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### Off

#### Obama PC high now – GOP softening now on fiscal cliff – but it will be a fight

Kimberly Atkins (writer for the Boston-Herald) November 8, 2012 “Prez returns to D.C. with more clout” http://bostonherald.com/news/columnists/view/20221108prez\_returns\_to\_dc\_with\_more\_clout

When President Obama returned yesterday to the White House, he brought with him political capital earned in a tough re-election fight as well as a mandate from voters — which means bold changes and bruising fights could lie ahead. The first agenda item is already waiting for him: reaching an agreement with lawmakers to avert the looming fiscal cliff. GOP lawmakers have previously shot down any plan involving tax increases. Obama’s win — based in part on a message of making the wealthiest Americans pay more — may already be paying dividends. In remarks at the Capitol yesterday, House Speaker John Boehner seemed to acknowledge the GOP has to take a different tack than the obstructionism that has marred progress in the past. “The president has signaled a willingness to do tax reform with lower rates. Republicans have signaled a willingness to accept new revenue if it comes from growth and reform,” Boehner said. “Let’s start the discussion there.” Obama’s fresh political clout could extend to longer term fiscal policies beyond the fiscal cliff, though don’t expect GOP pushback to vanish. House Republicans still have plenty of fight in them.

#### Ensures compromise now – but re-election PC is finite

Ron Kampeas (writer for Intermountain Jewish News) November 7, 2012 “Obama’s second term: More of the same, at least until Iran flares” http://www.ijn.com/presidential-elections/2012-presidential-elections/3530-obamas-second-term-more-of-the-same-at-least-until-iran-flares

The fiscal cliff and specifically sequestration is a major concern," Daroff said. "Our concern continues to be that as the nation and our political leaders continue to assess how to make cuts in spending that those cuts don't fall disproportionately on vulnerable populations that rely upon social service agencies that depend on our funding." Cuts of about 8.5 percent would immediately affect the viability of housing for the elderly, according to officials at B'nai B'rith International, which runs a network of homes. Officials at Jewish federations say the cuts also would curb the meals and transportation for the elderly they provide with assistance from federal programs. Obama and Congress would have had to deal with heading off sequestration in any case, but as a president with a veto-wielding mandate of four more years, he has the leverage to head off deep cuts to programs that his top officials have said remain essential, including food assistance to the poor and medical entitlements for the poor and elderly. David Makovsky, a senior analyst with the Washington Institute for Near East Policy, said Obama's priorities would be domestic. "While a victory in the second term tends to give you some political capital, capital is still finite," he said, citing George W. Bush's failure in 2005 to reform Social Security, despite his decisive 2004 triumph. "This suggests to me the president will keep his focus on the economy and health care," and not on major initiatives in the Middle East.

#### Impact is global econ collapse

Harold Mandel (writer for the Examiner) September 27, 2012 “Fitch says fiscal cliff could set off global recession (Video)” http://www.examiner.com/article/fitch-says-fiscal-cliff-could-set-off-global-recession

The ratings agency stated, "The U.S. fiscal cliff represents the single biggest near-term threat to a global economic recovery." Fitch has gone on to warn, “A U.S. fiscal shock would be exported to the rest of the world via a sharply weaker U.S. dollar and asset prices, lower U.S. price and wage inflation and heightened risk of deflation, and the impact on commodity prices.” In the meantime leading U.S. executives have less confidence in the business outlook now than at any time in the past three years, with a primary reason being fear of gridlock in Washington over the fiscal deficit and tax policy. And so unless the fiscal cliff is confronted and avoided this could be bad news for everyone.

#### Econ decline causes global catastrophe and nuclear war

Harris and Burrows, 9 **– \*counselor in the National Intelligence Council, the principal drafter of Global Trends 2025, \*\*member of the NIC’s Long Range Analysis Unit** “Revisiting the Future: Geopolitical Effects of the Financial Crisis”, Washington Quarterly, http://www.twq.com/09april/docs/09apr\_burrows.pdf)

Increased Potential for Global Conflict

Of course, the report encompasses more than economics and indeed believes the future is likely to be the result of a number of intersecting and interlocking forces. With so many possible permutations of outcomes, each with ample opportunity for unintended consequences, there is a growing sense of insecurity. Even so, history may be more instructive than ever. While we continue to believe that the Great Depression is not likely to be repeated, the lessons to be drawn from that period include the harmful effects on fledgling democracies and multiethnic societies (think Central Europe in 1920s and 1930s) and on the sustainability of multilateral institutions (think League of Nations in the same period). There is no reason to think that this would not be true in the twenty-first as much as in the twentieth century. For that reason, the ways in which the potential for greater conflict could grow would seem to be even more apt in a constantly volatile economic environment as they would be if change would be steadier.

In surveying those risks, the report stressed the likelihood that terrorism and nonproliferation will remain priorities even as resource issues move up on the international agenda. Terrorism’s appeal will decline if economic growth continues in the Middle East and youth unemployment is reduced. For those terrorist groups that remain active in 2025, however, the diffusion of technologies and scientific knowledge will place some of the world’s most dangerous capabilities within their reach. Terrorist groups in 2025 will likely be a combination of descendants of long established groupsinheriting organizational structures, command and control processes, and training procedures necessary to conduct sophisticated attacksand newly emergent collections of the angry and disenfranchised that become self-radicalized, particularly in the absence of economic outlets that would become narrower in an economic downturn.

The most dangerous casualty of any economically-induced drawdown of U.S. military presence would almost certainly be the Middle East. Although Iran’s acquisition of nuclear weapons is not inevitable, worries about a nuclear-armed Iran could lead states in the region to develop new security arrangements with external powers, acquire additional weapons, and consider pursuing their own nuclear ambitions. It is not clear that the type of stable deterrent relationship that existed between the great powers for most of the Cold War would emerge naturally in the Middle East with a nuclear Iran. Episodes of low intensity conflict and terrorism taking place under a nuclear umbrella could lead to an unintended escalation and broader conflict if clear red lines between those states involved are not well established. The close proximity of potential nuclear rivals combined with underdeveloped surveillance capabilities and mobile dual-capable Iranian missile systems also will produce inherent difficulties in achieving reliable indications and warning of an impending nuclear attack. The lack of strategic depth in neighboring states like Israel, short warning and missile flight times, and uncertainty of Iranian intentions may place more focus on preemption rather than defense, potentially leading to escalating crises.

Types of conflict that the world continues to experience, such as over resources, could reemerge, particularly if protectionism grows and there is a resort to neo-mercantilist practices. Perceptions of renewed energy scarcity will drive countries to take actions to assure their future access to energy supplies. In the worst case, this could result in interstate conflicts if government leaders deem assured access to energy resources, for example, to be essential for maintaining domestic stability and the survival of their regime. Even actions short of war, however, will have important geopolitical implications. Maritime security concerns are providing a rationale for naval buildups and modernization efforts, such as China’s and India’s development of blue water naval capabilities. If the fiscal stimulus focus for these countries indeed turns inward, one of the most obvious funding targets may be military. Buildup of regional naval capabilities could lead to increased tensions, rivalries, and counterbalancing moves, but it also will create opportunities for multinational cooperation in protecting critical sea lanes. With water also becoming scarcer in Asia and the Middle East, cooperation to manage changing water resources is likely to be increasingly difficult both within and between states in a more dog-eat-dog world.

### Off

#### Restrictions must legally mandate less production, not just regulate it

Anell 89

Chairman, WTO panel

"To examine, in the light of the relevant GATT provisions, the matter referred to the

CONTRACTING PARTIES by the United States in document L/6445 and to make such findings as will assist the CONTRACTING PARTIES in making the recommendations or in giving the rulings provided for in Article XXIII:2." 3. On 3 April 1989, the Council was informed that agreement had been reached on the following composition of the Panel (C/164): Composition Chairman: Mr. Lars E.R. Anell Members: Mr. Hugh W. Bartlett Mrs. Carmen Luz Guarda CANADA - IMPORT RESTRICTIONS ON ICE CREAM AND YOGHURT Report of the Panel adopted at the Forty-fifth Session of the CONTRACTING PARTIES on 5 December 1989 (L/6568 - 36S/68)

<http://www.wto.org/english/tratop_e/dispu_e/88icecrm.pdf>

The United States argued that Canada had failed to demonstrate that it effectively restricted domestic production of milk. The differentiation between "fluid" and "industrial" milk was an artificial one for administrative purposes; with regard to GATT obligations, the product at issue was raw milk from the cow, regardless of what further use was made of it. The use of the word "permitted" in Article XI:2(c)(i) required that there be a limitation on the total quantity of milk that domestic producers were authorized or allowed to produce or sell. The provincial controls on fluid milk did not restrict the quantities permitted to be produced; rather dairy farmers could produce and market as much milk as could be sold as beverage milk or table cream. There were no penalties for delivering more than a farmer's fluid milk quota, it was only if deliveries exceeded actual fluid milk usage or sales that it counted against his industrial milk quota. At least one province did not participate in this voluntary system, and another province had considered leaving it. Furthermore, Canada did not even prohibit the production or sale of milk that exceeded the Market Share Quota. The method used to calculate direct support payments on within-quota deliveries assured that most dairy farmers would completely recover all of their fixed and variable costs on their within-quota deliveries. The farmer was permitted to produce and market milk in excess of the quota, and perhaps had an economic incentive to do so. 27. The United States noted that in the past six years total industrial milk production had consistently exceeded the established Market Sharing Quota, and concluded that the Canadian system was a regulation of production but not a restriction of production. Proposals to amend Article XI:2(c)(i) to replace the word "restrict" with "regulate" had been defeated; what was required was the reduction of production. The results of the econometric analyses cited by Canada provided no indication of what would happen to milk production in the absence not only of the production quotas, but also of the accompanying high price guarantees which operated as incentives to produce. According to the official publication of the Canadian Dairy Commission, a key element of Canada's national dairy policy was to promote self-sufficiency in milk production. The effectiveness of the government supply controls had to be compared to what the situation would be in the absence of all government measures.

#### The decreases regulations, not restrictions. Voter for limits because they manipulate the terminology to expand the hardest part of the resolution to debate

Sinha 6

<http://www.indiankanoon.org/doc/437310/>

Supreme Court of India Union Of India & Ors vs M/S. Asian Food Industries on 7 November, 2006 Author: S.B. Sinha Bench: S Sinha, Mark, E Katju CASE NO.: Writ Petition (civil) 4695 of 2006 PETITIONER: Union of India & Ors. RESPONDENT: M/s. Asian Food Industries DATE OF JUDGMENT: 07/11/2006 BENCH: S.B. Sinha & Markandey Katju JUDGMENT: J U D G M E N T [Arising out of S.L.P. (Civil) No. 17008 of 2006] WITH CIVIL APPEAL NO. 4696 OF 2006 [Arising out of S.L.P. (Civil) No. 17558 of 2006] S.B. SINHA, J :

We may, however, notice that this Court in State of U.P. and Others v. M/s. Hindustan Aluminium Corpn. and others [AIR 1979 SC 1459] stated the law thus:

"It appears that a distinction between regulation and restriction or prohibition has always been drawn, ever since Municipal Corporation of the City of Toronto v. Virgo. Regulation promotes the freedom or the facility which is required to be regulated in the interest of all concerned, whereas prohibition obstructs or shuts off, or denies it to those to whom it is applied. The Oxford English Dictionary does not define regulate to include prohibition so that if it had been the intention to prohibit the supply, distribution, consumption or use of energy, the legislature would not have contented itself with the use of the word regulating without using the word prohibiting or some such word, to bring out that effect."

#### Precision—restrictions must be a distinct term for debate to occur

Eric Heinze (Senior Lecturer in Law, University of London, Queen Mary. He has held fellowships from the Fulbright Foundation and the French and German governments. He teaches Legal Theory, Constitutional Law, Human Rights and Public International Law. JD Harvard) 2003 “The Logic of Liberal Rights A study in the formal analysis of legal discourse” http://mey.homelinux.org/companions/Eric%20Heinze/The%20Logic%20of%20Liberal%20Rights\_%20A%20Study%20in%20%20%28839%29/The%20Logic%20of%20Liberal%20Rights\_%20A%20Study%20in%20%20-%20Eric%20Heinze.pdf

Variety of ‘restrictions’

The term ‘restriction’, defined so broadly, embraces any number of familiar concepts: ‘deprivation’, ‘denial’, ‘encroachment’, ‘incursion’, ‘infringement’, ‘interference’, ‘limitation’, ‘regulation’. Those terms commonly comport differences in meaning or nuance, and are not all interchangeable in standard legal usage. For example, a ‘deprivation’ may be distinguished from a ‘limitation’ or ‘regulation’ in order to denote a full denial of a right (e.g. where private property is wholly appropriated by the state 16 Agents without compensation) as opposed to a partial constraint (e.g. where discrete restrictions are imposed on the use of property which nonetheless remains profitably usable). Similarly, distinctions between acts and omissions can leave the blanket term ‘restriction’ sounding inapposite when applied to an omission: if a state is accused of not doing enough to give effect to a right, we would not colloquially refer to such inaction as a ‘restriction’. Moreover, in a case of extreme abuse, such as extrajudicial killing or torture, it might sound banal to speak merely of a ‘restriction’ on the corresponding right. However, the term ‘restriction’ will be used to include all of those circumstances, in so far as they all comport a purpose or effect of extinguishing or diminishing the right-seeker’s enjoyment of an asserted right. (The only significant distinction which will be drawn will be between that concept of ‘restriction’ and the concept of ‘breach’ or ‘violation’. The terms ‘breach’ or ‘violation’ will be used to denote a judicial determination about the legality of the restriction.6) Such an axiom may seem unwelcome, in so far as it obliterates subtleties which one would have thought to be useful in law. It must be stressed that we are seeking to eliminate that variety of terms not for all purposes, but only for the very narrow purposes of a formal model, for which any distinctions among them are irrelevant.

### Off

#### The 50 state governments and relevant sub-federal actors should substantially increase tax incentives for passive solar construction in federally assisted housing.

#### Solves the aff and creates a more effective model—regulations aren’t barriers

**Ross, 8** – Program Director at the Vote Solar Initiative, where he focuses on creating markets for, and knocking down barriers to, distributed solar photovoltaics. (JP, “Developing State Solar Photovoltaic Markets,” 1/30, <http://www.americanprogress.org/issues/green/report/2008/01/30/3883/developing-state-solar-photovoltaic-markets/>)

Yet federal action is not enough. Energy policy is largely determined at the state level through state and local laws and utility regulation. States must therefore take the lead to ensure that incentives are properly structured to keeps costs declining while regulatory processes become more easily navigable by businesses and consumers. Solar photovoltaics must rival power from the utility grid in both cost and accessibility in order to make solar power appealing to consumers.

Four policies are central to ensuring the wide-scale deployment of solar energy:

* Financial incentives: Financial incentives for solar power, sustained over five to 10 years at a declining rate, ensure market stability and cost reductions, and will build a state-based industry by stimulating customer investment.
* Interconnection standards: Solar PV customers must be able to connect to the utility grid without undue delay and expense. If the process is lengthy or difficult, it will dissuade many consumers.
* Net metering: Net metering ensures that consumers are equipped with PV systems that meet their energy needs while crediting customers for all the energy they generate.
* Rate design: Utilities should charge consumers fairly for the electricity they consume and make the same rate choices available to solar customers that are available to other customers.

This report highlights model policies and case studies of four states that have effectively developed thriving solar markets. These models provide guidance to states looking to boost their economies by developing a strong solar industry and show that stronger energy independence through solar power is achievable for every state. These successes will provide essential lessons in shaping a bold national solar policy.

### Off

#### Passive solar isn’t topical—solar power is distinct from solar energy, which is much broader and explodes limits

**Sklar, ‘7** founder and president of The Stella Group, Ltd., in Washington, DC, is the Chair of the Steering Committee of the Sustainable Energy Coalition and serves on the Boards of Directors of the Sustainable Buildings Industry Council, the Business Council for Sustainable Energy, and the Renewable Energy Policy Project. The Stella Group, Ltd., a strategic marketing and policy firm for clean distributed energy users and companies using renewable energy (Scott Sklar, 23 October 2007, “What’s the Difference Between Solar Energy and Solar Power?” http://www.renewableenergyworld.com/rea/news/article/2007/10/whats-the-difference-between-solar-energy-and-solar-power-50358)//CC

Lee, this is a question I get often, and believe it is worth addressing. Solar "power" usually means converting the sun's rays (photons) to electricity. The solar technologies could be photovoltaics, or the various concentrating thermal technologies: solar troughs, solar dish/engines, and solar power towers. **Solar** "energy" is a more generic term, meaning any technology that converts the sun's energy into a form of energy—so that includes the aforementioned solar power technologies, but also solar thermal for water heating, space heating and cooling, and industrial process heat. Solar energy includes solar daylighting and **even passive solar** that uses building orientation, design and materials to heat and cool buildings. Now in the early 1980's, I was Political Director of the Solar Lobby, formed by the big nine national environmental groups, that embraced **all** solar technologies—which we viewed as wind, hydropower, and biomass, along with the **long list of traditional solar conversion** technologies. The thesis, which is correct, is that the sun contributes to growing plants, wind regimes, and evaporation and rain (hydropower), so that all the renewables are part of the solar family. Now, of course, most would argue that geothermal, and tidal and wave (effected by the gravitational force of the moon) are not solar, but we included these technologies as well.

### Off

#### The plan reduces oil dependence—substantially expands efficiency and spills over to cut consumption

Dawn Allcot 9-8-2011; frequently covers energy efficiency, green living, and topics like LED lighting and whole home control systems for a number of technology trade magazines. Solar Power Reduces Our Dependency on Oil http://www.ecooutfitters.net/blog/2011/09/solar-power-reduces-our-dependency-on-oil/

Oil and the Middle East Unfortunately, one very significant aspect of U.S. life has not changed since the September 11 attacks, and that is our use of foreign oil. The entire Middle East is still a battlefield, yet we purchase one of our most crucial resources from this region. Statistics vary widely — some bloggers believe we purchase only 12 percent of our oil from the Middle East, while others guess the number is closer to 43 or even 50 percent. The U.S. Energy Administration published a table earlier this year that shows we import about 25 percent of our oil from the Middle East. Iraq is one of our country’s top ten crude oil sources. Are we entirely dependent on Middle Eastern oil? No. Is it significant to us? Absolutely. Any disruption in the supply of Middle Eastern oil, including war, tends to drive gas and home heating oil prices up. When gas prices go up, it costs more to transport our food supply and soon, grocery prices rise, too. (As an aside, this is just one reason eating locally grown food is a green and cost-effective practice.) Little Changes Make a Big Difference But there’s good news. The fact that our country’s so-called “dependence” on Middle Eastern oil isn’t as bad as many believe means small changes can make a big **difference. Changes like using solar hot water heat instead of oil to heat your hot water, or** using solar PV panels for **radiant floor heating can make a big difference in reducing the amount of oil our country needs**. With only 5 percent of the world’s population, we use 27 percent of the world’s oil. Solar energy is one solution to reduce our oil consumption and our ties to the Middle East. It’s also cleaner than oil, easier to access, constantly renewable, and so far, the price of solar power is not connected to world politics. The more you think about all these factors, the case for solar power keeps getting brighter and brighter.

#### That collapses U.S. security guarantees–causes international realignment

**Hulbert 8/19/12**

(Matthew, senior fellow at the Clingendael International Energy Programme, The Hague, Senior Fellow at the Center for Security Studies, ETH Zurich, focusing on international energy security and political risk, “America Will Deeply Regret Its Fixation On Energy Independence,” <http://www.forbes.com/sites/matthewhulbert/2012/08/19/why-america-will-deeply-regret-us-energy-independence/2/>)

No one should blame, or bemoan the U.S. for doing this. It’s entirely up to the U.S. whichever path they chose to take. You could even argue it’s exactly what Washington should be doing to create serious foreign policy optionality: pick and choose whatever it does where, when, and how for the rest of the world to fall back on. All fair enough, but the downside risk this presents to Washington has already been captured in the ‘Kuwait Question’: Would the U.S. take assertive action to secure some of the key producer states of the world, or would they now turn the cheek? We all know the U.S. is no longer dependent on Middle East supplies; it hasn’t been for a long time given it sources less than 15% of its oil from the sand. But we also know that the decision to underwrite MENA supplies is nothing to do with U.S. consumption – and everything to do with retaining a dominant global geopolitical role. Ensure that hydrocarbons globally flow to the East and West, and much else follows as the geo-economic and geo-political lynchpin of the world. **Lose it, and you’ll be geopolitically downgraded** quicker than credit analysts can get stuck into Greek debt. That’s before we consider where Gulf States decide to recycle their petrodollars in future. No security, no $? It’s certainly a question for the U.S. to ponder – not only in terms of who they are going to sell their Treasuries to, but what currency oil is priced in. Hence the bottom line for the U.S.; Middle East energy isn’t about oil for America, it’s ultimately about power. If the U.S. wasn’t part of the Gulf energy game, it would hold zero sway with Saudi, no powers of persuasion over Iranian nukes, no say in the Arab Awakening, or how Gulf Monarchies handle critical succession problems in future. Let alone shaping vested interests to promote and extend U.S. influence across the globe. American Credibility Gone? The problem for America is that doubts over U.S. credibility are already creeping in from the energy independence hype. No one expects the US to step back into Iraq to shore up supplies if things take a serious turn for the worse; nobody expects the U.S. to provide any serious state building measures in Sudan. Likewise strategic US interests in Central Asia now have more to do with American concerns over South Asia, rather than hydrocarbon provision. If Russia decided to re-exert its regional dominance over the Caucasus (circa 2008) the U.S. would be highly unlikely to take any assertive measures to the contrary. Such out-posts are seen as ‘nice to have’ assets for US geopolitical standing, not as crucial global oil interests for America to underwrite and secure. Under a ‘business as usual’ scenario, these gaps are only going to get wider from hereon in. Logic therefore dictates that consumers need a U.S. plan B, and fast. The good news is that China already has one. It’s expanding its international energy footprint in the Middle East, Africa, Russia, Central Asia, and Asia-Pacific, reaching as far as the Americas and UK North Sea to secure its energy needs, (and hedge price risk more effectively through equity stakes). As the second largest consumer of oil, and one of the most import dependent states, Beijing is well aware that it has to ensure its own security of supply over the next decade as the US winds down its hydrocarbon presence. China will become the number one geopolitical force in the world over the next twenty years, and will do so for one, very simple reason: securing global hydrocarbon supplies. Europe has been very slow to appreciate this, but is finally cottoning onto the idea that it’s useless merely talking to prospective suppliers adjacent to its borders. It needs to work hand in hand with consumers at the other end of the Eurasian pipeline – namely China – to ensure its own security of supply. As Beijing plays a more prominent energy role, European energy security will depend on its ability to exploit Chinese influence in Central Asia as a mutual ‘Beijing-Brussels’ hedge against Russia, while working towards a consumer driven market to enhance supplies from the Middle East & North Africa. Europe is far better served taking the scraps from China’s energy table rather than wishful thinking that the trans-Atlantic ‘energy relationship’ still holds good. Like it or not, the logical conclusion of U.S. energy independence is fundamental demand side realignment where new players fill new geopolitical gaps. Careful What You Wish For The snag is that while the U.S. is very happy to extol the virtues of energy independence, it hasn’t come close to accepting the downside geopolitical implications that holds. Instead of working out an orderly division of (G2) hydrocarbon labour with China in the Middle East as the key producing region of the world, Washington is doing all it can to contain the rise of China, and doing so in Asia-Pacific. No doubt some of the local markets welcome ongoing US presence (especially around the India Ocean), but ‘hard balancing’ between the U.S. and China in South Asia is a battle that America will only ever lose. Rather than sticking more fingers in the Asia-Pacific dyke, Washington would actually be better served keeping an eye on its own backyard. Argentina, Venezuela, Brazil and most notably Canada are doing all they can to diversify their export mix away from a saturated U.S. market. They all know relying on a single source of supply and single source of demand isn’t smart economics. They’re all looking to load tankers to sell oil and gas onto global markets, and especially in Asia where premium prices rest. If we take forecasts for the Americas seriously, the U.S. will not only lose global sway as the independence bug bites, it might also struggle to retain a dominant role in its own neighbourhood. Brazil could well end up joining OPEC as its production grows, Canada will play hardball with the U.S. over its Arctic assets (not to mention plugging any new tar plays into Asia) and even when Chavez eventually conks out, don’t expect his successor(s) to be any more pro-American than then Kirchner clan in Argentina. New found petro-states will not be traditional U.S. silos. America could very easily slip down the global league of geopolitical energy heavyweights. Some will say humbug. The background pieces are falling into place for a ‘grand bargain’ to be struck between the U.S. and China by trading mutual assets in the East and West. Make things simple and split the world in two, using the mid-Atlantic ridge as a proxy border. Beijing will concede all its assets across the Americas with West Africa put into the mix. In return, the U.S. would cede the Middle East, Caspian, East Africa and Australasia as a pure play Chinese energy concern. Obviously things are never going to be quite that clear cut, but it’s probably a better bet than the current collision course we’re on between the U.S. and China. If the U.S. keeps preaching its energy independence gospel, all while containing the rise of China, the day will eventually come when China presents itself as a geopolitical fait accompli against Washington, not just across Asia-Pacific, but the Middle East as well. Rather than letting things get that far, the US would be far better served by following through on its own energy independence mantra: step back from the geopolitical ‘frontline’, and use its new found resources to let China play a more prominent hydrocarbon role. That’s not just to defuse geopolitical bombs ticking between the U.S. and China, but to make sure China can take up some of the U.S. slack. If those gaps aren’t properly filled, everyone, including the U.S., will suffer. It’s either that, or America knocks the energy independence narrative on the head, assures (and re-assures) other consumers that Washington will not only work to keep energy as a fungible, free flowing commodity, but that it remains the ultimate geopolitical backstop to oil supplies in the most vital producing regions in the world. That would give America ongoing leverage over the international status of the dollar, and indeed geopolitical red lines that emerging markets can and can’t cross. But keep spinning the U.S. energy independence yarn (with associated passive and active political practice), then expect to lose global status as the geopolitical lynchpin of the hydrocarbon world. That would be a crying shame for America, not least because ‘total’ energy independence is a myth, especially in the form U.S. politicians (and over excited analysts) are currently peddling. America will sacrifice its global geopolitical role on a hollow dream; energy independence, far from a dream, will become a living nightmare for America’s role in the world. U.S. politicians should think long and hard about that part of the debate, or spend an eternity regretting their global fall from grace**.**

#### Nuclear war

Frederick Kagan and Michael O’Hanlon 7, Fred’s a resident scholar at AEI, Michael is a senior fellow in foreign policy at Brookings, “The Case for Larger Ground Forces”, April, <http://www.aei.org/files/2007/04/24/20070424_Kagan20070424.pdf>

We live at a time when wars not only rage in nearly every region but threaten to erupt in many places where the current relative calm is tenuous. To view this as a strategic military challenge for the United States is not to espouse a specific theory of America’s role in the world or a certain political philosophy. Such an assessment flows directly from the basic bipartisan view of American foreign policy makers since World War II that overseas threats must be countered before they can directly threaten this country’s shores, that the basic stability of the international system is essential to American peace and prosperity, and that no country besides the United States is in a position to lead the way in countering major challenges to the global order. Let us highlight the threats and their consequences with a few concrete examples, emphasizing those that involve key strategic regions of the world such as the Persian Gulf and East Asia, or key potential threats to American security, such as the spread of nuclear weapons and the strengthening of the global Al Qaeda/jihadist movement. The Iranian government has rejected a series of international demands to halt its efforts at enriching uranium and submit to international inspections. What will happen if the US—or Israeli—government becomes convinced that Tehran is on the verge of fielding a nuclear weapon? North Korea, of course, has already done so, and the ripple effects are beginning to spread. Japan’s recent election to supreme power of a leader who has promised to rewrite that country’s constitution to support increased armed forces—and, possibly, even nuclear weapons— may well alter the delicate balance of fear in Northeast Asia fundamentally and rapidly. Also, in the background, at least for now, SinoTaiwanese tensions continue to flare, as do tensions between India and Pakistan, Pakistan and Afghanistan, Venezuela and the United States, and so on. Meanwhile, the world’s nonintervention in Darfur troubles consciences from Europe to America’s Bible Belt to its bastions of liberalism, yet with no serious international forces on offer, the bloodletting will probably, tragically, continue unabated. And as bad as things are in Iraq today, they could get worse. What would happen if the key Shiite figure, Ali al Sistani, were to die? If another major attack on the scale of the Golden Mosque bombing hit either side (or, perhaps, both sides at the same time)? Such deterioration might convince many Americans that the war there truly was lost—but the costs of reaching such a conclusion would be enormous. Afghanistan is somewhat more stable for the moment, although a major Taliban offensive appears to be in the offing. Sound US grand strategy must proceed from the recognition that, over the next few years and decades, the world is going to be a very unsettled and quite dangerous place, with Al Qaeda and its associated groups as a subset of a much larger set of worries. The only serious response to this international environment is to develop armed forces capable of protecting America’s vital interests throughout this dangerous time. Doing so requires a military capable of a wide range of missions—including not only deterrence of great power conflict in dealing with potential hotspots in Korea, the Taiwan Strait, and the Persian Gulf but also associated with a variety of Special Forces activities and stabilization operations. For today’s US military, which already excels at high technology and is increasingly focused on re-learning the lost art of counterinsurgency, this is first and foremost a question of finding the resources to field a large-enough standing Army and Marine Corps to handle personnel intensive missions such as the ones now under way in Iraq and Afghanistan. Let us hope there will be no such large-scale missions for a while. But preparing for the possibility, while doing whatever we can at this late hour to relieve the pressure on our soldiers and Marines in ongoing operations, is prudent. At worst, the only potential downside to a major program to strengthen the military is the possibility of spending a bit too much money. Recent history shows no link between having a larger military and its overuse; indeed, Ronald Reagan’s time in office was characterized by higher defense budgets and yet much less use of the military, an outcome for which we can hope in the coming years, but hardly guarantee. While the authors disagree between ourselves about proper increases in the size and cost of the military (with O’Hanlon preferring to hold defense to roughly 4 percent of GDP and seeing ground forces increase by a total of perhaps 100,000, and Kagan willing to devote at least 5 percent of GDP to defense as in the Reagan years and increase the Army by at least 250,000), we agree on the need to start expanding ground force capabilities by at least 25,000 a year immediately. Such a measure is not only prudent, it is also badly overdue.

