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### 1NC – OFF

#### THE DIGITAL AGE IS HERE – Technology has created an age of constant information and signifiers floating through our phones and computers as media. This creates a dyslexia – reduced attention spans, no time for true human interaction – this leads to information overload, which is too fast for our organic minds to keep up with – that causes depression and drug use. It’s no coincidence that the rise of tech in the 80s was complimented with a drug epidemic. These signifiers come prior to action, thus the role of the ballot is to disrupt semiocapitalism.

**Berardi 09** [Franco Berardi, Italian communist theorist and activist in the autonomist tradition, whose work mainly focuses on the role of the media and information technology within post-industrial capitalism Precarious Rhapsody, by Franco Bifo Berardi et al., AK Press, 2009. P. 40-42 // LEX JB]

* TW – mentions of suicide, not read, but it’s in the card if you chose to read it after the round

The acceleration of information exchange has produced and is producing an effect of a pathological type on the individual human mind and even more on the collective mind. Individuals are not in a position to consciously process the immense and always growing mass of information that enters their computers, their cell phones, their television screens, their electronic diaries and their heads. However, it seems indispensable to follow, recognize, evaluate, process all this information if you want to be efficient, competitive, victorious. The practice of multitasking, the opening of a window of hypertextual attention, the passage from one context to another for the complex evaluation of processes, tends to deform the sequential modality of mental processing. According to Christian Marazzi, who has concerned himself in various books with the relations between economics, language and affectivity, the latest generation of economic operators is affected by a real and proper form of dyslexia, incapable of reading a page from the beginning to the end according to sequential procedures, incapable of maintaining concentrated attention on the same object for a long time. And dyslexia spreads to cognitive and social behaviors, leading to rendering the pursuit of linear strategies nearly impossible. Some, like Davenport and Beck , speak of an attention economy. But when a cognitive faculty enters into and becomes part of economic discourse this means that it has become a scarce resource. The necessary time for paying attention to the fluxes of information to which we are exposed and which must be evaluated in order to be able to make decisions is lacking. The consequence is in front of our eyes: political and economic decisions no longer respond to a long term strategic rationality and simply follow immediate interests. On the other hand, we are always less available for giving our attention to others gratuitously. We no longer have the attention time for love, tenderness, nature, pleasure and compassion. Our attention is ever more besieged and therefore we assign it only to our careers, to competition and to economic decisions. And in any case our temporality cannot follow the insane speed of the hypercomplex digital machine. Human beings tend to become the ruthless executors of decisions taken without attention. The universe of transmitters, or cyberspace, now proceeds at a superhuman velocity and becomes untranslatable for the universe of receivers, or cybertime, that cannot go faster than what is allowed by the physical material from which our brain is made, the slowness of our body, the need for caresses and affection. Thus opens a pathological gap and mental illness spreads as testified by the statistics and above all our everyday experience. And just as pathology spreads, so too do drugs. The flourishing industry of psychopharmaceuticals beats records every year, the number of packets of Ritalin, Prozac, Zoloft and other psychotropics sold in the pharmacies continually increases, while dissociation, suffering, desperation, terror, the desire not to exist, to not have to fight continuously, to disappear grows alongside the will to kill and to kill oneself. When, towards the end of the 1970s, an acceleration of the productive and communicative rhythms in occidental metropolitan centers was imposed, a gigantic epidemic of drug addiction made its appearance. The world was leaving its human epoch to enter the era of machinic posthuman acceleration: many sensitive organisms of the human variety began to snort cocaine, a substance that permits the acceleration of the existential rhythm leading to transforming oneself into a machine. Many other sensitive organisms of the human kind injected heroin in their veins, a substance that deactivates the relation with the speed of the surrounding atmosphere. The epidemic of powders during the 1970s and the 1980s produced an existential and cultural devastation with which we still haven’t come to terms with. Then illegal drugs were replaced by those legal substances which the pharmaceutical industry in a white coat made available for its victims and this was the epoch of anti-depressants, of euphorics and of mood regulators. Today psychopathy reveals itself ever more clearly as a social epidemic and, more precisely, a socio-communicational one. If you want to survive you have to be competitive and if you want to be competitive you must be connected, receive and process continuously an immense and growing mass of data. This provokes a constant attentive stress, a reduction of the time available for affectivity. These two tendencies, inseparably linked, provoke an effect of devastation on the individual psyche: depression, panic, anxiety, the sense of solitude and existential misery. But these individual symptoms cannot be indefinitely isolated, as psychopathology has done up until now and as economic power wishes to do.

#### Post digital infosphere, the notion of “private entities” appropriating is overdetermined by capitalist desire – the network economy means that privatization is static and collapses to the semiotic economy.

**Berardi 09** [Franco Berardi, Italian communist theorist and activist in the autonomist tradition, whose work mainly focuses on the role of the media and information technology within post-industrial capitalism Precarious Rhapsody, by Franco Bifo Berardi et al., AK Press, 2009. P. 59-60 // JB]

Capital reacted, following the dictates of liberalist ideology, with the **coercive privatization** of the products of collective knowledge and the submission of **experimentation** to **economic competition**. The **privatization** of collective knowledge has **encountered resistance** and opposition everywhere, and cognitive **laborers** have started to **realize** that their **potential is superior to the** power of the **merchant**. Since **intellectual labor is** at the center of the **productive** scene, **the merchant no longer possesses** the juridical or material **instruments to impose** the principle of **private property**. Given that the most precious **goods in** social **production have** an immaterial and **reproducible character**, we have discovered that the **private appropriation of goods makes no sense**, while the reasons sustaining the **privatization of material goods** in industrial society have weakened. In the sphere of **semiotic-capital** and **cognitive labor**, when a product is consumed, **instead of disappearing** it remains available, while **its value increases** the more its use is shared. **This is** how the **network economy** works, and this **contradicts** the very principle of **private property** on which capitalism was founded until now.

#### Questions regarding ethics are irrelevant in the world of the infosphere. All information gets coopted by the inescapability of capitalism – it’s search is cruelly optimistic in a world of semiocapitalism because of how information interacts with us.

Berardi 11 [Franco Berardi, Italian communist theorist and activist in the autonomist tradition, whose work mainly focuses on the role of the media and information technology within post-industrial capitalism “0. Bifurications.” Precarious Rhapsody, by Franco Bifo Berardi et al., AK Press, 2011. P. 14-15 // LEX JB]

Because of this, I believe that it is necessary to identify the new forms of social consciousness beginning from generational belonging. And for this reason I will speak of two decisive successive shifts in a mutation that has led to the draining of humanistic categories and of the perspectives on which modern politics was based. These two passages are constituted in the subsumption of the human mind in formation within two successive technological configurations of the media-sphere. The first is that which I call video-electronic, meaning the technologies of televisual communication. It is a case of the passage that Marshall McLuhan speaks of in his fundamental 1964 study, Understanding Media. McLuhan looks at the transition from the alphabetic sphere to the video-electronic one and concludes that when the simultaneous succeeds the sequential, the capacity of mythological elaboration succeeds that of critical elaboration. The critical faculty presupposes a particular structuring of the message: the sequentiality of writing, the slowness of reading, and the possibility of judging in sequence the truth or falsity of statements. It is in these conditions that the critical discrimination that has characterized the cultural forms of modernity becomes possible. But in the sphere of video-electronic communication, critique becomes progressively substituted by a form of mythological thinking in which the capacity to distinguish between the truth and falsity of statements becomes not only irrelevant but impossible. This passage took place in the techno-sphere and media-sphere of the 1960s and 1970s and the generation th1at was born at the end of the 1970s began to manifest the first signs of impermeability to the values of politics and critique that had been fundamental for the preceding generations of the twentieth century. The more radical mutation was the diffusion of digital technologies and the formation of the global internet during the 1990s. Here, the functional modality of the human mind changes completely, not only because the conditions of communication become infinitely more complex, saturated and accelerated, but rather because the infantile mind begins to form itself in a media environment completely different from that of modern humanity.

