now being presented instead as the savior of the environment.The first stage of ecological denial is easy to understand. This is the form of denial represented by Exxon-Mobil. Such outright denial of the destructive consequences of their actions is the automatic response of corporations generally when faced with the prospect of environmental regulations, which would negatively affect their bottom lines. It is also the form of absolute denial promoted by climate-change denialists themselves, who categorically reject the reality of human agency in global climate change. The second stage of denial, a retreat from the first, is to admit there is a problem,while dissociating it from the larger socioeconomic system. The famous IPAT formula, i.e. Environmental Impact = Population x Consumption x Technology (which amounts to saying that these are the three factors behind our environmental problems/solutions), has been used by some to suggest that population growth, the consumption habits of most individuals, and inappropriate technology carry the totality of blame for environmental degradation. The answer then is sustainable population, sustainable consumption, and sustainable technology. This approach, though seemingly matter-of-fact, and deceptively radical, derives its acceptability for the vested interests from the fact that it generally serves to disguise the more fundamental reality of the treadmill of capitalist production itself.29 The third stage of denial, a last-ditch defense, and exhibiting a greater level of desperation on the part of the established order, is, I would argue, the most dangerous of all. It admits that the environmental crisis is wrapped up with the existence of capitalism, but argues that what we need is an entirely new kind of capitalism: variously called “sustainable capitalism,” “green capitalism,” “natural capitalism,” and “climate capitalism” by thinkers as various as Al Gore, Paul Hawken, Amory and L. Hunter Lovins, and Jonathon Porritt.30 The argument here varies but usually begins with the old trope that capitalism is the most efficient economic system possible—a form of “spontaneous order” arising from an invisible hand—and that the answer to ecological problems is to make it more efficient still by internalizing costs on the environment previously externalized by the system. Aside from the presumed magic of the market itself, and moral claims as to “the greening of corporations,” this is supposed to be achieved by means of a black box of technological wonders. Implicit in all such views is the notion that capitalism can be made sustainable, without altering its accumulation or economic growth imperative and without breaking with the dominant social relations. The exponential growth of the system ad infinitum is possible, we are told, while simultaneously generating a sustainable relation to the planet. This of course runs up against what Herman Daly has called the Impossibility Theorem: If the whole world were to have an ecological footprint the size of the United States we would need multiple planets.31 The idea that such a development process can persist permanently on a single planet (and indeed that we are not at this point already confronting earthly limits) is of course an exercise in delusion, bordering on belief in the supernatural. “Capitalism,” as the great environmental economist K. William Kapp once wrote, is “an economy of unpaid costs.”32 It can persist and even prosper only insofar as it is able to externalize its costs on the mass of the population and the surrounding environment. Whenever the destruction is too severe the system simply seeks to engineer another spatial fix. Yet, a planetary capitalism is from this standpoint a contradiction in terms: it means that there is nowhere finally to externalize the social and environmental costs of capitalist destruction (we cannot ship our toxic waste into outer space!), and no external resources to draw upon in the face of the enormous squandering of resources inherent to the system (we can’t solve our problems by mining the moon!).Market-based solutions to climate change, such as emissions trading, have been shown to promote profits, and to facilitate economic growth and financial wealth, while increasing carbon emissions. From an environmental standpoint, therefore, they are worse than nothing—since they stand in the way of effective action. Nor are the technologies most acceptable to the system (since not requiring changes in property relations) the answer. So-called “clean coal” or carbon capture and storage technologies are economically unfeasible and ecologically dubious, and serve mainly as an ideological justification for keeping coal-fired plants going. Worse still, are geoengineering schemes like dumping sulfur particles in the atmosphere or iron filings in the ocean (the first in order to deflect the sun’s rays, the second in order to promote algal growth to increase ocean absorption of carbon). These schemes carry with them the potential for even greater ecological disasters: in the first case, this could lead to a reduction of photosynthesis, in the second the expansion of dead zones. Remember the Sorcerer’s Apprentice!33 The potential for the accumulation of catastrophe on a truly planetary level as a result of geoengineering technology is so great that it would be absolute folly to proceed in this way—simply in order to avoid changes in the mode of production, i.e., a fundamental transformation of our way of life, property relations, and metabolism with nature. Science tells us that we are crossing planetary boundaries everywhere we look, from climate change, to ocean acidification, to species destruction, to freshwater shortages, to chemical pollution of air, water, soil, and humans. The latest warning sign is the advent of what is called “extreme weather”—a direct outgrowth of climate change. As Hansen says: “Global warming increases the intensity of droughts and heat waves, and thus the area of forest fires. However, because a warmer atmosphere holds more water vapor, global warming must also increase the intensity of the other extreme of the hydrologic cycle—meaning heavier rains, more extreme floods, and more intense storms driven by latent heat.” Scientists involved in the new area of climate-attribution science, where extreme weather events are examined for their climate signatures, are now arguing that we are rapidly approaching a situation where the proverbial “‘hundred-year’ flood” no longer occurs simply once a century, but every few years. Natural catastrophes are thus likely to become more severe and more frequent occurrences in the lives of all living beings. The hope of some scientists is that this will finally wake up humanity to its true danger.34 How are we to understand the challenge of the enormous accumulation of catastrophe, and the no less massive human action required to address this? In the 1930s John Maynard Keynes wrote an essay entitled “Economic Possibilities of Our Grandchildren,” aimed at defending capitalism in response to revolutionary social challenges then arising. Keynes argued that we should rely for at least a couple more generations on the convenient lie of the Smithian invisible hand—accepting greed as the basis of a spontaneous economic order. We should therefore continue the pretense that “fair is foul and foul is fair” for the sake of the greater accumulation of wealth in society that such an approach would bring. Eventually, in the time of our “grandchildren”—maybe a “hundred years” hence (i.e., by the early 2030s)—Keynes assumed, the added wealth created by these means would be great enough that we could begin to tell the truth: that foul is foul and fair is fair. It would then be necessary for humanity to address the enormous inequalities and injustices produced by the system, engaging in a full-scale redistribution of wealth, and a radical transformation of the ends of production.35 Yet, the continued pursuit of Keynes’s convenient lie over the last eight decades has led to a world far more polarized and beset with contradictions than he could have foreseen. It is a world prey to the enormous unintended consequences of accumulation without limits: namely, global economic stagnation, financial crisis, and planetary ecological destruction. Keynes, though aware of some of the negative economic aspects of capitalist production, had no real understanding of the ecological perils—of which scientists had already long been warning. Today these perils are impossible to overlook. Faced with impending ecological catastrophe, it is more necessary than ever to abandon Keynes’s convenient lie and espouse the truth: that foul is foul and fair is fair. Capitalism, the society of “après moi le déluge!” is a system that fouls its own nest—both the human-social conditions and the wider natural environment on which it depends. The accumulation of capital is at the same time accumulation of catastrophe, not only for a majority of the world’s people, but living species generally. Hence, nothing is fairer—more just, more beautiful, and more necessary—today than the struggle to overthrow the regime of capital and to create a system of substantive equality and sustainable human development; a socialism for the twenty-first century.