### Case

#### They don’t solve—non-federal regulations and investor uncertainty

**Walsh 11**

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<http://science.time.com/2011/01/31/energy-the-obstacles-to-scaling-up-solar-power/>

President Obama laid down a bold challenge to America in his State of the Union speech last week: get to 80% clean energy by 2035. Clean energy is a deliberately vague goal, since it will likely include nuclear, natural gas and (not really existing) clean coal in the mix. But traditional renewable energy like wind and solar will need to be a big part of the American clean energy transition Obama is planning. In a speech at NDN today (which used to stand for New Democrat Network but now stands for…nothing, as far as I can tell), Democratic Senator Jeff Bingaman of New Mexico reiterated his support for Obama’s energy goals, and raised hopes that a bill with a clean energy standard might be resurrected in this Congress. (Bingaman last year pushed a bill focused on a national renewable energy standard, but with much of the legislative focus placed on a carbon cap bill, Bingaman’s work never earned much momentum.) But he warned that it won’t be easy. “Perhaps no topic garnered more scrutiny during the 2009 markup in our committee than the renewable electricity standard,” he said. But there’s a lot more holding back renewable power in the U.S. than gridlock in Congress. One of the biggest obstacles to scaling up solar power in particular is regulation—not just from the federal government, but at the state, city and even community level. Rules on installing solar systems differ from town to town, and the work of researching and filling out permits adds to the cost of solar power across the country. According to a study by the solar installer SunRun, struggles over permits adds an average of $2,500 to the costs of each solar installation—while an effort to streamline regulations could provide a $1 billion stimulus to the residential and commercial solar markets over the next five years. “The costs to the solar market are really staggering,” says Ed Fenster, CEO of SunRun. SunRun compared U.S. regulations to those in more friendly markets for solar, like Germany and Japan. They found that Germany—which has more streamlined regulations for solar installation, as well as more generous government subsidies—keeps solar installation costs 40% lower than those in the U.S. Not coincidentally, one million new homes have gone solar in Germany over the past two years, while only about 80,000 homes in total have solar in the U.S. “Regulation is a major issue that’s holding us back,” says Lyndon Rive, the CEO of SolarCity, a major California-based solar installer. SolarCity’s experience is constructive. The company—which coves solar installation from design to financing to monitoring—has grown at a healthy clip, employing over 1,000 people and expanding from its base in California to Maryland and Washington, DC. But Rive says that the variety of regulations for solar installation are a major bottleneck on growth. It takes SolarCity a few days at most to actually install a solar system, but it often takes two to three months, if not longer, to get the permits and other preparations ready. If you’re trying to make solar a significant part of the American energy supply—currently it makes up far less than 1% of total U.S. power—red tape isn’t helping. “The wait incurred is annoying and it adds to costs overall,” says Rive. SunRun has shared the report with the Department of Energy and the White House, and the company is urging the federal government to create incentives that would push towns and cities to adopt common codes and fees for solar installation—something countries like Germany and Japan already do. The report argues that such permit standardization could make solar cost competitive for half the homes in the nation within two years. “At some level this is all about local and state governments, but the federal government can nudge things,” says Fenster. “This could drive an economy of scale.” Still, good intentions on the national level don’t always translate to the community, where parochial concerns sometimes win out. (Witness the fight over smart meters in California, which some libertarians on the right and some ultra-greens on the left have opposed over liberty and health fears.) And as important as smoother regulations are, a broad national energy policy is needed to really jump-start solar and other renewables—but climate still remains a divisive political subject. (Just look at Republican Senator John Barrasso’s new bill, which would block greenhouse gas regulations under the Clean Air Act, the Clean Water Act, the National Environmental Policy Act and the Endangered Species Act.) The least we can do now is pull the red tape off our solar panels.

#### We control uniqueness—human well-being is on the rise

Goklany 9**—**Worked with federal and state governments, think tanks, and the private sector for over 35 years. Worked with IPCC before its inception as an author, delegate and reviewer. Negotiated UN Framework Convention on Climate Change. Managed the emissions trading program for the EPA. Julian Simon Fellow at the Property and Environment Research Center, visiting fellow at AEI, winner of the Julian Simon Prize and Award. PhD, MS, electrical engineering, MSU. B.Tech in electrical engineering, Indian Institute of Tech. (Indur, “Have increases in population, affluence and technology worsened human and environmental well-being?” 2009, <http://www.ejsd.org/docs/HAVE_INCREASES_IN_POPULATION_AFFLUENCE_AND_TECHNOLOGY_WORSENED_HUMAN_AND_ENVIRONMENTAL_WELL-BEING.pdf>)

Although global population is no longer growing exponentially, it has quadrupled since 1900. Concurrently, affluence (or GDP per capita) has sextupled, global economic product (a measure of aggregate consumption) has increased 23-fold and carbon dioxide has increased over 15-fold (Maddison 2003; GGDC 2008; World Bank 2008a; Marland et al. 2007).4 But contrary to Neo- Malthusian fears, average **human well-being,** measured by any objective indicator, **has never been higher**. Food supplies, Malthus’ original concern, are up worldwide. Global food supplies per capita increased from 2,254 Cals/day in 1961 to 2,810 in 2003 (FAOSTAT 2008). This helped reduce hunger and malnutrition worldwide. The proportion of the population in the developing world, suffering from chronic hunger declined from 37 percent to 17 percent between 1969–71 and 2001–2003 despite an 87 percent population increase (Goklany 2007a; FAO 2006). The reduction in hunger and malnutrition, along with improvements in basic hygiene, improved access to safer water and sanitation, broad adoption of vaccinations, antibiotics, pasteurization and other public health measures, helped reduce mortality and increase life expectancies. These improvements first became evident in today’s developed countries in the mid- to late-1800s and started to spread in earnest to developing countries from the 1950s. The infant mortality rate in developing countries was 180 per 1,000 live births in the early 1950s; today it is 57. Consequently, global life expectancy, perhaps the single most important measure of human well-being, increased from 31 years in 1900 to 47 years in the early 1950s to 67 years today (Goklany 2007a). Globally, average **annual per capita incomes tripled** since 1950. The proportion of the world’s population outside of high-income OECD countries living in absolute poverty (average consumption of less than $1 per day in 1985 International dollars adjusted for purchasing power parity), fell from 84 percent in 1820 to 40 percent in 1981 to 20 percent in 2007 (Goklany 2007a; WRI 2008; World Bank 2007). Equally important, the world is more literate and better educated. Child labor in low income countries declined from 30 to 18 percent between 1960 and 2003. In most countries, people are freer politically, economically and socially to pursue their goals as they see fit. More people choose their own rulers, and have freedom of expression. They are more likely to live under rule of law, and less likely to be arbitrarily deprived of life, limb and property. Social and professional mobility has never been greater. It is easier to transcend the bonds of caste, place, gender, and other accidents of birth in the lottery of life. People work fewer hours, and have more money and better health to enjoy their leisure time (Goklany 2007a). Figure 3 summarizes the U.S. experience over the 20th century with respect to growth of population, affluence, material, fossil fuel energy and chemical consumption, and life expectancy. It indicates that population has multiplied 3.7-fold; income, 6.9-fold; carbon dioxide emissions, 8.5-fold; material use, 26.5-fold; and organic chemical use, 101-fold. Yet its life expectancy increased from 47 years to 77 years and infant mortality (not shown) declined from over 100 per 1,000 live births to 7 per 1,000. It is also important to note that not only are people living longer, they are healthier. The disability rate for seniors declined 28 percent between 1982 and 2004/2005 and, despite better diagnostic tools, major diseases (e.g., cancer, and heart and respiratory diseases) occur 8–11 years later now than a century ago (Fogel 2003; Manton et al. 2006). If similar figures could be constructed for other countries, most would indicate qualitatively similar trends, especially after 1950, except Sub-Saharan Africa and the erstwhile members of the Soviet Union. In the latter two cases, life expectancy, which had increased following World War II, declined after the late 1980s to the early 2000s, possibly due poor economic performance compounded, especially in Sub-Saharan Africa, by AIDS, resurgence of malaria, and tuberculosis due mainly to poor governance (breakdown of public health services) and other manmade causes (Goklany 2007a, pp.66–69, pp.178–181, and references therein). However, there are signs of a turnaround, perhaps related to increased economic growth since the early 2000s, although this could, of course, be a temporary blip (Goklany 2007a; World Bank 2008a). Notably, in most areas of the world, the healthadjusted life expectancy (HALE), that is, life expectancy adjusted downward for the severity and length of time spent by the average individual in a less-than-healthy condition, is greater now than the unadjusted life expectancy was 30 years ago. HALE for the China and India in 2002, for instance, were 64.1 and 53.5 years, which exceeded their unadjusted life expectancy of 63.2 and 50.7 years in 1970–1975 (WRI 2008). Figure 4, based on cross country data, indicates that contrary to Neo-Malthusian fears, both life expectancy and infant mortality improve with the level of affluence (economic development) and time, a surrogate for technological change (Goklany 2007a). Other indicators of human well-being that improve over time and as affluence rises are: access to safe water and sanitation (see below), literacy, level of education, food supplies per capita, and the prevalence of malnutrition (Goklany 2007a, 2007b).

#### All lives infinitely valuable—only ethical option is maximizing number saved

Cummisky, 96 (David, professor of philosophy at Bates, Kantian Consequentialism, p. 131)

Finally, even if one grants that saving two persons with dignity cannot outweigh and compensate for killing one—because dignity cannot be added and summed this way—this point still does not justify deontological constraints. On the extreme interpretation, why would not killing one person be a stronger obligation than saving two persons? If I am concerned with the priceless dignity of each, it would seem that I may still save two; it is just that my reason cannot be that the two compensate for the loss of one. Consider Hill’s example of a priceless object: If I can save two of three priceless statutes only by destroying one, then I cannot claim that saving two is not outweighed by the one that was not destroyed. Indeed, even if dignity cannot be simply summed up, how is the extreme interpretation inconsistent with the idea that I should save as many priceless objects as possible? Even if two do not simply outweigh and thus compensate for the loss of one, each is priceless; thus, I have good reason to save as many as I can. In short, it is not clear how the extreme interpretation justifies the ordinary killing/letting-die distinction or even how it conflicts with the conclusion that the more persons with dignity who are saved, the better.

#### The only coherent rubric is to maximize number of lives saved

**Greene 2010** – Associate Professor of the Social Sciences Department of Psychology Harvard University (Joshua, Moral Psychology: Historical and Contemporary Readings, “The Secret Joke of Kant’s Soul”, [www.fed.cuhk.edu.hk/~lchang/material/Evolutionary/Developmental/Greene-KantSoul.pdf](http://www.fed.cuhk.edu.hk/~lchang/material/Evolutionary/Developmental/Greene-KantSoul.pdf), WEA)

What turn-of-the-millennium science is telling us is that human moral judgment is not a pristine rational enterprise, that our moral judgments are driven by a hodgepodge of emotional dispositions, which themselves were shaped by a hodgepodge of evolutionary forces, both biological and cultural. Because of this, it is exceedingly unlikely that there is anyrationallycoherentnormativemoral theory that can accommodateourmoral intuitions. Moreover, anyone who claims to have such a theory, or even part of one, almost certainly doesn't. Instead, what that person probably has is a moral rationalization.

It seems then, that we have somehow crossed the infamous "is"-"ought" divide.  How did this happen? Didn't Hume (Hume, 1978) and Moore (Moore, 1966) warn us against trying to derive an "ought" from and "is?" How did we go from descriptive scientific theories concerning moral psychology to skepticism about a whole class of normative moral theories? The answer is that we did not, as Hume and Moore anticipated, attempt to derive an "ought" from and "is." That is, our method has been inductive rather than deductive. We have inferred on the basis of the available evidence that the phenomenon of rationalist deontological philosophy is best explained as a rationalization of evolved emotional intuition (Harman, 1977).

Missing the Deontological Point  
I suspect that rationalist deontologists will remain unmoved by the arguments presented here. Instead, I suspect, they will insist that I have simply misunderstoodwhatKant and like-minded deontologistsare all about. Deontology, they will say, isn't about this intuition or that intuition. It's not defined by its normative differences with consequentialism. Rather, deontology is about taking humanity seriously. Above all else, it's about respect for persons. It's about treating others as fellow rational creatures rather than as mere objects, about acting for reasons rational beings can share. And so on (Korsgaard, 1996a; Korsgaard, 1996b).This is, no doubt, how many deontologists see deontology. But this insider's view, as I've suggested, may be misleading. The problem, more specifically, is that it defines deontology in terms of values that are notdistinctivelydeontological, though they may appear to be from the inside. Consider the following analogy with religion. When one asks a religious person to explain the essence of his religion, one often gets an answer like this: "It's about love, really. It's about looking out for other people, looking beyond oneself. It's about community, being part of something larger than oneself." This sort of answer accurately captures the phenomenology of many people's religion, but it's nevertheless inadequate for distinguishing religion from other things. This is because many, if not most, non-religious people aspire to love deeply, look out for other people, avoid self-absorption, have a sense of a community, and be connected to things larger than themselves. In other words, secular humanists and atheists can assent to most of what many religious people think religion is all about. From a secular humanist's point of view, in contrast, what's distinctive about religion is its commitment to the existence of supernatural entities as well as formal religious institutions and doctrines. And they're right. These things really do distinguish religious from non-religious practices, though they may appear to be secondary to many people operating from within a religious point of view.  
In the same way, I believe that most of the standard deontological/Kantian self-characterizatons fail to distinguish deontology from other approaches to ethics. (See also Kagan (Kagan, 1997, pp. 70-78.) on the difficulty of defining deontology.) It seems to me that consequentialists, as much as anyone else, have respect for persons, are against treating people asmereobjects, wish to act for reasons that rational creatures can share, etc. A consequentialist respects other persons, and refrains from treating them as mere objects, by counting every person's well-beingin the decision-making process. Likewise, a consequentialist attempts to act according to reasons that rational creatures can share by acting according to principles that give equal weight to everyone's interests, i.e. that are impartial. This is not to say that consequentialists and deontologists don't differ. They do. It's just that the real differences may not be what deontologists often take them to be.  
What, then, distinguishes deontology from other kinds of moral thought? A good strategy for answering this question is to start with concrete disagreements between deontologists and others (such as consequentialists) and then work backward in search of deeper principles. This is what I've attempted to do with the trolley and footbridge cases, and other instances in which deontologists and consequentialists disagree. If you ask a deontologically-minded person why it's wrong to push someone in front of speeding trolley in order to save five others, you will getcharacteristically deontological answers. Some will betautological: "Because it's murder!"Others will be more sophisticated: "The ends don't justify the means." "You have to respect people's rights." But, as we know, these answers don't really explain anything, because if you give the same people (on different occasions) the trolley case or the loop case (See above), they'll make the opposite judgment, even though their initial explanation concerning the footbridge case applies equally well to one or both of these cases. Talk about rights, respect for persons, and reasons we can share are natural attempts to explain, in "cognitive" terms, what we feel when we find ourselves having emotionally driven intuitions that are odds with the cold calculus of consequentialism. Although these explanations are inevitably incomplete, there seems to be "something deeply right" about thembecause they give voice to powerful moral emotions. But, as with many religious people's accounts of what's essential to religion, they don't really explain what's distinctive about the philosophy in question.

**Unintended consequences outweigh—they don’t spill over**

**Gvosdev 5** – Rhodes scholar, PhD from St. Antony’s College, executive editor of The National Interest (Nikolas, The Value(s) of Realism, SAIS Review 25.1, pmuse, AG)

As the name implies, realists focus on promoting policies that are achievable and sustainable. In turn, the morality of a foreign policy action is judged by its results, not by the intentions of its framers. A foreign policymaker must weigh the consequences of any course of action and assess the resources at hand to carry out the proposed task. As Lippmann warned, Without the controlling principle that the nation must maintain its objectives and its power in equilibrium, its purposes within its means and its means equal to its purposes, its commitments related to its resources and its resources adequate to its commitments, it is impossible to think at all about foreign affairs.8 Commenting on this maxim, Owen Harries, founding editor of The National Interest, noted, "This is a truth of which Americans—more apt to focus on ends rather than means when it comes to dealing with the rest of the world—need always to be reminded."9 In fact, Morgenthau noted that "there can be no political morality without prudence."10 This virtue of prudence—which Morgenthau identified as the cornerstone of realism—should not be confused with expediency. Rather, it takes as its starting point that it is more moral to fulfill one's commitments than to make "empty" promises, and to seek solutions that minimize harm and produce sustainable results. Morgenthau concluded: [End Page 18] Political realism does not require, nor does it condone, indifference to political ideals and moral principles, but it requires indeed a sharp distinction between the desirable and the possible, between what is desirable everywhere and at all times and what is possible under the concrete circumstances of time and place.11 This is why, prior to the outbreak of fighting in the former Yugoslavia, U.S. and European realists urged that Bosnia be decentralized and partitioned into ethnically based cantons as a way to head off a destructive civil war. Realists felt this would be the best course of action, especially after the country's first free and fair elections had brought nationalist candidates to power at the expense of those calling for inter-ethnic cooperation. They had concluded—correctly, as it turned out—that the United States and Western Europe would be unwilling to invest the blood and treasure that would be required to craft a unitary Bosnian state and give it the wherewithal to function. Indeed, at a diplomatic conference in Lisbon in March 1992, the various factions in Bosnia had, reluctantly, endorsed the broad outlines of such a settlement. For the purveyors of moralpolitik, this was unacceptable. After all, for this plan to work, populations on the "wrong side" of the line would have to be transferred and resettled. Such a plan struck directly at the heart of the concept of multi-ethnicity—that different ethnic and religious groups could find a common political identity and work in common institutions. When the United States signaled it would not accept such a settlement, the fragile consensus collapsed. The United States, of course, cannot be held responsible for the war; this lies squarely on the shoulders of Bosnia's political leaders. Yet Washington fell victim to what Jonathan Clarke called "faux Wilsonianism," the belief that "high-flown words matter more than rational calculation" in formulating effective policy, which led U.S. policymakers to dispense with the equation of "balancing commitments and resources."12 Indeed, as he notes, the Clinton administration had criticized peace plans calling for decentralized partition in Bosnia "with lofty rhetoric without proposing a practical alternative." The subsequent war led to the deaths of tens of thousands and left more than a million people homeless. After three years of war, the Dayton Accords—hailed as a triumph of American diplomacy—created a complicated arrangement by which the federal union of two ethnic units, the Muslim-Croat Federation, was itself federated to a Bosnian Serb republic. Today, Bosnia requires thousands of foreign troops to patrol its internal borders and billions of dollars in foreign aid to keep its government and economy functioning. Was the aim of U.S. policymakers, academics and journalists—creating a multi-ethnic democracy in Bosnia—not worth pursuing? No, not at all, and this is not what the argument suggests. But aspirations were not matched with capabilities. As a result of holding out for the "most moral" outcome and encouraging the Muslim-led government in Sarajevo to pursue maximalist aims rather than finding a workable compromise that could have avoided bloodshed and produced more stable conditions, the peoples of Bosnia suffered greatly. In the end, the final settlement was very close [End Page 19] to the one that realists had initially proposed—and the one that had also been roundly condemned on moral grounds.

#### Deconstruction doesn’t solve—material power relations are unchanged

**Bauerlein, 01** (Mark, professor at Emory, Partisan Review, Spring, proquest)

Social constructionism is one such expedient method. It has widespread support in the humanities, and so practitioners need waste no paragraphs validating it. It scoffs at empirical notions, chastising them as "naive positivism" and freeing scholars from having to prove the truth of constructionist premises and generalizations. It lightens the evidentiary load, affirming that an incisive reading of a single text or event is sufficient to illustrate a theoretical or historical generality. Objectivity as an ideal collapses, for while objectivity requires that one acknowledge opposing arguments and refute them on logical or empirical grounds, constructionism merely asks that inquirers position themselves as a subject in relation to other subject-positions. True, constructionism proposes to study phenomena as historical constructs, a proposal entailing a method of enumerating historical particulars and their convergence in this or that object. But in fact, constructionist analysis typically breaks the object down into theoretical, political, and (a few) historical constituents, most of which are common currency in academic parlance. In analyzing the text or event as a construct, inquirers suspend the whole question of the reality of the thing and the truth of the construction. All that counts is the particular version of the thing, and with no objective standard by which to measure the version, the laborious process of justification dissolves. Last month a scholarly journal asked me to assess a submission on Jacques Lacan's adoption of certain semiotic principles of Charles Sanders Peirce. After reading the essay, I recommended publication, but added that Lacan largely misconstrued Peirce's arguments and that the author needed to discuss the misrepresentations. He replied that whether Lacan was right or wrong was beside the point. He was only interested in how Lacan "appropriated" Peirce. To focus on whether Lacan understood Peirce correctly would sway the discussion from Lacan's creative uses of Peircean ideas, he said. Of course, the author's defense was epistemologically dubious, but it was institutionally beneficial. Although it put the author in the position of purveying Lacan's misconstruction of Peirce uncritically, it simplified his task enormously, saving him the trouble of checking Lacan's appropriations against Peirce's voluminous, difficult corpus. If only conservative evaluators would agree to the constructedness of Lacan's notions, not their truth, then the essay could proceed to publication. Apologias like this one are rampant in the humanities, and the books and articles that they enable flood the scholarly marketplace. University press catalogues, booknotes and ads in periodicals, and "list of contributors" pages in journals announce these publications as breakthough efforts and necessary reading, but despite the praise, most of them soon disappear into the library stacks never to be heard from again. They are hastily conceived and predictably argued, and notwithstanding the singularity promised on their dust jackets, they are all of a type. They begin with approved constructionist premises, bolster them with arguments from authority ("According to Richard Rorty. . ."), and attach them to standard generalities about power, race, and gender. They vary only in their subject matter, the texts and events selected for commentary. They also suffer from the stylistic and design flaws characteristic of scholarship pushed into production too quickly. Last year, I read six booklength manuscripts for university presses, five of them by junior faculty. All five I returned to the press with detailed instructions for developmental editing. The authors possessed considerable intelligence and earnest motives, but they obviously tried to compose too fast. Sentences were unpolished and contained uniform expressions. Transitions were jumpy and casual, as if the chapters succeeded one another with "Now, let's look at. . . ." The introductions were elliptical and rambling, as if the authors had not yet settled the question of what concerns the projects were aimed at resolving. But however rough and incoherent, such manuscripts often make it into print and the authors win promotions. This is the research result of the productivity requirements of the profession. Junior faculty scramble to get dissertations published before their time, and the market is saturated with scholarly ephemera. Younger humanities professors no longer spend ten years investigating a subject, sharpening their theses, and refining their prose. Lengthy archival studies and careful erudite readings no longer appear. Career trajectories of figures like Rene Girard, M. H. Abrams, Paul de Man, and Meyer Shapiro are eschewed, for none of those talents produced enough work early in their professional lives to merit tenure under the present system. Penalized for selecting long-term projects, assistant professors have too little time to embark upon studies such as The Mirror and the Lamp. This book-for-tenure requirement affects professors at the top fifty to seventy-five research institutions alone, but the general trend it represents-the acceleration of scholarship-reaches into all areas of academic life. Whenever faculty observe annual salary increases tied to their productivity for the year, and whenever graduate students face tuition support packages due to expire after four years, they will opt for a method of inquiry that ensures their professional livelihood. Whenever academic press editors favor topical culture studies over archival research, ambitious scholars will follow practices that help them keep pace with intellectual current events. Whenever hiring committees and funding agencies emphasize their interest in innovative, non-traditional forms of inquiry, applicants will fashion themselves accordingly, mindful of the ever more tenuous line between the avant-garde and the old hat. In each case, a commitment to painstaking induction and catholic learning proves disastrous. This is the bare and banal advantage of social constructionism: it saves time. Truth, facts, objectivity-those require too much reading, too many library visits, too much time soliciting interlibrary loan materials, scrolling through microfilm records, double-checking sources, and looking beyond academic trends that come and go. A philosophy that discredits the foundations of such time-consuming research is a professional blessing. It is the belief-system of inquirers who need an alibi for not reading the extra book, traveling to the other archives, or listening to the other point of view. This is why constructionism is the prevailing creed in the humanities today. It is the epistemology of scholarship in haste, of professors under the gun. As soon as the humanities embraced a productivity model of merit, empiricism and erudition became institutional dead ends, and constructionism emerged as the method of the fittest. Scholars may have initially embraced constructionism as a philosophical position, but the evolution of constructionism into a brash institutional maneuvering indicates that it now functions as a response to a changing labor environment. How unfortunate that humanities faculty did not fight back against the productivity standard as soon as it arose and insist that scholars need time to read, time to reflect, time to test ideas in the classroom and at conferences if they are to come up with anything lasting. What a shame that they were able to concoct a mode of thought that cooperated with the quantification system, a plan of survival that now stands as the academic wisdom of the age.

#### No impact to security rhetoric

**Abrahamsen 5** (Rita, Department of International Politics, University of Wales, Blair's Africa: The Politics of Securitization and Fear, Alternatives 30:1, AG)

The war on Iraq can be seen to demonstrate the willingness of the British government to engage in illiberal acts to defend the liberal values of the "international community," but it is important to note that the process of securitization does not automatically dictate such spectacular responses. As argued above, the process of securitization is gradual and incremental, and an issue can move along a continuum of risk/fear without ever reaching the stage of "existential threat" where it merits "emergency action" (as with Iraq). Instead, **most** security politics is concerned with the more mundane everyday management and containment of risk, and the securitization of Africa is thus entirely compatible with the feeble response to the brutal and prolonged conflict in the DRC or the Sudan. Rather than spectacular emergency politics or military action, securitization is **more likely** to give rise to policies of containment or policing.

#### Rejection of securitization causes the state to become more interventionist—turns the K

Tara **McCormack, ’10**, is Lecturer in International Politics at the University of Leicester and has a PhD in International Relations from the University of Westminster. 2010, (Critique, Security and Power: The political limits to emancipatory approaches, page 127-129)

The following section will briefly raise some questions about the rejection of the old security framework as it has been taken up by the most powerful institutions and states. Here we can begin to see the political limits to critical and emancipatory frameworks. In an international system which is marked by great power inequalities between states, the rejection of the old narrow national interest-based security framework by major international institutions, and the adoption of ostensibly emancipatory policies and policy rhetoric, has the consequence of **problematising weak or unstable states** and allowing international institutions or major states a more interventionary role, yet without establishing mechanisms by which the citizens of states being intervened in might have any control over the agents or agencies of their emancipation. Whatever the problems associated with the pluralist security framework **there were at least formal and clear demarcations**. This has the consequence of **entrenching international power inequalities** and allowing for a shift towards a hierarchical international order in which the citizens in weak or unstable states may arguably have even less freedom or power than before. Radical critics of contemporary security policies, such as human security and humanitarian intervention, argue that we see an assertion of Western power and the creation of liberal subjectivities in the developing world. For example, see Mark Duffield’s important and insightful contribution to the ongoing debates about contemporary international security and development. Duffield attempts to provide a coherent empirical engagement with, and theoretical explanation of, these shifts. Whilst these shifts, away from a focus on state security, and the so-called merging of security and development are often portrayed as positive and progressive shifts that have come about because of the end of the Cold War, Duffield argues convincingly that these shifts are highly problematic and unprogressive. For example, the rejection of sovereignty as formal international equality and a presumption of nonintervention has eroded the division between the international and domestic spheres and led to an international environment in which Western NGOs and powerful states have a major role in the governance of third world states. Whilst for supporters of humanitarian intervention this is a good development, Duffield points out the depoliticising implications, drawing on examples in Mozambique and Afghanistan. Duffield also draws out the problems of the retreat from modernisation that is represented by sustainable development. The Western world has moved away from the development policies of the Cold War, which aimed to develop third world states industrially. Duffield describes this in terms of a new division of human life into uninsured and insured life. Whilst we in the West are ‘insured’ – that is we no longer have to be entirely self-reliant, we have welfare systems, a modern division of labour and so on – sustainable development aims to teach populations in poor states how to survive in the absence of any of this. Third world populations must be taught to be self-reliant, they will remain uninsured. Self-reliance of course means **the condemnation of millions to** **a barbarous life of inhuman bare survival**. Ironically, although sustainable development is celebrated by many on the left today, by leaving people to fend for themselves rather than developing a society wide system which can support people, sustainable development actually leads to a less human and humane system than that developed in modern capitalist states. Duffield also describes how many of these problematic shifts are embodied in the contemporary concept of human security. For Duffield, we can understand these shifts in terms of Foucauldian biopolitical framework, which can be understood as a regulatory power that seeks to support life through intervening in the biological, social and economic processes that constitute a human population (2007: 16). Sustainable development and human security are for Duffield technologies of security which aim to *create* self-managing and self-reliant subjectivities in the third world, which can then survive in a situation of serious underdevelopment (or being uninsured as Duffield terms it) without causing security problems for the developed world. For Duffield this is all driven by a neoliberal project which seeks to control and manage uninsured populations globally. Radical critic Costas Douzinas (2007) also criticises new forms of cosmopolitanism such as human rights and interventions for human rights as a triumph of American hegemony. Whilst we are in agreement with critics such as Douzinas and Duffield that these new security frameworks cannot be empowering, and ultimately lead to more power for powerful sta**tes**, we need to understand why these frameworks have the effect that they do. We can understand that these frameworks have political limitations without having to look for a specific plan on the part of current powerful states. In new security frameworks such as human security we can see the political limits of the framework proposed by critical and emancipatory theoretical approaches.

### 1nc more stuff

**Even if our impacts are extremely unlikely they still outweigh—it’s more devastating than repetitive systemic harm**

**Sunstein 2007** – Felix Frankfurter Professor of Law at Harvard Law School, clerked for Justice Marshall in the Supreme Court (Cass, Harvard University Press, “Worst-case scenarios”, pages 138-9)

A Catastrophic Harm Precautionary Principle, of the modest kind just sketched, raises several questions. The most obvious is whether a low-probability risk of catastrophe might not deserve more attention than higher-probability risks, even when the expected value appears to be equal. The reason is that the loss of 200 million people may be more than 1,000 times worse than the loss of 2,000 people. Pause over the real-world meaning of a loss of 200 million people in the United States. The nation would find it extremely hard to recover. Private and public institutions would be damaged for a long time, perhaps forever. **What kind of government would emerge? What would its economy look like? Future generations would inevitably suffer.** The effect of a catastrophe greatly outruns a simple multiplication of a certain number of lives lost. The overall "cost" of losing two-thirds of the American population is far more than 100,000 times the cost of losing 2,000 people.

The same point holds when the numbers are smaller. Following the collapse of a dam that left 120 people dead and 4,000 homeless in Buffalo Creek, Virginia, psychiatric researchers continued to find significant psychological and sociological changes two years after the disaster occurred. Survivors still suffered a loss of direction and energy, along with other disabling character changes.41 One evaluator attributed this "Buffalo Creek Syndrome" specifically to "the loss of traditional bonds of kinship and neighborliness."42

Genuine catastrophes, involving tens of thousands or millions of deaths, would magnify that loss to an unimaginable degree. A detailed literature on the "social amplification of risk" explores the secondary social losses that greatly outrun the initial effects of given events.43 The harm done by the attacks of 9/11, for instance, far exceeded the deaths on that day, horrendous as those were. One telling example: Many people switched, in the aftermath of the attack, to driving long distances rather than flying, and the switch produced almost as many highway deaths as the attacks themselves, simply because driving is more dangerous than flying.44 The attacks had huge effects on other behaviors of individuals, businesses, and governments, resulting in costs of hundreds of billions of dollars, along with continuing fear, anxiety, and many thousands of additional deaths from the Afghanistan and Iraq wars.

