# Case

### New ev

#### Extinction is the worst impact—prioritizing anything else puts the cart before the horse

Schell 1982

(Jonathan, Professor at Wesleyan University, The Fate of the Earth, pages 136-137 uw//wej)

Implicit in everything that I have said so far about the nuclear predicament there has been a perplexity that I would now like to take up explicitly, for it leads, I believe, into the very heart of our response-or, rather, our lack of response-to the predicament. I have pointed out that our species is the most important of all the things that, as inhabitants of a common world, we inherit from the past generations, but it does not go far enough to point out this superior importance, as though in making our decision about ex- tinction we were being asked to choose between, say, liberty, on the one hand, and the survival of the species, on the other. For the species not only overarches but contains all the benefits of life in the common world, and to speak of sacrificing the species for the sake of one of these benefits involves one in the absurdity of wanting to de- stroy something in order to preserve one of its parts, as if one were to burn down a house in an attempt to redecorate the living room, or to kill someone to improve his character. ,but even to point out this absurdity fails to take the full measure of the peril of extinction, for mankind is not some invaluable object that lies outside us and that we must protect so that we can go on benefiting from it; rather, it is we ourselves, without whom everything there is loses its value. To say this is another way of saying that extinction is unique not because it destroys mankind as an object but because it destroys mankind as the source of all possible human subjects, and this, in turn, is another way of saying that extinction is a second death, for one's own individual death is the end not of any object in life but of the subject that experiences all objects. Death, how- ever, places the mind in a quandary. One of-the confounding char- acteristics of death-"tomorrow's zero," in Dostoevski's phrase-is that, precisely because it removes the person himself rather than something in his life, it seems to offer the mind nothing to take hold of. One even feels it inappropriate, in a way, to try to speak "about" death at all, as. though death were a thing situated some- where outside us and available for objective inspection, when the fact is that it is within us-is, indeed, an essential part of what we are. It would be more appropriate, perhaps, to say that death, as a fundamental element of our being, "thinks" in us and through us about whatever we think about, coloring our thoughts and moods with its presence throughout our lives.

#### Consequentialism is key to ethical decision making, because it ensures beings are treated as equal—any other approach to ethics is arbitrary because it considers one’s preferences as more important than others

Lillehammer, 2011

[Hallvard, Faculty of Philosophy Cambridge University, “Consequentialism and global ethics.” Forthcoming in M. Boylan, Ed., Global Morality and Justice: A Reader, Westview Press, Online, <http://www.phil.cam.ac.uk/teaching_staff/lillehammer/Consequentialism_and_Global_Ethics-1-2.pdf>] /Wyo-MB

Contemporary discussions of consequentialism and global ethics have been marked by a focus on examples such as that of the shallow pond. In this literature, distinctions are drawn and analogies made between different cases about which both the consequentialist and his or her interlocutor are assumed to have a more or less firm view. One assumption in this literature is that progress can be made by making judgements about simple actual or counterfactual examples, and then employing a principle of equity to the effect that like cases be treated alike, in order to work out what to think about more complex actual cases. It is only fair to say that in practice such attempts to rely only on judgements about simple cases have a tendency to produce trenchant stand-offs. It is important to remember, therefore, that for some consequentialists the appeal to simple cases is neither the only, nor the most basic, ground for their criticism of the ethical status quo. For some of the historically most prominent consequentialists the evidential status of judgements about simple cases depends on their derivability from basic ethical principles (plus knowledge of the relevant facts). Thus, in The Methods of Ethics, Henry Sidgwick argues that ethical thought is grounded in a small number of self-evident axioms of practical reason. The first of these is that we ought to promote our own good. The second is that the good of any one individual is objectively of no more importance than the good of any other (or, in Sidgwick’s notorious metaphor, no individual’s good is more important ‘from the point of view of the Universe’ than that of any other). The third is that we ought to treat like cases alike. Taken together, Sidgwick takes these axioms to imply a form of consequentialism. We ought to promote our own good. Yet since our own good is objectively no more important than the good of anyone else, we ought to promote the good of others as well. And in order to treat like cases alike, we have to weigh our own good against the good of others impartially, all other things being equal. iv It follows that the rightness of our actions is fixed by what is best for the entire universe of ethically relevant beings. To claim otherwise is to claim for oneself and one’s preferences a special status they do not possess. When understood along these lines, consequentialism is by definition a global ethics: the good of everyone should count for everyone, no matter their identity, location, or personal and social attachments, now or hereafter. v Some version of this view is also accepted by a number of contemporary consequentialists, including Peter Singer, who writes that it is ‘preferable to proceed as Sidgwick did: search for undeniable fundamental axioms, [and] build up a moral theory from them’ (Singer 1974, 517; Singer 1981). For these philosophers the question of our ethical duties to others is not only a matter of our responses to cases like the shallow pond. It is also a matter of whether these responses cohere with an ethics based on first principles. If you are to reject the consequentialist challenge, therefore, you will have to show what is wrong with those principles.