### Generic Picking Winners

#### Picking winners bad—distorts the market, causes trade-offs and deters private capital

Veronique de Rugy 6/19/2012 (Senior research fellow at the Mercatus Center, "Assessing the Department of Energy Loan Guarantee Program" mercatus.org/publication/assessing-department-energy-loan-guarantee-program)

This government involvement can *distort the market signals further*. For instance, the data shows that private investors tend to congregate toward government guarantee projects, independently of the merits of the projects, *taking capital away from unsubsidized projects that have a better probability of success* without subsidy and a more viable business plan. As the Government Accountability Office noted, “Guarantees would make projects [the federal government] assists financially more attractive to private capital than conservation projects not backed by federal guarantees. Thus both its loans and its guarantees will *siphon private capital away*.”[25] This reallocation of resources by private investors away from viable projects may even *take place within the same industry—that is, one green energy project might trade off with another, more viable green energy project.* More importantly, once the government subsidizes a portion of the market, the object of the subsidy becomes a safe asset. Safety in the market, however, often means low return on investments, which is likely to *turn venture capitalists away*. As a result, *capital investments will likely dry out and innovation rates will go down*.[26] In fact, the data show that in cases in which the federal government introduced few distortions, private investors were *more than happy to take risks and invest* their money even in projects that required high initial capital requirements. The Alaska pipeline project, for instance, was privately financed at the cost of $35 billion, making it one of the most expensive energy projects undertaken by private enterprise.[27] The project was ultimately abandoned in 2011 because of weak customer demand and the development of shale gas resources outside Alaska.28 However, this proves that the private sector invests money even when there is a chance that it could lose it. Private investment in U.S. clean energy totaled $34 billion in 2010, up 51 percent from the previous year.[29] Finally, when the government *picks winners and losers in the form of a technology or a company, it often fails*. First, the government does not have perfect or even better information or technology advantage over private agents. In addition, *decision-makers are insulated from market signals* and won’t learn important and necessary lessons about the technology or what customers want. Second, the resources that the government offers are so addictive that companies may *reorient themselves away from producing what customers want, toward pleasing the government officials*.

