### off

#### Reduce = bring to previous inferior state without cancelling

Words & Phrases: Perm Edition, 2002, vol 36A, p.80

Mass. 1905. Rev.Laws, c. 203, § 9, provides that, if two or more cases are tried together in the superior court, the presiding judge may "reduce" the witness fees and other costs, but "not less than the ordinary witness fees, and other costs recoverable in one of the cases" which are so tried together shall be allowed. Held that, in reducing the costs, the amount in all the cases together is to be considered and reduced, providing that there must be left in the aggregate an amount not less than the largest sum recoverable in any of the cases. The word "reduce," in its ordinary signification, does not mean to cancel, destroy, or bring to naught, but to diminish, lower, or bring to an inferior state.— Green v. Sklar, 74 N.E. 595, 188 Mass. 363.

OED 89 Oxford English Dictionary v13 2nd Ed “On”p431 reduce v.

4. a. To take back, refer (a thing) to its origin, author, etc.

#### Restrictions are regulatory prohibition

Words & Phrases 2004 v37A p410

N.D.Okla. 1939. "Restriction," as used in the statutes concerning restriction on alienation of lands inherited from deceased Osage allottees, is synonymous with "prohibition." Act April J8, 1912. §§ 6, 7, 37 Stat. 87, 88.—U.S. v. Mullendore, 30 F.Supp. 13, appeal dismissed 111 F.2d 898.— Indians 15(1).

Words & Phrases: Perm Edition, 2002, vol 36A, p414

N.II. 1938. As used in statute giving towns power to "regulate and restrict" buildings by zoning regulations, "regulation" is synonymous with "restrict" and "restrictions" are embraced in "regulations. Puh.Laws. 1926, c. 41. W A»-y\* r

#### “On” means dependent

OED 89 Oxford English Dictionary v10 2nd Ed “On”p792

1. g. In various elliptical and transferred uses, as (a) = Stationed on, at, or in charge of; (b) subsisting or dependent on; in the charge or care of; (c) on the list or staff of, employed on; (d) on an official list. e.g. on half-pay.

#### ‘For’ means a specific correlation with energy production

OED 89 Oxford English Dictionary v3 2nd Ed for (FBT(r),fe(r)), prep, and conj. Also 2 fer, 3 south, vor, Orm. forr..

VIII. Of correspondence or correlation. 24. Prefixed to the designation of a number or quantity to which another is stated to correspond in some different relation. (Cf. similar use of to.) 1399 LANGL. Rich. Redeles II, 42 For on pat \*e merkyd jc missed ten schore Of homeliche hertis. 1583 T. WATSON Centurie of Loue xcvii. (Arb.) 133 For cu'ry pleasure that in Loue is found, A thousand woes and more therein abound. 1674 N. Cox Genii. Recreat. v. (1686) d, I will undertake to shew any man Twenty other Hornet, lame .. for one Hunter. 1734 DE FOE Mem. Cavalier (1840) 255 They were.. twice our number in the whole; and their foot three for one. .806-7 J - BERESFOKD Miseries Hum. Life (1826) vi. xxxvii, It contains.. for one inch of lean four or five of stringy fat. 1887 L. CARROLL Game of Logic i. §3- 32 For one workable Pair of Premisses .. you will probably find five that lead to no Conclusion at all.

#### The plan abolishes a restriction by not specifying a replacement standard.

#### The plan targets a limitation that impedes energy production, but does not prohibit it.

#### The plan targets a restriction which does not depend on energy production – the restriction would have legal consequence even in cases where energy was not being produced.

#### Voting issue

**Extra topicality** – allowing a policy mix to includes extra topical elements undermines predictability – counterplan remedies overdetermine neg strategy – the topic as worded fails on sufficiency grounds – severance means negatives never win. And/or shell games amplify this:

**Words & Phrases, 2007** (Permanent Edition, 2007, vol 3A, p.220)

N.D.Cal. 1942. Under livestock transit policy covering livestock while stopped in transit at feeding station to comply with the law, but not while "stoppage and/or detention" are pursuant to direction of insured or his representative, and rider limiting liability for loss of lambs to period of 12 hours after arrival for feeding in transit yards, insurer was not liable for loss of lambs by fire in feeding in transit yard 25 hours after they were unloaded and after consignee changed their destination, on ground that it was necessary that the word "and" alone should be read into the phrase "and/or" and the "or" excluded. —McPherrin v. Hartford Fire Ins. Co., 44 F.Supp. 674.—Insurance 2160(3).

**Predictable Limits** – the topic could easily become “do anything to cause energy X” – nuclear energy alone is too big for preparation without limiting mechanisms for predictability. All energies have loan mechanisms with limitations in the SQ, so you can access each energy type without undermining educational depth in the mechanism debate. Our interp assures that the incentives are expanded in both size and scope to overcome uniqueness tricks and refocus debate on substance.

### off

#### Obama wins easily absent future events – conventions, combined data prove – counterspin is self interested

Bruce Bartlett. 9-7-12. Why Barack Obama Will Win the Election Easily

http://www.thefiscaltimes.com/Columns/2012/09/07/Why-Barack-Obama-Will-Win-the-Election-Easily.aspx#page2

Having failed rather spectacularly to correctly predict Mitt Romney’s running mate—I said it definitely would not be Paul Ryan less than 24 hours before he was picked -- I should probably avoid political predictions for a while. But as all those who make their livings in the prediction business know, the secret to success is to make so many of them that a few are bound to be right. That said, I’m going to go out on a limb and predict that Barack Obama will win the election easily, at least in the all-important Electoral College. I have thought so for some time, but wanted to wait and see if the party conventions changed the political dynamics. They have; they have made me more certain of Obama’s victory. Pollster Nate Silver has done an excellent job of assembling all of the known political data on where the presidential race stood as of Wednesday. His analysis leads him to project that Obama will beat Romney 51.2 percent to 47.6 percent in the popular vote, and 311 to 227 in the Electoral College where only 270 votes are needed to win. Overall, Silver gives Obama a 76 percent chance of winning the election. Those who don’t follow the data intensively can be forgiven for not knowing what good shape Obama is in, because it is rarely reported in the mainstream media. There is a simple reason for this: it has a huge vested interest in maintaining the idea that the election is so close it cannot be called and will come down to the last vote cast on Election Day. That is because the media have huge political operations with many highly-paid commentators who need people reading and tuning in daily to see if their preferred candidate has made any headway. There is also an enormous amount of data being produced daily that requires reporting and analysis—polls, campaign contributions, charges and counter charges, endorsements, gaffes and so on. It is not hard to spin this vast cacophony of material in such a way as to maintain the fiction that the election will be close. The media, collectively, are in the position of sports announcers calling a game where one team is heavily favored and well ahead. They need to keep people watching so that advertisers will get value for their money. So they use every cliché in the book to tell viewers that “it ain’t over till it’s over” and about all the times the losing team has come from behind to win and so on and so on. Of course, it goes without saying that once in a while, the losing team does make a comeback and wins unexpectedly. But by the time that happens, all except the winning team’s hardcore fans have changed the channel or left the stadium. However, we all know about those magical come-from-behind victories because the media have an incentive to hype them as a warning to fickle fans that they better stay tuned next time. The same is going on today with the presidential race. Reporters and commentators are building up Romney’s chances and downplaying Obama’s to keep people interested. This was most evident last week when Republican speakers at their convention were played up and their talking points repeated, as if they were changing the course of the election as they spoke. This week, they are doing the same for the Democrats. I thought the Republican convention went very poorly. And apparently, I was not the only one. According to Nielsen, television ratings for the Republican convention were down sharply from 2008. And according to Gallup, Romney’s convention “bounce” was the worst for any candidate of either party except for John Kerry in 2004—and we know what happened to him. We don’t yet know what kind of bounce Obama will get, but anecdotal evidence suggests that it will at least be significantly better than Romney’s. Whereas few Republicans raved about any convention speech other than actor Clint Eastwood’s rambling conversation with an empty chair, Democrats are raving about those by Michele Obama, Bill Clinton and a number of other speakers at their convention. To be sure, there are still opportunities for Republicans to level the playing field. There will be three debates between Romney and Obama, as well as one between the respective vice presidential nominees. They could make a difference, but history does not show that debates have much impact.