#### Thus, the alternative is to symbolically take the system hostage through it’s own method of exhaustion. We do this through radical passivity and a method of the Wu Wei – only radical passivity can escape the infosphere

**Berardi 11** [Franco Berardi, Italian communist theorist and activist in the autonomist tradition, whose work mainly focuses on the role of the media and information technology within post-industrial capitalism “Chapter 4 Exhastion and Subjectivity.” After the Future, by Franco Bifo Berardi et al., AK Press, 2011. P. 107-108 // LEX JB]

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The process of collective subjectivation (i.e. social recomposition) implies the development of a common language-affection which is essentially happening in the temporal dimension. The semiocapitalist acceleration of time has destroyed the social possibility of sensitive elaboration of the semio-flow. The proliferation of simulacra in the info-sphere has saturated the space of attention and imagination. Advertising and stimulated hyper-expression (“just do it”), have submitted the energies of the social psyche to permanent mobilization. Exhaustion follows, and exhaustion is the only way of escape: Nothing, not even the system, can avoid the symbolic obligation, and it is in this trap that the only chance of a catastrophe for capital remains. The system turns on itself, as a scorpion does when encircled by the challenge of death. For it is summoned to answer, if it is not to lose face, to what can only be death. The system must itself commit suicide in response to the multiplied challenge of death and suicide. So hostages are taken. On the symbolic or sacrificial plane, from which every moral consideration of the innocence of the victims is ruled out the hostage is the substitute, the alter-ego of the terrorist, the hostage’s death for the terrorist. Hostage and terrorist may thereafter become confused in the same sacrificial act. (Baudrillard 1993a: 37) In these impressive pages Baudrillard outlines the end of the modern dialectics of revolution against power, of the labor movement against capitalist domination, and predicts the advent of a new form of action which will be marked by the sacrificial gift of death (and self-annihilation). After the destruction of the World Trade Center in the most important terrorist act ever, Baudrillard wrote a short text titled The Spirit of Terrorism where he goes back to his own predictions and recognizes the emergence of a catastrophic age. When the code becomes the enemy the only strategy can be catastrophic: all the counterphobic ravings about exorcizing evil: it is because it is there, everywhere, like an obscure object of desire. Without this deep-seated complicity, the event would not have had the resonance it has, and in their symbolic strategy the terrorists doubtless know that they can count on this unavowable complicity. (Baudrillard 2003: 6) This goes much further than hatred for the dominant global power by the disinherited and the exploited, those who fell on the wrong side of global order. This malignant desire is in the very heart of those who share this order’s benefits. An allergy to all definitive order, to all definitive power is happily universal, and the two towers of the World Trade Center embodied perfectly, in their very double-ness (literally twin-ness), this definitive order: No need, then, for a death drive or a destructive instinct, or even for perverse, unintended effects. Very logically – inexorably – the increase in the power heightens the will to destroy it. And it was party to its own destruction. When the two towers collapsed, you had the impression that they were responding to the suicide of the suicide-planes with their own suicides. It has been said that “Even God cannot declare war on Himself.” Well, He can. The West, in position of God (divine omnipotence and absolute moral legitimacy), has become suicidal, and declared war on itself. (Baudrillard 2003: 6-7) In Baudrillard’s catastrophic vision I see a new way of thinking subjectivity: a reversal of the energetic subjectivation that animates the revolutionary theories of the 20th century, and the opening of an implosive theory of subversion, based on depression and exhaustion. In the activist view exhaustion is seen as the inability of the social body to escape the vicious destiny that capitalism has prepared: deactivation of the social energies that once upon a time animated democracy and political struggle. But exhaustion could also become the beginning of a slow movement towards a “wu wei” civilization, based on the withdrawal, and frugal expectations of life and consumption. Radicalism could abandon the mode of activism, and adopt the mode of passivity. A radical passivity would definitely threaten the ethos of relentless productivity that neoliberal politics has imposed. The mother of all the bubbles, the work bubble, would finally deflate. We have been working too much during the last three or four centuries, and outrageously too much during the last thirty years. The current depression could be the beginning of a massive abandonment of competition, consumerist drive, and of dependence on work. Actually, if we think of the geopolitical struggle of the first decade – the struggle between Western domination and jihadist Islam – we recognize that the most powerful weapon has been suicide. 9/11 is the most impressive act of this suicidal war, but thousands of people have killed themselves in order to destroy American military hegemony. And they won, forcing the western world into the bunker of paranoid security, and defeating the hyper-technological armies of the West both in Iraq, and in Afghanistan. The suicidal implosion has not been confined to the Islamists. Suicide has became a form of political action everywhere. Against neoliberal politics, Indian farmers have killed themselves. Against exploitation hundreds of workers and employees have killed themselves in the French factories of Peugeot, and in the offices of France Telecom. In Italy, when the 2009 recession destroyed one million jobs, many workers, haunted by the fear of unemployment, climbed on the roofs of the factories, threatening to kill themselves. Is it possible to divert this implosive trend from the direction of death, murder, and suicide, towards a new kind of autonomy, social creativity and of life? I think that it is possible only if we start from exhaustion, if we emphasize the creative side of withdrawal. The exchange between life and money could be deserted, and exhaustion could give way to a huge wave of withdrawal from the sphere of economic exchange. A new refrain could emerge in that moment, and wipe out the law of economic growth. The self-organization of the general intellect could abandon the law of accumulation and growth, and start a new concatenation, where collective intelligence is only subjected to the common good. The global recession started officially in September 2008 and lasted officially until the summer of 2009. Since the summer of 2009 the official truth in the media, in political statements, in economic talk was: recovery. The stock exchange began to rise again and the banks started again paying huge bonuses to their managers and so on. Meanwhile, unemployment was exploding everywhere, salaries were falling, welfare was curtailed, 90 million more are expected to join the army of poverty in the next year. Is this recovery? Our conditional reflex (influenced by the Keynesian knowledge that recovery is the recovery of the “real economy”) answered: no, this is not recovery, capitalism cannot recover only by financial means. But we should reframe our vision. Finance is no longer a mere tool of capitalist growth. The financialization of capitalism has made finance the very ground of accumulation, as Christian Marazzi (2010) has explained in recent works such as The Violence of Financial Capitalism. In the sphere of semiocapitalism, financial signs are not only signifiers pointing to some referents. The distinction between sign and referent is over. The sign is the thing, the product, the process. The “real” economy and financial expectations are no longer distinct spheres. In the past, when riches were created in the sphere of industrial production, when finance was only a tool for the mobilization of capital to invest in the field of material production, recovery could not be limited to the financial sphere. It took also employment and demand. Industrial capitalism could not grow if society did not grow. Nowadays we must accept the idea that financial capitalism can recover and thrive without social recovery. Social life has become residual, redundant, irrelevant.

#### The affirmative is stuck in the argument room – their belief that prescription is political tradeoffs with material change. This preoccupation with rhetorical ploys traps them in a self-referential cycle of prescription.

Schlag ‘3 (Pierre, Distinguished Prof. @ U. of Colorado and Byron R. White Professor @ Colorado Law School, 57 U. Miami L. Rev. 1029)