We might therefore identify a second version of the Catastrophic Harm Precautionary Principle, also attuned to expected value but emphasizing some features of catastrophic risk that might otherwise be neglected**: Regulators should consider the expected value of catastrophic risks, even when the worst-case scenario is highly unlikely.** In assessing expected value, regulators **should consider the distinctive features of catastrophic harm, including the "social amplification” of such harm.** Regulators should choose cost-effective measures to reduce those risks and should attempt to compare the expected value of the risk with the expected value of precautionary measures.

**Even slight risks of catastrophic impacts outweigh**

**Rescher, 83** (Nicholas, Department of Philosophy at the University of Pittsburgh, Risk: A Philosophical Introduction to the theory of risk evaluation, p. 67)

In such situations we are dealing with hazards that are just not in the same league. Certain hazards are simply unacceptable because they involve a relatively unacceptable threat—things may go wrong so badly that, relative to the alternatives, it’s just not worthwhile to “run the risk,” even in the face of a favorable balance of probabilities. The rational man is not willing to trade off against one another by juggling probabilities such outcomes as the loss of one hair and the loss of his health or his freedom. The imbalance or disparity between risks is just too great to be restored by probablistic readjustments. They are (probablistically) incommersuable: confronted with such “incomparable” hazards, we do not bother to weigh this “balance of probabilities” at all, but simply dismiss one alternative as involving risks that are, in the circumstances, “unacceptable”.

**Large enough impacts make probability drop out of consideration**

**Rescher, 83** (Nicholas, Department of Philosophy at the University of Pittsburgh, Risk: A Philosophical Introduction to the theory of risk evaluation, p. 68)

With “ordinary” risk situations, one is in a position to use expected values as a basis for assessment. But there are various sorts of “incommensurable” risks for which this procedure is not reasonable. When the discrepancy of the negatives at issue in a risk situation is sufficiently large, some hazards are simply *unacceptable* relative to the others, and it makes perfectly good sense to ignore the “balance of probabilities” and proceed simply and **solely** with reference to this disparity. In such cases one will prefer—perfectly reasonably—the certainty of a small loss to the remote prospect of a large loss, even when the hazard associated with this choice has the lesser expected value. (The only qualification here is that the disasterous outcome in view must represent a real possibility and not one whise probability is effectively zero.)

## 2nc

### 2nc prefer our evidence

#### Restrictions go beyond inducements and disadvantages—formal, legal interpretation is key to avoid effects topicality and mixing burdens

**Groves 97**

Sourcebook on Intellectual Property Law

Dr Peter J Groves, LLB, MA, PhD, MITMA, Solicitor

Then I come to the word 'restrict', A person though not prohibited is restricted from using something if he is permitted to use it to a certain extent or subject to certain conditions but otherwise obliged not to use it, but **I do not think that a person is** properly said to be **restricted from using something by** a condition the effect of which is to offer him **some inducement not to** use it, or in some other way to influence his choice. To my mind, the more natural meaning here is restriction of the licensee's right to use the article and I am fortified in that opinion by two considerations. If I am right in thinking that 'require' and 'prohibit' refer to legal obligations to buy or not to use, **I see nothing to suggest that 'restrict' is used in** quite **a different sense which has nothing to do with legal obligation but which relates to financial disadvantage**. And, second, to say that the effect will be to restrict seems to me much more appropriate if restriction refers to restriction of the licensee's right to use than it would be if restriction refers to an inducement not to use. The legality of the condition has to be determined at the time when the licence is granted and if the terms of the conditions are such as to restrict the licensee's right to use an article in certain circumstances then it can properly be said that its effect will be to restrict him from using it. But if, as in the present case, all that can be said is that **the effect** of the condition in some circumstances will be to offer a financial advantage, which may be considerable or may be small, if the licensee uses the licensor's goods, I do not see how it can be said that its effect will be to restrict the licensee from using other goods. The licensee may be influenced by this financial advantage or he may, perhaps for good reason, choose to disregard it; it is impossible to say in advance what the effect will be.

#### Anell defines ‘restriction on production’—they don’t—key to predictability

**Haneman**, justice – Superior Court of New Jersey, Appellate Division, 12/4/**’59**

(J.A.D., “RUSSELL S. BERTRAND, ET AL., PLAINTIFFS-RESPONDENTS, v. DONALD T. JONES, ET AL., DEFENDANTS-APPELLANTS,” 58 N.J. Super. 273; 156 A.2d 161; 1959 N.J. Super. LEXIS 569)

HN4 In ascertaining the meaning of the word "restrictions" as here employed, it must be **considered in context with the entire clause in which it appears**. It is to be noted that the exception concerns restrictions "which have been complied with." Plainly, this connotes a representation of compliance by the vendor with any restrictions upon the permitted uses of the subject property. The conclusion that "restrictions" refer solely to a limitation of the manner in which the vendor may [\*\*\*14] use his own lands is strengthened by the further provision found in said clause that the conveyance is "subject to the effect, [\*\*167] if any, of municipal zoning laws." Municipal zoning laws affect the use of property.

HN5 A familiar maxim to aid in the construction of contracts is noscitur a sociis. Simply stated, this means that **a word is known from its associates**. Words of general and specific import take color from each other when associated together, and thus the word of general significance is modified by its associates of restricted sense. 3 Corbin on Contracts, § 552, p. 110; cf. Ford Motor Co. v. New Jersey Department of Labor and Industry, 5 N.J. 494 (1950). The [\*284] word "restrictions," therefore, should be construed as being used in the same limited fashion as "zoning."

### regulation link

#### Regulation is how you go about doing the thing, restriction is whether or not you can do it

**Schackleford**, justice – Supreme Court of Florida, 3/12/**1917**

(J., “ATLANTIC COAST LINE RAILROAD COMPANY, A CORPORATION, *et al., Plaintiff in Error,* v. THE STATE OF FLORIDA, *Defendant in Error,”* 73 Fla. 609; 74 So. 595; 1917 Fla. LEXIS 487)

There would seem to be no occasion to discuss whether or not the Railroad Commissioners had the power and authority to make the order, requiring the three specified railroads running into the City of Tampa to erect a union passenger station in such city, which is set out in the declaration in the instant case and which we have copied above. [\*\*\*29] It is sufficient to say that under the reasoning and the authorities cited in State v. Atlantic Coast Line R. Co., 67 Fla. 441, 458, 63 South. Rep. 729, 65 South. Rep. 654, and State v. Jacksonville Terminal [\*631] Co., supra, it would seem that HN14the Commissioners had power and authority. The point which we are required to determine is whether or not the Commissioners were given the authority to impose the fine or penalty upon the three railroads for the recovery of which this action is brought. In order to decide this question we must examine Section 2908 of the General Statutes of 1906, which we have copied above, in the light of the authorities which we have cited and from some of which we have quoted. It will be observed that the declaration alleges that the penalty imposed upon the three railroads was for the violation of what is designated as "Order No. 282," which is set out and which required such railroads to erect and complete a union depot at Tampa within a certain specified time. If the Commissioners had the authority to make such order, it necessarily follows that they could enforce a compliance with the same by appropriate proceedings in the courts, but [\*\*\*30] it does not necessarily follow that they had the power and authority to penalize the roads for a failure to comply therewith. That is a different matter. HN15Section 2908 of the General Statutes of 1906, which originally formed Section 12 of Chapter 4700 of the Laws of Florida, (Acts of 1899, p. 86), expressly authorizes the imposition of a penalty by the Commissioners upon "any railroad, railroad company or other common carrier doing business in this State," for "a violation or disregard of any rate, schedule, rule or regulation, provided or prescribed by said commission," or for failure "to make any report required to be made under the provisions of this Chapter," or for the violation of "any provision of this Chapter." It will be observed that the word "Order" is not mentioned in such section. Are the other words used therein sufficiently comprehensive to embrace an order made by the Commissioners, such as the one now under consideration? [\*632] It could not successfully be contended, nor is such contention attempted, that this order is covered by or embraced within the words "rate," "schedule" or "any report,' therefore we may dismiss these terms from our consideration and [\*\*\*31] direct our attention to the words "rule or regulation." As is frankly stated in the brief filed by the defendant in error: "It is admitted that an order for the erection of a depot is not a 'rate' or 'schedule' and if it is not a 'rule' or 'regulation' then there is no power in the Commissioners to enforce it by the imposition of a penalty." It is earnestly insisted that the words "rule or regulation" are sufficiently comprehensive to embrace such an order and to authorize the penalty imposed, and in support of this contention the following authorities are cited: Black's Law Dictionary, defining regulation and order; Rapalje & Lawrence's Law Dictionary, defining rule; Abbott's Law Dictionary, defining rule; Bouvier's Law Dictionary, defining order and rule [\*\*602] of court; Webster's New International Dictionary, defining regulation; Curry v. Marvin, 2 Fla. 411, text 515; In re Leasing of State Lands, 18 Colo. 359, 32 Pac. Rep. 986; Betts v. Commissioners of the Land Office, 27 Okl. 64, 110 Pac. Rep. 766; Carter V. Louisiana Purchase Exposition Co., 124 Mo. App. 530, 102 S.W. Rep. 6, text 9; 34 Cyc. 1031. We have examined all of these authorities, as well as those cited by the [\*\*\*32] plaintiffs in error and a number of others, but shall not undertake an analysis and discussion of all of them. While it is undoubtedly true that the words, rule, regulation and order are **frequently used as synonyms**, as the dictionaries, both English and law, and the dictionaries of synonyms, such as Soule's show, it does not follow that these words always mean the same thing or are interchangeable at will. It is well known that the same word used in different contexts may mean a different thing by virtue of the coloring which the word [\*633] takes on both from what precedes it in the context and what follows after. Thus in discussing the proper constructions to be placed upon the words "restrictions and regulations" as used in the Constitution of this State, then in force, Chap. 4, Sec. 2, No. 1, of Thompson's Digest, page 50, this court in Curry v. Marvin, 2 Fla. 411, text 415, which case is cited to us and relied upon by both the parties litigant, makes the following statement: "The word restriction is defined by the best lexicographers to mean limitation, confinement within bounds, and would seem, as used in the constitution, to apply to the amount and to the time [\*\*\*33] within which an appeal might to be taken, or a writ of error sued out. The word regulation has a different signification -- it means **method**, and is defined by Webster in his Dictionary, folio 31, page 929, to be 'a rule or order prescribed by a superior for the management of some business, or for the government of a company or society.' This more properly perhaps applies to the mode and form of proceeding in taking and prosecuting appeals and writs of error. By the use of both of those terms, we think that something more was intended than merely regulating the mode and form of proceedings in such cases." Thus, in Carter v. Louisiana Purchase Exposition Co., 124 Mo. App. 530, text 538, 102 S.W. Rep. 6, text 9, it is said, "The definition of a rule or order, which are synonymous terms, include commands to lower courts or court officials to do ministerial acts." In support of this proposition is cited 24 Amer. & Eng. Ency. of Law 1016, which is evidently an erroneous citation, whether the first or second edition is meant. See the definition of regulate and rule, 24 amer. & Eng. Ency. of Law (2nd Ed.) pages 243 to 246 and 1010, and it will be seen that the two words are not always [\*\*\*34] synonymous, much necessarily depending upon the context and the sense in which the words are used. Also see the discussion [\*634] of the word regulation in 34 Cyc. 1031. We would call especial attention to Morris v. Board of Pilot Commissioners, 7 Del. chan. 136, 30 Atl. Rep. 667, text 669, wherein the following statement is made by the court: "These words 'rule' and the 'order,' when used in a statute, have a definite signification. They are different in their nature and extent. A rule, to be valid, must be general in its scope, and undiscriminating in its application; an order is specific and not limited in its application. The function of an order relates more particularly to the execution or enforcement of a rule previously made." Also see 7 Words & Phrases 6271 and 6272, and 4 Words & Phrases (2nd Ser.) 419, 420. As we held in City of Los Angeles v. Gager, 10 Cal. App. 378, 102 Pac. Rep. 17, "The meaning of the word 'rules' is of wide and varied significance, depending upon the context; in a legal sense it is synonymous with 'laws.'" If Section 2908 had contained the word order, or had authorized the Commissioners to impose a penalty for the violation of any order [\*\*\*35] made by them, there would be no room for construction. The Georgia statute, Acts of 1905, p. 120, generally known as the "Steed Bill," entitled "An act to further extend the powers of the Railroad Commission of this State, and to confer upon the commission the power to regulate the time and manner within which the several railroads in this State shall receive, receipt for, forward and deliver to its destination all freight of every character, which may be tendered or received by them for transportation; to provide a penalty for non-compliance with any and all reasonable rules, regulations and orders prescribed by the said commission in the execution of these powers, and for other purposes," expressly authorized the Railroad Commissioners "to provide a penalty for non-compliance with any and all reasonable rules, regulations and orders prescribed by the said Commision." [\*635] See Pennington v. Douglas, A. & G. Ry. Co., 3 Ga. App. 665, 60 S.E. Rep. 485, which we cited with approval in State v. Atlantic Coast Line R. Co., 56 fla. 617, text 651, 47 South. Rep. 969, 32 L.R.A. (N.S.) 639. Under the reasoning in the cited authorities, especially State v. Atlantic Coast Line R. Co., [\*\*\*36] supra, and Morris v. Board of Pilot Commissioners, we are constrained to hold that the fourth and eighth grounds of the demurrer are well founded and that HN16the Railroad Commissioners were not empowered or authorized to impose a penalty upon the three railroads for failure to comply with the order for the erection of a union depot.

#### Regulation is strictly distinct from restriction of production

**Qureshi 46**

Indian representative at the United Nations Social and Economic council

<http://www.wto.org/gatt_docs/English/SULPDF/90220091.pdf>

Mr. Chairman, I would like to point out that in Article 47, Paragraph 1, the **regulation of production should not mean restriction of production**, otherwise the whole aim of raising the standard of living will be defeated; **nor should it mean to discourage** the production of certain commodities if certain countries find it necessary to do so and to expand their production in the interests of their country.

#### Including regulation cracks the curriculum—even full-time professionals can’t manage that research burden

Stafford 83

<http://felj.org/elj/Energy%20Journals/Vol6_No2_1985_Book_Review2.pdf>

Associate, Ross, Marsh & Foster, Washington, D.C. The assistance of David L. Wallace, a third

year student at the Georgetown University Law Center, in the preparation of this review is greatly appreciated.

FEDERAL REGULATION OF ENERGY by William F. Fox, Jr. Shepard'slMcGraw-Hill, 1983, 846 pages Reviewed by G. William Stafford\* It may safely be said that any effort to catalogue "the entire spectrum of federal regulation of energy"' in a single volume certainly requires an enterprising effort on the part of the author. In this regard, Mr. William F. Fox, Jr., an Associate Professor of Law at Catholic University of America, has undertaken an examination of a vital aspect of United States policy in Federal Regulation of Energy, published in 1983 with an annual pocket supplement available. Despite the complex nature of the subject of his work, Mr. Fox has prepared a text that provides a significant description of many aspects of federal energy regulatory policy. Initially, the book's title may prove somewhat misleading in that it approaches the subject from an historical perspective focused more on substantive than procedural issues. Although a reader gets the impression that the author at time has tried to do too much -at least from the standpoint of the energy practitioner- the historical and technical insights it offers the student of federal energy relation are valuable. Moreover; its detailed explanations of the methods used to tneet federal energy goals are useful for those in the position of initiating energy policy. This strength notwithstanding, it appears unlikely that an energy law practitioner would benefit significantly from its use, other than from its historical point of view. A general impression is that the author may have been **overly ambitious** in his effort to undertake the **monumental task** of evaluating laws, regulations, and significant judicial decisions in a single work.

#### It’s an impossible neg burden

Edwards 80

JUDGES: Before EDWARDS, LEAR and WATKINS, JJ. OPINION BY: EDWARDS

AYOU BOUILLON CORPORATION, ET AL. v. ATLANTIC RICHFIELD COMPANY

No. 13229 Court of Appeal of Louisiana, First Circuit 385 So. 2d 834; 1980 La. App. LEXIS 3972; 67 Oil & Gas Rep. 240 May 5, 1980 PRIOR HISTORY: [\*\*1] ON APPEAL FROM THE 18TH JUDICIAL DISTRICT COURT, PARISH OF IBERVILLE, HONORABLE EDWARD N. ENGOLIO, JUDGE.

Comprehending the applicability and **complexity of federal energy regulation** necessitates both a stroll down the tortuous legislative path and a review of legal challenges **so numerous** as to require the establishment of a Temporary Emergency Court of Appeals.

#### Regulations add 5 million research hours

Tugwell 88

The Energy Crisis and the American Political Economy: Politics and Markets in the Management of Natural Resources

Previously, Dr. Tugwell was the executive director of the Heinz Endowments of Pittsburgh, the founder and president of the Environment Enterprises Assistance Fund, and as a senior consultant for International Projects and Programs at PG&E Enterprises. He served as a deputy assistant administrator at USAID (1980-1981) and as a senior analyst for the energy program at the U.S. Office of Technology Assessment (1979-1980). Dr. Tugwell was also a professor at Pomona College and an adjunct distinguished professor at the Heinz School of Carnegie Mellon University. Additionally, he serves on the Advisory Board and International Committee of the American Council on Renewable Energy and on the Joint Board of Councilors of the China-U.S. Center for Sustainable Development. He also serves on the Board of Eucord (European Cooperative for International Development). Dr. Tugwell received a PhD in political science from Columbia University.

Finally, administering energy regulations proved a costly and cumbersome endeavor, exacting a price all citizens had to pay. As the energy specialist Paul MacAvoy has noted: "More than 300,000 firms were required to respond to controls, ranging from the three dozen major refining companies to a quarter of a million retailers of petroleum products. The respondents had to file more than half a million reports each year, which probably took more than five mil- lion man-hours to prepare, at an estimated cost alone of $80 mil- lion."64 To these expenditures must be added the additional costs to the government of collecting and processing these reports, monitor- ing compliance, and managing the complex process associated with setting forth new regulations and adjudicating disputes. All to- gether, it seems likely that the administrative costs, private and public, directly attributable to the regulatory process also exceeded $1 billion a year from 1974 to 1980.^

#### Hold the line on restrictions—no good reason to broaden the term

**Pashman**, justice – New Jersey Supreme Court, 3/25/**’63**

(Morris, “ISIDORE FELDMAN, PLAINTIFF AND THIRD-PARTY PLAINTIFF, v. URBAN COMMERCIAL, INC., AND OTHERS, DEFENDANT,” 78 N.J. Super. 520; 189 A.2d 467; 1963 N.J. Super. LEXIS 479)

HN3A title insurance policy "is subject to the same rules of construction as are other insurance policies." Sandler v. N.J. Realty Title Ins. Co., supra, at [\*\*\*11] p. 479. It is within these rules of construction that this policy must be construed.

Defendant contends that plaintiff's loss was occasioned by restrictions excepted from coverage in Schedule B of the title policy. The question is whether the provision in the deed to Developers that redevelopment had to be completed [\*528] within 32 months is a "restriction." Judge HN4 Kilkenny held that this provision was a "condition" and "more than a mere covenant." 64 N.J. Super., at p. 378. The word "restriction" as used in the title policy cannot be said to be synonymous with a "condition." A "restriction" generally refers to "a limitation of the manner in which one may use his own lands, and may or may not involve a grant." Kutschinski v. Thompson, 101 N.J. Eq. 649, 656 (Ch. 1927). See also Bertrand v. Jones, 58 N.J. Super. 273 (App. Div. 1959), certification denied 31 N.J. 553 (1960); Freedman v. Lieberman, 2 N.J. Super. 537 (Ch. Div. 1949); Riverton Country Club v. Thomas, 141 N.J. Eq. 435 (Ch. 1948), affirmed per curiam, 1 N.J. 508 (1948). It would not be inappropriate to say that the word "restrictions," as used [\*\*\*12] by defendant insurers, is ambiguous. The rules of construction heretofore announced must guide us in an interpretation of this policy. I find that the word "restrictions" in Schedule B of defendant's title policy does not encompass the provision in the deed to Developers which refers to the completion [\*\*472] of redevelopment work within 32 months because (1) the word is used ambiguously and **must be strictly construed** against defendant insurer, and (2) the provision does not refer to the use to which the land may be put. As the court stated in Riverton Country Club v. Thomas, supra, at p. 440, "HN5equity will not aid one man to restrict another in the uses to which he may put his land unless the right to such aid is clear, and that restrictive provisions in a deed are to be construed most strictly against the person or persons seeking to enforce them." (Emphasis added)

#### Including regulations is a limits disaster

Doub 76

Energy Regulation: A Quagmire for Energy Policy

Annual Review of Energy

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http://0-www.annualreviews.org.library.lausys.georgetown.edu/doi/pdf/10.1146/annurev.eg.01.110176.003435

Mr. Doub is a principal in the law firm of Doub and Muntzing, which he formed in 1977. Previously he was a partner in the law firm of LeBoeuf, Lamb, Leiby and MacRae. He was a member of the U.S. Atomic Energy Commission in 1971 - 1974. He served as a member of the Executive Advisory Committee to the Federal Power Commission in 1968 - 1971 and was appointed by the President of the United States to the President's Air Quality Advisory Board in 1970. He is a member of the American Bar Association, Maryland State Bar Association, and Federal Bar Association. He is immediate past Chairman of the U.S. National Committee of the World Energy Conference and a member of the Atomic Industrial Forum. He currently serves as a member of the nuclear export policy committees of both the Atomic Industrial Forum and the American Nuclear Energy Council. Mr. Doub graduated from Washington and Jefferson College (B.A., 1953) and the University of Maryland School of Law in 1956. He is married, has two children, and resides in Potomac, Md. He was born September 3, 1931, in Cumberland, Md.

FERS began with the recognition that federal energy policy must result from concerted efforts in all areas dealing with energy, not the least of which was the manner in which energy is regulated by the federal government. Energy selfsufficiency is improbable, if not impossible, without sensible regulatory processes, and effective regulation is necessary for public confidence. Thus, the President directed that "a comprehensive study be undertaken, in full consultation with Congress, to determine the best way to organize all energy-related regulatory activities of the government." An interagency task force was formed to study this question. With 19 different federal departments and agencies contributing, the task force spent seven months deciphering the present organizational makeup of the federal energy regulatory system, studying the need for organizational improvement, and evaluating alternatives. More than 40 agencies were found to be involved with making regulatory decisions on energy. Although only a few deal exclusively with energy, most of the 40 could significantly affect the availability and/or cost of energy. For example, in the field of gas transmission, there are five federal agencies that must act on siting and land-use issues, seven on emission and effluent issues, five on public safety issues, and one on worker health and safety issues-all before an onshore gas pipeline can be built. The complexity of energy regulation is also illustrated by the case of Standard Oil Company (Indiana), which reportedly must file about 1000 reports a year with 35 different federal agencies. Unfortunately, this example is the rule rather than the exception.

#### The distinction is clear

CJ Veeraswami (Former Chief Justice of the Madras High Court, India) 1966 “T.M. Kannappa Mudaliar And Ors. vs The State Of Madras” Majority opinion,

http://www.indiankanoon.org/doc/838831/)

The collection of a toll or a tax for the use of a road or for the use of a bridge or for the use of an aerodrome is no barrier or burden or deterrent to traders, who, in their absence, may have to take a longer or less convenient or more expensive route. Such compensatory taxes are no hindrance to anybody's freedom so long as they remain reasonable; but they could of course, be converted into a hindrance to the freedom of trade. If the authorities concerned really wanted to hamper anybody's trade they could easily raise the amount of tax or toll to an amount which would be prohibitive or deterrent or create other impediments which instead of facilitating trade and commerce would hamper them. It is here that the contrast, between 'freedom' (Article 301) and 'restrictions' (Articles 302 and 304) clearly appears; that which in reality facilitates trade and commerce is not a restriction, and that which in reality hampers or burdens trade and commerce is a restriction. It is the reality or substance of the matter that has to be determined. It is not possible apriori to draw a dividing line between that which would really be a charge for a facility provided and that which would really be a deterrent to a trade, but **the distinction**, if it has to be drawn **is real and clear**. For the tax to become a prohibited tax it has to be a direct tax the effect of which is to hinder the movement part of trade. So long as a tax remains compensatory or regulatory it cannot operate as a hindrance. 12. Subba Rao, J. as he then was, concurring with Das, J. took substantially the same view and observed (at page 1430);: The word ' freedom ' is not capable of precise definition, but it can be stated what would infringe or detract from the said freedom. Before a particular law can be said to infringe the said freedom, it must be ascertained whether the impugned provision operates as a restriction impeding the free movement of trade **or only** as **a regulation** facilitating the same. Restrictions obstruct the freedom, whereas regulations promote it. Police regulations, though they may superficially appear to restrict the freedom of movement, in fact provide the necessary conditions for the free movement. Regulations such as provision for lighting, speed, good condition of vehicles, timings, rule of the road and similar others, really facilitate the freedom of movement rather than retard it. So too, licensing system with compensatory fees would not be restrictions but regulatory provisions;, for without it, the necessary lines of communication such as roads, waterways and airways, cannot effectively be maintained and the freedom declared may in practice turn out to be an empty one....It is for the Court in a given case to decide whether a provision purporting to regulate trade is in fact a restriction on freedom. The further observations as to what was meant by Restrictions in Article 302 are (at page 1433): But **the more difficult question is, what does** the word **" restrictions " mean** in Article 302? The dictionary meaning of the word " restrict" is "to confine, bound, limit." Therefore any limitations placed upon the freedom is a restriction on that freedom. But the **limitation** must be real, direct and immediate, but not fanciful, indirect or remote....Of all the doctrines evolved in my view, the doctrine of ' direct and immediate effect' on the freedom would be a reasonable solvent to the difficult situation that might arise under our Constitution. If a law, whatever may have been its source, directly and immediately affects the free movement of trade, it would be restriction on the said freedom. But a law which may have only indirect and remote repercussions on the said freedom cannot be considered to be a restriction on it. 13. Subba Rao, J., as he then was summed up his views in the following words (at page 1436): The foregoing discussions may be summarised in the following propositions : (1) Article 301 declares a right of free movement of trade without any obstructions by way of barriers, inter-State or intra-State or other impediments operating as such barriers. (2) The said freedom is not impeded, but on the other hand, promoted by regulations creating conditions for the free movement of trade, such as, police regulations, provision for services, maintenance of roads, provision for aerodromes, wharfs, etc. with or without compensation. (3) Parliament may by law impose restrictions on such freedom in the public interest and the said law can be made by virtue of any entry with respect whereof Parliament has power to make a law. (4) The State also, in exercise of its legislative power, may impose similar restrictions, subject to the two conditions laid down in Article 304 (b) and subject to the Proviso mentioned therein. (5) Neither Parliament nor the State Legislature can make a law giving preference to one State over another or making discrimination between one State and another, by virtue of any entry in the Lists, infringing the said freedom. (6) This ban is lifted in the case of Parliament for the purpose of dealing with situations arising out of scarcity of goods in any part of the territory of India and also in the case of a State under Article 304 (h), subject to the conditions mentioned therein. And (7) the State can impose a non-discriminatory tax on goods imported from other States or the Union territory to which similar goods manufactured or produced in the State are subject. 14. It is thus well established that regulatory provisions which do not directly or immediately impede or burden the free movement of trade, commerce and intercourse but provide or intend to provide facilities for trade, commerce and intercourse are not restrictions within the meaning of Part XIII and are compatible with the freedom of trade declared by Article 301. Atiabari Tea Co., Ltd. v. State of Assam , and Automobile Transport Ltd. v. State of Rajasthan , are both cases of imposition of tax. The first was concerned with the Assam Taxation (on Goods carried by Roads or Inland Waterways) Act, 1954,, which was successfully attacked on the ground that it violated Article 301 and was not saved by Article 304 (b). The Act imposed a tax on specified goods transported by road or inland waterways in the State of Assam. The majority in that case held that the Act put a direct restriction on the freedom of trade and, since in doing so, had not complied with the provisions of Article 304 (b), it must be declared to be void. In the second case the Rajasthan Motor Vehicles Taxation Act, 1951, was impugned as violating Article 301. But the majority did not accept the contention on the view that the Act was merely a regulatory measure imposing compensatory taxes for the use of trading facilities. The scope of Article 301 was again in the light of the earlier decisions referred to in Khyerbari Tea Co. v. State of Assam , where the Assam Taxation (On goods carried by Roads or Inland Waterways) Act as amended after Atiabari Tea Co. Ltd. v. State of Assam , was attacked on various grounds but without success. 15. As already seen, **the distinction** between a restriction and a regulation **is fine but real**, though the dividing line is not capable in the nature of things of a comprehensive and satisfactory definition. The test, broadly speaking, is whether the impugned provisions lay a direct and immediate burden on the movement of trade, commerce and intercourse or are intrinsically beneficial to and provide, in the ultimate analysis, facilities for better conduct of trade, commerce and intercourse. Observed Das, J., in Automobile Transport Ltd. v. State of Rajasthan

### effects t

#### This card is devastating

**Shapiro**, associate – Energy, Environment & Public Utilities Practice Group @ Cozen O'Connor, publisher – Green Building Law Blog, **2011**

(Shari, “Code Green: Is 'Greening' the Building Code the Best Approach to Create a Sustainable Built Environment?” Planning & Environmental Law 63:6, p. 3-12)

The explosion of state and local green building regulations has been extraordinary and has led to interesting regulatory experimentation. Many state and local governments begin by mandating green building practices for public buildings. Some local governments have expanded that mandate to require green building practices for both public and private development, often for new construction over a certain square footage. **Others have sought** to encourage green building practices through **financial incentives**. Still others have used non-financial incentives like expedited **permitting or increased density** to encourage the development of green buildings.

Mandatory green building requirements work very much like traditional "command and control" environmental regulations, the Clean Water Act and the Clean Air Act being preeminent examples. Direct regulation may mandate specific green building practices or the achievement of a green building standard such as the USGBCs Leadership in Energy and Environmental Design (LEED) standard.3 Green building codes such as CALGreen, discussed in detail below, fall into this regulatory category.