#### Plan undermines Obama’s campaign against Congressional obstruction – this accesses every single link and turn

Williams, Fox News Political Analyst, 12 (Juan, June 11, “Opinion: President Obama’s campaign takes a page from Truman’s playbook,” http://thehill.com/opinion/columnists/juan-williams/231959-opinion-president-obamas-campaign-takes-a-page-from-trumans-playbook, d/a 7-20-12, ads)

President Obama is already blaming lack of action from Boehner’s Republican majority in the House of Representatives for the poor economy. And that campaign strategy is just getting started. The question is how much political power accusations of “Republican obstructionism” will have with voters in the final stretch of the campaign. What is certain is that as the House, Senate and presidential campaigns enter the summer months, every argument from now on will center on what the politically paralyzed Congress has failed to do on economic issues. The trend started last week with President Clinton’s declaration that President Obama should just go ahead and give Republicans in Congress another extension of the Bush tax cuts — though not permanently — in order to avoid an end of the year economic cliff. And Washington Post columnist Ezra Klein speculated last week that one reason to vote for a Republican president was that it would eliminate all excuses and force the GOP House majority to take action on the economy. The assumption at the heart of what Klein and Clinton are saying is congressional Republicans are currently playing politics while the economy burns. Stephanie Cutter, Obama’s reelection spokeswoman, said last week there are “a million jobs on the table in Congress right now that they could move on.” Mitt Romney and congressional Republicans are quick to point out that the GOP-controlled House has passed some 30 “jobs” bills that have not been acted upon in the Senate. But those “jobs” bills are loaded with political poison pills for Democrats. They are not serious proposals with potential to be the basis for a deal that could be worked out in conference. The best political defense of GOP inaction on Capitol Hill comes from Ed Gillespie, senior adviser to Romney’s campaign and former chairman of the Republican National Committee. He said Congress is right to do nothing because the Obama White House has created “a hostile environment for job creation in our economy and that’s why … the only thing that’s going to change it are changing the policies, and that means changing the person in the White House.” The Obama campaign team’s response to the Gillespie defense is straight out of Harry Truman’s political playbook. In the 1948 race, the Democrat ran against a do-nothing, obstructionist Republican Congress and stunned his opponent with an upset win. The Obama team is already showing signs of going beyond the Truman playbook. In a charge unprecedented in modern American presidential politics, they are accusing Republicans in Congress, working in coordination with Romney’s campaign, of not only “rooting for failure,” but of sabotaging the economy for political gain. A recent poll by ABC/Washington Post asked Americans who they thought was more responsible for the country’s current economic problems — President Obama or President Bush. The Republican president still gets 49 percent of the blame, while the Democrat who succeeded him is held responsible by 34 percent. But a November 2011 poll by a bipartisan group found 94 percent of Americans think congressional inaction is hurting the economy. That fits with Congress’s dismal job approval ratings. That is the opening for President Obama to play Harry Truman. Why is unemployment still so high? A big part of the reason is that public sector jobs are continually being lost at the federal, state and local level. Government payrolls dropped by 13,000 in May. By contrast, the private sector added 82,000 jobs. Yet the GOP Congress refuses to invest in public sector spending to steady the fragile economy. Obama has already cut taxes and reduced the number of public sector jobs since he took office. This is not a matter of opinion. It is an economic fact. But the GOP never acknowledges it and refuses to work on his plan for creating new jobs. The facts are there to build an argument. But is it enough for President Obama to stage a revival of the 1948 campaign, when the Democrat incumbent won reelection by attacking a do-nothing Congress? This time the chant will be, “Give ‘em hell, Barack!”

#### Romney will bomb Iran his first month in office

Kidd 12 (Dr. Billy, research psychologist and long-term political activist, June 14, ‘Romney Strategist Prepare for War Against Iran,’ [http://www.opposingviews.com/i/politics/foreign-policy/crisis-gaza/romney-strategists-prepare-war-against-iran](http://www.opposingviews.com/i/politics/foreign-policy/crisis-gaza/romney-strategists-prepare-war-against-iran%22%20%5Ct%20%22_blank))

The Emergency Committee for Israel is running an advertisement urging an immediate war with Iran. This organization was founded by Weekly Standard creator, and Romney strategist, William Kristol.  Its message is that the evil, Jewish-hating Persian theocracy must be obliterated to make way for Israeli expansion.  Sound preposterous? Well, the ploy, here, is to make Romney look like a Delta Team 6 super-commando. This supposedly will take Jewish voters away from Obama in the November election. The other purpose is to sanctify the execution of a million Iranians when Romney orders the bombing come next January.

#### Attacking Iran causes full-scale war with Russia

 Conway January 17, 2012 Alvin Conway Author, blogger he cites Russia’s former ambassador to NATO and the Arab Times “Iranian Crisis: escalating series of troubling events sliding world towards war” <http://theextinctionprotocol.wordpress.com/2012/01/17/iranian-crisis-escalating-series-of-troubling-events-sliding-world-towards-war/>

Russian response could lead to WWIII: Russia would regard any military intervention linked to Iran’s nuclear program as a threat to its own security, Moscow’s departing ambassador to NATO warned on Friday. “Iran is our neighbor,” Dmitry Rogozin told reporters in Brussels. “And if Iran is involved in any military action, it’s a direct threat to our security.” –Arab Times

#### That’s the only scenario for nuclear extinction

Bostrom 2002 Nick Bostrom Professor, Faculty of Philosophy, Oxford University“Existential Risks” Journal of Evolution and Technology, Vol. 9, No. 1 (2002). <http://www.nickbostrom.com/existential/risks.html>

A much greater existential risk emerged with the build-up of nuclear arsenals in the US and the USSR. An all-out nuclear war was a possibility with both a substantial probability and with consequences that might have been persistent enough to qualify as global and terminal. There was a real worry among those best acquainted with the information available at the time that a nuclear Armageddon would occur and that it might annihilate our species or permanently destroy human civilization.[4] Russia and the US retain large nuclear arsenals that could be used in a future confrontation, either accidentally or deliberately. There is also a risk that other states may one day build up large nuclear arsenals. Note however that a smaller nuclear exchange, between India and Pakistan for instance, is not an existential risk, since it would not destroy or thwart humankind’s potential permanently. Such a war might however be a local terminal risk for the cities most likely to be targeted. Unfortunately, we shall see that nuclear Armageddon and comet or asteroid strikes are mere preludes to the existential risks that we will encounter in the 21st century.

### off

#### Text: The U.S. Supreme Court should rule to reduce liability under the Comprehensive Environmental Responses, Compensation and Liability Act for entities that pursue solar energy production on Environmental Protection Agency-designated brownfield sites in the United States.

#### Supreme court can rule against restrictions on energy production

Craig 2010 (Robin Kundis Craig, Attorneys' Title Professor and Associate Dean for Environmental Programs at Florida State University College of Law, Summer 2010, “MULTISTATE DECISION MAKING FOR RENEWABLE ENERGY AND TRANSMISSION: SPOTLIGHT ON COLORADO, NEW MEXICO, UTAH, AND WYOMING: Constitutional Contours for the Design and Implementation of Multistate Renewable Energy Programs and Projects,” University of Colorado Law Review, Lexis)

A number of dormant Commerce Clause cases have involved energy production, and they systematically conclude that states cannot create legal requirements or preferences based on the source of the fuel or energy. In Wyoming v. Oklahoma, for example, the U.S. Supreme Court struck down an Oklahoma statute that required Oklahoma coal-fired electric power plants producing power for sale in Oklahoma to burn a mixture of coal containing at least ten percent Oklahoma-mined coal. 121 Moreover, the "savings clause" of the Federal Power Act did not prevent the conclusion that the Oklahoma statute was unconstitutional. 122 Similarly, the U.S. District Court for the Northern District of Illinois concluded that a Clean Air Act compliance plan that favored Illinois coalviolated the dormant Commerce Clause. 123¶ Nor can states "hoard" state-created energy within their borders. Thus, in 1982, the U.S. Supreme Court concluded that New Hampshire could not constitutionally restrict interstate transportation of hydroelectric power generated in New Hampshire. 124

#### The counterplan is not a *reduction*—it requires executive/congressional acquiescence.

Spiro, 2001 (Peter J. Spiro, Professor, Hofstra University School of Law; Visiting Professor, University of Texas School of Law, Texas Law Review, April, lexis)

The increments approach answers these objections, at the same time that it affirms the value of constitutionalism. It presents, first of all, a determinate method of constitutional location. Unlike translation exercises, the increments model substantially confines the possible discretion of individual constitutional actors, including the judiciary. Working from a premise of historical situatedness, the theory denies the possibility of independent constitutional determination. That is not to deny the inevitability of constitutional change. But all constitutional actors work from a baseline, departures from which can be challenged and rejected by other constitutional actors. Constitutional norms are resolved only by the interplay of those actors. The content of constitutional norms will usually be reflected in institutional action, but one cannot necessarily find the law by reference to the action of any single institution alone. Even if the Supreme Court attempted to exploit the discretion afforded it by a translation model, its pronouncements amount to mere artifacts in the absence of acceptance by other actors. The increments model thus answers the primary volley of the originalists against countermajoritarian judicial adaptation of the constitutional text. Such adaptation will not prevail where it is rejected by other actors.

### off

**The affs use of the political as the background for their ethical action is the ultimate unethical act**

Adam **Thurschwell** (Asst. Prof. of Law, Cleveland State University) **2003** 24 Cardozo L. Rev. 1193

Thus, as Derrida puts it, "ethics **enjoins a politics and a law ... . but the political or juridical content that is thus assigned remains undetermined**, still to be determined beyond knowledge, beyond all presentation, all concepts ... ." n26 **No determinate content issues from the ethical demand because ethics**, in Derrida's (and Levinas's) sense, **is non-normative. To derive a legal or political rule of decision from one's ethical responsibility would be, paradoxically, to displace that responsibility onto a "calculation," and thus would itself be unethical precisely to the extent that it relieves one of further responsibility for the decision in any given case. Ethics therefore demands a legal/political decision that can only rest on something like a "mystical foundation,**" n27 **since such a decision cannot be founded on any determinable rules, reasons or values without abandoning its claim to ethical status**. Accordingly, the legal/political decision can only be "determined beyond knowledge, beyond all presentation, all concepts" n28 - which is to say, determined on the basis of something that resembles pure faith.