The presumption is that the words of the judge (if they are well crafted) will **effectively produce** a social reality that corresponds roughly with the words uttered. But what reason is there to believe this? False Empowerment (No. 2) The endlessly repeated question in first year, "What should the court do?" leads law students to believe that **courts respond** to the force of the better argument. This would be tolerable if one added two provisos:1. The better argument often means little more than the one the courts are predisposed to believe; and 2. In the phrase "force of better argument" it's important to attend not just to the "better" part, but to the other term as well. False Empowerment (No. 3) Law students first learn of many complex social and economic realities through the medium of case law. What they learn is thus the law's vision of these economic and social realities. Not surprisingly, there is an almost magical correspondence between legal categories and social or economic practices. This magical fit leads law students (later to become law professors) to have an extremely confident view of the efficacy of law. Many law students are cured of this belief-structure by a stay in the legal clinic or by law practice. n4 There is one group of people, however, who are generally not cured of this belief-structure at all, but whose faith is actually intensified. These are the people who hold prestigious judicial clerkships where an emotional proximity to and identification with their judge ("my judge") leads to an even greater confidence in the efficacy of law. These people are frequently chosen to teach in law schools. False empowerment can be disempowering. It can also lead to pessimism and despair. Many people react to a loss of faith in law or legal studies with despair or pessimism. But this is the despair and pessimism that comes from giving up a naieve or a romantic vision of law and/or legal studies. The onslaught of this despair and pessimism is a good thing. It is like the thirty-something who realizes that he is mortal and that life is brief. Generally, this is not welcome news. At the same time, it may help prevent a life spent in Heideggerian dread, tanning salons, or the interstices of footnote 357.When the academic loses faith in law or legal studies, typically that person is most troubled because she has lost the framework that makes her academic project possible. But so what? Isn't the demand that law conform to an academic project arguably a selfish one? The Con, The Joke, and The Ironic Truth The Con: In the courtroom, the appellate judge is typically seated behind an elevated bench. On the classroom blackboard the appellate judge is chalked in above the plaintiff and the defendant. This is both a reflection and a reinforcement of the belief that the appellate judge is an intellectually and politically privileged legal actor. The Joke: In actuality, the appellate judge is a person who operates in conditions of severe information deficits and whose outlook is thoroughly manipulated by professional rhetoricians. Very often he has little or no understanding of the configurations of the social field to which his rulings will apply. What's more, this is a person who is prohibited from talking about the social field, except with a highly restricted number of people. The Ironic Truth: On the other hand, because we believe the appellate judge is a particularly privileged intellectual and political actor, we contribute to making him so. Legal intellectuals like to believe that law is an intelligent enterprise. They like to believe that the law offers an interesting vocabulary, grammar, and rhetoric through which to think about the world and law itself. This is naive. The political demand that law be efficacious means that law must track, must indeed incorporate popular beliefs about social and economic identities, causation, linguistic meaning, and so forth. (Those beliefs are often intellectually bereft.)The Argument Room The argument room is a place where **academic advocates go to argue passionately** about law and politics. (Apologies to Monty Python.) Within the room, arguments are won and lost; triumphs and defeats are had. But generally, no one outside the room pays much attention to what goes on inside the room. Sometimes there is seepage and fragments of the conversations are heard outside the room. Participants most often **spend their time arguing about what should happen outside the room**. This they call “knowledge” or "understanding" or "jurisprudence" or “scholarship” or “politics.” The one thing that generally cannot be talked about inside the room is the construction of the room itself. Politics (No. 1) For progressive legal thinkers, politics is a "theoretical unmentionable": The concept "politics" does a **great deal of theoretical work** and yet its identity remains generally immune from scrutiny. The categories (right, left) and the fundamental grammar of politics (progress, reaction, and so forth) generally go unquestioned. Oddly, while everything else seems to be contingent, conditional, contextual, and so on, the categories of politics seem to be oddly stable, nearly transcendent. Strangely, this occurs at a time when the categories, left and right (and even politics itself), seem increasingly fragile and non-referential. Still, this is an intensely political time - political not in the sense of significant social contestation (not much of that) nor in the sense of ideological struggle (not happening much either). Rather, political in the sense of very significant reorganizations and reallocations of power, wealth, and so on. Capital (for lack of a better term) is in a period of rapid self-reorganization in which it increasingly regiments precincts of life previously offering some resistance to its grammar - to wit: time, family, media, public space, wilderness, and so forth. The point is not that these precincts were immune to capital before, but rather that capital is advancing at such an intense rate to bring about a significant disruption and a qualitative change in these precincts. This change is manifest not only in the colonization of new precincts, but in the self-organization of capital [\*1034] (new financial vehicles) and, of course, in new literary and intellectual forms (postmodernism as both symptom and diagnosis). Meanwhile, the old categories, the old grammar, the old answers, seem to have lost some of their hold. The right is intellectually stagnant. And the left is, as a social presence, ontologically challenged. Indeed, in the United States, we seem at present to have several right wings and no left wing. This does not mean that "politics" as a social category is necessarily dead. It might mean simply that we (and others) have not understood, have not grasped, have not articulated its new configurations. What would be required on the intellectual level is a re-evaluation not only of the conventionally articulated categories, but of the social and economic ontology. At its best, postmodernism (and there has been a lot of bad reactionary and nostalgic postmodernism) is an attempt to trigger such a re-evaluation. Progressives, understandably, strive to protect their categories, grammar, and self-image from these challenges. But this is not without cost. To argue in favor of political positions is sometimes political. But it is not always political. Sometimes taking up a political argument is political and sometimes it has no consequences whatsoever. One cannot know beforehand. But it is a serious mistake to suppose that arguing in favor of a **political position** is in and of itself political. Very often in the legal academy, to argue for a political (or normative) position is not political at all. It simply triggers a scholastic, highly stereotyped meta-discourse about whether the arguments advanced are sound, accurate, should be adopted, or the like. Traditionally, the left has defended the victims of capitalism, imperialism, and racism. Indeed, this is an important part of what it means to be "on the left." Meanwhile, in the university, **scholarly attention depends upon the production of new** **exciting ideas** and research agendas. This poses a problem for the left: the victims of capitalism, imperialism, and racism remain the same. The political-intellectual defenses advanced on behalf of victims remain the same. This leads to a certain sense of weariness and deja vu - stereotyped arguments, standard rhetorical moves. A tendency to fight the same old fights. Machines. This is a problem. A Problem for Progressive Legal Thinkers As the author of Laying Down the Law, it just isn't clear to me that law is the sort of thing that is endlessly perfectible. At times it seems to me that law is a lot like military strategy. You can try making military strategy the best it can be (maybe you should). But when you get done it's still going to be military strategy. In that context it would be a good thing to have a few people (I volunteer) to be less than completely enthralled by military strategy. The same would go for law. It could be that law is objectionable in important respects because, well ... it's law. From this standpoint it seems odd that someone should feel authorized to say: "You should do X." Legal Thought as Arrogance The belief is that the future of the free world, the maintenance of the rule of law, the welfare of the republic, the liberation of oppressed peoples, the direction of the Court, the legitimacy of the Florida election, hangs on a law professor's next article. This is the esprit serieux gone nuts. The most significant effect of this belief is to arrest thought and end the **play of ideas necessary for creativity**. Yes, legal interpretation sometimes takes place in a field of pain and death. n9 But that hardly means that legal studies takes place in a field of pain and death. It is a residual objectivism that enables legal academics to believe that when they write about law - what it is or what it should be - they are somehow engaged in the same enterprise as judges. They're not. It is not that legal scholarship is without consequence. It's just that the institutional and rhetorical contexts are sufficiently different that the consequences are different as well. There is an important, indeed foundational, category mistake that sustains American legal thought - it is the supposition that because academics and judges deploy the same vocabulary and the same grammar, they are involved in largely the same enterprise. I just don't think that's true. My own view is that legal academics are but one social group (among many) competing for the articulation of what law is. Judges are another. Social movements, corporations, public interest groups, administrative officials, criminals, etc., are some of the others. For most of the history of the American law school, academics have anointed judges as privileged speakers of law. In turn, legal academics have adopted the habits, forms of thought, and rhetoric of judges - thereby accruing to themselves the authority to say what the law is. Legal academics **legitimate their claim** to say what the law is by fashioning law as an academic discipline requiring expertise. Legal academics then hold themselves out as possessing this expertise. Among those critical theorists who seek to contest this expertise, one can distinguish two approaches. One approach is to try to reveal the emptiness of the claims to expertise among the legal intelligentsia and to reveal how these claims nonetheless gain power. Another approach is to try to relocate the authority to say what the law is among those who have been excluded. I do not see these approaches as antithetical, but rather as complementary. Furthermore, both approaches will in fact reinscribe, will performatively reinforce, precisely the sort of rhetorics and hierarchies they contest. No way around that. I think critical thinkers all do this - though in different ways. And it's certainly worthwhile pointing out how it is being done. At the same time, no one is safe or immune from this sort of criticism. To learn to laugh at what is taken seriously, but is not serious, is a serious thing to do. To take seriously what is not, is a drag. A Problem for Progressives  Progressives wish to pursue a politics that is efficacious. This means keeping track both of the social context in which progressivism articulates itself (on the side of the subject), and the social context in [\*1038] which progressivism seeks to register its results (on the side of the object). But this work of reconnaissance - a work that is necessary - may bring unwelcome news: namely that progressivism unmodified is no longer a terribly cogent project. Choices will have to be made: to defend progressive thought against this unwelcome news or to put the identity of progressive projects at risk by encountering this unwelcome news. Formalism is virtually an inexorable condition of legal scholarship in the following sense: a legal academic generally writes scholarship outside the social pressures of what a lawyer would call real stakes, real clients, or real consequences. The failure of an argument in the pages of the Stanford Law Review is generally very different from the failure of an argument in a brief or an opinion. The difference in context changes the character and consequences of the acts - even if the authors use exactly the same words. Binary and Not (Insider/Outsider, Immanent/Transcendent, Mind/Body etc. etc. etc.)It's one thing to deploy oppositional binarism to describe the broad structures of a text. It's quite another to adopt binarism as an intellectual lifestyle choice. Oppositional binarism has a special hold/appeal in American law precisely because: 1) law is often identified with what appellate courts say it is; and 2) by the time a case gets to an appellate court, the reductionism of litigation and the binary structure of the adversarial orientation has reduced the dispute to an either/or (e.g., liberty vs. equality or formal equality vs. substantive equality, and so on).But ... .Oppositional binarism flounders because law does not have fixed, uncontroversial grids. Hence, for instance, the notion that a person is an insider or an outsider just doesn't track with much of anything (except perhaps the author's own formalism).If one thinks about it, a person is an insider in this respect (he's white) but an outsider in that respect (he's working class) and then an insider with respect to his pedigree (he went to Columbia) but really an outsider within his insider Columbia status because he was profoundly [\*1039] alienated from the Columbia social scene and blah blah blah. After a while (very soon, actually) the insider/outsider distinction loses its hold. The point is, unless you happen to have a well-formed, non-overlapping fixed grid (and this would be a very strange thing for a critical theorist to have!), oppositional binarism (like everything else) ultimately collapses.Interestingly, there was a moment of slippage in the history of critical legal studies (or perhaps the fem-crits) when binary oppositionalism slid from a heuristic into (of all things) a metaphysic!The Machines In Keith Aoki's comic strip, the agents of R.E.A.S.O.N. and P.I.E.R.R.E. fight each other in a comically cliched fashion. It is Nick Fury jurisprudence. And there is something strikingly right about that (however humbling it may be for me and others).One of the things that happens in the Nick Fury comic strips (as in Keith Aoki's contribution) is that the antagonists deploy machines against each other. In legal thought, we have a lot of machines in operation. n13 By this I mean that a great deal of so-called legal thought is not really thought at all - but the **deployment of a series of rhetorical operations** over and over again to perform actions (usually destructive in character) on other peoples' texts or persons. Every argument tends to become a machine. Over time, legal academics tend to become their own arguments. Then, of course, they become their own machines. At that point, it's time to move on.