Financial incentives have taken the form of direct grants from government entities,4 tax incentives, and rebates.5 Other forms of financial incentives for green buildings are rebates of the typical government-related costs of building, such as application fees.6

Local governments are also experimenting with nonfinancial incentives for green building practices. These incentives are often attractive to municipalities because they do not deplete public finances directly and are therefore easier to get passed in difficult financial times or with teluctant constituencies.7 **Examples of nonfinancial incentives include increased floor-to-area ratios for green buildings8** **and expedited permitting processes.**

#### Vague definitions of restriction cause multi-directionality—GATT cases prove

Todd Tucker (Research director with Public Citizen's Global Trade Watch. His work focuses on the legal, economic and political implications of the WTO, NAFTA, CAFTA and other trade agreements, and also on U.S. foreign policy issues. Former policy analyst at the Center for Economic and Policy Research) March 2010 “That’s All They’ve Got?”: What Latest WTO Secretariat Paper on Financial Crisis Does and Does Not Say About GATS Disciplines on Financial Regulation” http://www.citizen.org/documents/That%27sAllTheyGot.pdf

Here, the Secretariat confirms a very serious concern: that the GATS creates obligations to simply eliminate whole categories of non-discriminatory regulations. The Secretariat states that, “The GATS does not define terms such as ‘payments and transfers for current transactions,’ ‘current transactions,’ ‘capital transactions,’ ‘movement of capital,’ or indeed ‘restrictions,’” even though definitions exist through the International Monetary Fund and other bodies. The **lack of definition** of the term “restriction” is **especially troublesome**, since **it could encompass reregulatory measures** that are being widely discussed at the moment, such as financial transaction taxes (FTT).9 An FTT, by contrast, would explicitly not be considered a prohibited “restriction” under the IMF Articles of Agreement, since the IMF defines “restriction” as “a **direct governmental limit**ation on the availability or use of exchange as such.”10

#### Limiting the meaning of ‘restriction’ to only DIRECT governmental limitations is necessary – Otherwise the topic become un-managable

TWN (Third World Network) February 2010 “WTO claims financial crisis not due to GATS” http://www.twnside.org.sg/title2/wto.info/2010/twninfo100204.htm

Permissible measures depend on the definition to be given to the term "restriction" contained in GATS Article XI, which, however, is not further specified in the Agreement. In that regard, it is worth noting that the IMF distinguishes between restrictions on payments and transfers - including exchange restrictions - from the underlying transaction on the basis of a technical criterion: "The guiding principle in ascertaining whether a measure is a restriction on payments and transfers for current transactions under Article VIII, Section 2 [of the Fund's Articles of Agreement], is whether it involves a direct governmental limitation on the availability or use of exchange as such." The Fund therefore identifies these restrictions by this technical criterion, **rather than by the purposes or economic effects** of the restrictions, which would be the way to identify trade restrictions only. **If no such technical criterion were used, it would be almost impossible to distinguish** between trade and exchange restrictions, as both may be used to achieve the same purposes and have the same economic effect.

### 2nc at: reasonability

#### Precision is vital—turns solvency and research quality

**Resnick 1** [Evan Resnick, Journal of International Affairs, 0022197X, Spring 2001, Vol. 54, Issue 2, “Defining Engagement”]

In matters of national security, establishing a clear definition of terms is a precondition for effective policymaking. Decisionmakers who invoke critical terms in an erratic, ad hoc fashion risk alienating their constituencies. They also risk exacerbating misperceptions and hostility among those the policies target. Scholars who commit the same error undercut their ability to conduct valuable empirical research. Hence, if scholars and policymakers fail rigorously to define "engagement," they undermine the ability to build an effective foreign policy.

#### Precision outweighs

Gene Whitney (Section Research Manager at the Congressional Research Service), Carl E. Behrens (Specialist in Energy Policy at the CRS) and Carol Glover (Information Research Specialist at the CRS) November 2010 “U.S. Fossil Fuel Resources:

Terminology, Reporting, and Summary” http://epw.senate.gov/public/index.cfm?FuseAction=Files.view&FileStore\_id=04212e22-c1b3-41f2-b0ba-0da5eaead952

Terminology A search for energy statistics in the literature quickly reveals a large number of terms used to describe amounts of fossil fuels. Most of these terms have precise and legitimate definitions, and even a careful comparison of statistics for diverse forms of fossil fuels can become quite difficult to reconcile or understand. Not only do oil, natural gas, and coal occur in many diverse geologic environments, but each commodity may occur in different modes or in different geologic settings that impose vastly different economics on their recovery and delivery to market. A vocabulary of terms has developed over the decades to capture the nature of deposits in terms of their likelihood of being developed and their stage of development.

### case

**Discussing existential risks is good—makes them less likely and forumalates strategies**

**Sandberg et al 2008** – \*James Martin Research Fellow at the Future of Humanity Institute at Oxford University, postdoctoral research assistant for the EU Enhance project, \*\*PhD candidate in Health Policy and Management at Johns Hopkins Bloomberg School of Public Health, special consultant to the Center for Biosecurity at the University of Pittsburgh Medical Center and co-founder of New Harvest, \*\*senior research associate at the Astronomical Observatory of Belgrade, assistant professor of physics at the University of Novi Sad in Serbia and Montenegro (Anders Sandberg, Jason G. Matheny, Milan M. Ćirković, “How Can We Reduce the Risk of Human Extinction”, http://thebulletin.org/web-edition/features/how-can-we-reduce-the-risk-of-human-extinction)

Perhaps least controversial, we should invest more in efforts to enumerate the risks to human survival and the means to mitigate them. We need more interdisciplinary research in quantitative risk assessment, probability theory, and technology forecasting. And we need to build a worldwide community of experts from various fields concerned about global catastrophic risks. Human extinction may, in the long run, be inevitable. But just as we work to secure a long life for individuals, even when our eventual death is assured, we should work to secure a long life for our species.

**Extinction matters—we have an ethical obligation to value future lives. Our argument is not that future lives matter more than current ones, but total disregard for humanity’s future is repugnant.**

**Matheny, 7**—[Jason, Department of Health Policy and Management, Bloomberg School of Public Health, Johns Hopkins University. “Reducing the Risk of Human Extinction.” *Risk Analysis.* Vol 27, No 5, 2007, http://www.upmc-biosecurity.org/website/resources/publications/2007\_orig-articles/2007-10-15-reducingrisk.html]

5. Discounting An extinction event today could cause the loss of thousands of generations. This matters to the extent we value future lives. Society places some value on future lives when it accepts the costs of long-term environmental policies or hazardous waste storage. Individuals place some value on future lives when they adopt measures, such as screening for genetic diseases, to ensure the health of children who do not yet exist. Disagreement, then, does not center on whether future lives matter, but on how much they matter.6 Valuing future lives less than current ones (“intergenerational discounting”) has been justified by arguments about time preference, growth in consumption, uncertainty about future existence, and opportunity costs. I will argue that none of these justifications applies to the benefits of delaying human extinction. Under time preference, a good enjoyed in the future is worth less, intrinsically, than a good enjoyed now. The typical justification for time preference is descriptive—most people make decisions that suggest that they value current goods more than future ones. However, it may be that people’s time preference applies only to instrumental goods, like money, whose value predictably decreases in time. In fact, it would be difficult to design an experiment in which time preference for an intrinsic good (like happiness), rather than an instrumental good (like money), is separated from the other forms of discounting discussed below. But even supposing individuals exhibit time preference within their own lives, it is not clear how this would ethically justify discounting across different lives and generations (Frederick, 2006; Schelling, 2000). In practice, discounting the value of future lives would lead to results **few of us would accept as being ethical.** For instance, if we discounted lives at a 5% annual rate, a life today would have greater intrinsic value than a billion lives 400 years hence (Cowen & Parfit, 1992). Broome (1994) suggests most economists and philosophers recognize that this preference for ourselves over our descendents is unjustifiable and agree that ethical impartiality requires setting the intergenerational discount rate to zero. After all, if we reject spatial discounting and assign equal value to contemporary human lives, whatever their physical distance from us, we have similar reasons to reject temporal discounting, and assign equal value to human lives, whatever their temporal distance from us. I Parfit (1984), Cowen (1992), and Blackorby *et al.* (1995) have similarly argued that time preference across generations is not ethically defensible.7 There could still be other reasons to discount future generations. A common justification for discounting economic goods is that their abundance generally increases with time. Because there is diminishing marginal utility from consumption, future generations may gain less satisfaction from a dollar than we will (Schelling, 2000). This principle makes sense for intergenerational transfers of most economic goods but not for intergenerational transfers of existence. There is no diminishing marginal utility from having ever existed. There is no reason to believe existence matters less to a person 1,000 years hence than it does to a person 10 years hence. Discounting could be justified by our uncertainty about future generations’ existence. If we knew for certain that we would all die in 10 years, it would not make sense for us to spend money on asteroid defense. It would make more sense to live it up, until we become extinct. A discount scheme would be justified that devalued (to zero) anything beyond 10 years. Dasgupta and Heal (1979, pp. 261–262) defend discounting on these grounds—we are uncertain about humanity’s long-term survival, so planning too far ahead is imprudent.8 Discounting is an approximate way to account for our uncertainty about survival (Ponthiere, 2003). But it is unnecessary—an analysis of extinction risk should equate the value of averting extinction at any given time with the expected value of humanity’s future from that moment forward, which includes the probabilities of extinction in all subsequent periods (Ng, 2005). If we discounted the expected value of humanity’s future, we would count future extinction risks twice—once in the discount rate and once in the undiscounted expected value—and underestimate the value of reducing current risks. In any case, Dasgupta and Heal’s argument does not justify traditional discounting at a constant rate, as the probability of human extinction is unlikely to be uniform in time.9 Because of nuclear and biological weapons, the probability of human extinction could be higher today than it was a century ago; and if humanity colonizes other planets, the probability of human extinction could be lower then than it is today. Even Rees’s (2003) pessimistic 50-50 odds on human extinction by 2100 would be equivalent to an annual discount rate under 1% for this century. (If we are 100% certain of a good’s existence in 2007 but only 50% certain of a good’s existence in 2100, then the expected value of the good decreases by 50% over 94 years, which corresponds to an annual discount rate of 0.75%.) As Ng (1989) has pointed out, a constant annual discount rate of 1% implies that we are more than 99.99% certain of not surviving the next 1,000 years. Such pessimism seems unwarranted. A last argument for intergenerational discounting is from opportunity costs: without discounting, we would always invest our money rather than spend it now on important projects (Broome, 1994). For instance, if we invest our money now in a stock market with an average 5% real annual return, in a century we will have 130 times more money to spend on extinction countermeasures (assuming we survive the century). This reasoning could be extended indefinitely (as long as we survive). This could be an argument for investing in stocks rather than extinction countermeasures if: the rate of return on capital is exogenous to the rate of social savings, the average rate of return on capital is higher than the rate of technological change in extinction countermeasures, and the marginal cost effectiveness of extinction countermeasures does not decrease at a rate equal to or greater than the return on capital. First, the assumption of exogeneity can be rejected. Funding extinction countermeasures would require spending large sums; if, instead, we invested those sums in the stock market, they would affect the average market rate of return (Cowen & Parfit, 1992). Second, some spending on countermeasures, such as research on biodefense, has its own rate of return, since learning tends to accelerate as a knowledge base expands. This rate could be higher than the average rate of return on capital. Third, if the probability of human extinction significantly decreases after space colonization, there may be a small window of reducible risk: the period of maximum marginal cost effectiveness may be limited to the next few centuries. Discounting would be a crude way of accounting for opportunity costs, as cost effectiveness is probably not constant. A more precise approach would identify the optimal invest-and-spend path based on estimates of current and future extinction risks, the cost effectiveness of countermeasures, and market returns. In summary, there are good reasons not to discount the benefits of extinction countermeasures. Time preference is not justifiable in intergenerational problems, there is no diminishing marginal utility from having ever existed, and uncertainties about human existence should be represented by expected values. I thus assume that **the value of future lives cannot be discounted. Since this position is controversial,** I later show how acceptance of discounting would affect our conclusions.

**Nuclear war comes first because snuffing out all future generations dwarfs present suffering**

**Sandberg et al 2008** – \*James Martin Research Fellow at the Future of Humanity Institute at Oxford University, postdoctoral research assistant for the EU Enhance project, \*\*PhD candidate in Health Policy and Management at Johns Hopkins Bloomberg School of Public Health, special consultant to the Center for Biosecurity at the University of Pittsburgh Medical Center and co-founder of New Harvest, \*\*senior research associate at the Astronomical Observatory of Belgrade, assistant professor of physics at the University of Novi Sad in Serbia and Montenegro (Anders Sandberg, Jason G. Matheny, Milan M. Ćirković, “How Can We Reduce the Risk of Human Extinction”, http://thebulletin.org/web-edition/features/how-can-we-reduce-the-risk-of-human-extinction)

The risks from anthropogenic hazards appear at present larger than those from natural ones. Although great progress has been made in reducing the number of nuclear weapons in the world, humanity is still threatened by the possibility of a global thermonuclear war and a resulting nuclear winter. We may face even greater risks from emerging technologies. Advances in synthetic biology might make it possible to engineer pathogens capable of extinction-level pandemics. The knowledge, equipment, and materials needed to engineer pathogens are more accessible than those needed to build nuclear weapons. And unlike other weapons, pathogens are self-replicating, allowing a small arsenal to become exponentially destructive. Pathogens have been implicated in the extinctions of many wild species. Although most pandemics "fade out" by reducing the density of susceptible populations, pathogens with wide host ranges in multiple species can reach even isolated individuals. The intentional or unintentional release of engineered pathogens with high transmissibility, latency, and lethality might be capable of causing human extinction. While such an event seems unlikely today, the likelihood may increase as biotechnologies continue to improve at a rate rivaling Moore's Law. Farther out in time are technologies that remain theoretical but might be developed this century. Molecular nanotechnology could allow the creation of self-replicating machines capable of destroying the ecosystem. And advances in neuroscience and computation might enable improvements in cognition that accelerate the invention of new weapons. A survey at the Oxford conference found that concerns about human extinction were dominated by fears that new technologies would be misused. These emerging threats are especially challenging as they could become dangerous more quickly than past technologies, outpacing society's ability to control them. As H.G. Wells noted, "Human history becomes more and more a race between education and catastrophe." Such remote risks may seem academic in a world plagued by immediate problems, such as global poverty, HIV, and climate change. But as intimidating as these problems are, they do not threaten human existence. In discussing the risk of nuclear winter, Carl Sagan emphasized the astronomical toll of human extinction: A nuclear war imperils all of our descendants, for as long as there will be humans. Even if the population remains static, with an average lifetime of the order of 100 years, over a typical time period for the biological evolution of a successful species (roughly ten million years), we are talking about some 500 trillion people yet to come. By this criterion, the stakes are one million times greater for extinction than for the more modest nuclear wars that kill "only" hundreds of millions of people. There are many other possible measures of the potential loss--including culture and science, the evolutionary history of the planet, and the significance of the lives of all of our ancestors who contributed to the future of their descendants. Extinction is the undoing of the human enterprise. There is a discontinuity between risks that threaten 10 percent or even 99 percent of humanity and those that threaten 100 percent. For disasters killing less than all humanity, there is a good chance that the species could recover. If we value future human generations, then reducing extinction risks should dominate our considerations. Fortunately, most measures to reduce these risks also improve global security against a range of lesser catastrophes, and thus deserve support regardless of how much one worries about extinction. These measures include: Removing nuclear weapons from hair-trigger alert and further reducing their numbers; Placing safeguards on gene synthesis equipment to prevent synthesis of select pathogens; Improving our ability to respond to infectious diseases, including rapid disease surveillance, diagnosis, and control, as well as accelerated drug development; Funding research on asteroid detection and deflection, "hot spot" eruptions, methane hydrate deposits, and other catastrophic natural hazards; Monitoring developments in key disruptive technologies, such as nanotechnology and computational neuroscience, and developing international policies to reduce the risk of catastrophic accidents.

**Our threats are not constructed and you should err toward caution—no self fulfilling prophecy**

**Schweller 4** [Randall, Associate Professor in the Department of Political Science at Ohio State University, “Unanswered Threats A Neoclassical Realist Theory of Underbalancing,” International Security 29.2 159-201, Muse]

Despite the historical frequency of underbalancing, little has been written on the subject. Indeed, Geoffrey Blainey's memorable observation that for "every thousand pages published on the causes of wars there is less than one page directly on the causes of peace" could have been made with equal veracity about overreactions to threats as opposed to underreactions to them.92 Library shelves are filled with books on the causes and dangers of exaggerating threats, ranging from studies of domestic politics to bureaucratic politics, to political psychology, to organization theory. By comparison, there have been few studies at any level of analysis or from any theoretical perspective that directly explain why states have with some, if not equal, regularity underestimated dangers to their survival. There may be some cognitive or normative bias at work here. Consider, for instance, that there is a commonly used word, paranoia, for the unwarranted fear that people are, in some way, "out to get you" or are planning to do oneharm. I suspect that just as many people are afflicted with the opposite psychosis: the delusion that everyone loves you when, in fact, they do not even like you. Yet, we do not have a familiar word for this phenomenon. Indeed, I am unaware of any word that describes this pathology (hubris and overconfidence come close, but they plainly define something other than what I have described). That noted, international relations theory does have a frequently used phrase for the pathology of states' underestimation of threats to their survival, the so-called Munich analogy. The term is used, however, in a disparaging way by theorists to ridicule those who employ it. The central claim is that the naïveté associated with Munich and the outbreak of World War II has become an overused and inappropriate analogy because few leaders are as evil and unappeasable as Adolf Hitler. Thus, the analogy either mistakenly causes leaders [End Page 198] to adopt hawkish and overly competitive policies or is deliberately used by leaders to justify such policies and mislead the public. A more compelling explanation for the paucity of studies on underreactions to threats, however, is the tendency of theories to reflect contemporary issues as well as the desire of theorists and journals to provide society with policy- relevant theories that may help resolve or manage urgent security problems. Thus, born in the atomic age with its new balance of terror and an ongoing Cold War, the field of security studies has naturally produced theories of and prescriptions for national security that have had little to say about—and are, in fact, heavily biased against warnings of—the dangers of underreacting to or underestimating threats. After all, the nuclear revolution was not about overkill but, as Thomas Schelling pointed out, speed of kill and mutual kill.93 Given the apocalyptic consequences of miscalculation, accidents, or inadvertent nuclear war, small wonder that theorists were more concerned about overreacting to threats than underresponding to them. At a time when all of humankind could be wiped out in less than twenty-five minutes, theorists may be excused for stressing the benefits of caution under conditions of uncertainty and erring on the side of inferring from ambiguous actions overly benign assessments of the opponent's intentions. The overwhelming fear was that a crisis "might unleash forces of an essentially military nature that overwhelm the political process and bring on a war thatnobody wants. Many important conclusions about the risk of nuclear war, and thus about the political meaning of nuclear forces, rest on this fundamental idea."94 Now that the Cold War is over, we can begin to redress these biases in the literature. In that spirit, I have offered a domestic politics model to explain why threatened states often fail to adjust in a prudent and coherent way to dangerous changes in their strategic environment. The model fits nicely with recent realist studies on imperial under- and overstretch. Specifically, it is consistent with Fareed Zakaria's analysis of U.S. foreign policy from 1865 to 1889, when, he claims, the United States had the national power and opportunity to expand but failed to do so because it lacked sufficient state power (i.e., the state was weak relative to society).95 Zakaria claims that the United States did [End Page 199] not take advantage of opportunities in its environment to expand because it lacked the institutional state strength to harness resources from society that were needed to do so. I am making a similar argument with respect to balancing rather than expansion: incoherent, fragmented states are unwilling and unable to balance against potentially dangerous threats because elites view the domestic risks as too high, and they are unable to mobilize the required resources from a divided society. The arguments presented here also suggest that elite fragmentation and disagreement within a competitive political process, which Jack Snyder cites as an explanation for overexpansionist policies, are more likely to produce underbalancing than overbalancing behavior among threatened incoherent states.96 This is because a balancing strategy carries certain political costs and risks with few, if any, compensating short-term political gains, and because the strategic environment is always somewhat uncertain. Consequently, logrolling among fragmented elites within threatened states is more likely to generate overly cautious responses to threats than overreactions to them. This dynamic captures the underreaction of democratic states to the rise of Nazi Germany during the interwar period.97 In addition to elite fragmentation, I have suggested some basic domestic-level variables that regularly intervene to thwart balance of power predictions.

**War turns structural violence not vice versa**

**Goldstein 2001** – IR professor at American University (Joshua, War and Gender, p. 412, Google Books)

First, peace activists face a dilemma in thinking about causes of war and working for peace. Many peace scholars and activists support the approach, “if you want peace, work for justice.” Then, if one believes that sexism contributes to war, one can work for gender justice specifically (perhaps. among others) in order to pursue peace. This approach brings strategic allies to the peace movement (women, labor, minorities), but rests on the assumption that injustices cause war. The evidence in this book suggests that causality runs at least as strongly the other way. War is not a product of capitalism, imperialism, gender, innate aggression, or any other single cause, although all of these influence wars’ outbreaks and outcomes. Rather, war has in part fueled and sustained these and other injustices.9 So, “if you want peace, work for peace.” Indeed, if you want justice (gender and others), work for peace. Causality does not run just upward through the levels of analysis, from types of individuals, societies, and governments up to war. It runs downward too. Enloe suggests that changes in attitudes towards war and the military may be the most important way to “reverse women’s oppression.” The dilemma is that peace work focused on justice brings to the peace movement energy, allies, and moral grounding, yet, in light of this book’s evidence, the emphasis on injustice as the main cause of war seems to be empirically inadequate.

## 1nr

### 2nc oil

#### Nuke war outweighs structural violence – prioritizing structural violence makes preventing war impossible

Boulding 78 [Ken, is professor of economics and director, Center for Research on Conflict Resolution, University of Michigan, “Future Directions in Conflict and Peace Studies,” The Journal of Conflict Resolution, Vol. 22, No. 2 (Jun., 1978), pp. 342-354]

Galtung is very legitimately interested in problems of world poverty and the failure of development of the really poor. He tried to amalga- mate this interest with the peace research interest in the more narrow sense. Unfortunately, he did this by downgrading the study of inter- national peace, labeling it "negative peace" (it should really have been labeled "negative war") and then developing the concept of "structural violence," which initially meant all those social structures and histories which produced an expectation of life less than that of the richest and longest-lived societies. He argued by analogy that if people died before the age, say, of 70 from avoidable causes, that this was a death in "war"' which could only be remedied by something called "positive peace." Unfortunately, the concept of structural violence was broadened, in the word of one slightly unfriendly critic, to include anything that Galtung did not like. Another factor in this situation was the feeling, certainly in the 1960s and early 1970s, that nuclear deterrence was actually succeeding as deterrence and that the problem of nuclear war had receded into the background. This it seems to me is a most dangerous illusion and diverted conflict and peace research for ten years or more away from problems of disarmament and stable peace toward a grand, vague study of world developments, for which most of the peace researchers are not particularly well qualified. To my mind, at least, the quality of the research has suffered severely as a result.' The complex nature of the split within the peace research community is reflected in two international peace research organizations. The official one, the International Peace Research Association (IPRA), tends to be dominated by Europeans somewhat to the political left, is rather, hostile to the United States and to the multinational cor- porations, sympathetic to the New International Economic Order and thinks of itself as being interested in justice rather than in peace. The Peace Science Society (International), which used to be called the Peace Research Society (International), is mainly the creation of Walter Isard of the University of Pennsylvania. It conducts meetings all around the world and represents a more peace-oriented, quantitative, science- based enterprise, without much interest in ideology. COPRED, while officially the North American representative of IPRA, has very little active connection with it and contains within itself the same ideological split which, divides the peace research community in general. It has, however, been able to hold together and at least promote a certain amount of interaction between the two points of view. Again representing the "scientific" rather than the "ideological" point of view, we have SIPRI, the Stockholm International Peace Research Institute, very generously (by the usual peace research stand- ards) financed by the Swedish government, which has performed an enormously useful service in the collection and publishing of data on such things as the war industry, technological developments, arma- ments, and the arms trade. The Institute is very largely the creation of Alva Myrdal. In spite of the remarkable work which it has done, how- ever, her last book on disarmament (1976) is almost a cry of despair over the folly and hypocrisy of international policies, the overwhelming power of the military, and the inability of mere information, however good, go change the course of events as we head toward ultimate ca- tastrophe. I do not wholly share her pessimism, but it is hard not to be a little disappointed with the results of this first generation of the peace research movement. Myrdal called attention very dramatically to the appalling danger in which Europe stands, as the major battleground between Europe, the United States, and the Soviet Union if war ever should break out. It may perhaps be a subconscious recognition-and psychological denial-of the sword of Damocles hanging over Europe that has made the European peace research movement retreat from the realities of the international system into what I must unkindly describe as fantasies of justice. But the American peace research community, likewise, has retreated into a somewhat niggling scientism, with sophisticated meth- odologies and not very many new ideas. I must confess that when I first became involved with the peace research enterprise 25 years ago I had hopes that it might produce some- thing like the Keynesian revolution in economics, which was the result of some rather simple ideas that had never really been thought out clearly before (though they had been anticipated by Malthus and others), coupled with a substantial improvement in the information system with the development of national income statistics which rein- forced this new theoretical framework. As a result, we have had in a single generation a very massive change in what might be called the "conventional wisdom" of economic policy, and even though this conventional wisdom is not wholly wise, there is a world of difference between Herbert Hoover and his total failure to deal with the Great Depression, simply because of everybody's ignorance, and the moder- ately skillful handling of the depression which followed the change in oil prices in 1-974, which, compared with the period 1929 to 1932, was little more than a bad cold compared with a galloping pneumonia. In the international system, however, there has been only glacial change in the conventional wisdom. There has been some improvement. Kissinger was an improvement on John Foster Dulles. We have had the beginnings of detente, and at least the possibility on the horizon of stable peace between the United States and the Soviet Union, indeed in the whole temperate zone-even though the tropics still remain uneasy and beset with arms races, wars, and revolutions which we cannot really afford. Nor can we pretend that peace around the temper- ate zone is stable enough so that we do not have to worry about it. The qualitative arms race goes on and could easily take us over the cliff. The record of peace research in the last generation, therefore, is one of very partial success. It has created a discipline and that is something of long-run consequence, most certainly for the good. It has made very little dent on the conventional wisdom of the policy makers anywhere in the world. It has not been able to prevent an arms race, any more, I suppose we might say, than the Keynesian economics has been able to prevent inflation. But whereas inflation is an inconvenience, the arms race may well be another catastrophe. Where, then, do we go from here? Can we see new horizons for peace and conflict research to get it out of the doldrums in which it has been now for almost ten years? The challenge is surely great enough. It still remains true that war, the breakdown of Galtung's "negative peace," remains the greatest clear and present danger to the human race, a danger to human survival far greater than poverty, or injustice, or oppression, desirable and necessary as it is to eliminate these things. Up to the present generation, war has been a cost and an inconven- ience to the human race, but it has rarely been fatal to the process of evolutionary development as a whole. It has probably not absorbed more than 5% of human time, effort, and resources. Even in the twenti- eth century, with its two world wars and innumerable smaller ones, it has probably not acounted for more than 5% of deaths, though of course a larger proportion of premature deaths. Now, however, advancing technology is creating a situation where in the first place we are developing a single world system that does not have the redundancy of the many isolated systems of the past and in which therefore if any- thing goes wrong everything goes wrong. The Mayan civilization could collapse in 900 A.D., and collapse almost irretrievably without Europe or China even being aware of the fact. When we had a number of iso- lated systems, the catastrophe in one was ultimately recoverable by migration from the surviving systems. The one-world system, therefore, which science, transportation, and communication are rapidly giving us, is inherently more precarious than the many-world system of the past. It is all the more important, therefore, to make it internally robust and capable only of recoverable catastrophes. The necessity for stable peace, therefore, increases with every improvement in technology, either of war or of peace.

### 2nc overview (1)

#### Decline turns the case – racism and inequality

**Blackwill 2009** – former US ambassador to India and US National Security Council Deputy for Iraq, former dean of the Kennedy School of Government at Harvard (Robert D., RAND, “The Geopolitical Consequences of the World Economic Recession—A Caution”, http://www.rand.org/pubs/occasional\_papers/2009/RAND\_OP275.pdf, WEA)

So what are the likely effects of the global economic problem so far?9 It will cause the fall of some governments (Iceland, Latvia, Estonia, Hungary, and the Czech Republic, with more to come). It will lead to more poverty, more disease, more crime, more migration, and more Third World military conflict.10 It will trigger street violence in numerous countries, as has already occurred in Greece, China, Haiti, Latvia, Bolivia, Bulgaria, Russia, Italy, Ireland, Iceland, and Lithuania. It will increase Third World questioning of the Western economic model—Luis de Silva, President of Brazil, has stunningly asserted that “This crisis was caused by the irrational behavior of white people with blue eyes, who before the crisis appeared to know everything and now demonstrate that they know nothing.”11

**And voting neg solves it –**

#### Poverty and inequality

**Vasquez**, director of the Project on Global Economic Liberty at the Cato Institute, **2001** [Ian, Ending Mass Poverty, September, Cato Institute, http://www.cato.org/research/articles/vas-0109.html]

Economic growth is the "only path to end mass poverty," says economist Ian Vásquez, who argues that redistribution or traditional poverty reduction programs have done little to relieve poverty. Vásquez writes that the higher the degree of economic freedom -- which consists of personal choice, protection of private property, and freedom of exchange -- the greater the reduction in poverty. Extending the system of property rights protection to include the property of poor people would be one of the most important poverty reduction strategies a nation could take, he says.

The historical record is clear: the single, most effective way to reduce world poverty is economic growth. Western countries began discovering this around 1820 when they broke with the historical norm of low growth and initiated an era of dramatic advances in material well-being. Living standards tripled in Europe and quadrupled in the United States in that century, improving at an even faster pace in the next 100 years. Economic growth thus eliminated mass poverty in what is today considered the developed world. Taking the long view, growth has also reduced poverty in other parts of the world: in 1820, about 75 percent of humanity lived on less than a dollar per day; today about 20 percent live under that amount.

Even a short-term view confirms that the recent acceleration of growth in many developing countries has reduced poverty, measured the same way. In the past 10 years, the percentage of poor people in the developing world fell from 29 to 24 percent. Despite that progress, however, the number of poor people has remained stubbornly high at around 1,200 million. And geographically, reductions in poverty have been uneven.