**Alternative –Reject the affirmatives displacement of their ethical commitment on outside institutions but embrace the individual ethical responsibility embodied within the 1AC**

**Their focus on the atrocities that the government creates because of things like subsidies ignores and trades off with recognizing our own personal complicity with violence. Only by refusing to make statements like “the United States Federal Government should” allows us to transform our own personal will to violence that is the root of their impacts**

Susanne **Kappeler** (Associate Professor at Al-Akhawayn University) **1995** The Will to Violence: The Politics of Personal Behaviour, pg. 75-76

**War does not suddenly break out in a peaceful society**; sexual violence is not the disturbance of otherwise equal gender relations. Racist attacks do not shoot like lightning out of a non-racist sky, and the sexual exploitation of children is no solitary problem in a world otherwise just to children. **The violence of our most commonsense everyday thinking, and especially our personal will to violence, constitute the conceptual preparation, the ideological armament and the intellectual mobilization which make the 'outbreak' of war, of sexual violence, of racist attacks, of murder and destruction possible at all**. 'We are the war', writes Slavenka Drakulic at the end of her existential analysis of the question, 'what is war?': I do not know what war is, I want to tell [my friend], but I see it everywhere. It is in the blood-soaked street in Sarajevo, after 20 people have been killed while they queued for bread. But it is also in your non-comprehension, in my unconscious cruelty towards you, in the fact that you have a yellow form [for refugees] and I don't, in the way in which it grows inside ourselves and changes our feelings, relationships, values - in short: us. We are the war . . . And I am afraid that we cannot hold anyone else responsible. We make this war possible, we permit it to happen.5 'We are the war' - and we also 'are' the sexual violence, the racist violence, the exploitation and the will to violence in all its manifestations in a society in so-called 'peacetime', for we make them possible and we permit them to happen. 'We are the war' does not mean that the responsibility for a war is shared collectively and diffusely by an entire society - which would be equivalent to exonerating warlords and politicians and profiteers or, as Ulrich Beck says, upholding the notion of'collective irresponsibility', where people are no longer held responsible for their actions, and where the conception of universal responsibility becomes the equivalent of a universal acquittal.6 On the contrary, **the object is precisely to analyse the specific and differential responsibility of everyone in their diverse situations. Decisions to unleash a war are indeed taken at particular levels of power by those in a position to make them and to command such collective action**. We need to hold them clearly responsible for their decisions and actions without lessening theirs by any collective 'assumption' of responsibility. **Yet our habit of focusing on the stage where the major dramas of power take place tends to obscure our sight in relation to our own sphere of competence, our own power and our own responsibility — leading to the -well-known illusion of our apparent 'powerlessness' and its accompanying phenomenon, our so-called political disillusionment. Single citizens** — even more so those of other nations - **have come to feel secure in their obvious non-responsibility for such large-scale political events** as, say, the wars in Croatia and Bosnia-Hercegovina or Somalia - **since the decisions for such events are always made elsewhere**. Yet **our insight that indeed we are not responsible for the decisions of a** Serbian general or a Croatian **president tends to mislead us into thinking that therefore we have no responsibility at all, not even for forming our own judgement, and thus into underrating the responsibility we do have within our own sphere of action.** In particular, **it seems to absolve us from having to try to see any relation between our own actions and those events, or to recognize the connections between those political decisions and our own personal decisions**. It not only shows that we participate in what Beck calls 'organized irresponsibility', upholding the apparent lack of connection between bureaucratically, institutionally, nationally and also individually organized separate competences. It also proves the phenomenal and unquestioned alliance of our personal thinking with the thinking of the major powermongers. **For we tend to think that we cannot 'do' anything**, **say, about a war, because we deem ourselves to be in the wrong situation**; because we are not where the major decisions are made. **Which is why many of those not yet entirely disillusioned with politics tend to engage in a form of mental deputy politics, in the style of 'What would I do if I were the** general, the prime minister, the **president**, the foreign minister or the minister of defence?' Since we seem to regard their mega spheres of action as the only worthwhile and truly effective ones, and since our political analyses tend to dwell there first of all, any question of what I would do if I were indeed myself tends to peter out in the comparative insignificance of having what is perceived as 'virtually no possibilities': what I could do seems petty and futile. For my own action I obviously desire the range of action of a general, a prime minister, or a General Secretary of the UN — finding expression in ever more prevalent formulations like 'I want to stop this war', 'I want military intervention', 'I want to stop this backlash', or 'I want a moral revolution.'7 **'We are this war'**, however, **even if we do not command the troops or participate** in so-called peace talks, namely as Drakulic says, **in our 'non-comprehension': our willed refusal to feel responsible for our own thinking and for working out our own understanding, preferring innocently to drift along the ideological current of prefabricated arguments** or less than innocently taking advantage of the advantages these offer. And we 'are' the war in our 'unconscious cruelty towards you', our tolerance of the 'fact that you have a yellow form for refugees and I don't' - our readiness, in other words, to build identities, one for ourselves and one for refugees, one of our own and one for the 'others'. We share in the responsibility for this war and its violence in the way we let them grow inside us, that is, in the way we shape 'our feelings, our relationships, our values' according to the structures and the values of war and violence.

### Case—env racism

#### Util is good and doesn’t devalue life

Richard L. Revesz (Dean and Lawrence King Professor of Law at New York University School of Law, JD Yale Law School) and Michael A Livermore. (JD NYU School of Law, Executive Director of the Institute for Policy Integrity, and Managing director of the NYU Law Review). Retaking Rationality How Cots-Benefit Analysis Can Better protect the Environment and Our Health. 2008. P. 1-4.

Governmental decisions are also fundamentally different from personal decisions in that they often affect people in the aggregate. In our individual lives, we come into contact with at least some of the consequences of our decisions. If we fail to consult a map, we pay the price: losing valuable time driving around in circles and listening to the complaints of our passengers. We are constantly confronted with the consequences of the choices that we have made. Not so for governments, however, which exercise authority by making decisions at a distance. Perhaps one of the most challenging aspects of governmental decisions is that they require a special kind of compassion—one that can seem, at first glance, cold and calculating, the antithesis of empathy. The aggregate and complex nature of governmental decisions does not address people as human beings, with concerns and interests, families and emotional relationships, secrets and sorrows. Rather, people are numbers stacked in a column or points on a graph, described not through their individual stories of triumph and despair, but by equations, functions, and dose-response curves. The language of governmental decisionmaking can seem to—and to a certain extent does—ignore what makes individuals unique and morally important. But, although the language of bureaucratic decisionmaking can be dehumanizing, it is also a prerequisite for the kind of compassion that is needed in contemporary society. Elaine Scarry has developed a comparison between individual compassion and statistical compassion.' Individual compassion is familiar—when we see a person suffering, or hear the story of some terrible tragedy, we are moved to take action. Statistical compassion seems foreign—we hear only a string of numbers but must comprehend "the concrete realities embedded there."' Individual compassion derives from our social nature, and may be hardwired directly into the human brain.' Statistical compassion calls on us to use our higher reasoning power to extend our natural compassion to the task of solving more abstract—but no less real—problems. Because compassion is not just about making us feel better—which we could do as easily by forgetting about a problem as by addressing it—we have a responsibility to make the best decisions that we can. This book argues that cost-benefit analysis, properly conducted, can improve environmental and public health policy. Cost-benefit analysis—the translation of human lives and acres of forest into the language of dollars and cents—can seem harsh and impersonal. But such an approach is also necessary to improve the quality of decisions that regulators make. Saving the most lives, and best protecting the quality of our environment and our health—in short, exercising our compassion most effectively—requires us to step back and use our best analytic tools. Sometimes, in order to save a life, we need to treat a person like a number. This is the challenge of statistical compassion. This book is about making good decisions. It focuses on the area of environmental, health and safety regulation. These regulations have been the source of numerous and hard-fought controversies over the past several decades, particularly at the federal level. Reaching the right decisions in the areas of environmental protection, increasing safety, and improving public health is clearly of high importance. Although it is admirable (and fashionable) for people to buy green or avoid products made in sweatshops, efforts taken at the individual level are not enough to address the pressing problems we face—there is a vital role for government in tackling these issues, and sound collective decisions concerning regulation are needed. There is a temptation to rely on gut-level decisionmaking in order to avoid economic analysis, which, to many, is a foreign language on top of seeming cold and unsympathetic. For government to make good decisions, however, it cannot abandon reasoned analysis. Because of the complex nature of governmental decisions, we have no choice but to deploy complex analytic tools in order to make the best choices possible. Failing to use these tools, which amounts to abandoning our duties to one another, is not a legitimate response. Rather, we must exercise statistical compassion by recognizing what numbers of lives saved represent: living and breathing human beings, unique, with rich inner lives and an interlocking web of emotional relationships. The acres of a forest can be tallied up in a chart, but that should not blind us to the beauty of a single stand of trees. We need to use complex tools to make good decisions while simultaneously remembering that we are not engaging in abstract exercises, but that we are having real effects on people and the environment. In our personal lives, it would be unwise not to shop around for the best price when making a major purchase, or to fail to think through our options when making a major life decision. It is equally foolish for government to fail to fully examine alternative policies when making regulatory decisions with life-or-death consequences. This reality has been recognized by four successive presidential administrations. Since 1981, the cost-benefit analysis of major regulations has been required by presidential order. Over the past twenty-five years, however, environmental and other progressive groups have declined to participate in the key governmental proceedings concerning the cost-benefit analysis of federal regulations, instead preferring to criticize the technique from the outside. The resulting asymmetry in political participation has had profound negative consequences, both for the state of federal regulation and for the technique of cost-benefit analysis itself. Ironically, this state of affairs has left progressives open to the charge of rejecting reason, when in fact strong environmental and public health pro-grams are often justified by cost-benefit analysis. It is time for progressive groups, as well as ordinary citizens, to retake the high ground by embracing and reforming cost-benefit analysis. The difference between being unthinking—failing to use the best tools to analyze policy—and unfeeling—making decisions without compassion—is unimportant: Both lead to bad policy. Calamities can result from the failure to use either emotion or reason. Our emotions provide us with the grounding for our principles, our innate interconnectedness, and our sense of obligation to others. We use our powers of reason to build on that emotional foundation, and act effectively to bring about a better world.

#### The means/ends distinction is inevitable and a moral cop out. There are no absolutes. You have to weigh comparative risks.