#### Causes crowd-out—decreases domestic investments and innovations

Veronique de Rugy 6/19/2012 (Senior research fellow at the Mercatus Center, "Assessing the Department of Energy Loan Guarantee Program" mercatus.org/publication/assessing-department-energy-loan-guarantee-program

4. *Crowding Out* To some (for example, those lucky enough to receive the loan guarantee), government money may seem to be free. But it isn’t, of course. The government has to borrow the money on the open market too. This additional borrowing comes from Americans’ savings, as does the money that Americans invest in the private sector’s growth. There comes a point when there just *aren’t enough savings to satisfy both masters*. In other words, when government runs a deficit to finance its preferred projects, it can affect private sector access to capital, and *lead to a reduction in domestic investment*. Economists use the term “crowding out” to describe the contraction in economic activity associated with deficit- financed spending.[30] In addition, the competition between public and private borrowing *raises interest rates for all borrowers*, including the government, making it *more expensive for domestic investors to start or complete projects*. Over time, this could mean that American companies will build fewer factories, cut back on research and development, and *generate fewer innovations*. As a result, our nation’s future earning prospects will dim, and our future living standards could suffer.

### Case

#### Debates about ontology are irrelevant to real world policy debates – pragmatism is more effective at facilitating social change

David McClean. 2001. philosopher, writer and business consultant, conducted graduate work in philosophy at NYU. “The cultural left and the limits of social hope” http://www.american-philosophy.org/archives/past\_conference\_programs/pc2001/Discussion%20papers/david\_mcclean.htm

There is a lot of philosophical prose on the general subject of social justice. Some of this is quite good, and some of it is quite bad. What distinguishes the good from the bad is not merely the level of erudition. Displays of high erudition are gratuitously reflected in much of the writing by those, for example, still clinging to Marxian ontology and is often just a useful smokescreen which shrouds a near total disconnect from empirical reality. This kind of political writing likes to make a lot of references to other obscure, jargon-laden essays and tedious books written by other true believers - the crowd that takes the fusion of Marxian and Freudian private fantasies seriously. Nor is it the lack of scholarship that makes this prose bad. Much of it is well "supported" by footnotes referencing a lode of other works, some of which are actually quite good. Rather, what makes this prose bad is its utter lack of relevance to extant and critical policy debates, the passage of actual laws, and the amendment of existing regulations that might actually do some good for someone else. The writers of this bad prose are too interested in our arrival at some social place wherein we will finally emerge from our "inauthentic" state into something called "reality." Most of this stuff, of course, comes from those steeped in the Continental tradition (particularly post-Kant). While that tradition has much to offer and has helped shape my own philosophical sensibilities, it is anything but useful when it comes to truly relevant philosophical analysis, and no self-respecting Pragmatist can really take seriously the strong poetry of formations like "authenticity looming on the ever remote horizons of fetishization." What Pragmatists see instead is the hope that we can fix some of the social ills that face us if we treat policy and reform as more important than Spirit and Utopia.

#### World War II proves that attempting to predict the impact of a particular ontology is futile – it cannot explain why modernity produced varying responses to the conflict within the same population from genocidal nationalist militarism to pacificsm.

#### Ontology has no political impact

Srnicek 09 [Nick, Ph.D Candidate in International Relations @ the London School of Economics, “Notes on Ontology and Politics,” http://accursedshare.blogspot.com/2009/01/some-notes-on-ontology-and-politics.html]