#### And, key to progressive social change – turns and solves racism

**Nordhaus & Shellenberger, 07**

Break Through: From the Death of Environmentalism to the Politics of Possibility, Ted & Michael, Managing Directors of American Environics, A social values research and strategy firm 35-37

Just as prosperity tends to bring out the best of human nature, poverty and collapse tend to bring out the worst. Not only are authoritarian values strongest in situations where our basic material and security needs aren't being met, they also become stronger in societies experiencing economic downturns. Economic collapse in Europe after World War I, in Yugoslavia after the fall of communism, and in Rwanda in the early 1990s triggered an authoritarian reflex that fed the growth of fascism and violence. The populations in those countries, feeling profoundly insecure at the physiological, psychological, and cultural levels, embraced authoritarianism and other lower-order materialist values. This is also what occurred in Iraq after the U.S. invasion. This shift away from fulfillment and toward survival values appears to be occurring in the United States, albeit far more gradually than in places like the former Communist-bloc countries. Survival values, including fatalism, ecological fatalism, sexism, everyday rage, and the acceptance of violence, are on the rise in the United States. The reasons for America’s gradual move away from fulfillment and toward survival values are complex. Part of it appears to be driven by increasing economic insecurity. This insecurity has several likely causes: the globalization of the economy; the absence of a new social contract for things like health care, child care and retirement appropriate for our postindustrial age; and status competitions driven by rising social inequality. Conservatives tend to believe that all Americans are getting richer while liberals tend to believe that the rich are getting richer and the poor are getting poorer. In our discussion of security in chapter 7 we argue that what is happening is a little bit of both: homeownership and purchasing power have indeed been rising, but so have household and consumer debt and the amount of time Americans spend working. While cuts to the social safety net have not pushed millions of people onto the street, they have fed social insecurity and increased competition with the Joneses. It is not just environmentalists who misunderstand the prosperity-fulfillment connection. In private conversations, meetings and discussions, we often hear progressives lament public apathy and cynicism and make statements such as “Things are going to have to get a lot worse before they get better.” We emphatically disagree. In our view, things have to get better before they can get better. Immiseration theory—the view that increasing suffering leads to progressive social change—has been repeatedly discredited by history. Progressive social reforms, from the Civil Rights Act to the Clean Water Act, tend to occur during times of prosperity and rising expectations—not immiseration and declining expectations. Both the environmental movement and the civil rights movement emerged as a consequence of rising prosperity. It was the middle-class, young, and educated black Americans who were on the forefront of the civil rights movement. Poor blacks were active, but the movement was overwhelmingly led by educated, middle-class intellectuals and community leaders (preachers prominent among them). This was also the case with the white supporters of the civil rights movement, who tended to be more highly educated and more affluent than the general American population. In short, the civil rights movement no more emerged because African Americans were suddenly denied their freedom than the environmental movement emerged because American suddenly started polluting.

#### And, our impact swamps the aff’s internal link

**Nordhaus and Shellenberger 2008** – founders of the Break Through Institute, Managing Directors of American Environics, A social values research and strategy firm (Ted and Michael, Break Through, pages 165-6) \*note: emphasis and ellipses are in the original text, not the way I cut it

In his 2005 book *The Moral Consequences of Economic Growth*, Benjamin Friedman assembled an impressive body of evidence showing how, during times of economic growth, people become more empathic, expansive, and generous toward others, including immigrants, racial minorities, gays, and women. And he described how we become less generous and more status conscious during times of rising insecurity, such as the period after 1973.¶ The impact of this economic stagnation on Americans’ attitudes, and the consequences for American society, were strikingly similar to the changes that had taken place during the prolonged agriculture depression of the 1880s and early 1890s, and again during the stop-and-go decade that followed World War I. Movement toward opening American society, either domestically or with respect to outsiders, mostly slowed or ceased . . . Attitudes among average citizens now forces to question the security of their own economic position and made even more anxious for their children’s, became less generous and less tolerant . . . In each case large numbers of people have come to believe that some hidden, purposeful cabal must be at fault, and only its defeat can restore the America they love and of which they feel a part. An in each case as they sought that end, the openness and tolerance of our society, and our commitment to our democratic ideas, have suffered.26¶

### 2nc uniqueness

#### GOP is giving ground now

Bill French (Writer for Democracy Arsenal) November 7, 2012 “Lame Duck Opening Moves: GOP Leadership Agrees DoD is on the Table?” http://www.democracyarsenal.org/2012/11/lame-duck-opening-moves-gop-leadership-agrees-dod-is-on-the-table-.html

Of those reductions, those affecting the Pentagon have received disproportionate attention. What role the Pentagon budget should play in avoiding the fiscal cliff has been hotly debated, with many – but by no means all – conservatives calling for a deal to exempt the DoD from cuts. Some, most notably Buck Mckeon (R-CA), have even called to reverse the cuts already in place, even though those "cuts" are from projected budgetary increases and the Pentagon budget is still on course to rise slightly over the next decade. But Boehner may have just signaled a significant softening of the GOP position. In his speech, he dedicated only one sentence to Pentagon spending to oppose “slashing” the DoD budget. Crucially, this is not objecting to reductions in Pentagon spending as such – a rhetorical fact which is likely indicative of GOP intentions when uttered in such a calibrated address. This interpretation would seem to be corroborated by House Majority Leader Eric Cantor's (R-VA) statements today when he similarly indicated merely opposing “massive defense cuts.” In looking forward to near-term the work required to avoid the fiscal cliff, it seems that the GOP leadership now tacitly agrees that Pentagon spending should remain on the table.

#### Obama has all the leverage now – Republicans are starting to cave

Jason Pye (writer for United Liberty) November 8, 2012 “Boehner willing to raise taxes in lame duck session” http://www.unitedliberty.org/articles/11841-boehner-willing-to-raise-taxes-in-lame-duck-session

It didn’t take long for the predicted sellout by Republican leadership after the election. With Boehner has already showing weakness, Obama and Senate Democrats are going to wind up with a clear advantage out of whatever deal is made and whatever revenue cuts are agree upon will, much like past budget deals, most likely never come to fruition.

### 2nc a2 agencies

#### Lame duck makes the link unique – ramming a policy through at the start of the lame duck will be linked to Obama – he is made of Velcro

**Los Angeles Times, 7-30-10**, p. <http://articles.latimes.com/2010/jul/30/nation/la-na-velcro-presidency-20100730>

¶ Reporting from Washington — If Ronald Reagan was the classic Teflon president, Barack Obama is made of Velcro.¶ Through two terms, Reagan eluded much of the responsibility for recession and foreign policy scandal. In less than two years, Obama has become ensnared in blame.¶ Hoping to better insulate Obama, White House aides have sought to give other Cabinet officials a higher profile and additional public exposure. They are also crafting new ways to explain the president's policies to a skeptical public.¶ But Obama remains the colossus of his administration — to a point where trouble anywhere in the world is often his to solve.¶ The president is on the hook to repair the Gulf Coast oil spill disaster, stabilize Afghanistan, help fix Greece's ailing economy and do right by Shirley Sherrod, the Agriculture Department official fired as a result of a misleading fragment of videotape.

#### Makes them not topical – voting issue for jurisdiction

#### “The” means all parts

Encarta 9 (World English Dictionary, “The”, http://encarta.msn.com/encnet/features/dictionary/DictionaryResults.aspx?refid=1861719495)

2. indicating generic class: used to refer to a person or thing considered generically or universally  
bullettransExercise is good for the heart.  
bullettransShe played the violin.  
bullettransThe dog is a loyal pet.

#### “Government” is all three branches

Black’s Law 90 (Dictionary, p. 695)

“[*Government*] In the United States, government consists of the executive, legislative, and judicial branches in addition to administrative agencies. In a broader sense, includes the federal government and all its agencies and bureaus, state and county governments, and city and township governments.”

#### Congress still weighs in on every agency action

**Lovell 2k** (Assistant Professor of Government, College of William and Mary, George, 17 Const. Commentary 79)

It is true that members of Congress do not cast "yes" or "no" votes on particular rules created by agencies, but they do quite often need to go on record with "yes" or "no" votes that make agency activities possible. Legislators must cast votes to establish executive branch agencies and to give those agencies the authority to make regulatory decisions. The democratic controls created by such votes weaken over time. (Most of the voters who voted for the legislators who passed the Agricultural Adjustment Act are now dead). But members of Congress need to take at least one vote per year (on the relevant appropriations bill) in order for any regulatory program to continue, and circumstances sometimes force members to cast additional votes on particular programs. Since no regulatory program can operate without being created and continually authorized by Congress, there is nothing about delegation that prevents an unhappy electorate from holding members of Congress accountable for regulatory power exercised by the agencies.

#### 2ac Clarification is a voting issue – should have been in the 1ac, their green evidence says that they could do the plan not that they would do the plan – normal means debates are inhibit so the only predictable standard is holding them to USFG in the plan text which is key to any and all negative ground.

#### They still have to spend capital

**Taylor 96** Director Natural Resource studies, Cato Institute [Jerry, Congressional Testimony, p. http://www.cato.org/testimony/ct-jt091296.html]

Another problem with the theory of agency expertise is the assumption that agencies are sufficiently insulated from politics to make their decisions scientifically, rather than politically. But, agencies are, of course, not really insulated from politics at all, but rather are subject to all kinds of subtle and not so subtle pressures from members of Congress and the White House staff. Agencies are vulnerable to such pressure because they and their staffs have interests of their own, such as getting wider powers, a larger budget, and access to higher appointed positions. Perhaps agency lawmaking is somewhat more removed from legislative politics than is congressional lawmaking, but, in acting behind closed doors to pressure agencies, members of Congress are largely free from electoral accountability.

#### Lobbies force legislative interference and risk rollback

**Posner 2** – Professor of Law, Chicago (Eric and Adrian Vermeule, 69 U. Chi. L. Rev. 1721, AG)

This argument remains valid even if we accept the assumption that Congress really does not want much authority because then it has to make difficult decisions about to whom it should make transfers, when it would rather accumulate political goodwill by engaging in constituent service. 91 Thus, Congress delegates authority to agencies [\*1747] without monitoring them, in effect holding a "regulatory lottery," in the words of Aranson and his coauthors. 92 The problem with this theory is that interest groups and constituents who pick the wrong ticket in the regulatory lottery will lobby Congress to reverse the agency's decisions, and indeed even to retract the delegation. Those who benefit from the agency decisions will lobby Congress to maintain the status quo. 93 Congress will have to answer the hard question of whether to interfere with its agency, and so it cannot divest itself of the responsibility for making difficult decisions. Indeed, both the winners and the losers will realize ex ante that the delegation might benefit or harm them, and so they will lobby ex ante about the delegation as vigorously as they would about any other kind of legislation.

### 2nc a2 spillover

#### Lame duck distinct

Inside U.S. Trade, "Vietnam PNTR could be delayed by Peru, Oman despite broad support" June 16, 2006 lexis

Business lobbyists reacted with alarm to Boehner's comments, because considering trade bills in a lame duck session creates additional uncertainties. Following the elections, members may not vote the way they would have previously, one source noted, and there also is a danger that the agenda in a lame duck session would become too crowded for consideration of trade bills.

#### Outweighs the lack of spill over

The Times of India, Chidanand Rajghatta, "Senate takes up bill on Indo-US nuke deal" November 16, 2006 lexis

The timeline is so short and tight and the legislative agenda for the lame-duck session is so crowded that some Indian activists were fearful that the Nuke deal might again get pushed out of the calendar. But Frist's announcement set the fears to rest.

### 2nc a2 link turns

#### Their link turns don’t apply during the lame duck

Richard Miniter, investigative journalist, NYTimes best selling author, 2012, Leading from Behind: The Reluctant President and the Advisors Who Decide for Him, google books p. 85-6

After the historic defeat, Axelrod went on to teach a course called Campaign Strategy at Northwestern University in the Chicago suburbs. The day after the election, many White House staffers described their mood as "depressed." The loss of the U.S. House of Representatives and only a skinny remaining majority in the U.S. Senate meant that passing new programs would be very difficult. Would the next two years be an endless and enervating siege? Obama seemed strangely upbeat, '[he day after the midterm elections, the president convened a meeting with his senior Staff, While they saw clouds, he saw the sun through them. Democrats still ran both houses of Congress until January 3.2011. when the new session convened. To the surprise of some starters present, he enumerated an ambitious list of measures that he would like to see made law in the next sixty days; "a tax deal, extending unemployment benefits, ratification of New START treaty reducing nuclear arms, repeal of the Pentagon's Don't Ask/ Don't Tell policy preventing gays and lesbians from openly serving in the military, passage of the DREAM Act (which would grant citizenship to undocumented young adults who met certain requirements), and a children's nutrition bill advocated by Michelle Obama."" The list was unrealistic. It would have been a demanding agenda for Congress to accomplish over two years. let alone two months. Besides, using a "lame duck" Congress to pass major legislation had enormous political risks. It would be seen as an end-run around voters who had just elected a new majority with a new agenda. When President Carter had used a "lame duck' Congress to pass major bills (including the costly "Superfund" program) following the November 1980 elections in which he lost his reelection bid and Republicans won control of the Senate for the first time since I95-\*. the public was outraged. The outrage would be much bigger this time: Since 1980. the Internet, talk radio, and the Fox News Channel had emerged as powerful forums for channeling outrage. liven if Congress could actually adopt these controversial measures in a few short months, the political price of such a strategy would he high. Still, Obama continued to back Axelrod's analysis, which held that "independent voters wanted a leader who would make all the squabbling schoolchildren in Washington do their assignments."12 Who would do the "assigning"? The voters or the White House? Neither Obama nor Axel-rod seemed to wonder. If the federal government would finally pass a liberal wish list. Axelrod and Obama contended, voters would be happy. It was an unusual view. Independent voters in swing districts had actually voted down candidates who had supported the president's policies in the 2010 elections. Even in safely Democratic districts, independent voters had reduced their support of liberal lawmakers compared with 2008, exit polls showed. Few staffers were persuaded ch.it the president was right, although none dared to contradict him during that meeting. Passing Obama’s priorities during the Thanksgiving and Christmas holiday season had yet another obstacle. A massive White House staff reorganization was in progress. Rahm Emmanuel had stepped down as chief of staff in October 2010 and many other staffers were returning to Chicago or to academia. Without staff, it would be harder to rally the already reluctant Congress to act. Still, Obama was keen to proceed as planned. He was finally going to lead, but the timing and strategy were ill-considered. "Obama didn't care about the criticism that he was too insular," a White House aide said. "He didn't give a shit.\* Obama's proposals were dutifully sent to Capitol 1 lill. but most were essentially dead on arrival. Congress was exhausted and didn't want to take any more political risks.

### 2nc a2 corker

#### Presidential push for a fiscal bargain solves status quo divisions

Vicki Needham (writer for The Hill) November 7, 2012 “Business groups urge quick extension of tax policies in lame duck” http://thehill.com/blogs/on-the-money/economy/266701-business-groups-urge-quick-extension-of-tax-policies-in-lame-duck

A grand bargain will require complex negotiations that will take more time than the six or so weeks left before year's end. "What we need is action," Engler said. Engler, Casey and Jay Timmons, president of the National Association of Manufacturers, told reporters that Obama must lay out a blueprint for Congress that will tackle the long list of these issues hampering a more robust economic recovery. "This is going to take executive leadership," Engler said. Timmons said it is time for unity to help the country improve its global competitiveness. "Our goal is to grow the economy," he said. The president talked to congressional leaders on Wednesday about the legislative agenda less than a day after winning reelection. But congressional leaders immediately staked out the same positions that have created so much division on Capitol Hill. Speaker John Boehner (R-Ohio) said he would not yield to raising any taxes this year, while Senate Majority Leader Harry Reid (D-Nev.) argued for letting tax rates expire for wealthier earners. Still, both men hinted that they need to find a way to work together toward a bipartisan compromise.

#### This PC ensures sufficient numbers of Republican jump ship to resolve negotiations

Seth Fraser (writer for PolicyMic) November 8, 2012 “Should We Get Ready For 4 More Years of Ridiculous Obama vs GOP Obstructionism?” http://www.policymic.com/mobile/articles/18841/should-we-get-ready-for-4-more-years-of-ridiculous-obama-vs-gop-obstructionism

Whichever road taken, the GOP has about one and a half years to make votes on bills that suggest to their constituents that they have actually gotten something done. The incentive system hasn’t changed. In 2014, candidates will again have to report back to their districts and ask for your vote. What they have to show depends on Obama’s political agenda over the coming months and the Republicans' willingness to accept defeat and work with him. President Obama indeed owns a great deal of political capital.He has that much more momentum than Bush II, who famously said after his 2004 presidential win, “I have political capital. I intend to spend it.” The strategic political reason behind this momentum is due, in large part, to the way the GOP framed the election as a battle between big government and small government. In the end, voters wanted a president and a party in power that was pragmatic and could get things done. But now that Obama has won, it is difficult to argue that Obama’s victory wasn’t also a referendum on liberal or left-leaning ideals that government can play a meaningful part in people’s lives. Elizabeth Warren went as far as to say that the reason she was elected was because she stood up for the “core of liberalism.” The president also has economic winds at his back as the job and housing markets have shown signs of continuing recovery. The fact that there is evidence that the president’s policies are actually improving things should create a greater political willingness for Republicans to join the winning team, if only to take some of the credit. If things continue to improve and the Republicans still choose to obstruct and sit on the sidelines, the Democrats will be able to tout success once again in the face of Republican intransigence. These factors, as well as the increased media and public attention in the afterglow of the election, may provide an impetus for a new jobs bill and perhaps reaching a deal on raising new revenue, two things that will be addressed at the end of this year and early next year. Moreover, the Democrats will certainly continue to pound the strong narrative that the election was a mandate on raising new revenue, as Joe Biden recently pointed out.

### A2 econ D

**The impact is global conflict and instability**

**Tilford 2008** – PhD in history from George Washington University, served for 32 years as a military officer and analyst with the Air Force and Army (Earl, “Critical mass: economic leadership or dictatorship”, Cedartown Standard, lexis)

Could it happen again? Bourgeois democracy requires a vibrant capitalist system. Without it, the role of the individual shrinks as government expands. At the very least, the dimensions of the U.S. government economic intervention will foster a growth in bureaucracy to administer the multi-faceted programs necessary for implementation. Bureaucracies, once established, inevitably become self-serving and self-perpetuating. Will this lead to “socialism” as some conservative economic prognosticators suggest? Perhaps. But so is the possibility of dictatorship. If the American economy collapses, especially in wartime, there remains that possibility. And if that happens the American democratic era may be over. If the world economies collapse, totalitarianism will almost certainly return to Russia, which already is well along that path in any event. Fragile democracies in South America and Eastern Europe could crumble. A global economic collapse will also increase the chance of global conflict. As economic systems shut down, so will the distribution systems for resources like petroleum and food. It is certainly within the realm of possibility that nations perceiving themselves in peril will, if they have the military capability, use force, just as Japan and Nazi Germany did in the mid-to-late 1930s. Every nation in the world needs access to food and water. Industrial nations—the world powers of North America, Europe, and Asia—need access to energy. When the world economy runs smoothly, reciprocal trade meets these needs. If the world economy collapses, the use of military force becomes a more likely alternative. And given the increasingly rapid rate at which world affairs move; the world could devolve to that point very quickly.

# round 3 neg v. weber go

## 1nc

### Off

#### A - the negative has an expectation that the plan will mean something specific

#### B - their literature requires that sacrifice be a purely symbolic gesture -- thus, their sacrifice could stand in for anything -- there is nothing which is not already in the moment of sacrificing

**Botey '9** Marianna, The Infection, Vol. 5 " Toward a critique of sacrificial reason: Necropolitics and radical aesthetics in Mexico" June

http://www.des-bordes.net/0.5/en/la%20infeccion/mariana\_botey.html

**The critical task of upsetting**, unraveling and unfastening **the *neutralization* of the power of death as a** cultural-social **device of control** and political engineering, **separates** these forms of **aesthetic practice from** the realm of **sublimatory codes** through which capitalism used art as a toolbox to expropriate and expand over (colonize) the psychic territories attributed to “the savage, barbarian, infantile, primitive and demented.” A deconstruction of the protocols of colonial warfare and colonial narratives emerges by making evident a concealed sacrificial trace implied in modern capitalism. Moreover, the trace is activated and manifests as a political phenomenon that unfolds in the violent and brutal reality of (ex)colonial territories. Thus, we could argue that a post-colonial set of problems underlines the artistic procedure making reason unstable, displacing its centrality as an organizing axiom, and doing so by bringing into play other categories such as death, expenditure, and the concealed pulsations of the libidinal economy: that is, explicitly, by underpinning the inscription of sacrifice as central to a mapping of the human. **The reading that interests us would emphasize the allegorical character of this inscription—the inscription of *Sacrifice* as the very notion from which to operate the chain of discursive displacement in which death, ritual, politics, metaphysics and aesthetics sediment a different logic: another economy, non-economy**, a general economy. The critical task marks the extent to which the notion of sacrifice suffers an intrinsic indetermination in its multiple manifestations, working simultaneously as: theoretical operative (device-*dispositif*), historical structure, concept-metaphor, ideological device, symbolic economy, archeological evidence, juridical foundation of the state, the “secret” grammar of power and, also, a counter-image (hieroglyph) for a project of total revolt (i.e. the dismantling of the order of representation-domination). These examples come exclusively from the realm of art and its discourse (although all of them have heterogeneous correlates in the sphere of politics and the archive of history). Perhaps because the character —at once concealed and folded— of the problem of sacrifice as the *repressed representative* operating within instrumental reason has displaced its clear formulation (enunciation) as precisely a form of articulation that manifests mostly as (a) program(s) for a kind of radical aesthetics. The theoretical speculations of Bataille about the sacrificial order of the Aztecs; the analogous conceptualization Artaud proposed in the *Theater of Cruelty*—which was also propelled by an imagination of the mythic and ritual dimensions of indigenous culture; the initiatic pedagogy rehearsed by Jodorowsky in his *Panic Theater* and his early psycho-magical experiments with cinema; or the gestures of sexual transgression, perverted play and poetic violence that crisscross the multiple lexical and formal experiments of Gurrola, participate in a discontinuous and intermittent movement that approaches this other non-economy or sacrificial economy.[(5)](http://www.des-bordes.net/0.5/en/la%20infeccion/mariana_botey.html" \l "_ftn4" \o ") The contemporary practice of Margolles emerges in the multiple planes of circulation of these estranged and un-folded (doubled) figures, a diagram of a field of forces that forms and limits the contemporary: a cartography for a de-sublimated modernity, recounting an orgy of violent representations, while at the same time dismantling them, and searching for a space that overflows into (or is expended as) pure manifestation.

#### C - vote negative -- their plan is a meaningless fig-leaf for their discussion of sacrifice that has zero relation to either production incentives or production restrictions -- makes the aff impossible to debate

### Off

#### The logic of sacrifice and the aesthetic of excess in the 1ac credits the symoblic order with tremendous powers -- this sacrifice ultimately re-trenches into another form of exchange; sacrifice in exchange for the end of rationalist, production-logic -- we should reject this blackmail as an intolerable sacrifice against which we can imagine a cessation of production-logic through affective sharing that allows us to avoid the trap of libidinal liberation. They do not have a reason why expenditure and sacrifice are necessary to sharing

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Beyond voicing this distaste for the merely strategical, the critique in the previous couple of talks concentrated increasingly on the fact that any symbolic order (the art world in particular) is always also a *sacrificial economy*. So the inscription into the symbolic therefore seems to imply, demand and retroactively justify a sacrifice (e.g. your life for your career). But this is intolerable. So perhaps the strongest reason for the critique of a false belief in the symbolic order is the impulse to reject the imposed need for an intolerable sacrifice. The dream of exiting the symbolic order altogether, however, seems an impossible fantasy, as, in the arts, we arrive as arrivistes in the field of the other—facing expectations, desiring the recognition of our desires and materially depending on it. Still, suspended on the threshold of the symbolic, on the rim of this regimented field, in a material zone where non-sense makes too much sense, the question remains whether we cannot discover something moving—motions, things, creatures, ideas that will not be sacrificed but will stay alive and wiggling, moving in their erratic motion: motives that move things, souls and thoughts, like *locomotives*—always *un poco loco*—throughout the history of art and philosophy. To delineate and develop some such locomotives in order to open up a counter-discourse to the sacrifical logic of the symbolic order—on its threshold—was the desire that first led us to look at motives related to the production of the effect/affect of art. Discussing the *motivations* for production, the attempt was to try and replace the vocabulary of the strategical paradigm—the lingo of declared intentions and the cocksure construction of references—with more shaky terms like *inspiration*, *vocation* and *dedication*: terms that, precisely because of their existential dimension, exist on the threshold of the unverifiable, and therefore always remain riddled by Iron Maiden’s tormenting question “How can I be sure that what I saw last night was real and not just fantasy?” (Orpheus tried to check and he blew it.) In pursuit of the notion of dedication, the question of *care* as the ulimate existential motivation (Why do we do what we do? ‘Cos we care.) was raised, exposing its ambivalent position on the threshold of the symbolic: always drawn into a symbolic economy of tit for tat, care still remains unconditional and therefore excessive, empowered by the need of the other, and, precisely because of this, always deprived of a safe symbolic mandate, since the nature of the other remains fundamentally indeterminable. For who would know what anyone really needed? On this limit of acknowledging the missing mandate, the locomotif of a creature appeared in the history of painting: the lion that walked into St. Jerome’s study one day, thorn in paw. Jerome, being a translator, no certified cat-doctor, unprepared and without symbolic mandate, plucked the thorn anyway, intiating a social mode of conviviality with the wild cat without a contract, economy or grand narrative to symbolically validate it. The only reason for this being possible was perhaps that his study (as Antonello da Messina and Vincenzo Catena depict it) was a semi-public space, open to the occurence of such events. Animals then continued to linger on the threshold of the symbolic, as creatures that wiggle, that embody the motion of emotion and the effect of affect on the soul, as witnesses to this effect in ways that are not entirely reducable to symbolic signification. This final talk will try to substantiate this intuition further by looking at the locomotif of Orpheus and the animals which continued through the centuries to manifest intuitions about the affective effect of art and the kind of creaturely social bond it may initiate. As the muse Kaliope’s child, the figure of Orpheus may aso bring us back to the question of inspiration as (demonic) amusement in the society of the muses (the museum as pan-demonium). In defiance of the sacrifice of affect to the symbolic, another motif which emerged was that of a particular face: the appeal of a face that generates emotions as material events, a face that cannot be consecrated to the symbolic laws of social value: the shitface, the profane face, neither good nor bad but in touch with—and sharing—the devine through touching the soul, profanely. As a practice, profanation, the sharing of the material share in the ritual of veneration (the holy body, the host, that which becomes edible) may then finally emerge as the model for a mode of art and thinking that could allow us to move along the threshold to the symbolic, sharing materially instead of sacrificing symbolically what is divine and secret. To further exemplify this intuition of sharing through profanation, two more locomotifs will be invoked: the Sicillian custom of eating Santa Lucia’s eyes and the incredible pleasure of looking at Alina Szapocznikow’s mouths.

#### The valorization of sacrifice as a sacred act opposed to the commodification of Enlightenment rationality is not a neutral political act -- rather it is both complicit with and sanitizes the historical legacy of primordial revenge-fantasies enacted through public acts of capital punishment such as executions and lynchings. The 1ac grants the state an alibi to manufacture consent for gratuitous bloodshet -- even if this disrupts the ennui of rationality it is a brutally savage form of politics that colorblindly reinforces white supremacy

**Lacquer wk** Thomas, "Festival of Punishment" London Review of Books

http://www.lrb.co.uk/v22/n19/thomas-laqueur/festival-of-punishment

One has to infer the arguments put by the other side, or look elsewhere (to Louis Masur’s 1989 *Rites of Execution*, for example). There we will find those who have been less sanguine about human progress and the efficacy of social reform, those who think that punishment ought to reflect a divine and intuitively obvious moral order. Human depravity, on this view, makes it necessary for civil government to assume the power of divine authority. Liberty, inalienable individual rights, procedural correctness and hopes for reformation or redemption have to be balanced against obligation, against the needs of a righteous community, and against the feeling that, social contract or no social contract, for civil government to be legitimate it has somehow to be congruent with God’s governance. In other words, a government here on earth can cast out and kill certain of its citizens under certain circumstances because God in heaven has ordained that this should be so. Capital punishment is the expression of both divine and communal outrage at those who have excluded themselves from full humanity through their acts. Although this view was not articulated in defences of the death penalty after the early 19th century, capital punishment retains something of its primordial sacrificial logic. Killing an offender is felt to make the world safer, more as it should be, for the good people, even if no connection is made, or claimed, at the level of social policy between the act and its putative effects. Seen in this way, as a ritual reassertion of a communal moral order, the death penalty has little to do with ideas of punishment in the rationalist Enlightenment or progressive theological traditions. This clash of world views, which has informed the American debate since colonial times, resounds still in books like McFeely’s. The poignant stories he tells, of three men who committed terrible crimes, of their defenders, their victims and of the criminal justice system, are embedded in a twisted past and in very different visions of how a new world is to be made. One of the many strengths of his elegant, humane and subtle book is to show how the claims and counterclaims that are so often made like points in a college debate – a ‘pro’ parry met by an ‘anti’ retort – are freighted with the burdens of history and the ironies of modernity. In the United States no burden is heavier than that of race. McFeely became involved with the question of the death penalty not because of any expertise in criminology – he had none – but because he had written a biography of Frederick Douglass and a book about the 67 descendants of a slave who had been brought to the tiny barrier island of Sapelo in 1802, where they still live today. Stephen Bright, the indefatigable and brilliant lead counsel of the Southern Center for Human Rights, wanted to make use of McFeely’s expertise in African American history. Specifically, Bright asked him to testify in support of two claims which he was making in a motion for a new trial. Bright’s client is – the case is not yet resolved – Carzell Moore, a black man convicted, along with an accomplice, of the rape and murder of a 23-year-old white convenience store clerk. He is awaiting execution. Bright planned to argue, first, that under the terms of the 14th Amendment a black man is not ‘equally protected’ in a Georgia courtroom which, like all the others in the state, displays the Confederate battle flag. And second, that there is an intimate connection between that flag and the bitter history of lynching which underscores the death sentence of any black man in the United States, particularly in the South. In some abstract sense, the flag might represent a proud tradition of states’ rights and benign local tradition, as its defenders in South Carolina have recently claimed. But in fact, as McFeely testified, the Georgia story is unambiguous. On 6 February 1956, its Governor vowed that no Negro child would ever attend school with a white one; three days later, the legislature voted to replace the Confederate horizontal bars that had graced the state flag since 1879 with the ‘stars and bars’: the blue and white cross of St Andrew on an in-your-face field of bright red. Its Civil War service done, this banner had rallied the Ku Klux Klan as it helped re-establish white power in the South during a half-century reign of terror. When, in 1993, the then Georgia Governor asked the legislature to remove this none to0 subtle exhibition of ‘pride in the enslavement of many of our ancestors’ he was jeered at, and finally withdrew his proposal after some months of hopeless advocacy. There have been 460 lynchings in Georgia since the late 19th century; 411 were of blacks. And, as Bright went on to argue in court, the surge in judicial executions after lynching declined in the 1930s could plausibly be interpreted as the swift removal of a black man by trial, which before had been effected by mob. The cries of ‘burn ‘em’ heard as a murder suspect is booked today echo the cries of those festive crowds that attended the hangings, immolations and castrations of earlier years. The prosecutor who opposed Bright’s motion for retrial responded – correctly, in a narrow sense – that this was all quite irrelevant. These facts had no particularly bearing on Carzell Moore; no one was proposing that he be lynched. (I also think that the three white men – die-hard segregationists all – who testified at Bright’s behest that they had celebrated the execution of Moore’s accomplice would have ‘rejoiced’ just as exuberantly at the execution of a white man. The festivities at the notorious serial killer Ted Bundy’s execution were replete with tailgate beer parties and baseball caps emblazoned with the hindquarters of a pig, as if today’s Floridans had read historians’ descriptions of pre-modern carnivalesque inversion.) That said, capital punishment in the United States subsists – inescapably – in a miasma of race. The Honorable John H. Land in 1977 presided over the trial of a black man called William Brooks, whose case McFeely follows. Land is the son of a prominent local dignitary who had seen to the lynching of an adolescent boy 65 years earlier. The barefoot ‘little black nigger’ in question had, miraculously, escaped a murder conviction in the accidental shooting of a white boy. T.Z. Cotton – the white press and courts of his day never managed to get his name right – was kidnapped from the same Muscogee County Courthouse where Brooks was tried, taken to the edge of town and, begging for his life, pumped full of bullets. Brewster Land, Judge Land’s father, was acquitted; none of those who witnessed the abduction and murder would come forward. Forty-four years later, in 1956, a prominent black physician and civil rights leader in the same Georgia town was murdered in the course of a political confrontation: an all-white grand jury refused to indict the white man who shot him – self-defence. Even if, as is clearly the case, the murder trial of Brooks was not a lynching, the distinction is lost on many. The power of the white establishment to maintain the social order through the death of black men is all too evident.