Saul Alinsky (Professor and Social Organizer with International Fame, Founder of the Industrial Areas Foundation) 1971 Rules for Radicals, p. 24-27

We cannot think first and act afterwards. From the moment of birth we are immersed in action and can only fitfully guide it by taking thought. Alfred North Whitehead That perennial question, “Does the end justify the means?” is meaningless as it stands; the real and only question regarding the ethics of means and ends is, and always has been, “Does this particular end justify this particular means?” Life and how you live it is the story of means and ends. The end is what you want, and the means is how you get it. Whenever we think about social change, the question of means and ends arises. The man of action views the issue of means and ends arises. The man of action views the issue of means and ends in pragmatic and strategic terms. He has no other problem; he thinks only of his actual resources and the possibilities of various choices of action. He asks of ends only whether they are achievable and worth the cost; of means, only whether they will work. To say that corrupt means corrupt the ends is to believe in the immaculate conception of ends and principles. The real arena is corrupt and bloody. Life is a corrupting process from the time a child learns to play his mother off against his father in the politics of when to go to bed; he who fears corruption fears life. The practical revolutionary will understand Geothe’s “conscience is the virtue of observers and not of agents of action”; in action, one does not always enjoy the luxury of a decision that is consistent both with one’s individual conscience and the good of [hu]mankind. The choice must always be for the latter. Action is for mass salvation and not for the individual’s personal salvation. He who sacrifices the mass good for his personal conscience has peculiar conception of “personal salvation”; he doesn’t care enough for people to be “corrupted” for them. The men who pile up the heaps of discussion and literature on the ethics of means and ends—which with rare exception is conspicuous for its sterility—rarely write about their won experiences in the perpetual struggle of life and change. They are strangers, moreover, to the burdens and problems of operational responsibility and the unceasing pressure for immediate decisions. They are passionately committed to a mystical objectivity where passions are suspect. They assume a nonexistent situation where man suspect. They assume a nonexistent situation where men dispassionately and with reason draw and devise means and ends as if studying a navigational chart on land. They can be recognized by one of two verbal brands; “We agree with the ends but not the means,” or “This is not the time.” The means-and-end moralists or non-doers always wind up on their ends without any means. The means-and-ends moralists, constantly obsessed with the ethics of the means used by the Have-Nots against the Haves, should search themselves as to their real political position. In fact, they are passive—but real—allies of the Haves. They are the ones Jacques Maritain referred to in his statement, “The fear of soiling ourselves by entering the context of history is not virtue, but a way of escaping virtue.” These non-doers were the ones who chose not to fight the Nazis in the only way they could have been fought; they were the ones who drew their window blinds to shut out the shameful spectacle of Jews and political prisoners being dragged through the streets; they were the ones who privately deplored the horror of it all—and did nothing. This is the nadir of immorality. The most unethical of all means is the nonuse of any means. It is this species of man how so vehemently and militantly participated in that classically idealistic debate at the old League of Nations on the ethical differences between defensive and offensive weapons. Their fears of action drive them to refuge in an ethics so divorced from the politics of life that it can apply only to angels, not to men. The standards of judgment must be rooted in the whys and wherefores of life as it is lived, the world as it is, not our wished-for fantasy of the world as it should be. I present here a series of rules pertaining to the ethics of means and ends: first, that one’s concern with the ethics of means and ends varies inversely with one’s personal interest in the issue. When we are not directly concerned our morality overflows; as La Rochefoucauld put it, “We all have strength enough to endure the misfortunes of others.” Accompanying this rule is the parallel one that one’s concern with the ethics of means and ends varies inversely with one’s distance from the scene of conflict. The second rule of the ethics of means and ends is that the judgment of the ethics of means is dependent upon the political position of those sitting in judgment. If you actively opposed the Nazi occupation and joined the underground Resistance, then you adopted the means of assassination, terror, properly destruction, the bombing of tunnels and trains, kidnapping, and the willingness to sacrifice innocent hostages to the end of defeating the Nazis. Those who opposed the Nazi conquerors regarded the Resistance as a secret army of selfless, patriotic idealists, courageous beyond expectation and willing to sacrifice their lives to their moral convictions.

#### No Impact - Biopolitics does not cause huge global massacres

Mika Ojakangas (PhD in Social Science and Academy research fellow @ the Helsinki Collegium for Advanced Studies @ University of Helsinki) 2005 “The Impossible Dialogue on Biopower: Foucault and Agamben,” May 2005, Foucault Studies, No. 2, http://www.foucault-studies.com/no2/ojakangas1.pdf

Admittedly, in the era of biopolitics, as Foucault writes, even “massacres have become vital.” This is not the case, however, because violence is hidden in the foundation of biopolitics, as Agamben believes. Although the twentieth century thanatopolitics is the “reverse of biopolitics”, it should not be understood, according to Foucault, as “the effect, the result, or the logical consequence” of biopolitical rationality. Rather, it should be understood, as he suggests, as an outcome of the “demonic combination” of the sovereign power and biopower, of “the citycitizen game and the shepherd-flock game” or as I would like to put it, of patria potestas (father’s unconditional power of life and death over his son) and cura maternal (mother’s unconditional duty to take care of her children). Although massacres can be carried out in the name of care, they do not follow from the logic of biopower for which death is the “object of taboo”. They follow from the logic of sovereign power, which legitimates killing by whatever arguments it chooses, be it God, Nature, or life.

#### Life has inherent value - and Life is key to that value.

Dave Pizer. "Argument That Life Has Inherent Value." 8 Jul. 2001 http://www.cryonet.org/cgi-bin/dsp.cgi?msg=16930

Argument that life has inherent value The concept of value comes from what living beings will pay for something. How much one being is willing to give in order to get something he wants is a way to think of the value of that thing. What a being is willing to pay for something depends on how much he desires that thing. So indirectly, desire is what actually sets the value of something. 2. In order to desire something, the thing doing the desiring must be alive - it must be a living being. So value, the end of desire, is dependent on life. Only living things (living beings) can give value to something else. 3. In order for any first thing to give something to a second thing, the first thing must first have it to give. So if only living things can give value, then living things must have value. 4Desire can only come from, (and so must be in), living beings. So when living things desire something, that desire must be inherent in the living things. If desire in living things is what gives value to other things, and that desire is inherent in the living thing, then living things, or life, has inherent value in it. Or to say it another way: If an object gives something value, that object must have value in it as a quality to give. Example: For me to love my dog, I must first have love in me. For me to value my dog, I must first have value in me. 5. Put another way, if a living being has some quality, that quality is a part of what makes that being what it is. 6If life gives value to life, than one of the parts of life is value. Put another way, value cannot exist without life, so value is life and life is value. 7If value is only relative, then saying life being valuable relative to life is the same as saying life has worth relative to life. Anything that is relative to itself is an unconditional part of itself and therefore has "inherentness". 8. THEREFORE, anyway you look at it, life is value and value is life - and life has inherent value.

#### War exacerbates structural impacts

Joshua S. Goldstein, pub. date: 2001, Prof. of IR @ American University, Washington D.C. He is the author of a broad range of research works on international conflict, cooperation, and political economy, with a central focus on great-power relations and world order, War and Gender: How Gender Shapes the War System and Vice Versa, Cambridge University, pp. 412

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

#### Solar Panel make more pollution

Kris De Decker March 3, 2008 (Low Tech Magazine reporter, “Some Solar Panels Produce More Greenhouse Gasses Than Coal”, http://www.hawaiifreepress.com/ArticlesMain/tabid/56/articleType/ArticleView/articleId/6955/categoryId/50/Some-Solar-Panels-Produce-More-Greenhouse-Gasses-Than-Coal.aspx)

Solar panels don’t come falling out of the sky – they have to be manufactured. Similar to computer chips, this is a dirty and energy-intensive process. First, raw materials have to be mined: quartz sand for silicon cells, metal ore for thin film cells. Next, these materials have to be treated, following different steps (in the case of silicon cells these are purification, crystallization and wafering). Finally, these upgraded materials have to be manufactured into solar cells, and assembled into modules. All these processes produce air pollution and heavy metal emissions, and they consume energy - which brings about more air pollution, heavy metal emissions and also greenhouse gases.

#### No environment collapse—alarmism

Amy Kaleita (assistant professor of agricultural and biosystems engineering at Iowa State University) and Gregory Forbes (research analyst at the Pacific Research Institute) 2007 “Hysteria’s History” http://www.undergroundnotes.com/graphics2/Hysteria\_History.pdf