#### No connection between in-round prescription of their reps and out-of-round solvency: the legal system is predisposed to ignoring plan-style advocacies. The repeated assertion that “prescription is politics” locks academics inside a circular and failing mode of subjectivity. The in-round impact is massive violence.

Schlag ‘9 (Pierre, Distinguished Prof. @ U. of Colorado and Byron R. White Professor @ Colorado Law School, “Spam Jurisprudence, Air Law, and the Rank Anxiety of Nothing Happening (A Report on the State of the Art)” 97 Geo. L. J. 803, pp. 828-830)

In terms of social organization then, there may be something to be said for creating a professional corps (lawyers) whose modes of communication are widely shared and relatively standardized. Notice that if this is the objective, then the only place where that sort of standardized communication can be widely shared is somewhere close to the middle of the bell curve. Both intellectual sloth and intellectual excellence are, by definition, aberrant and thus detract from our efforts at standardization. Thus, **training for mediocrity** does serve a social function (within limits, of course). Mediocrity is not the only aim here. One would like this mediocrity to be the best it can be. We would like legal professionals to share a language and a mode of thought and, at the same time, for that language and mode of thought to be as perspicuous and intelligent as possible. Given the omnipresence of the bell curve, these desiderata are obviously in tension. The economists would likely talk about achieving “the optimal degree” of intelligence and mediocrity at the margin, but my sense is this will only get us so far. For law professors, the tension is bound to be somewhat frustrating. What many law professors would like—because many of them are intellectually inclined—is to bring intelligence to bear within legal discourse. This is bound to be a somewhat frustrating venture. Legal discourse is not designed to produce intelligence and, frankly, the materials and the discourse can only bear so much. Good judgment, groundedness, reasonableness—any of these virtues is often enough to snuff out real thinking. Indeed, whatever appeal good judgment, groundedness, and reasonableness may have for a judge or a lawyer (and I am prepared to say the appeal is considerable), such virtues are not particularly helpful to intellectual achievement. On the contrary, intellectual achievement requires the abandonment of received understandings. In fact, I would go so far as to say that intellectual vitality (at least in the context of a discipline like law) requires some degree of defamiliarization, some reach for the exotic. The thing is, those sorts of efforts are not going to get very far if they constantly have to answer to good judgment, groundedness, reasonableness, and the like. And at this point, I would like to flip the argument made earlier in the paper. Here, I would like us to think of appeals to good judgment, groundedness, and reasonableness in legal thought as appeals to mediocrity. Making people see things involves things far different from good judgment, groundedness, or reasonableness. It involves a kind of artistry—a reorientation of the gaze, a disruption of complacency, a sabotage of habitual forms of thought, a derailing of cognitive defaults. This is part of what a really good education is about. Constant obeisance to good judgment or groundedness or reasonableness, by contrast, will systematically frustrate such efforts.57 This is all rather vexing. Legal academics—with aspirations to intellectual excellence—are thus destined to play out the myth of Sisyphus. The main difference, of course, is that Sisyphus had a real rock to push up a real hill. The law professors’ rock and hill, by contrast are symbolic—imaginative constructions of their own making. Arguably, pushing a symbolic rock up a symbolic hill is substantially easier than doing it for real. At the very least, it is easier to fake it and to claim success. At the same time, though, the symbolic nature of the exercise perhaps makes it **more transparently pointless**. As between these two points, there is a certain dissonance. On the one hand, we are dealing with pushing rocks up hills—and that is surely hard work. On the other hand, the rocks and hills are of our own imagination—so it should be easy. This is very confusing.58 My best guess (and I offer this only as a preliminary hypothesis) is that the dissonance here might yield a certain degree of neurosis.59 Still the question pops up again: “So what?” So what—so you have maybe seven thousand-something law professors in the nation and you know, maybe ninety-six percent are engaged in a kind of vaguely neurotic scholarship. So what? Maybe it’s borderline tragic. Maybe, these people could have done so much better. None of this, by the way, is clearly established. But let’s just assume, it’s true. Who cares? Seven thousand people—that’s not a lot of people. Plus, it’s hard to feel for them. I know that nearly all of them would be us (but still). It’s an extraordinarily privileged life. So why care about this? Here’s why. The thing about legal scholarship is that it plays—through the mediation of the professorial mind—an important role in shaping the ways, the forms, in which law students think with and about law.60 If they are taught to think in **essentially mediocre ways**, they will **reproduce those ways of thinking** as they practice law and **politics**. If they are incurious, if they are lacking in political and legal imagination, if they are simply **repeating the standard moves** (even if with impressive virtuosity) they will, as a group, be **wielding power in essentially mediocre ways**. And the thing is: when mediocrity is endowed with power, it yields violence. And when mediocrity is endowed with great power, **it yields massive violence**.61 All of which is to say that in making the negotiation between the imprinting of standard forms of legal thought and the imparting of an imaginative intelligence, we err too much on the side of the former. (Purely my subjective call here—but so is everybody else’s.) Another way to put it is that while there is something to be said for the standardization point made earlier, generally, standardization is overdone.62

#### We impact turn the action their reps motivate – fantasy structures political subjectivity and rhetoric comes first, but theirs is not key to their advocacy.

Shanks ‘15 [“Affect, Critique, and the Social Contract,” Torrey Shanks, Assistant Professor of Political Science at the University at Albany, State University of New York, Theory & Event, Volume 18, Issue 1, 2015]

Cruel optimism highlights the workings of affect beyond familiar oppositions in the tradition of political theory, in which it is assimilated to rational social interests and the individual’s private preferences or seen as detrimental to political and social order. In contrast, cruel optimism enables us to consider how fantasies – say, fantasies of freedom as choice and unencumbered individualism – structure and animate our collective political as well as personal lives, even as they disappoint and discourage. Cruel optimism is particularly rich for the way that it recalls us to the importance of affect mediated by shared fantasies within historical, social and political conditions. For Berlant, it is not fantasy that marks the failure of the otherwise rational subject, but fantasy as a condition of political subjectivity that is important. This subjectivity is not forged prior to or outside of social life, but instead its intersubjectivity is situated culturally, historically, and politically.20 Reading political affect with Berlant cautions us against two depoliticizing tendencies: first, disavowing the affective attachments of our social and political condition in favor of a notion of reason and/or interests untouched by, or prior to, affect; and second, disavowing the intersubjective and specifically social, cultural and political conditions of affect in favor of affect as an unmediated experience. Berlant’s work in Cruel Optimism is primarily directed at seeking out the psychic, affective and material sources of a recurring sense of political failure. The project is not only diagnostic, however. Cruel optimism as a critical lens gestures forward, optimistically (which is not necessarily to say happily), that is, toward a future that might be otherwise. The possibility of other futures begins in imagining “a potentialized present,” in what is both an undoing and a remaking of worlds that “requires fantasy to motor programs of action, to distort the present on behalf of what the present can become.”21 The closing call of Cruel Optimism is “to reinvent, from the scene of survival, new idioms of the political, and of belonging itself, which requires debating what the baselines of survival should be in the near future, which is, now, the future we are making.”22 Cruel optimism invites us to engage and work inventively from within affective attachments and fantastic scenes for transformative effects. That does not entail a flight from the “affectsphere,” but rather requires an affective reorientation in which relations and conditions (political, social, and historical) come to be seen in new ways. Such a project is imaginative, aesthetic, and passionate. Because it requires the capacity to communicate such imaginations and desires, it is necessarily rhetorical. More precisely, rhetoric as an imaginative language includes the power to persuade as well as to move the passions, but its more capacious meaning includes the ingenious placing of things into new relation and drawing new images into view. In this way, rhetoric not only strikes affectively, but its effects may also reorient our attention and our encounters with the world and with others. The essential work of analogy and metaphor in transferring or borrowing meanings for new contexts and new uses, on this account, is far more powerful and integral for critique than persuasion alone.23 Contract theory, capacious construed to include classical and contemporary modes and importantly critical contract theory, gives us a robust tradition in which to consider how political idioms can be ingeniously reinvented for critique that engages the affects.