### Off

#### Specific, limited resolutions ensure mutual ground which is key to sustainable controversy without sacrificing creativity or openness

**Steinberg & Freeley 8** \*Austin J. Freeley is a Boston based attorney who focuses on criminal, personal injury and civil rights law, AND \*\*David L. Steinberg , Lecturer of Communication Studies @ U Miami, Argumentation and Debate: Critical Thinking for Reasoned Decision Making pp45-

Debate is a means of settling differences, so there must be a difference of opinion or a conflict of interest before there can be a debate. If everyone is in agreement on a tact or value or policy, there is no need for debate: the matter can be settled by unanimous consent. Thus, for example, it would be pointless to attempt to debate "Resolved: That two plus two equals four," because there is simply no controversy about this statement. (Controversy is an essential prerequisite of debate. Where there is no clash of ideas, proposals, interests, or expressed positions on issues, there is no debate. In addition, debate cannot produce effective decisions without clear identification of a question or questions to be answered. For example, general argument may occur about the **broad topic** of illegal immigration. How many illegal immigrants are in the United States? What is the impact of illegal immigration and immigrants on our economy? What is their impact on our communities? Do they commit crimes? Do they take jobs from American workers? Do they pay taxes? Do they require social services? Is it a problem that some do not speak English? Is it the responsibility of employers to discourage illegal immigration by not hiring undocumented workers? Should they have the opportunity- to gain citizenship? Docs illegal immigration pose a security threat to our country? Do illegal immigrants do work that American workers are unwilling to do? Are their rights as workers and as human beings at risk due to their status? Are they abused by employers, law enforcement, housing, and businesses? I low are their families impacted by their status? What is the moral and philosophical obligation of a nation state to maintain its borders? Should we build a wall on the Mexican border, establish a national identification can!, or enforce existing laws against employers? Should we invite immigrants to become U.S. citizens? Surely you can think of many more concerns to be addressed by a conversation about the topic area of illegal immigration. Participation in this "debate" is likely to be emotional and intense. However, it is not likely to be productive or useful without focus on a particular question and identification of a line demarcating sides in the controversy. To be discussed and resolved effectively, controversies must be stated clearly. **Vague understanding** results in unfocused deliberation and poor decisions, frustration, and emotional distress, as evidenced by the failure of the United States Congress to make progress on the immigration debate during the summer of 2007.

Someone disturbed by the problem of the growing underclass of poorly educated, socially disenfranchised youths might observe, "Public schools are doing a terrible job! They are overcrowded, and many teachers are poorly qualified in their subject areas. Even the best teachers can do little more than struggle to maintain order in their classrooms." That same concerned citizen, facing a complex range of issues, might arrive at an unhelpful decision, such as "We ought to do something about this" or. worse. "It's too complicated a problem to deal with." Groups of concerned citizens worried about the state of public education could join together to express their frustrations, anger, disillusionment, and emotions regarding the schools, but without a focus for their discussions, they could easily agree about the sorry state of education **without** finding points of clarity or potential solutions. A gripe session would follow. But if a precise question is posed—such as "What can be done to improve public education?"—then a more profitable area of discussion is opened up simply by placing a focus on the search for a concrete solution step. One or more judgments can be phrased in the form of debate propositions, motions for parliamentary debate, or bills for legislative assemblies. The statements "Resolved: That the federal government should implement a program of charter schools in at-risk communities" and "Resolved: That the state of Florida should adopt a school voucher program" more clearly identify specific ways of dealing with educational problems in a manageable form, suitable for debate. They provide specific policies to be investigated and aid discussants in identifying points of difference.

To have a productive debate, which facilitates effective decision making by directing and placing limits on the decision to be made, the basis for argument should be clearly defined. If we merely talk about "homelessness" or "abortion" or "crime'\* or "global warming" we are likely to have an interesting discussion but not to establish profitable basis for argument. For example, the statement "Resolved: That the pen is mightier than the sword" is debatable, yet fails to provide much basis for clear argumentation. If we take this statement to mean that the written word is more effective than physical force for some purposes, we can identify a problem area: the comparative effectiveness of writing or physical force for a specific purpose.

Although we now have a general subject, we have not yet stated a problem. It is still too broad, too loosely worded to promote well-organized argument. What sort of writing are we concerned with—poems, novels, government documents, website development, advertising, or what? What does "effectiveness" mean in this context? What kind of physical force is being compared—fists, dueling swords, bazookas, nuclear weapons, or what? A more specific question might be. "Would a mutual defense treaty or a visit by our fleet be more effective in assuring Liurania of our support in a certain crisis?" The basis for argument could be phrased in a debate proposition such as "Resolved: That the United States should enter into a mutual defense treatv with Laurania." Negative advocates might oppose this proposition by arguing that fleet maneuvers would be a better solution. This is not to say that debates should completely avoid creative interpretation of the controversy by advocates, or that good debates cannot occur over competing interpretations of the controversy; in fact, these sorts of debates may be very engaging. The point is that debate is best facilitated by the guidance provided by **focus on a particular point of difference**, which will be outlined in the following discussion.

#### Competition through fair play is a dialogical process that encourages argumentative testing and mutual recognition of personhood

**Rawls 58** – a leading figure in moral and political philosophy (John, Justice as Fairness, Philosophical Review, April, JSTOR)

Similarly, the acceptance of the duty of fair play by participants in a common practice is a reflection in each person of the recognition of the aspirations and interests of the others to be realized by their joint activity. Failing a special explanation, their acceptance of it is a necessary part of the criterion for their recognizing one another as persons with similar interests and capacities, as the conception of their relations in the general position supposes them to be. Otherwise they would show no recognition of one another as persons with similar capacities and interests, and indeed, in some cases perhaps hypothetical, they would not recognize one another as persons at all, but as complicated objects involved in a complicated activity. To recognize another as a person one must respond to him and act towards him in certain ways; and these ways are intimately connected with the various prima facie duties. Acknowledging these duties in some degree, and so having the elements of morality, is not a matter of choice, or of intuiting moral qualities, or a matter of the expression of feelings or attitudes (the three interpretations between which philosophical opinion frequently oscillates); it is simply the possession of one of the forms of conduct in which the recognition of others as persons is manifested. These remarks are unhappily obscure. Their main purpose here, however, is to forestall, together with the remarks in Section 4, the misinterpretation that, on the view presented, the acceptance of justice and the acknowledgment of the duty of fair play depends in every day life solely on there being a de facto balance of forces between the parties. It would indeed be foolish to underestimate the importance of such a balance in securing justice; but it is not the only basis thereof. The recognition of one another as persons with similar interests and capacities engaged in a common practice must, failing a special explanation, show itself in the acceptance of the principles of justice and the acknowledgment of the duty of fair play.

#### Topical fairness requirements are key to effective dialogue—monopolizing strategy and prep makes the discussion one-sided and subverts any meaningful neg role

**Galloway 7** – professor of communications at Samford University (Ryan, “Dinner And Conversation At The Argumentative Table: Reconceptualizing Debate As An Argumentative Dialogue”, Contemporary Argumentation and Debate, Vol. 28 (2007), ebsco)

Debate as a dialogue sets an argumentative table, where all parties receive a relatively fair opportunity to voice their position. Anything that fails to allow participants to have their position articulated denies one side of the argumentative table a fair hearing. The affirmative side is set by the topic and fairness requirements. While affirmative teams have recently resisted affirming the topic, in fact, the topic selection process is rigorous, taking the relative ground of each topic as its central point of departure.¶ Setting the affirmative reciprocally sets the negative. The negative crafts approaches to the topic consistent with affirmative demands. The negative crafts disadvantages, counter-plans, and critical arguments premised on the arguments that the topic allows for the affirmative team. According to fairness norms, each side sits at a relatively balanced argumentative table.¶ When one side takes more than its share, competitive equity suffers. However, it also undermines the respect due to the other involved in the dialogue. When one side excludes the other, it fundamentally denies the personhood of the other participant (Ehninger, 1970, p. 110). A pedagogy of debate as dialogue takes this respect as a fundamental component. A desire to be fair is a fundamental condition of a dialogue that takes the form of a demand for equality of voice. **Far from** being **a banal request for links** to a disadvantage, fairness is a demand for respect, a demand to be heard, a demand that a voice backed by literally months upon **months of preparation**, research, and critical thinking not be silenced.¶ Affirmative cases that suspend basic fairness norms **operate to exclude** particular negative strategies. Unprepared, one side comes to the argumentative table unable to meaningfully participate in a dialogue. They are unable to “understand what ‘went on…’” and are left to the whims of time and power (Farrell, 1985, p. 114). Hugh Duncan furthers this line of reasoning:¶ Opponents not only tolerate but honor and respect each other because in doing so they enhance their own chances of thinking better and reaching sound decisions. Opposition is necessary because it sharpens thought in action. We assume that argument, discussion, and talk, among free an informed people who subordinate decisions of any kind, because it is only through such discussion that we reach agreement which binds us to a common cause…If we are to be equal…relationships among equals must find expression in many formal and informal institutions (Duncan, 1993, p. 196-197).¶ **Debate compensates for the exigencies of the world by offering a framework that maintains equality for the sake of the conversation** (Farrell, 1985, p. 114).¶ For example, an affirmative case on the 2007-2008 college topic might defend neither state nor international action in the Middle East, and yet claim to be germane to the topic in some way. The case essentially denies the arguments that state action is oppressive or that actions in the international arena are philosophically or pragmatically suspect. Instead of allowing for the dialogue to be modified by the interchange of the affirmative case and the negative response, the affirmative subverts any meaningful role to the negative team, preventing them from offering effective “counter-word” and undermining the value of a meaningful exchange of speech acts. **Germaneness and other substitutes for topical action do not accrue the dialogical benefits** of topical advocacy.

#### Fairness is key to fun—and that’s a good thing

Marc **Prensky**, **2001**. Internationally acclaimed speaker, writer, consultant, and designer in the critical areas of education and learning, Founder, CEO and Creative Director of games2train.com, former vice president at the global financial firm Bankers Trust, BA from Oberlin College, an MBA from Harvard Business School with distinction and master's degrees from Middlebury and Yale. “Fun, Play and Games: What Makes Games Engaging,”Digital Game-Based Learning, www.marcprensky.com/writing/Prensky%20-%20Digital%20Game-Based%20Learning-Ch5.pdf.

So fun — in the sense of enjoyment and pleasure — puts us in a relaxed, receptive frame of mind for learning. Play, in addition to providing pleasure, increases our involvement, which also helps us learn. Both “fun” and “play” however, have the disadvantage of being somewhat abstract, unstructured, and hard-to-define concepts. But there exists a more formal and structured way to harness (and unleash) all the power of fun and play in the learning process — the powerful institution of games. Before we look specifically at how we can combine games with learning, let us examine games themselves in some detail. Like fun and play, game is a word of many meanings and implications. How can we define a game? Is there any useful distinction between fun, play and games? What makes games engaging? How do we design them? Games are a subset of both play and fun. In programming jargon they are a “child”, inheriting all the characteristics of the “parents.” They therefore carry both the good and the bad of both terms. Games, as we will see, also have some special qualities, which make them particularly appropriate and well suited for learning. So what is a game? Like play, game, has a wide variety of meanings, some positive, some negative. On the negative side there is mocking and jesting, illegal and shady activity such as a con game, as well as the “fun and games” that we saw earlier. As noted, these can be sources of resistance to Digital Game-Based Learning — “we are not playing games here.” But much of that is semantic. What we are interested in here are the meanings that revolve around the definition of games involving rules, contest, rivalry and struggle. What Makes a Game a Game? Six Structural Factors The Encyclopedia Britannica provides the following diagram of the relation between play and games: 35 PLAY spontaneous play organized play (GAMES) noncompetitive games competitive games (CONTESTS) intellectual contests physical contests (SPORTS) Our goal here is to understand why games engage us, drawing us in often in spite of ourselves. This powerful force stems first from the fact that they are a form of fun and play, and second from what I call the six key structural elements of games: 1. Rules 2. Goals and Objectives 3. Outcomes & Feedback 4. Conflict/Competition/Challenge/Opposition 5. Interaction, and 6. Representation or Story. There are thousands, perhaps millions of different games, but all contain most, if not all, these powerful factors. Those that don’t contain all the factors are still classified as games by many, but can also belong to other subclasses described below. In addition to these structural factors, there are also important design elements that add to engagement and distinguish a really good game from a poor or mediocre one. Let us discuss these six factors in detail and show how and why they lead to such strong engagement. Rules are what differentiate games from other kinds of play. Probably the most basic definition of a game is that it is organized play, that is to say rule-based. If you don’t have rules you have free play, not a game. Why are rules so important to games? Rules impose limits – they force us to take specific paths to reach goals and ensure that all players take the same paths. They put us inside the game world, by letting us know what is in and out of bounds. What spoils a game is not so much the cheater, who accepts the rules but doesn’t play by them (we can deal with him or her) but the nihilist, who denies them altogether. Rules make things both fair and exciting. When the Australians “bent” the rules of the America’s Cup and built a huge boat in 1988, and the Americans found a way to compete with a catamaran, it was still a race — but no longer the same game.

#### Game spaces like debate are distinct from other forms of education and public speaking. There has to be a balance of ground or else one side claims the moral high ground and creates a de facto monologue

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Debate games are often based on pre-designed scenarios that include descriptions of issues to be debated, educational goals, game goals, roles, rules, time frames etc. In this way, debate games differ from textbooks and everyday classroom instruction as debate scenarios allow teachers and students to actively imagine, interact and communicate within a domain-specific game space. However, instead of mystifying debate games as a “magic circle” (Huizinga, 1950), I will try to overcome the epistemological dichotomy between “gaming” and “teaching” that tends to dominate discussions of educational games. In short, educational gaming is a form of teaching. As mentioned, education and games represent two different semiotic domains that both embody the three faces of knowledge: assertions, modes of representation and social forms of organisation (Gee, 2003; Barth, 2002; cf. chapter 2). In order to understand the interplay between these different domains and their interrelated knowledge forms, I will draw attention to a central assumption in Bakhtin’s dialogical philosophy. According to Bakhtin, all forms of communication and culture are subject to centripetal and centrifugal forces (Bakhtin, 1981). A centripetal force is the drive to impose one version of the truth, while a centrifugal force involves a range of possible truths and interpretations. This means that any form of expression involves a duality of centripetal and centrifugal forces: “Every concrete utterance of a speaking subject serves as a point where centrifugal as well as centripetal forces are brought to bear” (Bakhtin, 1981: 272). If we take teaching as an example, it is always affected by centripetal and centrifugal forces in the on-going negotiation of “truths” between teachers and students. In the words of Bakhtin: “Truth is not born nor is it to be found inside the head of an individual person, it is born between people collectively searching for truth, in the process of their dialogic interaction” (Bakhtin, 1984a: 110). Similarly, the dialogical space of debate games also embodies centrifugal and centripetal forces. Thus, the election scenario of The Power Game involves centripetal elements that are mainly determined by the rules and outcomes of the game, i.e. the election is based on a limited time frame and a fixed voting procedure. Similarly, the open-ended goals, roles and resources represent centrifugal elements and create virtually endless possibilities for researching, preparing, presenting, debating and evaluating a variety of key political issues. Consequently, the actual process of enacting a game scenario involves a complex negotiation between these centrifugal/centripetal forces that are inextricably linked with the teachers and students’ game activities. In this way, the enactment of The Power Game is a form of teaching that combines different pedagogical practices (i.e. group work, web quests, student presentations) and learning resources (i.e. websites, handouts, spoken language) within the interpretive frame of the election scenario. Obviously, tensions may arise if there is too much divergence between educational goals and game goals. This means that game facilitation requires a balance between focusing too narrowly on the rules or “facts” of a game (centripetal orientation) and a focusing too broadly on the contingent possibilities and interpretations of the game scenario (centrifugal orientation). For Bakhtin, the duality of centripetal/centrifugal forces often manifests itself as a dynamic between “monological” and “dialogical” forms of discourse. Bakhtin illustrates this point with the monological discourse of the Socrates/Plato dialogues in which **the teacher never learns anything new** from the students, despite Socrates’ ideological claims to the contrary (Bakhtin, 1984a). Thus, discourse becomes monologised when “someone who knows and possesses the truth **instructs someone** who is ignorant of it and in error”, where “a thought is either affirmed or repudiated” by the authority of the teacher (Bakhtin, 1984a: 81). In contrast to this, dialogical pedagogy fosters inclusive learning environments that are able to expand upon students’ existing knowledge and collaborative construction of “truths” (Dysthe, 1996). At this point, I should clarify that Bakhtin’s term “dialogic” is both a descriptive term (all utterances are per definition dialogic as they address other utterances as parts of a chain of communication) and a normative term as dialogue is an ideal to be worked for against the forces of “monologism” (Lillis, 2003: 197-8). In this project, I am mainly interested in describing the dialogical space of debate games. At the same time, I agree with Wegerif that “one of the goals of education, perhaps the most important goal, should be dialogue as an end in itself” (Wegerif, 2006: 61).

#### Scenario simulation lets students test decisions and strategies without the real stakes of having to implement them—this process is more transformative than the content of the 1ac

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Joas’ re-interpretation of Dewey’s pragmatism as a “theory of situated creativity” raises a critique of humans as purely rational agents that navigate instrumentally through meansends- schemes (Joas, 1996: 133f). This critique is particularly important when trying to understand how games are enacted and validated within the realm of educational institutions that by definition are inscribed in the great modernistic narrative of “progress” where nation states, teachers and parents expect students to acquire specific skills and competencies (Popkewitz, 1998; cf. chapter 3). However, as Dewey argues, the actual doings of educational gaming cannot be reduced to rational means-ends schemes. Instead, the situated interaction between teachers, students, and learning resources are played out as contingent re-distributions of means, ends and ends in view, which often make classroom contexts seem “messy” from an outsider’s perspective (Barab & Squire, 2004). 4.2.3. Dramatic rehearsal The two preceding sections discussed how Dewey views play as an imaginative activity of educational value, and how his assumptions on creativity and playful actions represent a critique of rational means-end schemes. For now, I will turn to Dewey’s concept of dramatic rehearsal, which assumes that social actors deliberate by projecting and choosing between various scenarios for future action. Dewey uses the concept dramatic rehearsal several times in his work but presents the most extensive elaboration in Human Nature and Conduct: Deliberation is a dramatic rehearsal (in imagination) of various competing possible lines of action… [It] is an experiment in finding out what the various lines of possible action are really like (...) Thought runs ahead and foresees outcomes, and thereby avoids having to await the instruction of actual failure and disaster. An act overtly tried out is irrevocable, its consequences cannot be blotted out. An act tried out in imagination is not final or fatal. It is retrievable (Dewey, 1922: 132-3). This excerpt illustrates how Dewey views the process of decision making (deliberation) through the lens of an imaginative drama metaphor. Thus, decisions are made through the imaginative projection of outcomes, where the “possible competing lines of action” are resolved through a thought experiment. Moreover, Dewey’s compelling use of the drama metaphor also implies that decisions cannot be reduced to utilitarian, rational or mechanical exercises, but that they have emotional, creative and personal qualities as well. Interestingly, there are relatively few discussions within the vast research literature on Dewey of his concept of dramatic rehearsal. A notable exception is the phenomenologist Alfred Schütz, who praises Dewey’s concept as a “fortunate image” for understanding everyday rationality (Schütz, 1943: 140). Other attempts are primarily related to overall discussions on moral or ethical deliberation (Caspary, 1991, 2000, 2006; Fesmire, 1995, 2003; Rönssön, 2003; McVea, 2006). As Fesmire points out, dramatic rehearsal is intended to describe an important phase of deliberation that does not characterise the whole process of making moral decisions, which includes “duties and contractual obligations, short and long-term consequences, traits of character to be affected, and rights” (Fesmire, 2003: 70). Instead, dramatic rehearsal should be seen as the process of “crystallizing possibilities and transforming them into directive hypotheses” (Fesmire, 2003: 70). Thus, deliberation can in no way guarantee that the response of a “thought experiment” will be successful. But what it can do is make the process of choosing more intelligent than would be the case with “blind” trial-and-error (Biesta, 2006: 8). The notion of dramatic rehearsal provides a valuable perspective for understanding educational gaming as a simultaneously real and imagined inquiry into domain-specific scenarios. Dewey defines dramatic rehearsal as the capacity to stage and evaluate “acts”, which implies an “irrevocable” difference between acts that are “tried out in imagination” and acts that are “overtly tried out” with real-life consequences (Dewey, 1922: 132-3). This description shares obvious similarities with games as they require participants to inquire into and resolve scenario-specific problems (cf. chapter 2). On the other hand, there is also a striking difference between moral deliberation and educational game activities in terms of the actual consequences that follow particular actions. Thus, when it comes to educational games, acts are both imagined and tried out, but without all the real-life consequences of the practices, knowledge forms and outcomes that are being simulated in the game world. Simply put, there is a difference in realism between the dramatic rehearsals of everyday life and in games, which only “play at” or simulate the stakes and risks that characterise the “serious” nature of moral deliberation, i.e. a real-life politician trying to win a parliamentary election experiences more personal and emotional risk than students trying to win the election scenario of The Power Game. At the same time, the lack of real-life consequences in educational games makes it possible to design a relatively safe learning environment, where teachers can stage particular game scenarios to be enacted and validated for educational purposes. In this sense, educational games are able to provide a safe but meaningful way of letting teachers and students make mistakes (e.g. by giving a poor political presentation) and dramatically rehearse particular “competing possible lines of action” that are relevant to particular educational goals (Dewey, 1922: 132). Seen from this pragmatist perspective, the educational value of games is not so much a question of learning facts or giving the “right” answers, but more a question of exploring the contingent outcomes and domain-specific processes of problem-based scenarios.

#### skills unique to our model like constructing 1ACs, simulating policies, and researching positions we disagree with grounds decisions in dialogical, argumentative heuristics instead of decisionistic formulas or speculation. Takes out aff solvency and impacts

**Mitchell 2010** – associate professor and director of graduate studies in the Department of Communication at the University of Pittsburgh (Gordon, Rhetoric & Public Affairs, 13.1, “SWITCH-SIDE DEBATING MEETS DEMAND-DRIVEN RHETORIC OF SCIENCE”)