Apocalyptic stories about the irreparable, catastrophic damage that humans are doing to the natural environment have been around for a long time. These hysterics often have some basis in reality, but are blown up to illogical and ridiculous proportions. Part of the reason they’re so appealing is that they have the ring of plausibility along with the intrigue of a horror flick. In many cases, the alarmists identify a legitimate issue, take the possible consequences to an extreme, and advocate action on the basis of these extreme projections. In 1972, the editor of the journal Nature pointed out the problem with the typical alarmist approach: “[Alarmists’] most common error is to suppose that the worst will always happen.”82 But of course, if the worst always happened, the human race would have died out long ago. When alarmism has a basis in reality, the challenge becomes to take appropriate action based on that reality, not on the hysteria. The aftermath of Silent Spring offers examples of both sorts of policy reactions: a reasoned response to a legitimate problem and a knee-jerk response to the hysteria. On the positive side, Silent Spring brought an end to the general belief that all synthetic chemicals in use for purposes ranging from insect control to household cleaning were uniformly wonderful, and it ushered in an age of increased caution on the appropriate use of chemicals. In the second chapter of her famous book, Carson wrote, “It is not my contention that chemical insecticides must never be used. I do contend that… we have allowed these chemicals to be used with little or no advance investigation of their effect on soil, water, wildlife, and man himself.” In this passage, Carson seemed to advocate reasoned response to rigorous scientific investigation, and in fact this did become the modern approach to environmental chemical licensure and monitoring. An hour-long CBS documentary on pesticides was aired during the height of the furor over Silent Spring. In the documentary, Dr. Page Nicholson, a water-pollution expert with the Public Health Service, wasn’t able to answer how long pesticides persist in water once they enter it, or the extent to which pesticides contaminate groundwater supplies. Today, this sort of information is gathered through routine testing of chemicals for use in the environment. 20 V: Lessons from the Apocalypse However, there was, as we have seen, a more sinister and tragic response to the hysteria generated by Silent Spring. Certain developing countries, under significant pressure from the United States, abandoned the use of DDT. This decision resulted in millions of deaths from malaria and other insect-borne diseases. In the absence of pressure to abandon the use of DDT, these lives would have been spared. It would certainly have been possible to design policies requiring caution and safe practices in the use of supplemental chemicals in the environment, without pronouncing a death sentence on millions of people. A major challenge in developing appropriate responses to legitimate problems is that alarmism catches people’s attention and draws them in. Alarmism is given more weight than it deserves, as policy makers attempt to appease their constituency and the media. It polarizes the debaters into groups of “believers” and “skeptics,” so that reasoned, fact-based compromise is difficult to achieve. Neither of these aspects of alarmism is healthy for the development of appropriate policy. Further, alarmist responses to valid problems risk foreclosing potentially useful responses based on ingenuity and progress. There are many examples from the energy sector where, in the presence of demands for economy, efficiency, or less pollution, the marketplace has responded by developing better alternatives. That is not to say that we should blissfully squander our energy resources; on the contrary, we should be careful to utilize them wisely. But energy-resource hysteria should not lead us to circumvent scientific advancement by cherry-picking and favoring one particular replacement technology at the expense of other promising technologies. Environmental alarmism should be taken for what it is—a natural tendency of some portion of the public to latch onto the worst, and most unlikely, potential outcome. Alarmism should not be used as the basis for policy. Where a real problem exists, solutions should be based on reality, not hysteria.

### Colonialism

#### Violence is objectively decreasing due to western liberal democracy-best method to solve conflict

Pinker 11 Steven Pinker is Professor of psychology at Harvard University "Violence Vanquished" Sept 24 online.wsj.com/article/SB10001424053111904106704576583203589408180.html

 With all its wars, murder and genocide, history might suggest that the taste for blood is human nature. Not so, argues Harvard Prof. Steven Pinker. He talks to WSJ's Gary Rosen about the decline in violence in recent decades and his new book, "The Better Angels of Our Nature." But a better question may be, "How bad was the world in the past?" Believe it or not, the world of the past was much worse. Violence has been in decline for thousands of years, and today we may be living in the most peaceable era in the existence of our species. The decline, to be sure, has not been smooth. It has not brought violence down to zero, and it is not guaranteed to continue. But it is a persistent historical development, visible on scales from millennia to years, from the waging of wars to the spanking of children. This claim, I know, invites skepticism, incredulity, and sometimes anger. We tend to estimate the probability of an event from the ease with which we can recall examples, and scenes of carnage are more likely to be beamed into our homes and burned into our memories than footage of people dying of old age. There will always be enough violent deaths to fill the evening news, so people's impressions of violence will be disconnected from its actual likelihood. Evidence of our bloody history is not hard to find. Consider the genocides in the Old Testament and the crucifixions in the New, the gory mutilations in Shakespeare's tragedies and Grimm's fairy tales, the British monarchs who beheaded their relatives and the American founders who dueled with their rivals. Today the decline in these brutal practices can be quantified. A look at the numbers shows that over the course of our history, humankind has been blessed with six major declines of violence. The first was a process of pacification: the transition from the anarchy of the hunting, gathering and horticultural societies in which our species spent most of its evolutionary history to the first agricultural civilizations, with cities and governments, starting about 5,000 years ago. For centuries, social theorists like Hobbes and Rousseau speculated from their armchairs about what life was like in a "state of nature." Nowadays we can do better. Forensic archeology—a kind of "CSI: Paleolithic"—can estimate rates of violence from the proportion of skeletons in ancient sites with bashed-in skulls, decapitations or arrowheads embedded in bones. And ethnographers can tally the causes of death in tribal peoples that have recently lived outside of state control. These investigations show that, on average, about 15% of people in prestate eras died violently, compared to about 3% of the citizens of the earliest states. Tribal violence commonly subsides when a state or empire imposes control over a territory, leading to the various "paxes" (Romana, Islamica, Brittanica and so on) that are familiar to readers of history. It's not that the first kings had a benevolent interest in the welfare of their citizens. Just as a farmer tries to prevent his livestock from killing one another, so a ruler will try to keep his subjects from cycles of raiding and feuding. From his point of view, such squabbling is a dead loss—forgone opportunities to extract taxes, tributes, soldiers and slaves. The second decline of violence was a civilizing process that is best documented in Europe. Historical records show that between the late Middle Ages and the 20th century, European countries saw a 10- to 50-fold decline in their rates of homicide. The numbers are consistent with narrative histories of the brutality of life in the Middle Ages, when highwaymen made travel a risk to life and limb and dinners were commonly enlivened by dagger attacks. So many people had their noses cut off that medieval medical textbooks speculated about techniques for growing them back. Historians attribute this decline to the consolidation of a patchwork of feudal territories into large kingdoms with centralized authority and an infrastructure of commerce. Criminal justice was nationalized, and zero-sum plunder gave way to positive-sum trade. People increasingly controlled their impulses and sought to cooperate with their neighbors. The third transition, sometimes called the Humanitarian Revolution, took off with the Enlightenment. Governments and churches had long maintained order by punishing nonconformists with mutilation, torture and gruesome forms of execution, such as burning, breaking, disembowelment, impalement and sawing in half. The 18th century saw the widespread abolition of judicial torture, including the famous prohibition of "cruel and unusual punishment" in the eighth amendment of the U.S. Constitution. At the same time, many nations began to whittle down their list of capital crimes from the hundreds (including poaching, sodomy, witchcraft and counterfeiting) to just murder and treason. And a growing wave of countries abolished blood sports, dueling, witchhunts, religious persecution, absolute despotism and slavery. The fourth major transition is the respite from major interstate war that we have seen since the end of World War II. Historians sometimes refer to it as the Long Peace. Today we take it for granted that Italy and Austria will not come to blows, nor will Britain and Russia. But centuries ago, the great powers were almost always at war, and until quite recently, Western European countries tended to initiate two or three new wars every year. The cliché that the 20th century was "the most violent in history" ignores the second half of the century (and may not even be true of the first half, if one calculates violent deaths as a proportion of the world's population). Though it's tempting to attribute the Long Peace to nuclear deterrence, non-nuclear developed states have stopped fighting each other as well. Political scientists point instead to the growth of democracy, trade and international organizations—all of which, the statistical evidence shows, reduce the likelihood of conflict. They also credit the rising valuation of human life over national grandeur—a hard-won lesson of two world wars. The fifth trend, which I call the New Peace, involves war in the world as a whole, including developing nations. Since 1946, several organizations have tracked the number of armed conflicts and their human toll world-wide. The bad news is that for several decades, the decline of interstate wars was accompanied by a bulge of civil wars, as newly independent countries were led by inept governments, challenged by insurgencies and armed by the cold war superpowers. The less bad news is that civil wars tend to kill far fewer people than wars between states. And the best news is that, since the peak of the cold war in the 1970s and '80s, organized conflicts of all kinds—civil wars, genocides, repression by autocratic governments, terrorist attacks—have declined throughout the world, and their death tolls have declined even more precipitously. The rate of documented direct deaths from political violence (war, terrorism, genocide and warlord militias) in the past decade is an unprecedented few hundredths of a percentage point. Even if we multiplied that rate to account for unrecorded deaths and the victims of war-caused disease and famine, it would not exceed 1%. The most immediate cause of this New Peace was the demise of communism, which ended the proxy wars in the developing world stoked by the superpowers and also discredited genocidal ideologies that had justified the sacrifice of vast numbers of eggs to make a utopian omelet. Another contributor was the expansion of international peacekeeping forces, which really do keep the peace—not always, but far more often than when adversaries are left to fight to the bitter end. Finally, the postwar era has seen a cascade of "rights revolutions"—a growing revulsion against aggression on smaller scales. In the developed world, the civil rights movement obliterated lynchings and lethal pogroms, and the women's-rights movement has helped to shrink the incidence of rape and the beating and killing of wives and girlfriends. In recent decades, the movement for children's rights has significantly reduced rates of spanking, bullying, paddling in schools, and physical and sexual abuse. And the campaign for gay rights has forced governments in the developed world to repeal laws criminalizing homosexuality and has had some success in reducing hate crimes against gay people. \* \* \* \* Why has violence declined so dramatically for so long? Is it because violence has literally been bred out of us, leaving us more peaceful by nature? This seems unlikely. Evolution has a speed limit measured in generations, and many of these declines have unfolded over decades or even years. Toddlers continue to kick, bite and hit; little boys continue to play-fight; people of all ages continue to snipe and bicker, and most of them continue to harbor violent fantasies and to enjoy violent entertainment. It's more likely that human nature has always comprised inclinations toward violence and inclinations that counteract them—such as self-control, empathy, fairness and reason—what Abraham Lincoln called "the better angels of our nature." Violence has declined because historical circumstances have increasingly favored our better angels. The most obvious of these pacifying forces has been the state, with its monopoly on the legitimate use of force. A disinterested judiciary and police can defuse the temptation of exploitative attack, inhibit the impulse for revenge and circumvent the self-serving biases that make all parties to a dispute believe that they are on the side of the angels. We see evidence of the pacifying effects of government in the way that rates of killing declined following the expansion and consolidation of states in tribal societies and in medieval Europe. And we can watch the movie in reverse when violence erupts in zones of anarchy, such as the Wild West, failed states and neighborhoods controlled by mafias and street gangs, who can't call 911 or file a lawsuit to resolve their disputes but have to administer their own rough justice. Another pacifying force has been commerce, a game in which everybody can win. As technological progress allows the exchange of goods and ideas over longer distances and among larger groups of trading partners, other people become more valuable alive than dead. They switch from being targets of demonization and dehumanization to potential partners in reciprocal altruism. For example, though the relationship today between America and China is far from warm, we are unlikely to declare war on them or vice versa. Morality aside, they make too much of our stuff, and we owe them too much money. A third peacemaker has been cosmopolitanism—the expansion of people's parochial little worlds through literacy, mobility, education, science, history, journalism and mass media. These forms of virtual reality can prompt people to take the perspective of people unlike themselves and to expand their circle of sympathy to embrace them. These technologies have also powered an expansion of rationality and objectivity in human affairs. People are now less likely to privilege their own interests over those of others. They reflect more on the way they live and consider how they could be better off. Violence is often reframed as a problem to be solved rather than as a contest to be won. We devote ever more of our brainpower to guiding our better angels. It is probably no coincidence that the Humanitarian Revolution came on the heels of the Age of Reason and the Enlightenment, that the Long Peace and rights revolutions coincided with the electronic global village.