#### Preventing death is the first ethical priority – it’s the only impact you can’t recover from.

Zygmunt Bauman, University of Leeds Professor Emeritus of Sociology, 1995, Life In Fragments: Essays In Postmodern Morality, p. 66-71

The being‑for is like living towards‑the‑future: a being filled with anticipation, a being aware of the abyss between future foretold and future that will eventually be; it is this gap which, like a magnet, draws the self towards the Other,as it draws life towards the future, making life into an activity of overcoming, transcending, leaving behind. The self stretches towards the Other, as life stretches towards the future; neither can grasp what it stretches toward, but it is in this hopeful and desperate, never conclusive and never abandoned stretching‑toward that the self is ever anew created and life ever anew lived. In the words of M. M. Bakhtin, it is only in this not‑yet accomplished world of anticipation and trial, leaning toward stubbornly an‑other Other, that life can be lived ‑ not in the world of the `events that occurred'; in the latter world, `it is impossible to live, to act responsibly; in it, I am not needed, in principle I am not there at all." Art, the Other, the future: what unites them, what makes them into three words vainly trying to grasp the same mystery, is the modality of possibility. A curious modality, at home neither in ontology nor epistemology; itself, like that which it tries to catch in its net, `always outside', forever `otherwise than being'. The possibility we are talking about here is not the all‑too‑familiar unsure‑of‑itself, and through that uncertainty flawed, inferior and incomplete being, disdainfully dismissed by triumphant existence as `mere possibility', `just a possibility'; possibility is instead `plus que la reahte' ‑ both the origin and the foundation of being. The hope, says Blanchot, proclaims the possibility of that which evades the possible; `in its limit, this is the hope of the bond recaptured where it is now lost."' The hope is always the hope of *being fu filled,* but what keeps the hope alive and so keeps the being open and on the move is precisely its *unfu filment.* One may say that the paradox *of hope* (and the paradox of possibility founded in hope) is that it may pursue its destination solely through betraying its nature; the most exuberant of energies expends itself in the urge towards rest. Possibility uses up its openness in search of closure. Its image of the better being is its own impoverishment . . . The togetherness of the being‑for is cut out of the same block; it shares in the paradoxical lot of all possibility. It lasts as long as it is unfulfilled, yet it uses itself up in never ending effort of fulfilment, of recapturing the bond, making it tight and immune to all future temptations. In an important, perhaps decisive sense, it is selfdestructive and self‑defeating: its triumph is its death. The Other, like restless and unpredictable art, like the future itself, is a *mystery.* And being‑for‑the‑Other, going towards the Other through the twisted and rocky gorge of affection, brings that mystery into view ‑ makes it into a challenge. That mystery is what has triggered the sentiment in the first place ‑ but cracking that mystery is what the resulting movement is about. The mystery must be unpacked so that the being‑for may focus on the Other: one needs to know what to focus on. (The `demand' is *unspoken,* the responsibility undertaken is *unconditional;* it is up to him or her who follows the demand and takes up the responsibility to decide what the following of that demand and carrying out of that responsibility means in practical terms.) Mystery ‑ noted Max Frisch ‑ (and the Other is a mystery), is an exciting puzzle, but one tends to get tired of that excitement. `And so one creates for oneself an image. This is a loveless act, the betrayal." Creating an image of the Other leads to the substitution of the image for the Other; the Other is now fixed ‑ soothingly and comfortingly. There is nothing to be excited about anymore. I know what the Other needs, I know where my responsibility starts and ends. Whatever the Other may now do will be taken down and used against him. What used to be received as an exciting surprise now looks more like perversion; what used to be adored as exhilarating creativity now feels like wicked levity. Thanatos has taken over from Eros, and