The watchwords for the intelligence community’s debating initiative— collaboration, critical thinking, collective awareness—resonate with key terms anchoring the study of deliberative democracy. In a major new text, John Gastil defines deliberation as a process whereby people “carefully examine a problem and arrive at a well-reasoned solution aft er a period of inclusive, respectful consideration of diverse points of view.”40 Gastil and his colleagues in organizations such as the Kettering Foundation and the National Coalition for Dialogue and Deliberation are pursuing a research program that foregrounds the democratic telos of deliberative processes. Work in this area features a blend of concrete interventions and studies of citizen empowerment.41 Notably, a key theme in much of this literature concerns the relationship between deliberation and debate, with the latter term often loaded with pejorative baggage and working as a negative foil to highlight the positive qualities of deliberation.42 “Most political discussions, however, are debates. Stories in the media turn politics into a never-ending series of contests. People get swept into taking sides; their energy goes into figuring out who or what they’re for or against,” says Kettering president David Mathews and coauthor Noelle McAfee. “Deliberation is different. It is neither a partisan argument where opposing sides try to win nor a casual conversation conducted with polite civility. Public deliberation is a means by which citizens make tough choices about basic purposes and directions for their communities and their country. It is a way of reasoning and talking together.”43 Mathews and McAfee’s distrust of the debate process is almost paradigmatic amongst theorists and practitioners of Kettering-style deliberative democracy. One conceptual mechanism for reinforcing this debate-deliberation opposition is characterization of debate as a process inimical to deliberative aims, with debaters adopting dogmatic and fixed positions that frustrate the deliberative objective of “choice work.” In this register, Emily Robertson observes, “unlike deliberators, debaters are typically not open to the possibility of being shown wrong. . . . Debaters are not trying to find the best solution by keeping an open mind about the opponent’s point of view.”44 Similarly, founding documents from the University of Houston–Downtown’s Center for Public Deliberation state, “Public deliberation is about choice work, which is different from a dialogue or a debate. In dialogue, people oft en look to relate to each other, to understand each other, and to talk about more informal issues. In debate, there are generally two positions and people are generally looking to ‘win’ their side.”45 Debate, cast here as the theoretical scapegoat, provides a convenient, low-water benchmark for explaining how other forms of deliberative interaction better promote cooperative “choice work.” The Kettering-inspired framework receives support from perversions of the debate process such as vapid presidential debates and verbal pyrotechnics found on Crossfire-style television shows.46 In contrast, the intelligence community’s debating initiative stands as a nettlesome anomaly for these theoretical frameworks, with debate serving, rather than frustrating, the ends of deliberation. The presence of such an anomaly would seem to point to the wisdom of fashioning a theoretical orientation that frames the debate-deliberation connection in contingent, rather than static terms, with the relationship between the categories shift ing along with the various contexts in which they manifest in practice.47 Such an approach gestures toward the importance of rhetorically informed critical work on multiple levels. First, the contingency of situated practice invites analysis geared to assess, in particular cases, the extent to which debate practices enable and/ or constrain deliberative objectives. Regarding the intelligence community’s debating initiative, such an analytical perspective highlights, for example, the tight connection between the deliberative goals established by intelligence officials and the cultural technology manifest in the bridge project’s online debating applications such as Hot Grinds. An additional dimension of nuance emerging from this avenue of analysis pertains to the precise nature of the deliberative goals set by bridge. Program descriptions notably eschew Kettering-style references to democratic citizen empowerment, yet feature deliberation prominently as a key ingredient of strong intelligence tradecraft . Th is caveat is especially salient to consider when it comes to the second category of rhetorically informed critical work invited by the contingent aspect of specific debate initiatives. To grasp this layer it is useful to appreciate how the name of the bridge project constitutes an invitation for those outside the intelligence community to participate in the analytic outreach eff ort. According to Doney, bridge “provides an environment for Analytic Outreach—a place where IC analysts can reach out to expertise elsewhere in federal, state, and local government, in academia, and industry. New communities of interest can form quickly in bridge through the ‘web of trust’ access control model—access to minds outside the intelligence community creates an analytic force multiplier.”48 This presents a moment of choice for academic scholars in a position to respond to Doney’s invitation; it is an opportunity to convert scholarly expertise into an “analytic force multiplier.” In reflexively pondering this invitation, it may be valuable for scholars to read Greene and Hicks’s proposition that switch-side debating should be viewed as a cultural technology in light of Langdon Winner’s maxim that “technological artifacts have politics.”49 In the case of bridge, politics are informed by the history of intelligence community policies and practices. Commenter Th omas Lord puts this point in high relief in a post off ered in response to a news story on the topic: “[W]hy should this thing (‘bridge’) be? . . . [Th e intelligence community] on the one hand sometimes provides useful information to the military or to the civilian branches and on the other hand it is a dangerous, out of control, relic that by all external appearances is not the slightest bit reformed, other than superficially, from such excesses as became exposed in the cointelpro and mkultra hearings of the 1970s.”50 A debate scholar need not agree with Lord’s full-throated criticism of the intelligence community (he goes on to observe that it bears an alarming resemblance to organized crime) to understand that participation in the community’s Analytic Outreach program may serve the ends of deliberation, but not necessarily democracy, or even a defensible politics. Demand-driven rhetoric of science necessarily raises questions about what’s driving the demand, questions that scholars with relevant expertise would do well to ponder carefully before embracing invitations to contribute their argumentative expertise to deliberative projects. By the same token, it would be prudent to bear in mind that the technological determinism about switch-side debate endorsed by Greene and Hicks may tend to flatten reflexive assessments regarding the wisdom of supporting a given debate initiative—as the next section illustrates, manifest differences among initiatives warrant context-sensitive judgments regarding the normative political dimensions featured in each case. Public Debates in the EPA Policy Process The preceding analysis of U.S. intelligence community debating initiatives highlighted how analysts are challenged to navigate discursively the heteroglossia of vast amounts of diff erent kinds of data flowing through intelligence streams. Public policy planners are tested in like manner when they attempt to stitch together institutional arguments from various and sundry inputs ranging from expert testimony, to historical precedent, to public comment. Just as intelligence managers find that algorithmic, formal methods of analysis often don’t work when it comes to the task of interpreting and synthesizing copious amounts of disparate data, public-policy planners encounter similar challenges. In fact,the argumentative turn in public-policy planning elaborates an approach to public-policy analysis that foregrounds deliberative interchange and critical thinking as alternatives to “decisionism,” the formulaic application of “objective” decision algorithms to the public policy process. Stating the matter plainly, Majone suggests, “whether in written or oral form, argument is central in all stages of the policy process.” Accordingly, he notes, “we miss a great deal if we try to understand policy-making solely in terms of power, influence, and bargaining, to the exclusion of debate and argument.”51 One can see similar rationales driving Goodwin and Davis’s EPA debating project, where debaters are invited to conduct on-site public debates covering resolutions craft ed to reflect key points of stasis in the EPA decision-making process. For example, in the 2008 Water Wars debates held at EPA headquarters in Washington, D.C., resolutions were crafted to focus attention on the topic of water pollution, with one resolution focusing on downstream states’ authority to control upstream states’ discharges and sources of pollutants, and a second resolution exploring the policy merits of bottled water and toilet paper taxes as revenue sources to fund water infrastructure projects. In the first debate on interstate river pollution, the team of Seth Gannon and Seungwon Chung from Wake Forest University argued in favor of downstream state control, with the Michigan State University team of Carly Wunderlich and Garrett Abelkop providing opposition. In the second debate on taxation policy, Kevin Kallmyer and Matthew Struth from University of Mary Washington defended taxes on bottled water and toilet paper, while their opponents from Howard University, Dominique Scott and Jarred McKee, argued against this proposal. Reflecting on the project, Goodwin noted how the intercollegiate Switch-Side Debating Meets Demand-Driven Rhetoric of Science 107 debaters’ ability to act as “honest brokers” in the policy arguments contributed positively to internal EPA deliberation on both issues.52 Davis observed that since the invited debaters “didn’t have a dog in the fight,” they were able to give voice to previously buried arguments that some EPA subject matter experts felt reticent to elucidate because of their institutional affiliations.53 Such findings are consistent with the views of policy analysts advocating the argumentative turn in policy planning. As Majone claims, “Dialectical confrontation between generalists and experts often succeeds in bringing out unstated assumptions, conflicting interpretations of the facts, and the risks posed by new projects.”54 Frank Fischer goes even further in this context, explicitly appropriating rhetorical scholar Charles Willard’s concept of argumentative “epistemics” to flesh out his vision for policy studies: Uncovering the epistemic dynamics of public controversies would allow for a more enlightened understanding of what is at stake in a particular dispute, making possible a sophisticated evaluation of the various viewpoints and merits of different policy options. In so doing, the differing, oft en tacitly held contextual perspectives and values could be juxtaposed; the viewpoints and demands of experts, special interest groups, and the wider public could be directly compared; and the dynamics among the participants could be scrutizined. This would by no means sideline or even exclude scientific assessment; it would only situate it within the framework of a more comprehensive evaluation.55 As Davis notes, institutional constraints present within the EPA communicative milieu can complicate eff orts to provide a full airing of all relevant arguments pertaining to a given regulatory issue. Thus, intercollegiate debaters can play key roles in retrieving and amplifying positions that might otherwise remain sedimented in the policy process. The dynamics entailed in this symbiotic relationship are underscored by deliberative planner John Forester, who observes, “If planners and public administrators are to make democratic political debate and argument possible, they will need strategically located allies to avoid being fully thwarted by the characteristic self-protecting behaviors of the planning organizations and bureaucracies within which they work.”56 Here, an institution’s need for “strategically located allies” to support deliberative practice constitutes the demand for rhetorically informed expertise, setting up what can be considered a demand-driven rhetoric of science. As an instance of rhetoric of science scholarship, this type of “switch-side public 108 Rhetoric & Public Affairs debate” differs both from insular contest tournament debating, where the main focus is on the pedagogical benefit for student participants, and first-generation rhetoric of science scholarship, where critics concentrated on unmasking the rhetoricity of scientific artifacts circulating in what many perceived to be purely technical spheres of knowledge production.58 As a form of demand-driven rhetoric of science, switch-side debating connects directly with the communication field’s performative tradition of argumentative engagement in public controversy—a different route of theoretical grounding than rhetorical criticism’s tendency to locate its foundations in the English field’s tradition of literary criticism and textual analysis.59 Given this genealogy, it is not surprising to learn how Davis’s response to the EPA’s institutional need for rhetorical expertise took the form of a public debate proposal, shaped by Davis’s dual background as a practitioner and historian of intercollegiate debate. Davis competed as an undergraduate policy debater for Howard University in the 1970s, and then went on to enjoy substantial success as coach of the Howard team in the new millennium. In an essay reviewing the broad sweep of debating history, Davis notes, “Academic debate began at least 2,400 years ago when the scholar Protagoras of Abdera (481–411 bc), known as the father of debate, conducted debates among his students in Athens.”60 As John Poulakos points out, “older” Sophists such as Protagoras taught Greek students the value of dissoi logoi, or pulling apart complex questions by debating two sides of an issue.61 The few surviving fragments of Protagoras’s work suggest that his notion of dissoi logoi stood for the principle that “two accounts [logoi] are present about every ‘thing,’ opposed to each other,” and further, that humans could “measure” the relative soundness of knowledge claims by engaging in give-and-take where parties would make the “weaker argument stronger” to activate the generative aspect of rhetorical practice, a key element of the Sophistical tradition.62 Following in Protagoras’s wake, Isocrates would complement this centrifugal push with the pull of synerchesthe, a centripetal exercise of “coming together” deliberatively to listen, respond, and form common social bonds.63 Isocrates incorporated Protagorean dissoi logoi into synerchesthe, a broader concept that he used flexibly to express interlocking senses of (1) inquiry, as in groups convening to search for answers to common questions through discussion;64 (2) deliberation, with interlocutors gathering in a political setting to deliberate about proposed courses of action;65 and (3) alliance formation, a form of collective action typical at festivals,66 or in the exchange of pledges that deepen social ties.67 Switch-Side Debating Meets Demand-Driven Rhetoric of Science 109 Returning once again to the Kettering-informed sharp distinction between debate and deliberation, one sees in Isocratic synerchesthe, as well as in the EPA debating initiative, a fusion of debate with deliberative functions. Echoing a theme raised in this essay’s earlier discussion of intelligence tradecraft , such a fusion troubles categorical attempts to classify debate and deliberation as fundamentally opposed activities. Th e significance of such a finding is amplified by the frequency of attempts in the deliberative democracy literature to insist on the theoretical bifurcation of debate and deliberation as an article of theoretical faith. Tandem analysis of the EPA and intelligence community debating initiatives also brings to light dimensions of contrast at the third level of Isocratic synerchesthe, alliance formation. Th e intelligence community’s Analytic Outreach initiative invites largely one-way communication flowing from outside experts into the black box of classified intelligence analysis. On the contrary, the EPA debating program gestures toward a more expansive project of deliberative alliance building. In this vein, Howard University’s participation in the 2008 EPA Water Wars debates can be seen as the harbinger of a trend by historically black colleges and universities (hbcus) to catalyze their debate programs in a strategy that evinces Davis’s dual-focus vision. On the one hand, Davis aims to recuperate Wiley College’s tradition of competitive excellence in intercollegiate debate, depicted so powerfully in the feature film The Great Debaters, by starting a wave of new debate programs housed in hbcus across the nation.68 On the other hand, Davis sees potential for these new programs to complement their competitive debate programming with participation in the EPA’s public debating initiative. Th is dual-focus vision recalls Douglas Ehninger’s and Wayne Brockriede’s vision of “total” debate programs that blend switch-side intercollegiate tournament debating with forms of public debate designed to contribute to wider communities beyond the tournament setting.69 Whereas the political telos animating Davis’s dual-focus vision certainly embraces background assumptions that Greene and Hicks would find disconcerting—notions of liberal political agency, the idea of debate using “words as weapons”70—there is little doubt that the project of pursuing environmental protection by tapping the creative energy of hbcu-leveraged dissoi logoi differs significantly from the intelligence community’s eff ort to improve its tradecraft through online digital debate programming. Such diff erence is especially evident in light of the EPA’s commitment to extend debates to public realms, with the attendant possible benefits unpacked by Jane Munksgaard and Damien Pfister: 110 Rhetoric & Public Affairs Having a public debater argue against their convictions, or confess their indecision on a subject and subsequent embrace of argument as a way to seek clarity, could shake up the prevailing view of debate as a war of words. Public uptake of the possibility of switch-sides debate may help lessen the polarization of issues inherent in prevailing debate formats because students are no longer seen as wedded to their arguments. This could transform public debate from a tussle between advocates, with each public debater trying to convince the audience in a Manichean struggle about the truth of their side, to a more inviting exchange focused on the content of the other’s argumentation and the process of deliberative exchange.71 Reflection on the EPA debating initiative reveals a striking convergence among (1) the expressed need for dissoi logoi by government agency officials wrestling with the challenges of inverted rhetorical situations, (2) theoretical claims by scholars regarding the centrality of argumentation in the public policy process, and (3) the practical wherewithal of intercollegiate debaters to tailor public switch-side debating performances in specific ways requested by agency collaborators. These points of convergence both underscore previously articulated theoretical assertions regarding the relationship of debate to deliberation, as well as deepen understanding of the political role of deliberation in institutional decision making. But they also suggest how decisions by rhetorical scholars about whether to contribute switch-side debating acumen to meet demand-driven rhetoric of science initiatives ought to involve careful reflection. Such an approach mirrors the way policy planning in the “argumentative turn” is designed to respond to the weaknesses of formal, decisionistic paradigms of policy planning with situated, contingent judgments informed by reflective deliberation. Conclusion Dilip Gaonkar’s criticism of first-generation rhetoric of science scholarship rests on a key claim regarding what he sees as the inherent “thinness” of the ancient Greek rhetorical lexicon.72 That lexicon, by virtue of the fact that it was invented primarily to teach rhetorical performance, is ill equipped in his view to support the kind of nuanced discriminations required for eff ective interpretation and critique of rhetorical texts. Although Gaonkar isolates rhetoric of science as a main target of this critique, his choice of subject matter Switch-Side Debating Meets Demand-Driven Rhetoric of Science 111 positions him to toggle back and forth between specific engagement with rhetoric of science scholarship and discussion of broader themes touching on the metatheoretical controversy over rhetoric’s proper scope as a field of inquiry (the so-called big vs. little rhetoric dispute).73 Gaonkar’s familiar refrain in both contexts is a warning about the dangers of “universalizing” or “globalizing” rhetorical inquiry, especially in attempts that “stretch” the classical Greek rhetorical vocabulary into a hermeneutic metadiscourse, one pressed into service as a master key for interpretation of any and all types of communicative artifacts. In other words, Gaonkar warns against the dangers of rhetoricians pursuing what might be called supply-side epistemology, rhetoric’s project of pushing for greater disciplinary relevance by attempting to extend its reach into far-flung areas of inquiry such as the hard sciences. Yet this essay highlights how rhetorical scholarship’s relevance can be credibly established by outsiders, who seek access to the creative energy flowing from the classical Greek rhetorical lexicon in its native mode, that is, as a tool of invention designed to spur and hone rhetorical performance. Analysis of the intelligence community and EPA debating initiatives shows how this is the case, with government agencies calling for assistance to animate rhetorical processes such as dissoi logoi (debating different sides) and synerchesthe (the performative task of coming together deliberately for the purpose of joint inquiry, collective choice-making, and renewal of communicative bonds).74 Th is demand-driven epistemology is diff erent in kind from the globalization project so roundly criticized by Gaonkar. Rather than rhetoric venturing out from its own academic home to proselytize about its epistemological universality for all knowers, instead here we have actors not formally trained in the rhetorical tradition articulating how their own deliberative objectives call for incorporation of rhetorical practice and even recruitment of “strategically located allies”75 to assist in the process. Since the productivist content in the classical Greek vocabulary serves as a critical resource for joint collaboration in this regard, demand-driven rhetoric of science turns Gaonkar’s original critique on its head. In fairness to Gaonkar, it should be stipulated that his 1993 intervention challenged the way rhetoric of science had been done to date, not the universe of ways rhetoric of science might be done in the future. And to his partial credit, Gaonkar did acknowledge the promise of a performance-oriented rhetoric of science, especially one informed by classical thinkers other than Aristotle.76 In his Ph.D. dissertation on “Aspects of Sophistic Pedagogy,” Gaonkar documents how the ancient sophists were “the greatest champions” 112 Rhetoric & Public Affairs of “socially useful” science,77 and also how the sophists essentially practiced the art of rhetoric in a translational, performative register: Th e sophists could not blithely go about their business of making science useful, while science itself stood still due to lack of communal support and recognition. Besides, sophistic pedagogy was becoming increasingly dependent on the findings of contemporary speculation in philosophy and science. Take for instance, the eminently practical art of rhetoric. As taught by the best of the sophists, it was not simply a handbook of recipes which anyone could mechanically employ to his advantage. On the contrary, the strength and vitality of sophistic rhetoric came from their ability to incorporate the relevant information obtained from the on-going research in other fields.78 Of course, deep trans-historical diff erences make uncritical appropriation of classical Greek rhetoric for contemporary use a fool’s errand. But to gauge from Robert Hariman’s recent reflections on the enduring salience of Isocrates, “timely, suitable, and eloquent appropriations” can help us postmoderns “forge a new political language” suitable for addressing the complex raft of intertwined problems facing global society. Such retrospection is long overdue, says Hariman, as “the history, literature, philosophy, oratory, art, and political thought of Greece and Rome have never been more accessible or less appreciated.”79 Th is essay has explored ways that some of the most venerable elements of the ancient Greek rhetorical tradition—those dealing with and deliberation—can be retrieved and adapted to answer calls in the contemporary milieu for cultural technologies capable of dealing with one of our time’s most daunting challenges. This challenge involves finding meaning in inverted rhetorical situations characterized by an endemic surplus of heterogeneous content.

#### Argument by definition requires limits—the existence of clash in this round doesn’t mean there’s an appropriate frame of reference. This proves ground is key—not because we’d have nothing to say, but because setting the agenda makes us negate descriptive facts or moral truisms instead of collectively reason

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The final two characteristics identified by Brockriede--a willingness to risk confrontation and a shared frame of reference--also are not necessary attributes of argument. People often support their claims with reasons and evidence although they don't share a frame of reference or risk confrontation. When the Soviet and United States ambassadors to the United Nations engage in debate, they support their claims, but there is no risk of self and no shared frame of reference. Thus, characteristics (5) and (6) are not essential to the definition of argument. Rather, they are essential to the successful resolution of argument. Without a shared frame of reference and a willingness to risk the self, there is little chance of rationally resolving a dispute.

Conclusion

The functional approach to the study of argumentation is valuable because it provides a clear definition of the scope of argumentation. It recognizes that **while all argument is rhetorical, not all rhetoric is argument**. One danger associated with some recent work on argument is that the term argument itself becomes so broad that it loses all meaning. **If argument is** defined to include **all disagreement**, all comparison of construct systems, and all instances in which an individual believes that he or she is arguing then essentially all communication is argument.

A more useful definitional move is to treat argument as the symbolic form(s) we use to solve problems rationally. This implies that argument is the method of reason. Such a definition sets the limits of argumentation and defines the form of argument in relation to the function of arguing. Moreover, so to define argument recognizes the role of evaluation in the study of argument. Merely to describe an argument or set of arguments leaves their human significance out of consideration. Once the arguments of a speech, essay, or other verbal interaction have been described with accuracy, the next point of critical interest is naturally the arguments' relative quality as efforts to induce closure. The value of examining arguments is undercut if description becomes the only aim of criticism of argumentation. A socially satisfying definition of argument and a useful theory of argumentation must provide at least trained theorists with grounds for distinguishing between weak and strong arguments, as the functional definition does.

Some will perhaps object that the functional definition of argument for which I have contended restricts a student of argumentation to study of propositional discourse. This is true in the sense that my definition identifies reason-giving as a fundamental characteristic of argument, and reason-giving is propositional. On the other hand, an issue that needs clarification in theory of argument, as I have shown, is whether "argumentation" and "rhetoric" are to be considered synonymous. If so, the concept of "argument" becomes unnecessary; the concept of "rhetoric" is sufficient. My contention is that arguments occur in rhetoric and need to be recognized, described, and evaluated in light of their unique functional and formal features. Arguments cannot be understood by applying the same kinds of analysis as we would apply if, say, rhythm were our point of interest. Arguments are formally and functionally different from rhythmic patterns, situational constraints, levels of vocabulary, and the like-all features of rhetoric. If argument is taken to be the means by which humans rationally solve problems-or try to, arguments can be identified , described, and evaluated critically as part of the broader enterprise of identifying, describing, and evaluating rhetoric. Across centuries, people have believed there is such a process as trying to arrive at preferred conclusions by rational means, rather than by non-rational means. That process, I have argued, entails distinctive verbal forms appropriate to the function of the process. It is at least useful to give such purposeful forms and function a name. Traditionally and contemporaneously "argument" is philosophically and etymologically the appropriate name.

#### Precisely defining terms is pedagogically valuable—T debates provide portable skills needed to settle all major questions

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I. THE IMPORTANCE OF DEFINING TERMS

The definition of terms—the advocate's supported interpretation of the meaning of the words in a proposition—is an essential part of debate. In some instances the opposing advocates will agree right away on the definition of terms, and the debate will move on to other issues. In other cases the locus of the debate may be the definition of a key term or terms, and definitions become the **"voting issue**" that decides the debate. In all debates, however, a shared understanding of the interpretation of the proposition is necessary to guide argumentation and decision making.

Many intercollegiate debate propositions call for the "federal government" to adopt a certain policy. Often the term is self-evident in the context of the proposition, and no definition is necessary. In debates on the 2001-2002 CEDA proposition. "Resolved: That the United States Federal Government should substantially increase federal control throughout Indian Country in one or more of the following areas: child welfare, criminal justice, employment, environmental protection, gaming, resource management, taxation," the affirmative merely designated the appropriate federal agency (for example. The bureau of Indian Affairs or the Environmental Protection Agency) to cam' out its policy, and the debate moved on to other issues. However, sometimes other terms in the proposition (for instance, Indian Country) become critical issues of the debate. Not infrequently the negative will raise the issue of topicality and argue that the affirmative's plan is not the best definition, or interpretation, of the proposition. In debates on propositions of value, the clash over definitions or criteria may be crucial to the outcome.

In debates outside the educational setting, the same situation prevails. In some debates the definition of terms is easy and obvious—they need only be stated "for the record." and the debate proceeds to other issues. In other debates however, the definition may be all-important. For instance physicians, clerics, and ethicists conduct long, hard-fought debates on the critical issue of when life begins: At conception? When the fetus becomes capable of surviving outside the womb? When the brain begins to function? Or at the moment of birth?

Exactly the opposite problem arose, and continues, in debates over the use of organ transplants. Does death occur when breathing slops? When the heart stops? Or when the brain ceases to function? Some states have debated this Issue and adopted new definitions of death; in other states the debate continues. Similarly, environmentalists seeking protection from development for valued resources debate the definition of wetlands in public hearings; owners of sports franchises work to redefine players' salaries to fit within predetermined salary caps; and customers considering new product purchases study competing definitions of value. In February 2004, President Bush called upon the Congress to "promptly pass and send to the states for ratification, an amendment to our Constitution defining and protecting marriage as a union of a man and a woman as husband and wife." This advocacy by the president was an attempt to define "marriage" in such a way as to limit it to heterosexual couples. A public debate about the meaning of marriage, and its alternative, "civil union," ensued. Definitional debates have political, moral, and personal implications. What is poverty? Obesity? Adulthood? In 2007, the meaning of the term "surge" in reference to the United States military' action in Iraq was hotly contested. Was this an expansion of the war or simply provision of necessary resources to achieve existing objectives? The 2007 immigration reform offered the opportunity for illegal immigrants working in this country to achieve citizenship through a cumbersome and expensive process. The reform legislation failed in part because it was termed "amnesty" by its opponents. Likewise, the definition of "terrorism" creates significant problems in our foreign policy.

## 2nc

**The 1ac makes sacrifice awesome -- that equates violence as necessary to the social order -- reject it**

**Lacquer '0** Thomas, "Festival of Punishment" London Review of Books

http://www.lrb.co.uk/v22/n19/thomas-laqueur/festival-of-punishment

**Yet there is still something awesome about an execution**, perhaps all the more an execution carried out in the bowels of a great institution at dead of night, before a small audience – or none at all – by executioners who in another setting would be doctors and nurses. **It has been awesome since Neolithic times, when our ancestors sacrificed humans to assure fertility and through all the festivities of antiquity and the Ancien Régime it has remained so.** Some people in this country can imagine a secure moral order only if it is somehow underwritten by these exercises in death. Most people would want, on first impulse, to cause as much pain as possible to those who cause pain to their loved ones**. It is the work of civilisation to mitigate such impulses, to acknowledge that this sort of sacrificial violence is no longer necessary to sustain the social compact. We no longer live in the supposedly unified communities of old. Human sacrifice is not what keeps a pluralistic society together and it is time that some American politician said as much.**

**If you thought the 1ac might rubber-stamp some sick shit -- well, you'd be right**

Paul **Mann**, 19**99**, “The Afterlife of the Avant-Garde” in Masocriticism, p. 15-6

In their own way, Bataille’s ideas are at least as troubling as Sade’s. They seem to invite us to rationalize rampant consumerism, to excuse toxic dumping an other environmental disasters, to romanticize nuclear holocaust (what more glorious and solar expenditure of life?), or to speak about poverty as luxury and leave the poor to rot in the streets. Perhaps that is what Bataille wants us to think, and, if so, one might well be troubled by his writing.

#### Baudrillard is the worst example of ivory tower academia—instead of dealing with real problems on the ground, he retreats into his safe western university and makes statements which echo colonialism and authorize genocide by cloaking war in philosophical terms. Technology makes war MORE real, not less—the correct course is ACTION to abate the CONSEQUENCES OF WAR. Star this card, because it lights their kritik on fire.

**BALSAS, 2006** [BALSAS is an interdisciplinary journal on media culture. Interview with Art Group BBM, “on first cyborgs, aliens and other sides of new technologies,” translated from lithiuanian <http://www.balsas.cc/modules.php?name=News&file=print&sid=151>]

Valentinas: We all know that Jean Baudrillard did not believe that the Gulf War did take place, as it was over-mediated and over-simulated. In fact, the Gulf War II is still not over, and Iraq became much more than just a Frankenstein laboratory for the new media, technology and “democracy” games. What can we learn from wars that do not take place, even though they cannot be finished? Are they becoming a symptom of our times as a confrontation between multiple time-lines, ideologies and technologies in a single place?

Lars: Actually, it has always been the same: new wars have been better test-beds for the state of art technologies and the latest computer-controlled firearms. The World War I already was a fully mechanized war where pre-robots were fighting each other and gassing the troops. And afterwards, the winners shape the new world order.

Olaf: **Who on hell is Baudrillard**? The one who earns money by publishing his prognoses after the things happen? **What a fuck,** **French philosophy deals too much with luxury problems and elegantly ignores the problem itself**. It’s no wonder, **this is the colonizer’s mentality**, you can hear it roaring in their words: **they use phrases made to camouflage genocide.**

I went to see that Virilio’s exhibition "Ce qui arrive" at Foundation Cartier in 2003. I was smashed by that banal presentation of  the evil of all kinds: again, natural catastrophes and evil done by man were exposed on the same wall, glued together with a piece of "theory". There you find it all, filed up in one row: the pure luxury of the Cartier-funded Jean Nouvel building, an artwork without any blood in its veins, and that late Christian philosophy about the techno-cataclysm being the revenge of God. **Pure shit, turned into gold in the holy cellars of the modern alchemists’ museums.**

The artist-made video "documents" of the Manhattan towers opposed to Iraqian war pictures: that’s not Armageddon, that’s man-invented war technology to be used to subdue others. And **there is always somebody who pushes the buttons,** even when the button is a computer mouse some ten thousand kilometers away from the place where **people die**, or even if it is a civil airplanes redirected by Islamists. Everybody knows that. **War technology has always been made to make killing easier**. And to produce martyrs as well.

Janneke: Compare Baudrillard with **Henry Dunant,** the founder of the International Committee of the Red Cross. Dunant was no philosopher, he was just an intelligent rich man in the late 19th century. But his ideas went far more in the direction where **you should hope to find** **philosophers** as well. He experienced war as a "randonneur": he passed by, he saw the suffering and the inhumanity of war. **And he felt obliged to act**. Apart from the maybe 10 days he spent on the battlefield, on the beautiful meadows in the Europeans Alps, helping wounded people to survive, as a complete medical layman he decided to do something more sustainable against these odds. He knew that his efforts couldn’t prevent war in general, but he felt that he could alter the cruelty of reality. **And he succeeded in doing it**. No wonder that in our days we find the most engaged people to support the TROIA projects intention in Geneva, where they are still based. And they are not only doing their necessary surgeon’s work in the field: they are as well **fighting with the same energy on the diplomatic battlefield.**

#### This causes nihilism, making domination inevitable

**Kellner 89** – Philosophy, UCLA (Douglas, Jean Baudrillard, p 107-8)

In Baudrillard, by contrast, life does not exist as an autonomous source of value, and the body exists only as ‘the caarnality of signs,’ as a mode of display of signification. His sign fetishism erases all materialjty from the body and social life, and makes possible a fascinated aestheticized fetishism of signs as the primary ontological reality. This way of seeing erases suffering, disease, pain and the horror of death from the body and social life and replaces it with the play of signs — Baudrillard’s alternative. Politics too is reduced to a play of signs, and the ways in which different politics alleviate or intensify human suffering disappears from the Baudrillardian universe. Consequently Baudrillard’s theory spirals into a fascination with signs which leads him to embrace certain privileged forms of sign culture and to reject others (that is, the theoretical signs of modernity such as meaning, truth, the social, power and so on) and to pay less and less attention to materiality (that is, to needs, desire, suffering and so on) a trajectory will ultimately lead him to embrace nihilism (see 4.4).

**Bataille is wrong—his theories of death and sacrifice are based on non-falsifiable assertions contradicted by real world anthropological data**

**Olson**, Allegheny College, **1994** [Carl, “Eroticism, violence, and sacrifice: A postmodern theory of religion and ritual,” *Method & Theory in the Study of Religion* 6.3, p. 237-238, 241-248]

4. Eroticism and death **Without giving any historical proof** for his position, Bataille asserts that the origin of eroticism can be traced prior to the division of humanity into those who were free and those who were slaves. It's origins can be found m pre- historic signs of erotic life embodied by figures with large breasts and erect penises, but its foundation is the sexual act itself (Bataille 1989a: 66). The knowledge of death plays an important role m the origin of eroticism. **Al-though his claim cannot be refuted or proven**, Bataille asserts that prehistoric beings were aware of death, an awareness that gave nse to an awareness of eroticism. The knowledge of death is essential because it gives rise to a sensibility that m turn stimulates eroticism, an extreme emotion that sepa- rates the sexuality of humans from that of animals (Bataille 1989a: 31-32, 23).5 The difference between humans and animals is more precisely defined when he states that "eroticism differs from the animal sexual impulse m that it is, m principle, just as work is, the conscious searching for an end, for sensual pleasure." (Bataille 1989a: 44) There is also an anticipation by the participants m erotic play that it will culminate with sensual pleasure. In the pleasure of erotic play one does not gain anything or become enriched, unlike [continues…] 6. Bataille's theory and the Sun Dance **Bataille failed to test his theory of sacrifice by applying it to actual examples of sacrifice** m the religions of the world. Havmg defined the nature of sacnfice for Bataille, it is therefore necessary to compare it to an actual sacnfice. In order to demonstrate the shortcomings of Bataille's theory of sacrifice I have chosen to apply it to the Sun Dance of the Sioux. Following this example, I suggest that, contrary to Bataille's theory, a more reasonable interpretation of the Sun Dance can be attained by concentratmg on its symbolism. This approach is suggested by the theoretical work of Clifford Geertz (1971) and Victor Turner (1967; 1968; 1975), the latter of whom refers to a symbol as the smallest umt of ntual or as storage umts of dynamic entities. My account of the Sun Dance relies on the work James R. Walker (1980) because his information was gathered from several different sources, and it represents the most authoritative account available to us of the rite in one period of its history My approach presupposes that the nte and its meaning have continued to change m response to new circumstances for the Sioux. By selectmg this nte, I am bemg eminently fair to Bataille, from one perspective, because the erotic and violent features of the Sun Dance could be used to prove the validity of his theory The complexity of the Sun Dance makes it difficult to interpret. Although he does not consider the Sun Dance of the Sioux, Jorgensen (1972: 206, 236) interprets, for mstance, the Ute and Shoshone nte as an acquisition of power that transforms the person and allows him to gain power, status, and autonomy From another perspective, Melody (1976) interprets the Sun Dance of the Sioux as a commemoration of tribal virtues expressed m the dance, a celebration of the people, an acknowledgment of the generative power of the sun, and a celebration of renewal. The rejoicing over renewal of the world is close to Hultkrantz's mterpretation (1981. 238) of the nte as a recreation of the cosmos. According to Hassnck (1967' 238, 248), the Sun Dance represents a socially umfymg activityactivity and a chance to resolve a conflict between an individual ego and the adjustment to the physical and social forces. And Lewis (1972: 47) mterprets the Sun Dance in terms of its various functions: umfymg force; maintaining tribal traditions; insuring tribal well-bemg in huntmg and warfare; offering to the dancer perpetual prestige. I propose offenng a different mterpretive approach for the Sun Dance that cntically reflects on Bataille's theory According to this interpretation, the Sun Dance of the Sioux exhibits a threefold significance: existential, social, and cosmic. In other words, if one examines the many symbols associated with the nte, one will see that this sacnfice enables one to attain three levels of being. While the sacred pole was bemg pamted, mstructors and students sat m a circle around the black painted figures of a buffalo and man, each de- picted with exaggerated gemtals, m order to impart to the man the potency of Iya, patron-god of libertmism, and to the buffalo the potency of Gnaski, the crazy buffalo and patron-god of licentiousness (Walker 1980: 107-108). According to Black Elk's non-nsqué interpretation of the images, the buffalo represented all the four-legged animals on the earth, and the figure of the man signified all people (Brown 1979' 79). In contrast, Bataille would be quick to seize on the erotic connections of the patron gods of libertinism and licentiousness. However, if the erotic is a quest for sensual pleasure, repre- sents a realm of play, and reveals a foretaste of continuity, it cannot be used to interpret the meaning of Iya and Gnaski because within the context of the Sun Dance they more powerfully suggest the renewal and recreation motifs of the rite. Bataille's concept of eroticism also would not fit into an insightful interpretation of the Sun Dance as a dominant theme of the rite because of its anti-social character as a solitary activity accomplished m secret. **The** heterological **method of Bataille is intended to alleviate the contra- dictions of life and free the individual from the homogeneity of the world. In contrast to Bataille's insistence on a search for radical difference, the world- view of the Sioux**, embodied m the symbolic aspects of the Sun Dance con-ceived as an offering of body and soul to Wakan-Tanka (the Great Spmt), **suggests a homogeneous view of the cosmos**. The umverse, for mstance, is represented by the round form of the ceremomal drum, whose steady beat is the throbbmg at the centre of the cosmos (Brown 1979' 69). Within the context of the Sun Dance, the cosmic pillar of the umverse is represented by the cottonwood tree, which further represents the enemy who is symbolically killed and transported back to the centre of the campcamp by means of sticks because human hands are not allowed to touch the body The ntual partic- ipants consecrate the tree with the stem of the sacred pipe, another symbol of the earth, the buffalo, and everything that lives and grows on the earth. Once the tree is trimmed of its branches and its sides and branch tips are painted red, the rawhide effigies of a man and a buffalo are suspended from the crosspiece of the sacred tree, which is then placed into a hole at the centre of the camp. The sacred tree not only suggests a umversal pillar, but it also represents the wayway of the people (Brown 1979 69, 75-76). Other cosmic symbols are the sun and earth signified by a red circle, symbolic of all that is sacred. In the centre of the circle representing the sun is a blue circle which suggests Wakan-Tanka, the centre of the cosmos and all existence (Brown 1979' 71-72). Moreover, the lodge of the Sun Dance is composed of twenty- eight poles, each signifying an object of creation, and staked m a circle that represents the entire created world (Brown 1979' 80). It is difficult to find anything excessive or transgressme in these cosmic symbols of the Sioux that would support Bataille's position. Rather than achieving the differentiation that Bataille's theory advocates, the sun dancer symbolically acquires the cosmos. According to the ethno- logical report of Walker (1980: 114), the candidate who dances the most excruciatingly painful form of the dance with the intention of becoming a shaman is given a small hoop by his mentor. This hoop is symbolic of the sky, the four winds, time, all things that grow, and all circular thmgs made by the tribe. After his successful completion of the dance, the sun dancer is allowed to place this symbol on his tipi. This privilege suggests that he attams all that the hoop symbolizes. Contrary to Bataille's theory, the highest aspiring sun dancer does not find that the cosmos becomes other for him, and he does not stand as an individual sovereign within the cosmos. He rather becomes part of the whole, and he acquires the cosmos. Instead of perceiving the cosmic symbolism associated with the most painful performance of the rite, Bataille's writings suggest that he would stress its sadistic and masochistic aspects. Sadism, an excessive violation of modesty and a violent excretion, is not onlyonly an eruption of excremental forces, but it also forms a limitation by subjugating whatever is opposed to such an eruption (Bataille 1970-1988: II, 56). If masochism is an enjoyment of pain, the violence exercised on the flesh of the sun dancers would be viewed by Bataille as a transgression and violation of the participant's flesh, which also calls attention to the flesh itself and connects it to the erotic. Bataille also mamtams (1984: 91) that violence agamst the flesh is an external manifestation of the internal violence of the sacnficial participant, which is perceived as a loss of blood and vanous forms of ejaculations. Moreover, for Bataille the cuttingcutting of the flesh would be suggestive of the discontinuity of the self. Unlike the solitary activity of eroticism for Bataille, the sun dancer of the Sioux rite does not distinguish or divorce himself from his society because he represents the people and suffers on their behalf during the rite. After punfymg themselves, their clothing, and the equipment to be used m the nte, the participants crycry at the centre of the campcamp and assume the suffering of the people, which enables other tribal members to gain understanding and strength (Brown 1979' 72, 78). If there is present the discontinuity charac-tenstic of Bataille's profane human society among the Sioux, the Sun Dance bridges any social divisions by uniting the social bonds of a particular tribe and umtmg them with different Indian tribes. By means of an invitation from the tribe initiating the nte prior to its begmnng, other Indian tribes are invited to participate m the nte, even though some of the visitors may be hereditary enemies (Dorsey 1894: 452). This scenano enhances the social solidarity of the Indian nation and builds a closer relationship with the things of the um- verse ; the sacred centre created by the dancers is alleged always to be with them throughout the remainder of their existence. There is no evidence of transgressme or excessive social behaviour by the sun dancers m Bataille's sense. Moreover, the dancers have acquired a sacred power dunng the nte that they may later share with other members of their societysociety According to Powers (1977' 100), the acquired power of the sun dancers may be mvested m those who are sick by the placement of the dancers' hands on the less fortunate. Thereby the sacred power is shared to cure the sick, and enter into communion with others. In comparison to Bataille's theory, the sun dancers do not differentiate themselves from their society They share a sacred power that can benefit every member of the tribe. **Bataille's heterological method and its stress on finding radical difference prevents him from seeing** the **socially unifying possibilities**