#### Alt cause- we still dump waste on the indians

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Nevadans and Utahans living downwind and downstream from nuclear weapons testing, uranium mining, and radioactive waste dumping have suffered immensely during the Nuclear Age. But even in the "nuclear sacrifice zones" of the desert Southwest, it is Native Americans--from Navajo uranium miners to tribal communities targeted with atomic waste dumps-- who have borne the brunt of both the front and back ends of the nuclear fuel cycle.¶ The tiny Skull Valley Band of Goshute Indians Reservation in Utah is targeted for a very big nuclear waste dump. Private Fuel Storage (PFS), a limited liability corporation representing eight powerful nuclear utilities, wants to "temporarily" store 40,000 tons of commercial high-level radioactive waste (nearly the total amount that presently exists in the U.S.) next to the two-dozen tribal members who live on the small reservation. The PFS proposal is the latest in a long tradition of targeting Native American communities for such dumps. But there is another tradition on the targeted reservations as well–fighting back against blatant environmental racism, and winning. Skull Valley Goshute tribal member Margene Bullcreek leads Ohngo Gaudadeh Devia (or OGD, Goshute for "Mountain Community"), a grassroots group of tribal members opposed to the dump. In addition to many other activities, OGD has filed an environmental justice contention before the Nuclear Regulatory Commission’s (NRC) Atomic Safety Licensing Board (ASLB).¶ Both the federal government and the commercial nuclear power industry have targeted Native American reservations for such dumps for many years. In 1987, the U.S. Congress created the Office of the Nuclear Waste Negotiator in an effort to open a federal "monitored retrievable storage site" for high-level nuclear waste. The Negotiator sent letters to every federally recognized tribe in the country, offering hundreds of thousands and even millions of dollars to tribal council governments for first considering and then ultimately hosting the dump. Out of the hundreds of tribes approached, the Negotiator eventually courted about two dozen tribal councils in particular¶

#### **Alt cause- Coal plants release the most mercury pollution- leading to dehumanizing effects**

Moore ’03 The Deadly Dangers Of  Mercury Contamination An Interview with John Moore An Interview with John Moore November 2003 Vol. 33, No. 11 12-20-3 http://rense.com/general46/merc.htm

JOHN MOORE. I came close to dying " I was about two months away. Around 1985 I noticed that my health was going downhill, and I just did not have the energy I had once had. That was my chief complaint at that time. As time progressed, I continued to go downhill, and I continued to lose my memory. I would ask my wife a question and she would say, "You just asked me that question a minute ago! I was adamant that I hadn't asked and that I was not losing my memory, but indeed, that was the case. In the early part, I reached the point where the fatigue was so overwhelming that I could not do any work and was absolutely unable to function. I became antisocial " I didn't want to talk to anybody. My wife would say good morning to me, and I would want to rip her head off " which I proceeded to do verbally. I knew it was wrong as I was doing it, but I felt powerless to stop it. It was a bizarre scenario for me, because I was not normally like that.   ACRES U.S.A. How does this mercury get to the brain?   MOORE. It is the vapor from amalgam fillings coming off the tooth that gets us. It is not generally the liquid mercury per se, though that can get you' too. It was mercury vapor coming off the fillings of the teeth that was the primary source of my poisoning " although fish also played somewhat of a role because I did happen to like fish and they are often poisoned with mercury, as well.   ACRES U.S.A. This is ocean fish as well as freshwater fish?   MOORE. You bet.   ACRES U.S.A. What is the source?   MOORE. The primary source of pollution for freshwater, and salt water for that matter, is industrial pollution. Coal-fire power plants put 40 tons of mercury a year into the atmosphere through burning coal. In the U.S. alone, hospitals that burn their wastes put 20 tons a year into the atmosphere. All plastics manufacturing put a ton of it in the atmosphere. Farmers in the past have also done so. I don't know whether it is currently being used or not, but mercury is still labeled as an insecticide " methone ethyl mercury, which is a really nasty form of mercury, is used on seeds. The purple/pink color one might find on seeds is classically mercury fungicide that has been applied. Farmers are using mercury, and there are a lot of crops that have been sprayed over the years with mercurial fungicide.

### solvency

#### The aff draws upon a master plan locking in the mindset that massive institutions are the only way to solve.

Dr Aidan **Rankin 2001** (Research Fellow in Government at the 'London School of Economics') "THE RADICAL HANSARD" League of Real Nations Charter Sept. 12 <http://webcache.googleusercontent.com/search?q=cache:f7bt16dHenEJ:www.cesc.net/adobeweb/radcon/hansard1.pdf+john+papworth+methodology&hl=en&gl=us>

To draw up a plan or a blueprint for the creation of a human-scale non-centralised global order would be as foolish as it would be futile. If the principle of the human scale is accepted then clearly each human scale community will be concerned to work out its own way of life, in accordance with its own judgments. Any suggestion of acting in accordance with a centralised plan would be the extension of a disease rather than the application of a remedy. People will only act in accordance with a principle if they understand and accept the principle itself and to that end a major and multifaceted drive to educate and to generally promote the principle of the human scale is now a task of the utmost urgency. Since everything must have a start and a point of origin somewhere what follows is simply certain proposals for action which could advance the principle to wider acceptance; they are neither comprehensive nor exclusive, they are the product of a number of trends already beginning to emerge, trends which appear to be moving in the direction of human control by means of the human scale and away from giantism, and to yield the promise of further useful developments. It is proposed that membership of 'The League of Real Nations' will be confined to nations with recognizable identities old and new. They will be structured as bottom-up systems of local control under permanent scrutiny, by the smallest settlements e.g. parish, district, county, region - the latter being the largest grouping within any nation. The objects shall be as follows1 To defend the political, economic, geographic and cultural integrity of its member nations, especially against the expansionist tendencies of the bigger nations and those afflicted with giantism.To do everything possible to promote the principle of the human scale throughout the world. To give support to ethnic or other human scale groupings, such as regions and bioregions, in their struggle for autonomous independence either individually or in concert with fellow members with economic or financial support and by giving diplomatic status and recognition to such peoples who may wish if need be to establish a government in exile. To achieve the maximum degree of non-centralised political and economic operation in each country within its own frontiers, with particular reference to the empowerment of village communities whether urban or rural. To reduce global war dangers by defending their right to refuse to participate in any military, political or economic alliance with bigger nations and promoting the principle of neutrality in foreign relations. To withdraw from membership and to refuse to give any further support to the 'United Nations Organisation', it's specialist agencies or any of its subordinate or associated bodies2 It should be understood that what is being proposed here is not some kind of incipient mini-world government or any similar form of totalitarian global inanity. What is proposed instead is that in those areas where a clear functional need for an international body and for a common global acceptance of specific regulation exists...such as a postal union, maritime law, the use and control of oceanic resources, pollution controls, the containment of epidemics, emergency and disaster contingency provision, some forms of crime prevention etc...that separate bodies for each of these needs shall be established and that each should have a clear locus of control stemming from the basic unit of government within each nation in its village communities3.