the excitement of the ungraspable turned into the dullness and tedium of the grasped. But, as Gyorgy Lukacs observed, `everything one person may know about another is only expectation, only potentiality, only wish or fear, acquiring reality only as a result of what happens later, and this reality, too, dissolves straightaway into potentialities'. Only death, with its finality and irreversibility, puts an end to the musical‑chairs game of the real and the potential ‑ it once and for all closes the embrace of togetherness which was before invitingly open and tempted the lonely self." `Creating an image' is the dress rehearsal of that death. But creating an image is the inner urge, the constant temptation, the *must* of all affection . . . It is the loneliness of being abandoned to an unresolvable ambivalence and an unanchored and formless sentiment which sets in motion the togetherness of being‑for. But what loneliness seeks in togetherness is an end to its present condition ‑ an end to itself. Without knowing ‑ without being capable of knowing ‑ that the hope to replace the vexing loneliness with togetherness is founded solely on its own unfulfilment, and that once loneliness is no more, the togetherness ( the being‑for togetherness) must also collapse, as it cannot survive its own completion. What the loneliness seeks in togetherness (suicidally for its own cravings) is the foreclosing and pre‑empting of the future, cancelling the future before it comes, robbing it of mystery but also of the possibility with which it is pregnant. Unknowingly yet necessarily, it seeks it all to its own detriment, since the success (if there is a success) may only bring it back to where it started and to the condition which prompted it to start on the journey in the first place. The togetherness of being‑for is always in the future, and nowhere else. It is no more once the self proclaims: `I have arrived', `I have done it', `I fulfilled my duty.' The being‑for starts from the realization of the bottomlessness of the task, and ends with the declaration that the infinity has been exhausted. This is the tragedy of being‑for ‑ the reason why it cannot but be death‑bound while simultaneously remaining an undying attraction. In this tragedy, there are many happy moments, but no happy end. Death is always the foreclosure of possibilities, and it comes eventually in its own time, even if not brought forward by the impatience of love. The catch is to direct the affection to staving off the end, and to do this against the affection's nature. What follows is that, if moral relationship is grounded in the being-for togetherness (as it is), then it can exist as a project, and guide the self's conduct only as long as its nature of a project (a not yet-completed project) is not denied. Morality, like the future itself, is forever not‑yet. (And this is why the ethical code, any ethical code, the more so the more perfect it is by its own standards, supports morality the way the rope supports the hanged man.) It is because of our loneliness that we crave togetherness. It is because of our loneliness that we open up to the Other and allow the Other to open up to us. It is because of our loneliness (which is only belied, not overcome, by the hubbub of the being‑with) that we turn into moral selves. And it is only through allowing the togetherness its possibilities which only the future can disclose that we stand a chance of acting morally, and sometimes even of being good, in the present.

# CP

### 2NC Solvency – Wind

#### States solve better – federal incentives create a boom and bust environment

Sasha Kemmet, 2006 WISE Intern, senior at Iowa State University studying electrical engineering, “Using Financial Incentives to Encourage Wind Power Project Development”, IEEE, August 3, 2006.

Current financial incentives at the federal level for wind energy include a production tax credit (PTC), accelerated depreciation, and project loan guarantees. PTCs are extremely effective in encouraging wind project development but delayed PTC renewal has caused a “boom-and-bust” environment in the wind industry which makes it more difficult for projects to receiving financing and good lending terms. At the state level, government subsidized loans have been extremely effective in encouraging wind system development. They reduce debt by offering lower interest rates and more favorable lending terms than commercial loans.