## Case

### 1NC—Pragmatism

**1. Origination paradox—you say all thought begins with a purpose but finding the purpose itself requires thought which causes infinite regress—there’d be no way for us to have a first thought**

**2. Reflexive overview- pragmatism would also have to be justified pragmatically—you justify your epistemology by appealing to an on-pragmatist one which is self-defeating**

**3. Truth is different from utility—we can know things are true without knowing how they are useful to us like the fact that my favorite color is blue**

**4. Collapses to my fw because we need an independent conception of what the good is—it’s just an epistemic alt which begs the question of fw**

#### They have the wrong starting point – ordering is bad – that’s the Arnott evidence. At the root of any structure is some form of chaos – an affect that prevents a fully rational understanding of the world. The world constantly oscillates so even if they’re winning, we’re reasoners, they haven’t explained how we should interact with the structure of the world – only chaosmosis solves.

**No offense—the plnn is about appropriation of lunar heritage sites, not appropriation writ-large, meaning you should negate on presumption since they haven’t proven why it’s pragmatically bad**

#### Turn—Space appropriation and exploration originates from private companies such as Space X and Blue Origin. Preventing such is a restriction on the ability of companies to set and pursue their ends and these companies gain contracts with the government for projects which turns the contention since forming contracts results from deliberation.

#### Existential risk comes first under any framework

**Ord 20** Toby Ord [Australian philosopher. He founded Giving What We Can, an international society whose members pledge to donate at least 10% of their income to effective charities], “The Precipice” Hachette Books, 2020 // Lex CH

But **an existential catastrophe is not** just **a catastrophe that destroys a particularly large number of lives. It destroys our potential**. My mentor, Derek Parfit, asked us to imagine a devastating nuclear war killing 99 percent of the world’s people.19 **A war that would leave behind a dark age lasting centuries, before the survivors could eventually rebuild civilization to its former heights; humbled, scarred—but undefeated. Now compare this with a war killing a full 100 percent of the world’s people. This second war would be worse, of course, but how much worse? Either war would be the worst catastrophe in history. Either would kill billions.** **The second war would involve tens of millions of additional deaths, and so would be worse for this reason**. But there is another, far more significant difference between the two wars. **Both wars kill billions of humans; but the second war kills humanity**. **Both wars destroy our present; but the second war destroys our future. It is this qualitative difference in what is lost with that last percent that makes existential catastrophes unique, and that makes reducing the risk of existential catastrophe uniquely important. 20 In expectation, almost all humans who will ever live have yet to be born.** Absent catastrophe, **most generations are future generations.** As the writer Jonathan Schell put it: The procession of generations that extends onwards from our present leads far, far beyond the line of our sight, and, compared with these stretches of human time, which exceed the whole history of the earth up to now, our brief civilized moment is almost infinitesimal. Yet we threaten, in the name of our transient aims and fallible convictions, to foreclose it all. **If our species does destroy itself, it will be a death in the cradle—a case of infant mortality**. 21 And because, in expectation, **almost all of humanity’s life lies in the future, almost everything of value lies in the future as well**: almost all the flourishing; almost all the beauty; our greatest achievements; our most just societies; our most profound discoveries. 22 We can continue our progress on prosperity, health, justice, freedom and moral thought. **We can create a world of wellbeing and flourishing that challenges our capacity to imagine. And if we protect that world from catastrophe, it could last millions of centuries**. This is our potential—what we could achieve if we pass the Precipice and **continue striving for a better world**. **It is this view of the future—the immense value of humanity’s potential —that most persuades me to focus my energies on reducing existential risk. When I think of the millions of future generations yet to come, the importance of protecting humanity’s future is clear to me**. **To risk destroying this future**, for the sake of some advantage limited only to the present, **seems** to me profoundly parochial and **dangerously short-sighted**. Such neglect privileges a tiny sliver of our

#### A] Ground: Both debaters are guaranteed access to ground to engage under util – i.e. Aff gets plans and advantages, while Neg gets disads and counterplans. Additionally, anything can function as a util impact as long as an external benefit is articulated, so all your offense applies. Other frameworks deny 1 side the ability to engage the other on both the impact level and the link level.

#### B] Predictability: Debaters are most prepared to engage in a util debate since it is the most common framework read on the entirety of the west coast. Hyper-specific theories will always mean people have little to no prep on the issue.

Perofrmativity—no ! doesn’t prove the fw should be used in all instances just that its inevitable in one 2—we hijack

### 1NC – Advantage

#### Case starts close to zero-

#### 1. UQ overwhelms - if basing is coming now there is no need for dust research. Their evidence says it that it would be helpful to have dust research – not that it’s necessary.

#### 2. Mining and public activity thump – 1AC evidence

Smith 19 [Belinda Smith 7-18-2019 “Who protects Apollo sites when no-one owns the Moon?” https://www.abc.net.au/news/science/2019-07-19/apollo-11-moon-landing-heritage-preservation-outer-space-treaty/11055458 (Strategic Communications Advisor at Department of Education and Training at University of Victoria)]//Elmer rct simha

It was July 20, 1969, and way past Pete Capelotti's bedtime.

But as the nine-year-old sat in his family's living room in Massachusetts watching the live broadcast of Neil Armstrong and Buzz Aldrin step out of the Apollo 11 lander and onto the lunar surface, sleep was the last thing on his mind.

"I just remember being so terrified for [the astronauts] when they landed because I was afraid monsters were going to eat them," he recalled.

Of course, Armstrong and Aldrin didn't encounter any alien beasts during their two-and-a-half-hour moonwalk.

And that boy grew up to become a historical archaeologist. He's still highly protective of what's on the Moon, but rather than concern for astronauts, it's now for the stuff they left behind.

That's because historic moon sites like Tranquility Base — which is the Apollo 11 landing site — don't have legal protection.

In other words, if someone scuffed out the footprints and rover tracks in the moon dust, they'd return to Earth to face a whole lot of angry people, but they won't have broken any laws.

This may not have been such an issue in recent decades, but there's bound to be a lot more human activity heading to the Moon in the not-too-distant future.

There's the possibility of mining the Moon for rare-earth minerals.

Many countries and private companies have their sights set on the Moon.

For example, NASA intends to return in the next five years; China, which already has a mission on the far side of the Moon, is considering setting up a space station sometime after 2030; and SpaceX wants to fly a private passenger to the Moon in 2023.

The SpaceX mission won't drop anyone on the Moon's surface. They'll cut a lap before returning to Earth.

But, Professor Capelotti said, it's just a matter of time before tourists set foot on the lunar surface and when they do, they'll want to visit the Apollo 11 lander.

"You'll never get a second chance to preserve these sites," he said.

----AFF BEGINS----

It's not just about history Alongside heritage value, the bits and pieces left on the Moon have enormous scientific significance. Take moon dust. It's a real problem for moon-bound equipment because it's made of fine, super sticky and highly abrasive grains, which have a habit of clogging instruments and spacesuits. But as Armstrong and Aldrin trotted across the surface, the footprints they left behind gave us valuable information into the properties of moon dust, Flinders University space archaeologist Alice Gorman said. "The ridges on the boots were meant to measure how far they sank into the dust. "Then they used the light contrast between the ridges to measure the reflectance properties of the dust." A boot print in grey dust. This iconic photo of Buzz Aldrin's footprint is also a science experiment. (Supplied: NASA) It's data like this that will help if we want a long-term base on the Moon — we need to know how our gear will stand up to lunar conditions. Apart from the sticky, gritty dust, the lunar surface is also peppered with meteorites and cosmic rays. So, Dr Gorman said, one of the very few reasons to revisit a moon site is to collect some of the equipment left behind and see how it fared. "What has happened to this material in 50 years of sitting on the lunar surface? "This is going to be really interesting scientific information because it will help planning for future missions and get an understanding of long-term conditions." And NASA has already done this. The Apollo 12 mission, which landed on the Moon four months after Apollo 11, collected parts from the 1967 Surveyor probe and brought them back to Earth. An astronaut standing next to a piece of equipment on the lunar surface Along with rocks and soil samples, Apollo 12 astronauts collected pieces of the Surveyor 3 probe for analysis back on Earth. (Supplied: NASA) Another reason to preserve the equipment left on the Moon is to prove we really went there, Professor Capelotti said. "There's a lot of people out there who still don't believe it happened. "The stuff on the Moon is a testament to what we did and when we did it."