#### Reject top down solutions only individual and community level action can resolve the centralization crisis.

Cael **Smith 2011,** (founder and research director for the Renewable Communities Alliance, and a founding member of Solar Done Right, MSci in Ecology and Evolutionary Biology and BA in Environmental Policy. 09-07-2011.http://www.renewableenergyworld.com/rea/news/article/2011/09/monopoly-energy-or-energy-democracy

Maybe it was the report from California that declared large solar lease investors are making an aggressive grab for Governor Brown's groundbreaking 12,000 MW of distributed generation in CA. Or it could have been an insider’s comment that the Bureau of Land Management (BLM) is (once again) under explosive pressure to auction off Colorado's few untouched public lands for oil and gas leasing. Perhaps it was Secretary of Interior Salazar's push to open 22 million acres of ecologically valuable public land for industrial solar development. Or maybe it was [watching this hilarious, but tragically revealing, 2010 Daily Show](http://www.thedailyshow.com/watch/wed-june-16-2010/an-energy-independent-future?xrs=share_fb" \t "_blank) where Jon Stewart reminds us that our last eight Presidents have vowed, and failed in various degrees, to achieve energy independence and end our dependency on fossil fuels. More likely, the State department [approval](http://thinkprogress.org/romm/2011/08/26/305591/ignoring-climate-change-state-department-report-concludes-keystone-xl-has-no-significant-impacts/%22%20%5Ct%20%22_blank) of the Keystone 1 tar sands pipeline, was the final straw. In any case, I am staring at the hard truth — we local, distributed clean energy advocates, climate and anti-frack/fossil fuel activists, and regular folks who just want affordable clean energy are losing. But it's worse than that. Our pocketbooks, planet, public safety and welfare have been hijacked as we are forced to depend on increasingly destructive and dirty energy sources. It's been a discouraging year, especially when measured against the encouraging gains made by the rest of the world. The economy in [Ontario, Canada](http://green.blogs.nytimes.com/2009/02/10/feed-in-tariffs-ontarios-experience/%22%20%5Ct%20%22_blank) is bursting with clean energy generation and jobs. Germany has maintained its global lead in solar energy while pushing to go [beyond nuclear](http://www.grist.org/article/2011-07-24-germany-passes-new-renewable-energy-law-for-2012%22%20%5Ct%20%22_blank) (despite being downplayed in the U.S.). [Japan](http://www.renewableenergyworld.com/rea/news/article/2011/08/japan-approves-national-feed-in-tariff%22%20%5Ct%20%22_blank) has adopted a new feed-in tariff (FIT) designed to spur 30,000 MW of renewable energy by 2020. (FIT's are unequivocally the most effective policy incentive for renewable energy.) **The U.S. is dragging desperately behind in the global race to keep climate change in check. At this point ([392.39 ppm and counting](http://co2now.org/%22%20%5Ct%20%22_blank)), it demands no less than a complete and immediate transformation of our global energy system.** Adding insult to injury, we are even losing hard fought ground. Colorado's pioneer Property Assessed Clean Energy (PACE) financing program continues to be derailed by Fannie Mae and Freddie Mac. Xcel's abrupt and steep reduction in Solar\*Rewards has cost Colorado thousands of good, green jobs. And even a very modest FIT study bill didn't make it past first base in the state legislature earlier this year. **While there have been a few hard-earned gains, like solar permitting reform legislation, financing remains chronically anemic in most of the U.S. In contrast, "monopoly energy" is moving full-throttle ahead. Massive new natural gas, oil and industrial wind and solar "plays" are being staked out by industries across the nation.** Many are in areas that had been spared from destructive energy development, like [Huerfano County](http://huerfanofrack.blogspot.com/%22%20%5Ct%20%22_blank) in southern Colorado. **After decades of secrecy, exemption and billions in taxpayer subsidies, we are just beginning to understand the [true cost](http://priceofoil.org/thepriceofoil/%22%20%5Ct%20%22_blank) of monopoly energy in our communities, public health and environment. And to make matters worse, when developed under the central, industrial energy model, even renewable energy sources like [wind](http://realwindinfoforme.com/wind-groups/%22%20%5Ct%20%22_blank) and [solar](http://www.basinandrangewatch.org/IvanpahValley.html%22%20%5Ct%20%22_blank) take on the same destructive qualities. Monopoly energy continues to reap [record profits](http://www.boston.com/news/politics/politicalintelligence/2011/04/oil_company_pro.html%22%20%5Ct%20%22_blank) while [failing miserably](http://www.lawyersandsettlements.com/case/arkansas-residents-earthquake-class-action-bhp.html%22%20%5Ct%20%22_blank) to protect our health and environment.** Public cries grow stronger and demonstrations grow larger and longer. Yet, our dutifully elected deciders routinely shove our environmental laws aside and widen the path for unpopular and dangerous big energy projects at the bidding of monopoly energy. All of this leads to the painfully obvious question: Why have we as a nation failed to move ahead to achieve [wildly popular](http://coloradoindependent.com/97169/survey-says-coloradans-are-fed-up-with-oil-companies-want-more-renewables%22%20%5Ct%20%22_blank) (and democratic) local clean energy goals more than 40 years after we recognized the need? Germany's solar champion **[Hermann Scheer](http://www.hermannscheer.de/en/%22%20%5Ct%20%22_blank) offered this answer in an [interview](http://www.democracynow.org/2010/10/15/hermann_scheer_1944_2010_german_lawmaker%22%20%5Ct%20%22_blank) with Amy Goodman on [Democracy Now!](http://www.democracynow.org/2010/10/15/hermann_scheer_1944_2010_german_lawmaker%22%20%5Ct%20%22_blank) shortly before his death: “We’re in a race between centralized and decentralized, energy monopoly and energy democracy. The mobilization of society is most important and once people realize they can’t wait for the government or utilities, but can do it themselves, it will change." Most importantly, Scheer said, "people need to act to overcome administrative and bureaucratic barriers that hinder renewable energy. The rules favoring conventional energy and blocking decentralized renewable energy need to be exposed and dismantled.”** Japan has learned the same lesson, albeit far more painfully than Germany. In a recent [report](http://www.wind-works.org/FeedLaws/Japan/JapanFeed-inTariffPolicyBecomesLaw.html%22%20%5Ct%20%22_blank) by Paul Gipe on Japan's recent adoption of a feed-in tariff, designed to spur more than 30,000 MW of renewable energy by 2020, he pointed out: Observers say a key feature of the new law is the creation of a special parliamentary committee to determine the details of the program, including specific tariffs. In the past, this function would normally have been assigned to the powerful [Ministry of Economy, Trade and Industry](http://en.wikipedia.org/wiki/Ministry_of_Economy%2C_Trade_and_Industry%22%20%5Ct%20%22_blank) (METI). However, the political fallout from the nuclear disaster at Fukishima has led to a dramatic loss of trust in METI, which has opposed both the rapid expansion of renewables, and also the use of feed-in tariffs to do so. Taking program design and pricing away from METI is a major victory for renewable energy advocates in Japan. **Like METI in Japan, monopoly energy (including the utility industry) devoutly opposes progressive renewable energy policies that will decentralize and democratize energy systems in the U.S. A major player in the [Corporatocracy](http://www.alternet.org/economy/151018/10_steps_to_defeat_the_corporatocracy/%22%20%5Ct%20%22_blank), monopoly energy has captured the White House and most of Congress, dominates state energy politics and in many cases, even controls local agendas. Until people unite with the understanding that monopoly energy's strangle-hold on our society and resources must be directly challenged and dismantled, as it was in Germany and now Japan, we will continue to expect unrealistic outcomes, bend our expectations to the needs of power, and fall farther behind as the rest of the world transitions to clean energy.**

**Demands on the state reinforce state power – only the alternative of individual action solves**

Brian **Martin 1990** “uprooting war” http://www.uow.edu.au/arts/sts/bmartin/pubs/90uw/uw07.html

The obvious point is that **most social activists look constantly to the state for solutions to social problems**. This point bears labouring, because **the orientation of most social action groups tends to reinforce state power**. This applies to most antiwar action too. Many of **the goals and methods of** peace **movements have been oriented around action by the state, such as appealing to state elites and advocating neutralism** and unilateralism. Indeed, peace movements spend a lot of effort debating which demand to make on the state: nuclear freeze, unilateral or multilateral disarmament, nuclear-free zones, or removal of military bases. **By appealing to the state, activists indirectly strengthen the roots of many social problems**, the problem of war in particular. **To help transform the state system, action groups need to develop strategies which**, at a minimum, **do not reinforce state power. This means ending the incessant appeals for state intervention, and promoting solutions to social problems which strengthen local self-reliance and initiative**. What can be done about poverty? Promote worker and community control over economic resources, and local self-reliance in skills and resources. What about racial discrimination? Promote discussion, interaction and nonviolent action at a grassroots level. What about environmental degradation? Encourage local communities to re-examine their own activities and to confront damaging practices. What about sexual discrimination? Build grassroots campaigns against rape and the gender division of labour, and mount challenges to hierarchical structures which help sustain patriarchy. What about corporate irresponsibility or excess profits? Promote worker and community control over production. What about unemployment? Promote community control of community resources for equitable distribution of work and the economic product, and develop worker cooperatives as an alternative to jobs as gifts of employers. What about crime? Work against unequal power and privilege, and for meaningful ways of living, to undercut the motivation for crime, and promote local community solidarity as a defence against crime. What about enemy attack? Social defence. What about too much military spending? **Build local alternatives to the state, use these alternatives to withdraw support from the state** and undermine the economic foundation of military spending. These grassroots, self-managing solutions to social problems are in many cases no more than suggestive directions. Detailed grassroots strategies in most cases have not been developed, partly because so little attention has been devoted to them compared to strategies relying on state intervention. But **the direction should be clear: in developing strategies to address social problems, aim at building local self-reliance and withdrawing support from the state rather than appealing for state intervention and thereby reinforcing state power.** Many **people's thinking is permeated by state perspectives**. One manifestation of this is the unstated identification of states or governments with the people in a country which is embodied in the words 'we' or 'us.' "We must negotiate sound disarmament treaties." "We must renounce first use of nuclear weapons." Those who make such statements implicitly identify with the state or government in question. It is important to avoid this identification, and to carefully distinguish states from people. The Italian state is different from the people living in Italy. Instead of saying "China invaded Vietnam," it is more accurate and revealing to say something like "Chinese military forces invaded Vietnamese territory" or perhaps "Chinese military forces, mostly conscripts, were ordered by the rulers of the Chinese state to invade territory which was claimed by rulers of the Vietnamese state as exclusively theirs to control." Also to be avoided is the attribution of gender to states, as in 'motherland' or 'fatherland.'Many social action campaigns have a national focus, a national organisational basis and depend on national activist leaders. This is especially true when the campaign is based on influencing state elites to implement or change policies. **This national orientation both reflects and reinforces a state perspective and state power. The alternative is to think and act both locally and transnationally, and to develop skills and leadership at local levels.** This approach has been adopted by some social movements, but seldom on a sustained and systematic basis.