#### States are key drivers of wind energy

Bird ’05

[Lori, 7/8/2012, Energy analysis officer of the NREL, “Policies and market factors driving wind power development in the United States” National Renewable Energy Laboratory, Vol 33, 1401-1402, Wyo-PS

Within the context of these broader market drivers and Federal incentives, State policies and markets, in many cases, have been instrumental in stimulating wind energy development. Table 2 provides a summary and comparison of policy incentives in the States examined in this paper. Based on the experience of these States, the following policies and market factors have been identified as key drivers of wind energy development at the State level.

### Solvency – Individual Engagement

#### States better for individual engagement – national politics are beholden to fossil fuel lobbies and disregard INDIVIDUALS. We’re a better platform for ADVOCACY

Byrne, 8

Byrne, et al., 2008.

In Peter Droege eds. Urban Energy Transition: From Fossil Fuels to Renewable Power.

Oxford, UK: Elsevier Pps.27-53.

Center for Energy and Environmental Policy Established in 1980 at the University of Delaware, the Center is a leading institution for interdisciplinary graduate education, research, and advocacy in energy and environmental policy. CEEP is led by Dr. John Byrne, Distinguished Professor of Energy & Climate Policy at the University. For his contributions to Working Group III of the Intergovernmental Panel on Climate Change (IPCC) since 1992, he shares the 2007 Nobel Peace Prize with the Panel's authors and review editors.

The political momentum built in US cities, states and regions to initiate climate mitigation and related efforts is to be contrasted with inaction by the US national government in addressing the climate challenge. Support for climate protection can be found in polling of Americans which points to 83% support among the country's citizens for greater national leadership in addressing climate change, and even deeper support for state and community action to address climate concerns (Opinion Research Corporation 2006). If the American people appear to support such initiatives, the question becomes why are states, cities and regions leading the way, rather than the national government? US national politics has for decades exhibited a troubling amenability to the interests of fossil fuel and automaker lobbies (Leggett 2001; Public Citizen 2005; NRDC 2001). A recent example of this influence can be found in the history of the National Energy Policy Development Group, which took input 'principally' from actors associated with such interests (US General Accounting Office (GAO) 2003). At the same time, the national administration has been noted for the presence of individuals with backgrounds in the auto, mining, natural gas, electric, and oil industries, in positions at the White House, the Environmental Protection Agency, and the Departments, respectively, of Energy, Commerce, and the Interior (Bogardus, 2004; Drew and Oppel Jr 2004; NRDC, 2001). State-level politics may be able to obviate this influence through their efforts to allow a more direct citizen influence upon decision making. For example, 23 states permit citizens to petition for a direct vote (Initiative and Referendum Institute 2007), a strategy that has helped ensure the advancement of environmentally minded initiatives within states in recent years, such as the State of Washington's enactment by ballot of an RPS proposal in 2006 (Initiative and Referendum Institute 2007).

### 2NC Solvency – Vertical Diffusion

#### States action causes federal adoption means we solve 100% of case and don’t link to federal action key solvency deficits

#### -- Vertical policy diffusion – prefer this evidence it is specific to incentives and energy policy

Roberta Mann, Professor and Dean’s Distinguished Faculty Fellow, University of Oregon School of Law, “BUSINESS LAW FORUM TAXATION AND THE ENVIRONMENT: FEDERAL, STATE, AND LOCAL TAX POLICIES FOR CLIMATE CHANGE: COORDINATION OR CROSS-PURPOSE?”, Lewis and Clark Law Review, Summer 2011. 15 Lewis & Clark L. Rev. 369