#### 3. Protection not key - innovation solves dust research

Mccullough 20 [Carson Mccullough, Carson covers the Northern District of California, as well as several other courts across the western United States. He lives in the Boise, Idaho area, 2-17-2020, "One Small Piece of Moon Dust, One Giant Leap for Lunar Studies," https://www.courthousenews.com/one-small-piece-of-moon-dust-one-giant-leap-for-lunar-studies/] simha

(CN) – Scientists have begun to use a new and trailblazing laser-based technique when examining moon rocks brought to Earth – and they only need a single grain of moon dust to do it. A study published Friday in Meteoritics & Planetary Science reveals that a team of scientists have begun using atom probe tomography (APT), to make practical and detailed discoveries about the moon’s geology using a speck of moon dust no wider than a single strand of human hair. While the technique has been used in the past in the steel and industrial sector, this is the first time that the method has been used to analyze material from moon, an astronomical body that has captivated the world and its researchers for generations. The scientists say the process begins by using a targeted beam to carve out a microscopic sharp tip on the surface of a grain of moon dust. They then repeatedly strike the moon grain with a series of lasers, blasting off the grain’s atoms one at a time onto a nearby plate. Researchers say that because different types of elements and atoms are lighter or heavier than others, the amount of time that it takes for an atom to be launched from the moon dust and then strike the plate can tell scientists what kind of material was just struck. They then take this data and create 3-D maps of moon materials that are detailed down to the nanoscopic level. The maps help shed light on the makeup of the moon’s soil and what kind of materials can exist within and around it, such as helium and water. Jennika Greer, first author of the study and a doctoral student at the Field Museum and University of Chicago, says that while these advancements may not solve the mysteries about moon’s overall construction, the information gleaned about its surface could be vital. “This work won't tell us much about the moon's bulk composition, because we're only looking at the outermost 100 nanometers of our lunar material. It can, however, tell us a lot about the surface of the moon,” Greer said in an email. Researchers say the new technique also helps reveal the true scope of space weathering, the process by which natural materials in space are degraded by the sun’s rays and cosmic radiation, as well as offers insight into how space weathering works. “Everything that we see when we look up at the moon in the sky is subject to space weathering. Using this technique, we can better understand nanoscale features (such as the nanophase iron particles) individually. Some of the products of space weathering could be useful resources for a future lunar base, so it is important to study the moon's soil,” Greer said. Perhaps one of the greatest advantages to this method is the sheer number of discoveries that can be made using a single grain of moon material. Given that NASA last deployed a team of astronauts to the surface of the moon in 1972 and that those astronauts only brought back around 245 pounds of lunar materials, the world’s supply of moon rocks is extremely limited. Because this new technique requires such a small amount of moon material, researchers are hopeful that our supply of moon rocks can be maintained and preserved for years to come. Researchers suggest that just the dust particles found on an astronaut’s glove would be more than enough to provide a considerable amount of crucial data. Greer says the method’s advantage will not only provide new perspectives on the moon in the immediate sense, but will also encourage future research efforts and breakthroughs going forward. “With our technique of atom probe tomography, we are able to see nanoscale features that may not have been observed before, even in samples that we've had for decades. We also consume a very small volume of sample, so precious materials (like those from the sample return missions of Apollo, Stardust, Hayabusa, etc.) can be preserved for future study while learning about them in the present,” Greer said.

### 1NC — Warming

#### CO2 solves food crisis — sequential wars outweigh warming

Idso, PhD, 11 (Craig Idso, B.S. in Geography @ Arizona State, M.S. in Agronomy @ U of Nebraksa-Lincoln, PhD in Geography @ ASU, Chairman of the board of the Center for the Study of Carbon Dioxide and Global Change, “ESTIMATES OF GLOBAL FOOD PRODUCTION IN THE YEAR 2050: WILL WE PRODUCE ENOUGH TO ADEQUATELY FEED THE WORLD”, 6/15/2011, <http://citeseerx.ist.psu.edu/viewdoc/download;jsessionid=A0B533B6E48CB742AAAFC79A87C3C016?doi=10.1.1.405.6313&rep=rep1&type=pdf>, p. 30-32) dlb

As indicated in the material above, a very real and devastating food crisis is looming on the horizon, and continuing advancements in agricultural technology and expertise will most likely not be able to bridge the gap between global food supply and global food demand just a few short years from now. However, the positive impact of Earth’s rising atmospheric CO2 concentration on crop yields will considerably lessen the severity of the coming food shortage. In some regions and countries it will mean the difference between being food secure or food insecure; and it will aid in lifting untold hundreds of millions out of a state of hunger and malnutrition, preventing starvation and premature death.

For those regions of the globe where neither enhancements in the techno-intel effect nor the rise in CO2 are projected to foster food security, an Apollo moon-mission-like commitment is needed by governments and researchers to further increase crop yields per unit of land area planted, nutrients applied, and water used. And about the only truly viable option for doing so (without taking enormous amounts of land and water from nature and driving untold numbers of plant and animal species to extinction) is to have researchers and governments invest the time, effort and capital needed to identify and to prepare for production the plant genotypes that are most capable of maximizing CO2 benefits for important food crops. Rice, for example, is the third most important global food crop, accounting for 9.4% of global food production. Based upon data presented in the CO2 Science Plant Growth Database, the average growth response of rice to a 300-ppm increase in the air’s CO2 concentration is 35.7%. However, data obtained from De Costa et al. (2007), who studied the growth responses of 16 different rice genotypes, revealed CO2-induced productivity increases ranging from -7% to +263%. Therefore, if countries learned to identify which genotypes provided the largest yield increases per unit of CO2 rise, and then grew those genotypes, it is quite possible that the world could collectively produce enough food to supply the needs of all of its inhabitants. But since rising CO2 concentrations are considered by many people to be the primary cause of global warming, we are faced with a dilemma of major proportions.

If proposed regulations restricting anthropogenic CO2 emissions (which are designed to remedy the potential global warming problem) are enacted, they will greatly exacerbate future food problems by reducing the CO2-induced yield enhancements that are needed to supplement increases provided by advances in agricultural technology and expertise. And as a result of such CO2 emissions regulations, hundreds of millions of the world’s population will be subjected to hunger and malnutrition. Even more troubling is the fact that thousands would die daily as a result of health problems they likely would have survived had they received adequate food and nutrition. About the only option for avoiding the food crisis, and its negative ramifications for humanity and nature alike, is to allow the atmospheric CO2 concentration to continue to rise as predicted (no CO2 emission restrictions), and then to learn to maximize those benefits through the growing of CO2-loving cultivars.

In light of the host of real-world research findings discussed in the body of this report, it should be evident to all that the looming food shortage facing humanity mere years to decades from now is far more significant than the theoretical and largely unproven catastrophic climate- and weather-related projections of the world’s climate alarmists. And it should also be clear that the factor that figures most prominently in both scenarios is the air’s CO2 content. The theorists proclaim that we must drastically reduce anthropogenic CO2 emissions by whatever means possible, including drastic government interventions in free-market enterprise systems. The realists suggest that letting economic progress take its natural unimpeded course is the only way to enable the air’s CO2 content to reach a level that will provide the aerial fertilization effect of atmospheric CO2 enrichment that will be needed to provide the extra food production that will be required to forestall massive human starvation and all the social unrest and warfare that will unavoidably accompany it, as well as humanity’s decimation of what little yet remains of pristine nature, which will include the driving to extinction of untold numbers of both plant and animal species.

Climate alarmists totally misuse the precautionary principle when they ignore the reality of the approaching lack-of-food-induced crisis that would decimate the entire biosphere, and when they claim instead that the catastrophic projections of their climate models are so horrendous that anthropogenic CO2 emissions must be reduced at all costs. Such actions should not even be contemplated without first acknowledging the fact that none of the catastrophic consequences of rising global temperatures have yet been conclusively documented, as well as the much greater likelihood of the horrendous global food crisis that would follow such actions. The two potential futures must be weighed in the balance, and very carefully, before any such actions are taken.

**Food insecurity escalates every hotspot – nuclear war.**

**Castellaw ’17** [John; Founder and CEO of Farmspace Systems LLC, a provider of precision agricultural aerial services, former President of the non-profit Crockett Policy Institute, member of the Center for Climate and Security’s Advisory Board and the National Security Advisory Council of the U.S. Global Leadership Coalition; 36-year Lieutenant General in the United States Marine Corp; 5/1/17; “Opinion: Food Security Strategy Is Essential to Our National Security”; <https://www.agri-pulse.com/articles/9203-opinion-food-security-strategy-is-essential-to-our-national-security>; AgriPulse; accessed 11/11/18; TV]

**The U**nited **S**tates **faces** many **threats to our National Security. These threats include** continuing wars **with extremist elements such as ISIS and** potential wars with rogue state **North Korea or** regional nuclear power **Iran**. The **heated economic and diplomatic competition with Russia and** a surging **China could spiral out of control**. Concurrently, **we face threats** to our future security **posed by** growing **civil strife, famine, and** refugee and **migration challenges which create incubators for extremist** and anti-American government **factions. Our response** cannot be one dimensional but instead **must be a** nuanced and **comprehensive** National Security Strategy combining all elements of National Power including a **Food Security Strategy.**

An American **Food Security** Strategy **is an imperative factor in reducing** the multiple **threats** impacting our National wellbeing. Recent history has shown that **reliable food supplies and stable prices produce** more **stable and secure countries**. Conversely, **food insecurity**, particularly in poorer countries, **can lead to instability, unrest, and violence**.