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#### Our Kappeler evidence indicates that war becomes inevitable when we ignore our own personal complicity with violence that occurs and instead focus on grand stages of political action because is creates disillusionment and a false sense of powerlessness. When we shift our personal responsibility for violence and war onto institutions such as the state we mask massive amounts of structural violence that is the root of conflict in the world and outweighs the aff

Dr. Robert C. Gilman, Ph.D. President of Context Institute Founding Editor of IN CONTEXT, A Quarterly of Humane Sustainable Culture One of the articles in The Foundations Of Peace (IC#4) Autumn 1983, Page 8 http://72.14.203.104/search?q=cache:p\_T2jwNn8g4J:www.context.org/ICLIB/IC04/Gilman1.htm+nuclear+war+%22structural+violence%22&hl=en

The human tendency toward, and preparations for, open warfare are certainly the most spectacular obstacles to peace, but they are not the only challenges we face. For much of the world's population, hunger, not war, is the pressing issue, and it is hard to imagine a genuine peace that did not overcome our current global pattern of extensive poverty in the midst of plenty. Hunger and poverty are two prime examples of what is described as "structural violence," that is, physical and psychological harm that results from exploitive and unjust social, political and economic systems. It is something that most of us know is going on, some of us have experienced, but in its starker forms, it is sufficiently distant from most North American lives that it is often hard to get a good perspective on it. I've come across an approach that seems to help provide that perspective, and I'd like to describe it. How significant is structural violence? How does one measure the impact of injustice? While this may sound like an impossibly difficult question, Gernot Kohler and Norman Alcock (in Journal of Peace Research, 1976, 13, pp. 343-356) have come up with a surprisingly simple method for estimating the grosser forms of structural violence, at least at an international level. The specific question they ask is, how many extra deaths occur each year due to the unequal distribution of wealth between countries? To understand their approach, we will need to plunge into some global statistics. It will help to start with the relationship between Life Expectancy (LE) and Gross National Product Per Person (GNP/p) that is shown in the following figure. Each dot in this figure stands for one country with its LE and GNP/p for the year 1979. All together, 135 countries are represented (data from Ruth Sivard's World Military and Social Expenditures 1982, World Priorities, Box 1003, Leesburg VA 22075, $4). Kohler and Alcock used a similar figure based on data for 1965, and I'll compare the 1965 data with the 1979 data later in this article. Except for a few oil exporting countries (like Libya) that have unusual combinations of high GNPs and low Life Expectancies, the data follows a consistent pattern shown by the curve. Among the "poor" countries (with GNP/p below about $2400 per person per year), life expectancy is relatively low and increases rapidly with increasing GNP/p. Among the "rich" countries, life expectancy is consistently high and is relatively unaffected by GNP. The dividing line between these two groups turns out to also be the world average GNP per person. The value of the life expectancy curve at that point (for 1979) is 70 years. Thus, other things being equal, if the world's wealth was distributed equally among the nations, every country would have a life expectancy of 70 years. This value is surprisingly close to the average life expectancy for the industrial countries (72 years), and is even not that far below the maximum national life expectancy of 76 years (Iceland, Japan, and Sweden). Kohler and Alcock use this egalitarian model as a standard to compare the actual world situation against. The procedure is as follows. The actual number of deaths in any country can be estimated by dividing the population (P) by the life expectancy (LE). The difference between the actual number of deaths and the number of deaths that would occur under egalitarian conditions is thus P/LE - P/70. For example, in 1979 India had a population of 677 million and a life expectancy of 52 years. Thus India's actual death rate was 13 million while if the life expectancy had been 70, the rate would have been 9.7 million. The difference of 3.3 million thus provides an estimate of the number of extra deaths. Calculating this difference for each country and then adding them up gives the number of extra deaths worldwide due to the unequal distribution of resources. The result for 1965 was 14 million, while for 1979 the number had declined to 11 million. (China, with a quarter of the world's population, is responsible for 3/4 of this drop since it raised its life expectancy from 50 in 1965 to 64 in 1979.) How legitimate is it to ascribe these deaths to the structural violence of human institutions, and not just to the variability of nature? Perhaps the best in-depth study of structural violence comes from the Institute for Food and Development Policy (1885 Mission St, San Francisco, CA 94103). What they find throughout the Third World is that the problems of poverty and hunger often date back hundreds of years to some conquest - by colonial forces or otherwise. The victors became the ruling class and the landholders, pushing the vast majority either on to poor ground or into being landless laborers. Taxes, rentals, and the legal system were all structured to make sure that the poor stayed poor. The same

 patterns continue today. Additional support is provided by the evidence in the above figure, which speaks for itself. Also, according to Sivard, 97% of the people in the Third World live under repressive governments, with almost half of all Third World countries run by military dominated governments. Finally, as a point of comparison, Ehrlich and Ehrlich (Population, Environment, and Resources, 1972, p72) estimate between 10 and 20 million deaths per year due to starvation and malnutrition. If their estimates are correct, our estimates may even be too low. Some comparisons will help to put these figures in perspective. The total number of deaths from all causes in 1965 was 62 million, so these estimates indicate that 23% of all deaths were due to structural violence. By 1979 the fraction had dropped to 15%. While it is heartening to see this improvement, the number of deaths is staggeringly large, dwarfing any other form of violence other than nuclear war. For example, the level of structural violence is 60 times greater than the average number of battle related deaths per year since 1965 (Sivard 1982). It is 1.5 times as great as the yearly average number of civilian and battle field deaths during the 6 years of World War II. Every 4 days, it is the equivalent of another Hiroshima. Perhaps the most hopeful aspect of this whole tragic situation is that essentially everyone in the present system has become a loser. The plight of the starving is obvious, but the exploiters don't have much to show for their efforts either - not compared to the quality of life they could have in a society without the tensions generated by this exploitation. Especially at a national level, what the rich countries need now is not so much more material wealth, but the opportunity to live in a world at peace. The rich and the poor, with the help of modern technology and weaponry, have become each others' prisoners. Today's industrialized societies did not invent this structural violence, but it could not continue without our permission. This suggests that to the list of human tendencies that are obstacles to peace we need to add the ease with which we acquiesce in injustice - the way we all too easily look in the other direction and disclaim "response ability." In terms of the suffering it supports, it is by far our most serious flaw.

#### 3. Acting as if we had our hands on the levers of power creates a form of role confusion that ignores the ontological violnece that occurs within the systems interactions with the field of pain and death. Interrogation of this relationship via our criticism is key

Pierre Schlag 1991 (professor of law at the university of Colorado) stanford law review november, p. lexis

Now, one reaction a normative legal thinker might have to all this is that it is all perfectly horrible -- and that we should all try to preserve our normative universe by using words more carefully and by arguing very morally against instrumentalism and the instrumentalization of law (and so on). but [\*187] this argument misses the point again. this is history -- not dialogue among disembodied cartesian selves. and it doesn't do much good to make normative arguments against history -- especially not if you keep misidentifying your own addressee, your agent of change, your subject. unfortunately, that is precisely what normative legal thought keeps getting confused about. it keeps thinking that it is addressing some morally competent, well-intentioned individual who has his [their] hands on the levers of power. 54 the pervasiveness of this metaphysical confusion -- its routine character within the legal academy -- is precisely what engenders the more socially situated confusions of "liberal" and "progressive" legal academics as to whether or not the warren court is still sitting. 55 all of this can seem very funny. that's because it is very funny. it is also deadly serious. it is deadly serious, because all this normative legal thought, as robert cover explained, takes place in a field of pain and death. 56 and in a very real sense cover was right. yet as it takes place, normative legal thought is playing language games -- utterly oblivious to the character of the language games it plays, and thus, utterly uninterested in considering its own rhetorical and political contributions (or lack thereof) to the field of pain and death. to be sure, normative legal thinkers are often genuinely concerned with reducing the pain and the death. however, the problem is not what normative legal thinkers do with normative legal thought, but what normative legal thought does with normative legal thinkers. what is missing in normative legal thought is any serious questioning, let alone tracing, of the relations that the practice, the rhetoric, the routine of normative legal thought have (or do not have) to the field of pain and death. and there is a reason for that: normative legal thought misunderstands its own situation. typically, normative legal thought understands itself to be outside the field of pain and death and in charge of organizing and policing that field. it is as if the action of normative legal thought could be separated from the background field of pain and death. this theatrical distinction is what allows normative legal thought its own self-important, self-righteous, self-image -- its congratulatory sense of its own accomplishments and effectiveness. all this self-congratulation works very nicely so long as normative legal [\*188] thought continues to imagine itself as outside the field of pain and death and as having effects within that field. 57 yet it is doubtful this image can be maintained. it is not so much the case that normative legal thought has effects on the field of pain and death -- at least not in the direct, originary way it imagines. rather, it is more the case that normative legal thought is the pattern, is the operation of the bureaucratic distribution and the institutional allocation of the pain and the death. 58 and apart from the leftover ego-centered rationalist rhetoric of the eighteenth century (and our routine), there is nothing at this point to suggest that we, as legal thinkers, are in control of normative legal thought.

#### 4. Relocating our selves away from global visions and instead focusing on our individual relationships is critical to solve and change the world. Power only exists in these individual relationships. Ignoring that relationship reproduces power in its most violent form. reconfiguring this relationship in terms of individuals trancends all oppressive structures and emancipates humanity,

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