Several groups of researchers have examined the potential interactions between federal and state climate policies. n54 Andrew Aulisi [\*377] and other researchers from the World Resources Institute examined case studies to determine when leading state policies would "vertically diffuse" and be adopted by the national government. n55 The most significant factors for successful vertical policy diffusion were the push for diffusion by state champions, policy learning by example and innovation, and the spillover effect. n56 State officials may press for federal adoption of their policies because those policies may fail without expansion to the national level, due to "competition with other states with conflicting policies or weaker commitments to the policy goal." n57 State policies may demonstrate that a policy can be implemented and be effective. The spillover effect is "the extent to which the perceived benefits and costs of state policies cross over state lines to other states" or the nation. n58 The results of vertical diffusion may be full or partial preemption of the issue by the federal government, issuance of grants or incentives by the federal government to the states to perpetuate the activity, or federal mandates, with or without funding. n59 The researchers concluded that the RGGI cap-and-trade program contained all the significant vertical diffusion factors, including the somewhat less significant factor of business support for federal action. n60 The researchers predicted that the federal government is "likely to use partial preemption to respond to the RGGI ... standards." n61 The House-passed climate change bill (ACES) would have fully preempted existing regional cap-and-trade programs. n62 The choice of full preemption in the legislation may have been driven by the concerns of business constituents. Business interests have considerable influence on policymaking in the United States. n63 Business support for federal action is motivated by the desire for uniform standards, which enables businesses to avoid a patchwork of varying state rules that would increase compliance costs and create competitive advantages. n64

### 2NC AT: Perm – Do Both

#### [ ] Still links to federal government action disads.

#### [ ] Federal action stifles state action in anticipation

Barry Rabe, Prof Public Policy @ U. of Michigan, “Contested Federalism and American Climate Policy”, Publlius, 2011

The limited scope and uncertain future of new federal climate policy initiatives thus far under contested federalism underscored the reality that much of the American approach to climate policy will in all likelihood continue to be state- and regionally-centered in the coming years. After the surge of sub-federal policy development in the period of state domination, states began to slow their efforts, in large part due to anticipated federal action on a large scale. The collapse of Congressional deliberation on major legislation returned much of the lead in climate governance to states. This raised significant questions of implementation, including a series of major challenges and opportunities.

### 2NC AT: Links To Politics

#### States don’t link

#### [ ] There’s no reason Obama would be blamed or get credit for state policies.

#### [ ] Avoids conflict

#### States avoid politics

Rabe, 7

(Prof of Public Policy-Ford School at Michigan, “Beyond Kyoto: Climate Change Policy in Multilevel Governance Systems,” Governance, Vol. 20, Issue 3, July)

Those more active states include many that have conventionally been among the most innovative in environmental and energy policy, particularly those lodged along the respective national coasts, but they increasingly include a diverse set from other regions such as the Southwest and Midwest (Rabe 2006). Most of the initiatives have been enacted with **minimal partisan rancor** and have not been dominated by a single political party. Most of these also appear quite **capable of enduring once partisan control of a state government**, including the governorship, **changes hands, and have not proven very controversial to enact** or implement. Clearly, state agencies have played a central role in policy development, building coalitions rather quietly around policies that are tailored around relatively inexpensive reduction opportunities. This is entirely consistent with a pattern of “bureaucratic autonomy” and agency-based entrepreneurship that has been established in other American policy contexts (Carpenter 2001; Mintrom 2002).