It seems to me that one of the most contentious and unremarked upon effects of speculative realism has to do with its attack on a piece of continental dogma – namely the presupposition that ontology is necessarily political. This idea is seen in any number of continental works, from Deleuze’s constructivism, to Derrida’s deconstructions of presence, to the social constructivists, gender and identity theorists, among others. The basic idea being that ontology is always constructed through a political battle, a conflict over what exists. In this regards, the contribution of continental work was to undermine the notion that what exists can be definitively determined in an essential way. The problem was that they went too far with this line of thought and tended (I say tended, because there are almost always exceptions) to deny the independence of ontology from politics. In many cases, ontology even became passé, a mere relic of classical philosophy. These ideas, unsurprisingly, came along necessarily with the general acceptance of correlationism – if we can’t speak or know of anything independent of its manifestation to us, then every thing is necessarily already wrapped up in our political relations. With speculative realism, however, this situation changes. The turn towards objects, towards the absolute, and towards the real as indifferent, all imply that ontology must be independent of politics. We can see this most clearly in Brassier’s work, I believe (although it is implicit in all of them). The relative absence of politics in Nihil Unbound stems partly from the belief that we can study ontology without having to be concerned about its political effects. The results of such a study, as in Brassier’s work, can be rather disconcerting for politics – what if there is no such thing as agency? – but this alone fails to discredit the arguments for such a position. So what does the separation of politics and ontology entail? A few hesitant and suggestive remarks might begin to make clear what precisely is at stake for any speculative realist politics... The separation entails, first of all, that an ontology cannot be validated in terms of its political effects. Part of Badiou’s greatness is undoubtedly to have rejuvenated the concept of the subject, but when judging his ontology, we have to do so while bracketing these political effects. Similarly, when studying the results of neuroscience and their political implications, we must be careful not to reject them simply because they don't accord with our fundamental beliefs about ourselves. If it turns out that we are no more than patterns of neurons firing, this is a reality whose effective truth holds sway regardless of our political desires. (As an aside, I think that such an idea needs to reject Levi's 'Principle of Irreduction', as there are scientific examples of entities being reduced to other entities. The basic argument against such a principle being that we can be mistaken about how the difference an entity makes, makes that difference.) The second effect is that we can no longer construct an ontology in order to achieve some political goal. We may wish to privilege difference as a counter to constricting identity formations, but we cannot justify this privileging with political arguments. Rather, properly philosophical arguments need to be marshaled in support of these ideas. (This raises the important question of whether philosophy can ever be distinguished from politics completely, but the linguistic intermingling of the two need not entail their necessary correlation outside of language.) A third and similar point is that an ontology cannot dictate a political program. Difference may be privileged, for example, but this can be taken in the direction of a capitalist individualism or the direction of undermining traditional power relations - a realist ontology will allow for a multitude of political projects to be spawned from it, without necessarily being liberating or progressive (or constraining or conservative). The fourth effect is a little more radical, I think. This is a renunciation of the tendency among continental theorists to place their political arguments in terms of ontology – I’m thinking here of things like Badiou and the uncounted, Rancière and the people, Deleuze and the minor, etc. The common thread being that the collective agency for political change is always determined in terms of its ontological status – what is inexistent, or uncounted, or unactualized. But political change need not require that something fundamentally new come into being. There can be real political progress made without having to generate ontological novelty. (I’ll also mention too that the faith in the New tends to be another continental political dogma. As though the New was necessarily progressive. While the New may be considered an ontological category, its political content is entirely underdetermined by ontological reasoning.)

#### Predictions are accurate enough and should be used as a basis for political action

Chernoff 2009. Fred, Prof. IR and Dir. IR – Colgate U., European Journal of International Relations, “Conventionalism as an Adequate Basis for Policy-Relevant IR Theory”, 15:1