**Food insecurity drives mass migration** around the world **from the Middle East**, to **Africa**, to **Southeast Asia, destabilizing** neighboring **populations, generating conflicts, and threatening our** own security by disrupting our **economic, military, and diplomatic relationships**. **Food system shocks from** extreme food-**price volatility can be correlated with** protests and **riots. Food** price related **protests toppled governments in Haiti and Madagascar** in 2007 and 2008. In 2010 and in 2011, **food** prices and **grievances** related to food policy **were one of the major drivers of the Arab Spring** uprisings. Repeatedly, history has taught us that **a strong agricultural sector is an unquestionable requirement for** inclusive and **sustainable growth**, broad-based **development progress, and long-term stability**.

**The impact can be** remarkable and **far reaching**. Rising income, in addition to reducing the opportunities for an upsurge in extremism, leads to changes in diet, producing demand for more diverse and nutritious foods provided, in many cases, from American farmers and ranchers. **Emerging markets** currently **purchase 20 percent of U.S. agriculture exports** and **that** figure **is expected to grow as populations boom**.

Moving early to ensure stability in strategically significant regions requires long term planning and a disciplined, thoughtful strategy. **To combat current threats and** work to **prevent future ones, our** national **leadership must employ the entire spectrum of** our **power** including diplomatic, economic, and cultural elements. **The best means to prevent future chaos and** the resulting **instability is positive engagement addressing** the causes of **instability** before it occurs.

This is not rocket science. We know where the instability is most likely to occur. **The** world **population will grow by 2.5 billion** people **by 2050**. Unfortunately, **this** massive **population boom is projected to occur** primarily **in** the most **fragile and food insecure countries**. This alarming math is not just about total numbers. Projections show that **the greatest increase is in** the **age groups** most **vulnerable to extremism**. There are currently 200 million people in Africa between the ages of 15 and 24, with that number expected to double in the next 30 years. Already, 60% of the unemployed in Africa are young people.

Too often **these situations deteriorate into** shooting **wars requiring** the deployment of our **military forces.** We should be continually mindful that the price we pay for committing military forces is measured in our most precious national resource, the blood of those who serve. For those who live in rural America, this has a disproportionate impact. Fully 40% of those who serve in our military come from the farms, ranches, and non-urban communities that make up only 16% of our population.

**Actions** taken now **to increase agricultural sector jobs can provide economic** opportunity and **stability** for those unemployed youths while helping to feed people. **A recent report** by the Chicago Council on Global Affairs **identifies agriculture development as** the core **essential for** providing greater **food security**, economic growth, **and** population **well-being.**

Our **active support for food security, including** agriculture **development**, has **helped stabilize key regions** over the past 60 years. **A robust food security strategy**, as a part of our overall security strategy, **can mitigate** the growth of **terrorism, build** important **relationships, and support** **continued** American economic and agricultural **prosperity while materially contributing to** our Nation’s and **the world’s security.**

#### Carbon dioxide’s key to ag and we control uniqueness --- negative feedbacks solve warming

Carrington, Earth Science PhD, 16 (Damian Carrington, head of environment at the Guardian and Observer. He previously worked at the Financial Times, New Scientist and BBC News Online in various reporting, editing and managing roles. He has a PhD in Earth Sciences and did three years' post-doctoral research at the University of Edinburgh, 11-8-2016, "Global 'greening' has slowed rise of CO2 in the atmosphere, study finds," Guardian, https://www.theguardian.com/environmenT/2016/nov/08/global-greening-has-slowed-rise-of-co2-in-the-atmosphere-study-finds, accessed 11-23-2016) dlb

IN 1972, on their way to the Moon, the crew of Apollo 17 snapped what would become one of the most famous photographs ever taken. The "Blue Marble" shows Earth as it looks from space: a blue sphere overlaid by large brown swatches of land, with wisps of white cloud floating above.

But times change, and modern pictures of Earth look different. A wash of greenery is spreading over the globe, from central Africa to Europe and South East Asia. One measurement found that between 1982 and 2009 about 18m square kilometres of new vegetation had sprouted on Earth's surface, an area roughly twice the size of the United States.

Extra vegetation

The growth in greenery is a consequence of climate change. As the planet heats up, places that were once too chilly for most plants to grow have become steadily more hospitable. That extra vegetation, in turn, exerts its own effects on the climate. According to a team led by Trevor Keenan of the Lawrence Berkeley National Laboratory, in California, who have just published their findings in Nature Communications, the plant growth caused by climate change may also be helping to slow it—at least for now.

In 2014 humans pumped about 35.7bn tonnes of carbon dioxide into the air. That figure has been climbing sharply since the middle of the 20th century, when only about 6bn tonnes a year were emitted. As a consequence, the concentration of CO2 in the atmosphere has been rising too, from about 311 parts per million (ppm) in 1950 to just over 400 in 2015. Yet the rate at which it is rising seems to have slowed since the turn of the century. According to Dr Keenan, between 1959 and 1989 the rate at which CO2 levels were growing rose from 0.75ppm per year to 1.86. Since 2002, though, it has barely budged. In other words, although humans are pumping out more CO2 than ever, less of it than you might expect is lingering in the air.

Filling the atmosphere with CO2 is a bit like filling a bath without a plug: the level will rise only if more water is coming out of the taps than is escaping down the drain. Climate scientists call the processes which remove CO2 from the air "sinks". The oceans are one such sink. Photosynthesis by plants is another: carbon dioxide is converted, with the help of water and light energy from the sun, into sugars, which are used to make more plant matter, locking the carbon away in wood and leaves. Towards the end of the 20th century around 50% of the CO2 emitted by humans each year was removed from the atmosphere this way. Now that number seems closer to 60 percent. Earth's carbon sinks seem to have become more effective, but the precise details are still unclear.

Using a mix of ground and atmospheric observations, satellite measurements and computer modelling, Dr Keenan and his colleagues have concluded that faster-growing land plants are the chief reason. That makes sense: as CO2 concentrations rise, photosynthesis speeds up. Studies conducted in greenhouses have found that plants can photosynthesise up to 40% faster when concentrations of CO2 are between 475 and 600ppm.

#### No warming impact

Ridley, PhD, 15, Matt, Ph.D. in Zoology from Oxford, worked for the Economist for nine years as science editor, Washington correspondent and American editor, fellow of the Royal Society of Literature and of the Academy of Medical Sciences, and a foreign honorary member of the American Academy of Arts and Sciences, 5-11-15, “THE CLIMATE WARS AND THE DAMAGE TO SCIENCE,” http://www.thegwpf.org/matt-ridley-the-climate-wars-and-the-damage-to-science