These steps have often been linked to early signs of climate change as manifest in a particular state, thereby framed as a response to a specific environmental problem facing the state. A further source of bipartisan appeal for these initiatives has been the promise of multiple benefits, whereby agency advocates demonstrate the potential of a program not only to reduce greenhouse gases but also to achieve other goals, such as reduction of conventional air pollutants, reduced reliance on imported fossil fuels, and longer term regulatory predictability to electrical utilities and other regulated entities, as well as economic development opportunities (Rabe 2004). Hence, a considerable part of the appeal of state-based climate policy initiatives has been the simultaneous pursuit of environmental protection and potential contribution to economic growth or stability. Indeed, much of this comports with Eugene Bardach's definition of smart practice: “What makes a practice smart is that the method also involves taking advantage of some latent opportunity for creating value on the cheap” (Bardach 1998, 36). In contrast, climate policy initiatives, whether or not they meet the definition of smart practices, are simply much harder to find at the Canadian provincial level. Only one of the 10 provinces, Manitoba, begins to approach the 15 most active American states in terms of the breadth and rigor of its greenhouse gas reduction strategy. Instead, most provinces remain focused on preliminary study of the issue and consideration of alternative policies that might be established at some future point. Among the three or four more active provinces, climate policy is almost exclusively confined to nonbinding “goals” and voluntary efforts. Any regulatory provisions, or exact rules to guide reduction, are focused narrowly on provincially funded activity, such as a mandate in Alberta to purchase a set of hybrid vehicles for government use. Fifteen years after Rio and nearly a decade after the signing of Kyoto, it remains very difficult to discern much of a pulse on serious climate policy development in most provinces, quite contrary to the experience of a growing and diverse set of American states. American state engagement on climate policy may be every bit as surprising as Canadian provincial disengagement. Given conventional depictions of the United States as a North American climate policy laggard and Canada as a devoted adherent to Kyoto, why are so many—and such diverse—states apparently taking the lead in devising policies to reduce greenhouse gases? Why do the American states offer an increasingly large and robust set of policy initiatives where there is no evidence of a comparable trend in Canada? Subsequent discussion will explore three distinct factors that emerged through the comparative case analysis to explain this variability. Differing Intergovernmental Context The divergent paths of the respective federal governments on Kyoto served to create very distinct contexts for states and provinces to consider their own policy development options. These differing contexts were clearly unintended by-products of the very different ways in which the debate over Kyoto, involving both those steps leading toward final negotiations and consideration of possible ratification, played out in Washington and Ottawa. In turn, they illustrate the very differing roles that subnational units—states and provinces—played in these processes, with attendant impacts on their own involvement in climate policy development. A hallmark of the American federal government through the two Clinton administrations and the second Bush presidency has been **a consistent inability to reach agreement** on legislation related to environmental protection, energy, and other areas vitally important to climate change. During this period, every possible partisan configuration within the American two-party system has existed for at least some period of time and yet a consistent outcome has been lack of domestic policy consensus, even in terms of needed updating of established legislation such as air quality (Binder 2003). This divide is equally evident in the international climate realm, as the Clinton administration agreed to Kyoto in December 1997 even though a number of its key provisions directly contradicted a Senate resolution that passed by a 95–0 vote six months earlier. A few states sent representatives to Kyoto and earlier rounds of negotiation but they were not formally consulted either in developing the treaty or in examining ways in which the Senate might be persuaded to ratify it. Instead, Kyoto was widely recognized through the remaining three years of the Clinton administration as doomed politically, so much so that the administration never submitted it to the Senate for ratification nor actively developed a strategy seeking ratification. In many respects, the 2001 actions by the Bush administration were anticlimactic and neither the 2000 nor 2004 Democratic presidential nominees offered any blueprint for jump-starting Kyoto. In many respects, Kyoto was politically “dead on arrival” but nonetheless attracted tremendous division and controversy in Washington during subsequent years. As states were essentially excluded from this process, they had a relatively quiet decade in which to think about climate change, in terms of both how it might affect them in distinct ways and how they might fashion their own policies to reduce greenhouse gases and simultaneously promote economic development. In some instances, states have clearly responded to a perception that climate change poses serious threats to their residents—such as sea-level rise in coastal states and severe droughts in agricultural states—and that there is a significant environmental need to craft responsive policies as soon as possible. But these responses have also been coupled with efforts to design policy that “fits” the economic and political realities of a particular state. These are intended to minimize any economic disruptions that might occur during implementation and to take maximum advantage of economic development opportunities that may stem from early action on climate change. What has been missing in these state policy processes is the kind of anguished, often moralistic, rhetoric that has polarized national debate and made any semblance of consensus at that level so elusive. Instead, state policy deliberations over climate change have benefited from a kind of **“political cover”** provided by the widely held presumption that states lacked the incentives, resources, or authority necessary to play any serious role. Many states used this extended period to reflect seriously about the issue of climate change and how they might begin to respond to it. Many began with symbolic initiatives and analytical exercises, gradually moving toward policy development as ideas converged and opportunities arose. At various points, these efforts took institutional form, such as creation of a cross-agency task force or designation of a unit with a lead role in policy development. All of this continued apace, receiving surprisingly little attention from environmental groups, the media, or federal policymakers, while the latter continued to dominate public attention by thrashing over the details of Kyoto and its aftermath. This served to give state officials considerable time to contemplate climate policy options, including the forging of policies that made considerable political, economic, and environmental sense for them to pursue unilaterally, with the reasonable expectation that no federal action of any consequence was in the offing.