For these and other reasons, many social theorists and social scientists have come to the conclusion that prediction is impossible. Well-known IR reflexivists like Rick Ashley, Robert Cox, Rob Walker and Alex Wendt have attacked naturalism by emphasizing the interpretive nature of social theory. Ashley is explicit in his critique of prediction, as is Cox, who says quite simply, ‘It is impossible to predict the future’ (Ashley, 1986: 283; Cox, 1987: 139, cf. also 1987: 393). More recently, Heikki Patomäki has argued that ‘qualitative changes and emergence are possible, but predictions are not’ defective and that the latter two presuppose an unjustifiably narrow notion of ‘prediction’.14 A determined prediction sceptic may continue to hold that there is too great a degree of complexity of social relationships (which comprise ‘open systems’) to allow any prediction whatsoever. Two very simple examples may circumscribe and help to refute a radical variety of scepticism. First, we all make reliable social predictions and do so with great frequency. We can predict with high probability that a spouse, child or parent will react to certain well-known stimuli that we might supply, based on extensive past experience. More to the point of IR prediction – scepticism, we can imagine a young child in the UK who (perhaps at the cinema) (1) picks up a bit of 19th-century British imperial lore thus gaining a sense of the power of the crown, without knowing anything of current balances of power, (2) hears some stories about the US–UK invasion of Iraq in the context of the aim of advancing democracy, and (3) hears a bit about communist China and democratic Taiwan. Although the specific term ‘preventative strike’ might not enter into her lexicon, it is possible to imagine the child, whose knowledge is thus limited, thinking that if democratic Taiwan were threatened by China, the UK would (possibly or probably) launch a strike on China to protect it, much as the UK had done to help democracy in Iraq. In contrast to the child, readers of this journal and scholars who study the world more thoroughly have factual information (e.g. about the relative military and economic capabilities of the UK and China) and hold some cause-and-effect principles (such as that states do not usually initiate actions that leaders understand will have an extremely high probability of undercutting their power with almost no chances of success). Anyone who has adequate knowledge of world politics would predict that the UK will not launch a preventive attack against China. In the real world, China knows that for the next decade and well beyond the UK will not intervene militarily in its affairs. While Chinese leaders have to plan for many likely — and even a few somewhat unlikely — future possibilities, they do not have to plan for various implausible contingencies: they do not have to structure forces geared to defend against specifically UK forces and do not have to conduct diplomacy with the UK in a way that would be required if such an attack were a real possibility. Any rational decision-maker in China may use some cause-and-effect (probabilistic) principles along with knowledge of specific facts relating to the Sino-British relationship to predict (P2) that the UK will not land its forces on Chinese territory — even in the event of a war over Taiwan (that is, the probability is very close to zero). The statement P2 qualifies as a prediction based on DEF above and counts as knowledge for Chinese political and military decision-makers. A Chinese diplomat or military planner who would deny that theory-based prediction would have no basis to rule out extremely implausible predictions like P2 and would thus have to prepare for such unlikely contingencies as UK action against China. A reflexivist theorist sceptical of ‘prediction’ in IR might argue that the China example distorts the notion by using a trivial prediction and treating it as a meaningful one. But the critic’s temptation to dismiss its value stems precisely from the fact that it is so obviously true. The value to China of knowing that the UK is not a military threat is significant. The fact that, under current conditions, any plausible cause-and-effect understanding of IR that one might adopt would yield P2, that the ‘UK will not attack China’, does not diminish the value to China of knowing the UK does not pose a military threat. A critic might also argue that DEF and the China example allow non-scientific claims to count as predictions. But we note that while physics and chemistry offer precise ‘point predictions’, other natural sciences, such as seismology, genetics or meteorology, produce predictions that are often much less specific; that is, they describe the predicted ‘events’ in broader time frame and typically in probabilistic terms. We often find predictions about the probability, for example, of a seismic event in the form ‘some time in the next three years’ rather than ‘two years from next Monday at 11:17 am’. DEF includes approximate and probabilistic propositions as predictions and is thus able to catagorize as a prediction the former sort of statement, which is of a type that is often of great value to policy-makers. With the help of these ‘non-point predictions’ coming from the natural and the social sciences, leaders are able to choose the courses of action (e.g. more stringent earthquake-safety building codes, or procuring an additional carrier battle group) that are most likely to accomplish the leaders’ desired ends. So while ‘point predictions’ are not what political leaders require in most decision-making situations, critics of IR predictiveness often attack the predictive capacity of IR theory for its inability to deliver them. The critics thus commit the straw man fallacy by requiring a sort of prediction in IR (1) that few, if any, theorists claim to be able to offer, (2) that are not required by policy-makers for theory-based predictions to be valuable, and (3) that are not possible even in some natural sciences.15 The range of theorists included in ‘reflexivists’ here is very wide and it is possible to dissent from some of the general descriptions. From the point of view of the central argument of this article, there are two important features that should be rendered accurately. One is that reflexivists reject explanation–prediction symmetry, which allows them to pursue causal (or constitutive) explanation without any commitment to prediction. The second is that almost all share clear opposition to predictive social science.16 The reflexivist commitment to both of these conclusions should be evident from the foregoing discussion.

#### Institutional checks on biopower can be effective

Nasser Hussain and Melissa Ptacek. 2000. Department of History, University of California, Berkeley, Law And Society Review, v34 n2.

Here once again we are forced to question Agamben's teleological mode of thought. Is this sovereign power represented in the concentration camps really a constitutive feature of sovereignty tout court? Even limiting ourselves to the remarks above, we can imagine a liberal critique of this position that asks from where come the limitations that Agamben concedes previous Weimar governments had observed. Surely, one does not have to accept in its entirety a normative liberal conception of sovereign power in order to appreciate that the demand for a factual accounting for the decision on the exception, and institutional checks upon the totalization of the space of exception, can nonetheless - at least in certain instances - be effective. Indeed, one could go further and suggest that a liberal theory of sovereign power understands full well the paradoxical relation between law and fact, norm and exception; and, precisely in light of such an understanding constructs an institutional system that cannot resolve the paradox but nonetheless attempts to prevent it from reaching an intensified and catastrophic conclusion. Given that Agamben is a nuanced and fair-minded thinker, one must wonder about why he largely ignores such a system. We think that one possible answer is that, just as for Agamben the source of the problem is not the institutional operation of sovereign power, but its object - bare life - so too the solution is not a proliferation of institutional safeguards but a rethinking of that mode of being. In this regard, we find his concluding musings on Heidigger to be suggestive.