The IPCC actually admits the possibility of lukewarming within its consensus, because it gives a range of possible future temperatures: it thinks the world will be between about 1.5 and 4.C warmer on average by the end of the century. That’s a huge range, from marginally beneficial to terrifyingly harmful, so it is hardly a consensus of danger, and if you look at the ‘probability density functions’ of climate sensitivity, they always cluster towards the lower end.¶ What is more, in the small print describing the assumptions of the ‘representative concentration pathways’, it admits that the top of the range will only be reached if sensitivity to carbon dioxide is high (which is doubtful); if world population growth re-accelerates (which is unlikely); if carbon dioxide absorption by the oceans slows down (which is improbable); and if the world economy goes in a very odd direction, giving up gas but increasing coal use tenfold (which is implausible).¶ But the commentators ignore all these caveats and babble on about warming of ‘up to’ four degrees (or even more), then castigate as a ‘denier’ anybody who says, as I do, the lower end of the scale looks much more likely given the actual data. This is a deliberate tactic. Following what the psychologist Philip Tetlock called the ‘psychology of taboo’, there has been a systematic and thorough campaign to rule out the middle ground as heretical: not just wrong, but mistaken, immoral and beyond the pale. That’s what the word ‘denier’, with its deliberate connotations of Holocaust denial, is intended to do. For reasons I do not fully understand, journalists have been shamefully happy to go along with this fundamentally religious project.¶ Politicians love this polarising because it means they can attack a straw man. It’s what they are good at. ‘Doubt has been eliminated,’ said Gro Harlem Brundtland, former Prime Minister of Norway and UN Special Representative on Climate Change, in a speech in 2007: ‘It is irresponsible, reckless and deeply immoral to question the seriousness of the situation. The time for diagnosis is over. Now it is time to act.’ John Kerry says we have no time for a meeting of the flat-earth society. Barack Obama says that 97 per cent of scientists agree that climate change is ‘real, man-made and dangerous’. That’s just a lie (or a very ignorant remark): as I point out above, there is no consensus that it’s dangerous.¶ So where’s the outrage from scientists at this presidential distortion? It’s worse than that, actually. The 97 per cent figure is derived from two pieces of pseudoscience that would have embarrassed a homeopath. The first was a poll that found that 97 per cent of just seventy-nine scientists thought climate change was man-made – not that it was dangerous. A more recent poll of 1854 members of the American Meteorological Society found the true number is 52 per cent. ¶ The second source of the 97 per cent number was a survey of scientific papers, which has now been comprehensively demolished by Professor Richard Tol of Sussex University, who is probably the world’s leading climate economist. As the Australian blogger Joanne Nova summarised Tol’s findings, John Cook of the University of Queensland and his team used an unrepresentative sample, left out much useful data, used biased observers who disagreed with the authors of the papers they were classifying nearly two-thirds of the time, and collected and analysed the data in such a way as to allow the authors to adjust their preliminary conclusions as they went along, a scientific no-no if ever there was one. The data could not be replicated, and Cook himself threatened legal action to hide them. Yet neither the journal nor the university where Cook works has retracted the paper, and the scientific establishment refuses to stop citing it, let alone blow the whistle on it. Its conclusion is too useful. ¶ This should be a huge scandal, not fodder for a tweet by the leader of the free world. Joanne Nova, incidentally, is an example of a new breed of science critic that the climate debate has spawned. With little backing, and facing ostracism for her heresy, this talented science journalist had abandoned any chance of a normal, lucrative career and systematically set out to expose the way the huge financial gravy train that is climate science has distorted the methods of science. In her chapter in The Facts, Nova points out that the entire trillion-dollar industry of climate change policy rests on a single hypothetical assumption, first advanced in 1896, for which to this day there is no evidence. ¶ The assumption is that modest warming from carbon dioxide must be trebly amplified by extra water vapour — that as the air warms there will be an increase in absolute humidity providing ‘a positive feedback’. That assumption led to specific predictions that could be tested. And the tests come back negative again and again. The large positive feedback that can turn a mild warming into a dangerous one just is not there. There is no tropical troposphere hot-spot. Ice cores unambiguously show that temperature can fall while carbon dioxide stays high. Estimates of climate sensitivity, which should be high if positive feedbacks are strong, are instead getting lower and lower. Above all, the temperature has failed to rise as predicted by the models.

#### Their authors are hacks

Happer 11 Dr. William Happer, “The Truth About Greenhouse Gases,” George C. Marshall Institute, 5—23—11, [www.marshall.org/article.php?id=953](http://www.marshall.org/article.php?id=953), accessed 6-28-11.

The management of most scientific societies has enthusiastically signed on to the global warming bandwagon. This is not surprising, since governments, as well as many states and foundations, generously fund those who reinforce their desired outcomes under the cover of saving the planet. Certain private industries are also involved: those positioned to profit from enacted controls as well as financial institutions heavily invested in “green technologies” whose rationale disappears the moment global warming is widely understood to be a non-problem. There are known connections and movements of people involved in government policy, scientific societies, and private industry, all with the common thread of influencing the outcome of a set of programs and investments underpinned by the supposed threat of global warming.

#### Negative feedbacks solve

Evans 12 consultant of the Australian Greenhouse Office/Department of Climate Change, main modeler of carbon in Australia’s biosphere 1999-2005, mathematician, engineer with 6 university degrees, Ph.D. from Stanford in electrical engineering (David. M. W., “The Skeptic’s Case”, 2/24/12; < https://mises.org/daily/5892/The-Skeptics-Case>)//Beddow

The feedbacks dampen or reduce the direct effect of the extra CO2, cutting it roughly in half.[5] The main feedbacks involve evaporation, water vapor, and clouds. In particular, water vapor condenses into clouds, so extra water vapor due to the direct warming effect of extra CO2 will cause extra clouds, which reflect sunlight back out to space and cool the earth, thereby reducing the overall warming. There are literally thousands of feedbacks, each of which either reinforces or opposes the direct-warming effect of the extra CO2. Almost every long-lived system is governed by net feedback that dampens its response to a perturbation. If a system instead reacts to a perturbation by amplifying it, the system is likely to reach a tipping point and become unstable (like the electronic squeal that erupts when a microphone gets too close to its speakers). The earth's climate is long-lived and stable — it has never gone into runaway greenhouse, unlike Venus — which strongly suggests that the feedbacks dampen temperature perturbations such as that from extra CO2. The climate models have been essentially the same for 30 years now, maintaining roughly the same sensitivity to extra CO2 even while they got more detailed with more computer power. How well have the climate models predicted the temperature? Does the data better support the climate models or the skeptic's view? One of the earliest and most important predictions was presented to the US Congress in 1988 by Dr James Hansen, the "father of global warming": Hansen's climate model clearly exaggerated future temperature rises. In particular, his climate model predicted that if human CO2 emissions were cut back drastically starting in 1988, such that by year 2000 the CO2 level was not rising at all, we would get his scenario C. But in reality the temperature did not even rise this much, even though our CO2 emissions strongly increased — which suggests that the **climate models greatly overestimate the effect of CO2 emissions**. A more considered prediction by the climate models was made in 1990 in the IPCC's First Assessment Report:[8] It's 20 years now, and the average rate of increase in reality is below the lowest trend in the range predicted by the IPCC. Ocean Temperatures The oceans hold the vast bulk of the heat in the climate system. We've only been measuring ocean temperature properly since mid-2003, when the Argo system became operational.[9][10] In Argo, a buoy duck dives down to a depth of 2,000 meters, measures temperatures as it very slowly ascends, then radios the results back to headquarters via satellite. Over 3,000 Argo buoys constantly patrol all the oceans of the world. The ocean temperature has been basically flat since we started measuring it properly, and not warming as quickly as the climate models predict. The climate models predict a particular pattern of atmospheric warming during periods of global warming; the most prominent change they predict is a warming in the tropics about 10 km up, the "hotspot." The hotspot is the sign of the amplification in their theory (see figure 1). The theory says the hotspot is caused by extra evaporation, and by extra water vapor pushing the warmer, wetter lower troposphere up into volume previously occupied by cool dry air. The presence of a hotspot would indicate amplification is occurring, and vice versa. We have been measuring atmospheric temperatures with weather balloons since the 1960s. Millions of weather balloons have built up a good picture of atmospheric temperatures over the last few decades, including the warming period from the late 1970s to the late '90s. This important and pivotal data was not released publicly by the climate establishment until 2006, and then in an obscure place.[13] Here it is: In reality there was no hotspot, not even a small one. So in reality there is no amplification — the amplification shown in figure 1 does not exist.[16] The climate models predict that when the surface of the earth warms, less heat is radiated from the earth into space (on a weekly or monthly time scale). This is because, according to the theory, the warmer surface causes more evaporation and thus there is more heat-trapping water vapor. This is the heat-trapping mechanism that is responsible for the assumed amplification in figure 1. Satellites have been measuring the radiation emitted from the earth for the last two decades. A major study has linked the changes in temperature on the earth's surface with the changes in the outgoing radiation. Here are the results: This shows that in reality the earth gives off more heat when its surface is warmer. This is the opposite of what the climate models predict. This shows that the climate models trap heat too aggressively, and that their assumed amplification shown in figure 1 does not exist. **All the data here is impeccably sourced — satellites, Argo, and weather balloons.[**18]

#### Positive feedbacks don’t exist

Spencer 10—former head climate scientist @ NASA (Roy, principal research scientist at the University of Alabama and former senior scientist for climate studies at NASA. He now leads the US science team for the Advanced Microwave Scanning Radiometer for EOS on NASA’s Aqua Satellite “The Great Global Warming Blunder: How Mother Nature Fooled the World’s Top Climate Scientists,” pg XXIV-XXV)

#### The research community’s confusion of forcing and feedback-cause and effect-is a major them of this book. In particular, the role of causation in cloud behavior is at the core of what I believe to be the greatest scientific faux pas in history. The mistake that researchers have made can best be introduced in the form of a question: When the Earth is observed to warm, and cloud cover decreases with that warming, did the warming cause the clouds to decrease, or did the decrease in clouds cause the warming? In the big picture of climate change, cloud changes causing temperature changes would be called forcing, while temperature changes causing cloud changes would be called feedback. Both occur in nature all the time. Yet when researchers have estimated feedbacks by analyzing natural climate variations, they have assumed causation in only one direction. Because researchers have not accounted for natural cloud fluctuations forcing temperature variations, the illusion of a climate system dominated by positive feedback has emerged. 1had always suspected that researchers were mixing up cause and effect even before I got into this line of research, but until recently I was not able to prove it.