of a rite such as the Sun Dance. According to Bataille, violence is inevitable because human beings can- not totally reject it. In contrast to Bataille's theory, the Sun Dance represents a threefold sacrifice of which the initial two sacrificial actions are symbolic: cutting down the cottonwood tree which is symbolic of the enemy; shooting at the effigies of a man and buffalo suspended from the crosspiece of the sacred tree, and the final action of the actual sacrifice of human flesh on the fourth day of the rite. The second symbolic killing of the effigies of a man and buffalo, amid much rejoicing by the participants, represents the hope for future success m hunting and victory in war (Powers 1977' 98). These sym-bolic killings by the Sioux violates Bataille's assertion that violence cannot be controlled. Rather, the symbolic nature of the Sioux killings suggests a limiting and eventual termination of violence and not a promoting of any cycle of violence. Although Bataille is right to emphasize the importance of violence m sacrifice, there does not appear to be any danger that the con- tagious violence of the sacred will overflow and overwhelm the Sioux and other tribes. There are certainly martial features to the Sun Dance, but their symbolic nature suggests a containment of violence rather than any overflow- ing of it. Bataille's theory does make clear, however, that the Sioux accept violence, even though they try to reject or control it. Within the drama of the Sun Dance, there is a hint of an inherent prestige associated with victims who choose to perform the sacrifice in the most painful and violent manner. The actual sacnficial victims, for instance, can choose to dance m any of four ways-ways: gazing at the sun from dawn to dusk; having wooden skewers, tied to rawhide ropes secured about half wayway up the sacred pole, mserted into their breasts; having wooden skewers mserted mto the breasts and then being suspended about one foot off the ground; or having wooden skewers inserted which then are attached with thongs to one or more buffalo skull(s) that must be dragged along the dance area (Powers 1977' 98-99). The Sun Dance is not completed until the flesh of the victim has been torn through, representing the death and rebirth of the victim. It is permissible for others to assist by pulling on the ropes to end the victim,' agony As well, the multiple number of sun dancers contradicts Bataille's assertion (1988a: 59) that a victim represents a surplus of communal wealth and substitutes for other members of the commumty Neither is the victim an accursed share destmed for violent destruction. Bataille is nght, however, to emphasize the importance of death m sacnfice, which possesses the power to return one to continuity by means of eroticism. What he fails to see is the connection between death and spintual rebirth. And due to his notion of eroticism, which represents a disequilibrmm that stimulates a person consciously to call one's being into question, Bataille is not able to recogmze that the sun dancer is actually actually able to find his identity Although Bataille's theory of sacrifice does not account for the Sun Dance in its entirety, the rite does adhere to his theory to some extent because it calls attention to the flesh and reveals external violence and the internal violence of the subject. The violation and breaking of the sun dancer's flesh does suggest the usefulness of Bataille's observation about the intimate connection between human flesh and violence. However, by giving pieces of their flesh, the sun dancers impugn Bataille's claim that the violation of the victim's flesh connotes a connection to a sexual act. At this point, Bataille's theory is problematic because it lacks consistent sense m the context of the Sun Dance. Bataille's need to reintroduce eroticism blinds him to the facts or drama of an actual sacrifice. The flesh of the sacrificial victim m the Sun Dance represents ignorance (Brown 1979' 85) and not the dispossession of the self, an anti-social aspect of eroticism for Bataille. From an existential perspective, to be freed from the ropes tied to the skewers symbolizes freedom from the bonds of the flesh and not some erotic urge. The lack of an erotic emotion is evident m the symbolism of donning rabbit skins on the dancer's arms and legs. The rabbit is a symbol of humility, a virtue with which one must approach Wakan-Tanka. The victim is also equated symbolically with the sacred pipe that stretches from heaven to earth (Brown 1979. 74). In this context, the sacred pipe mdicates the transcending of earthlyearthly flesh. The dancer becomes the centre of the world m which the four directions meet when he is tied at the centre of the four poles, so that the four directions converge m his body (Brown 1979' 95). Within the drama of the Sun Dance, elements of eroticism, violence, and death are evident. This does not mean, however, that these features of sacrifice necessarily involve stressing separation, difference, transgression, and excess. Although it is possible to find these features in the Sun Dance to some degree, the Sioux nte stresses finding one's identity within a religious and social tradition. By successfully completmg the nte, a sun dancer does not separate himself from the group or become distinct from other things; rather, he often assumes a position of leadership within the tribe. And, as already noted, the sun dancer is intimately related to his mentor, ntual assistant or second, and other members of the tribe who play various roles m the nte. All this suggests the socially unifying nature of the nte. Moreover, within a tribal society such as the Sioux, the individual's identity is sociallysocially defined, even though one's visions and dreams help one to define oneself and one's place within a wider social context. Besides being a form of human sacnfice, the Sun Dance also functions as an initiation rite. The dancer, having died to his former ignorant condition, attains a totally new existential status of enlightenment and responsibility The ordeal that one endures is often accompanied by visions of the divine; the successful completion of the nte is a prereqmsite if one aspires to become a shaman. Walker (1980: 182) notes that after the successful completion of the Sun Dance the victim is eligible for leadership of a war party or for chieftamship. The candidate receives new meamng and status which is symbolized by the red design, drawn on his chest by the shaman as a symbol of all that is sacred. Furthermore, the victim is equated throughout the nte with the moon, which waxes and wanes, lives and dies, like all things (Brown 1979- 71). 7 Concluding remarks The significance of the Sun Dance enables us to see that there is an alternative interpretation to Bataille's theory that is more faithful to the actual evidence and is **not simply imposed on the ritual activities by the creative imagination of a theorist**. This interpretive analysis of the Sun Dance is suggested by the patterns exhibited by the nte itself and reflects more accurately the actual nte and its religious and symbolic context. Bataille, however, **includes a personal agenda** because he wants to re-introduce the erotic into religion. In other words, Bataille's theoretical speculation about eroticism shapes his theory of religion and sacnfice. Thus, his theoretical world-view takes precedence over the religious phenomena that he examines. With his involvement in the Surrealist movement, his emphasis on em- bracing bodily waste, his anal and erotic obsessions, the role of the ambiguous pineal eye in his works, and composition of excessively obscene novels, all suggest an explicit advocacy of decadence by Bataille. In his work entitled My Mother, the socially excessive theme is mcest. His novel The Blue of Noon, for mstance, focuses on the nauseous and squalid aspects of human life where its characters are engaged m endless orgies, vomiting, and unnat- mg. The erotic and death are contmually united in his Story of the Eye when, for example, the two leading libertmes of the novel have sexual mtercourse next to the cadaver of a young girl they have driven to death. Two further dramatic examples are the rape of a priest by the female protagomst and his death by strangulation and simultaneous sexual orgasm, and the death of the distracted matador gorged through his eye by the hom of a bull as he is distracted and blinded by the obscene antics of the female protagomst. Bataille's hermeneutical method of heterology is designed to lead to ex- cess and decadence. Trymg to explain his mithode de meditataon used m his book on religious expenence, Bataille wntes (1954: 216), "I think like a girl takes off her dress. At its most extreme pomt, thought is immodesty, obscen- ity itself." This kind of statement seems to suggest de Sade or Mephistopheles becommg Faust. In his work on heterology, Pefams summarily states (1991. 41) that the works of Bataille are "a theater of the excremental m whose scenes one may glimpse golden threads." Frednc Jameson (1991. 382), a self-admitted Amencan adherent of postmodern literary cnticism, affirms that decadence is a charactenstic of postmodermsm: "'Decadence' is thus in some way the very premonition of the postmodern itself, but under condi- tions that make it impossible to predict that aftermath with any sociological or cultural accuracy, **thereby divertmg the vague sense of a future into more fantastic forms**, all borrowed from the misfits and eccentrics, the perverts and the Others, or aliens, of the present (modem) system." And if, as sug- gested by Rosen (1987' 142), this decadence originates in political despair, Bataille's hermeneutical program is a political manifesto and not an apt tool for interpretmg religious phenomena. From a more positive perspective, Bataille's theory of religion does call attention to neglected elements in the study of religion in the form of bodily waste: excrement, saliva, tears, unne, mucus, dirt, skin, and so forth. Al- though his distinction between the sacred and the profane cannot be applied consistently as a useful hermeneutical device with the religious phenomena or world-view of Native Amencan Indians, his emphasis on the difference within the sacred itself is suggestive. He is also nght to stress the violent aspects of sacrifice and their sexual implications. Although violence is certainly present m the Sun Dance, the Sioux rite appears to move in the direction of nonviolence - by symbolically killing an enemy represented by a tree, for instance - that undermines Bataille's opinion that violence cannot be contained. By offering his body and soul, the Sioux sun dancer points to a renewal and continuance of cosmic generative forces. The Sun Dance also joins Indian societies together and provides for social continuity by allowing others to share m the sacred power engendered by the rituals. Moreover, the rite enables the sun dancer to become ontologically transformed by being reborn and being set free of his mortal flesh. Although there is a sense in which the sun dancer is distinctive, the emphasis of the nte is unity with societysociety and social well-being rather than stressing the differences between the sacrificial victim and society .

**This argument is ahistorical, non-falsifiable and empirically wrong in many specific instances -- there are many cultures in which sacrifice does not serve a relevant symbolic function -- consider premodern Inuit cultures, many indigenous cultures in the Pacific Northwest or First Nation Australian or Pacific Islander -- many cultures that indulged in cannibalism marketed their human flesh as a delicacy or pure commodity, and there's no reason that even if we occupy an open energy system at the physical level that sacrifice must inevitably be expressed at a cultural level -- and by the way, are you worried that we just made a bunch of these examples up without doing much if any fact-checking? Please amplify that skepticism times infinity and apply it to every affirmative argument that appeals to science, history or theories of physical energy**

Allan **STOEKL '7**, 200**7**, Professor of French and Comparative Literature – Penn State University, “Excess and Depletion: Bataille’s Surprisingly Ethical Model of Expenditure” in Reading Bataille Now edited by Shannon Winnubst, p. 254-8

To think about the use-value of Bataille, we must first think about the nature of energy in his presentation. For Bataille, excessive energy is natural: it is first solar (as it comes to us from the sun), then biological (as it passes from the sun to plants and animals to us), then human (as it is wasted in our monuments. artifacts, and social rituals). The movement from each stage to the next involves an ever-greater wasting: the sun spends its energy without being repaid; plants take the sun's energy, convert it, and throw off the excess in their wild proliferation; and animals burn off the energy conserved by plants (carnivores are much less "efficient" than herbivores), all the way up the food chain. "On the surface of the globe, *for living matter in general*, energy is always in excess, the question can always be posed in terms of extravagance [*luxe*], the choice is limited to how wealth is to he squandered {*le mode de la dilapidation des richesses*}" (1976a, 31; 1988, 23, italics in original). There never is or will be a shortage of energy; it can never be used up by man or anything else because it comes, in endless profusion, from the sun. Georges Ambrosino, Bataille's friend, a nuclear scientist, is credited in the introduction of *The Accursed Share* (1976a, 23; 1988, 191) as the inspiration for a number of the theses worked out in the book. In some unpublished "notes preliminary to the writing of *The Accursed Share*" (1976a, 465-69), Ambrosino sets out very clearly some of the ideas underlying Bataille's work: *We affirm that the appropriated energies produced during a period are superior in quantity to the appropriated energies that are strictly necessary to their production*. For production rigor of the thesis, it would be necessary to compare the appropriated energies of the same quality. The system produces all the appropriated energies that are necessary to it, it products them in greater quantities than are needed, and finally it even produces appropriated energies that its maintenance at the given level does not require. In an elliptical form, but more striking, we can say that *the energy produced is superior to the energy necessary for its production*. (I 976a, 469)4 Most striking here is the rather naive faith that, indeed, there always will be an abundance of energy, and that spending energy to get energy inevitably results in a surplus of energy. Ambrosino, in other words, projects a perpetual surplus of energy return on energy investment (EROEI).5 One can perhaps imagine how a nuclear scientist, in the early days of speculation about peaceful applications of atomic energy, might have put it this way. Or a petroleum geologist might have thought the same way, speculating on the productivity of the earth shortly after the discovery of a giant oil field.6 Over fifty years later it is much harder to think along these lines. Indeed, these assumptions are among those most contested by current energy theorists and experts. First, we might question the supposition that, since all energy in the biosphere ultimately derives from the sun, and the sun is an inexhaustible source of energy (at least in relation to the limited life spans of organisms), there will always be a surplus of energy. The correctness of this thesis depends on the perspective from which we view the sun's energy. From the perspective of an ecosystem—say, a forest—the thesis is true: them will always be more than enough solar energy so that plants can grow luxuriantly (provided growing conditions are right: soil. rainfall, etc.) and in that way supply an abundance of biomass, the excess of which will support a plethora of animals and, ultimately, humans. All living creatures will in this way always absorb more energy than is necessary for their strict survival and reproduction; the excess energy they (re)produce will inevitably, somehow, have to be burned of. If we shift this perspective slightly, however, we will see that an excess of the sun's energy is not always available. It is (and will continue to be) extremely difficult to achieve a positive energy return directly from solar energy.7 As an energy form, solar energy has proven to be accessible primarily through organic (and fossilized) concentration: wood, coal, and oil. In human society, at least as it has developed over the last few millennia, these energy sources have been tapped and have allowed the development of human culture and the proliferation of human population. It has often been argued that this development/proliferation is not due solely to technological developments and the input of human labor; instead, it is the ability to utilize highly concentrated energy sources that has made society's progress possible. Especially in the last two hundred years, human population has expanded mightily, as has the production of human wealth. This has been made possible by the energy contributed to the production and consumption processes by the combust ion of fuels in ever more sophisticated mechanical devices: first wood and then coal in steam engines, and then oil and its derivatives (including hydrogen, via natural gas) in internal combustion engines. Wealth, in other words, has its origins not just in the productivity of human labor and its ever more sophisticated technological refinements, as both the bourgeois and Marxist traditions would argue, but in the energy released from (primarily) fossil fuels through the use of innovative devices. In the progress from wood to coal, and from coal to oil, there is a constant progression in the amount of energy produced from a certain mass of material. Always more energy, not necessarily efficiently used: always more goods produced, consumers to consume them, and energy-based fertilizers to produce the food needed to feed them. The rise of civilization as we know it, then, is tied directly to the type of fuels used to power and feed it.8 Certainly BataiIle, following Ambrosino, would see in this ever-increasing energy use a continuation—but on a much grander scale—of the tendency of animals to expend energy conserved in plant matter. Indeed, burning wood is nothing more than that. But the fact remains that by tapping into the concentrated energy of fossil fuels, humans have at their disposal (ancient) solar energy—derived from fossil plants (coal) and algae (oil)—in such a concentrated form that equivalent amounts of energy could never be derived from solar energy alone.9 In a limited sense, then, Bataille and Ambrosino are right: all the energy we use ultimately derives from the sun. They are wrong in ignoring the fact that for society as we know it to function, with our attendant leisure made possible by "energy slaves," energy derived from fossil fuels, with their high EROEI, will be necessary for the indefinite future.10 There is simply no other equally rich source of energy available to us; moreover, no other source will likely be available to us in the future. Bataille's theory, on the other hand, ultimately rests on the assumption that energy is completely renewable, that there will always be a high EROEI, and that, for that reason, we need not worry about our dependence on finite (depletable) energy sources. *The Accursed Share* for this reason presents us with a strange amalgam of awareness of the central role energy plays in relation to economics (not to mention life in general) and a willful ignorance concerning the social-technological modes of energy delivery and use, which are far more than mere technical details. We might posit that the origin of this oversight in Bataille's thought is to be found in the economic theory, and ultimately philosophy, both bourgeois and Marxist, of the modern period, where energy resources and raw materials do not enter into economic (or philosophical) calculations, since they are taken for granted: the earth makes human activity possible, and in a sense we give the earth meaning, dignity, by using resources that otherwise would remain inert, unknown, insignificant (one thinks of Sartre's "in-itself" here). Value has its origin, in this view, not in the "natural" raw materials or energy used to produce things, but in human activity itself. Bataille merely revises this model by characterizing human activity—in other words, production—as primarily involving gift giving and wasting, rather than production and accumulation. We can argue, then, that solar energy is indeed always produced, always in excess (at least in relation to the limited life spans of individuals, and even species): but it is fossil fuels that best conserve this energy and deliver it in a rich form that we humans can effectively use. Unfortunately; these fuels can be depleted, indeed, are in the process of being depleted. Why is this important in the context of Bataille? For a very simple reason: if Bataille does not worry about energy cost and depletion, he need not worry about energy conservation. Virtually every contemporary commentator on energy use sees only one short-term solution: conservation. Since fossil fuels are not easily replaceable by renewable sources of energy, our only option is to institute radical plans for energy conservation—or risk the complete collapse of our civilization when, in the near future, oil, coal, and natural gas production declines, and the price of fuel necessarily skyrockets.11 Indeed, some commentators, foreseeing the eventual complete depletion of Fossil energy stores, predict a return to feudalism (Perelman 1981), or simply a quasi-Neolithic state of human culture, with a radically reduced global population (Price 1995). Without a theory of depletion, then, Bataille can afford to ignore conservation in all senses: not only of resources and energy, but also in labor, wealth, and so on. He can also ignore (perhaps alarmist) models of cultural decline. In Bataille's view, energy will always reproduce itself with a surplus: thus, the core problem of our civilization is how we waste this excess. We need never question the existence of the "energy slaves" that make this squandering of the products of human labor, and of our own time and effort, possible. Nor will there need to he any consideration of the fact that these virtual energy slaves may very well, in the not-so-distant future, have to be replaced by real human slaves. (Who or what else would do the work?)

## 1nr

#### Limits are inevitable. Only applying them for explicable reasons applies creative potential and gives meaning to freedom

**Ramaekers 1** [Stefan, “Teaching to lie and obey: Nietzsche and Education”, Journal of Philosophy of Education 35.2]

The nature of morality inspires us to stay far from an excessive freedom and cultivates the need for restricted horizons. This narrowing of perspective is for Nietzsche a condition of life and growth. It is interesting to see how this is prefigured in Nietzsche's second Unfashionable Observation (On the Utility and Liability of History for Life). The cure for what he there calls ‘the historical sickness’, i.e. an excess of history which attacks the shaping power of life and no longer understands how to utilise the past as a powerful source of nourishment, is (among others) the ahistorical: "the art and power to be able to forget and to enclose oneself in a limited horizon. Human beings cannot live without a belief in something lasting and eternal. Subordination to the rules of a system of morality should not be understood as a deplorable restriction of an individual's possibilities and creative freedom: on the contrary, it is the necessary determination and limitation of the conditions under which anything can be conceived as possible. Only from within a particular and arbitrary framework can freedom itself be interpreted as freedom. In other words, Nietzsche points to the necessity of being embedded in a particular cultural and historical frame. The pervasiveness of this embeddedness can be shown in at least four aspects of Nietzsche's writings.

#### Outweigh cost of discarding affs that “think outside the box”

**Intrator, 10** [David President of The Creative Organization, October 21, “Thinking Inside the Box,” http://www.trainingmag.com/article/thinking-inside-box

One of the most pernicious myths about creativity, one that seriously inhibits creative thinking and innovation, is the belief that one needs to “think outside the box.” As someone who has worked for decades as a professional creative, nothing could be further from the truth. This a is view shared by the vast majority of creatives, expressed famously by the modernist designer Charles Eames when he wrote, “Design depends largely upon constraints.” The myth of thinking outside the box stems from a fundamental misconception of what creativity is, and what it’s not. In the popular imagination, creativity is something weird and wacky. The creative process is magical, or divinely inspired. But, in fact, **creativity is** not about divine inspiration or magic. It’s about problem-solving, and by definition a problem is a constraint, a limit, a box. One of the best illustrations of this is the work of photographers. They create by excluding the great mass what’s before them, choosing a small frame in which to work. Within that tiny frame, literally a box, they uncover relationships and establish priorities. What makes creative problem-solving uniquely challenging is that you, as the creator, are the one defining the problem. You’re the one choosing the frame. And you alone determine what’s an effective solution. This can be quite demanding, both intellectually and emotionally. Intellectually, you are required to establish limits, set priorities, and cull patterns and relationships from a great deal of material, much of it fragmentary. More often than not, this is the material you generated during brainstorming sessions. At the end of these sessions, you’re usually left with a big mess of ideas, half-ideas, vague notions, and the like. Now, chances are you’ve had a great time making your mess. You might have gone off-site, enjoyed a “brainstorming camp,” played a number of warm-up games. You feel artistic and empowered. But to be truly creative, you have to clean up your mess, organizing those fragments into something real, something useful, something that actually works. That’s the hard part. It takes a lot of energy, time, and willpower to make sense of the mess you’ve just generated. It also can be emotionally difficult. You’ll need to throw out many ideas you originally thought were great, ideas you’ve become attached to, because **they simply don’t fit into** the **rules** you’re creating as you build your box.

#### Dialogic clash is itself a process of becoming—the benefit of our framework is the educational process

**Morson 4**

Northwestern Professor, Prof. Morson's work ranges over a variety of areas: literary theory (especially narrative); the history of ideas, both Russian and European; a variety of literary genres (especially satire, utopia, and the novel); and his favorite writers -- Chekhov, Gogol, and, above all, Dostoevsky and Tolstoy. He is especially interested in the relation of literature to philosophy.

http://www.flt.uae.ac.ma/elhirech/baktine/0521831059.pdf#page=331

A belief in truly dialogic ideological becoming would lead to schools that were quite different. In such schools, the mind would be populated with a complexity of voices and perspectives it had not known, and the student would learn to think with those voices, to test ideas and experiences against them, and to shape convictions that are innerly persuasive in response. This very **process** would be central. Students would sense that whatever word they believed to be innerly persuasive was only tentatively so: the process of dialogue continues. We must keep the conversation going, and formal education only initiates the process. The innerly persuasive discourse would not be final, but would be, like experience itself, ever incomplete and growing. As Bakhtin observes of the innerly persuasive word: Its creativity and productiveness consist precisely in the fact that such a word awakens new and independent words, that it organizes masses of our words from within, and does not remain in an isolated and static condition. It is not so much interpreted by us as it is further, that is, freely, developed, applied to new material, new conditions; it enters into interanimating relationships with new contexts. . . . The semantic structure of an innerly persuasive discourse is not finite, it is open; in each of the new contexts that dialogize it, this discourse is able to reveal ever newer ways to mean. (DI, 345–6) We not only learn, we also learn to learn, and we learn to learn best when we engage in a dialogue with others and ourselves. We appropriate the world of difference, and ourselves develop new potentials. Those potentials allow us to appropriate yet more voices. Becoming becomes endless becoming. We talk, we listen, and we achieve an open-ended wisdom. Difference becomes an opportunity (see Freedman and Ball, this volume). Our world manifests the spirit that Bakhtin attributed to Dostoevsky: “nothing conclusive has yet taken place in the world, the ultimate word of the world and about the world has not yet been spoken, the world is open and free, everything is in the future and will always be in the future.”3 Such a world becomes our world within, its dialogue lives within us, and we develop the potentials of our ever-learning selves. Letmedraw some inconclusive conclusions, which may provoke dialogue. Section I of this volume, “Ideologies in Dialogue: Theoretical Considerations” and Bakhtin’s thought in general suggest that we learn best when we are actually learning to learn. We engage in dialogue with ourselves and others, and the most important thing is the value of the open-ended process itself. Section II, “Voiced, Double Voiced, and Multivoiced Discourses in Our Schools” suggests that a belief in truly dialogic ideological becoming would lead to schools that were quite different. In such schools, the mind would be populated with a complexity of voices and perspectives it had not known, and the student would learn to think with those voices, to test ideas and experiences against them, and to shape convictions that are innerly persuasive in response. Teachers would not be trying to get students to hold the right opinions but to sense the world from perspectives they would not have encountered or dismissed out of hand. Students would develop the habit of getting inside the perspectives of other groups and other people. Literature in particular is especially good at fostering such dialogic habits. Section III, “Heteroglossia in a Changing World” may invite us to learn that dialogue involves really listening to others, hearing them not as our perspective would categorize what they say, but as they themselves would categorize what they say, and only then to bring our own perspective to bear. We talk, we listen, and we achieve an open-ended wisdom. The chapters in this volume seem to suggest that we view learning as a perpetual process. That was perhaps Bakhtin’s favorite idea: that to appreciate life, or dialogue, we must see value not only in achieving this or that result, but also in recognizing that honest and open striving in a world of uncertainty and difference is itself the most important thing. What we must do is keep the conversation going.

#### Identifying goals and changes isn’t the type of teleology they indict—they link more because any alternative lapses into futility or reverts to Marx-style endpoints

**Eagleton 1996** – Distinguished Professor of English Literature at the University of Lancaster (Terry, “The Illusions of Postmodernism”, p. 106-110)

If history is fundamentally random, in the sense, for example, that there are no significant causal relations between one bit of it and another, it is difficult to know how one could avoid, say, Stalinism. This may not be the most burning political question for us at the moment, since the (post-)Stalinist societies have just collapsed; but it may serve as an example of a good rather than bad kind of teleological thought. Authoritarian post-capitalist societies are among other things the result of trying to build socialism in dismally unpropitious conditions, without the benefit of developed productive forces, well-heeled allies, non-hostile neighbours, cooperative peasants, a vigorous liberal-democratic tradition, a civil society in good working order, a reasonably well-educated working class and the like. These are necessary if not sufficient conditions for the construction of socialism: there is an important difference between claiming that socialism somehow follows on automatically from capitalism, which really would be a flamboyant bit of teleology, and arguing that a developed capitalism provides some of the necessary conditions for the building of socialism. To embark on the enterprise without them would be to risk ending up with an autocratic state which, in the absence of a middle-class industrial heritage, had to force through the development of industry itself. Someone who regarded all this as **'teleology' in the pejorative sense**, with its benightedly 'linear' perspective 5 and trust to 'metaphysical' causality, would be well advised not to take such a dim view of necessary conditions when it came to crossing the high street.

The oldest teleological tales of all tend to run in threes. First we have a golden age of 'primitive' community, blissful but somewhat tedious; then a Fall from this state into an inspiring but disintegrative individualism, and finally a felicitous synthesis of the two. Hardly anybody believes that this is the way that history has been or will turn out, but it is worth broaching a few of the reasons why it sounds so implausible. For one thing, we know that there never was a golden age. But it is true, even so, that 'traditional' or pre-modern societies have a great many merits which our own set-ups lack, and in some cases have these merits just because they don't have what we have. On the whole they have a richer sense of place, community and tradition, less social anomie, less cut-throat competition and tormented ambition, less subjection to a ruthlessly instrumental rationality and so on. On the other hand, and for much the same reasons, they are often desperately impoverished, culturally claustrophobic, socially hidebound and patriarchal, and without much sense of the autonomous individual. Modernity has precisely such a sense of free individual development, with all the spiritual wealth that this brings with it; it also begins to hatch notions of human equality and universal rights largely unknown to its forebears. But we also know that this is the more civilized face of a barbarously uncaring order, one which sunders all significant relations between its members, deprives them of precious symbolic resources and persuades them to mistake the means of life for the ends of it. We also know that the two forms of social life share a depressing amount in common: hard labour, oppression and exploitation, ferocious power-struggles, lethal mythologies, military violence and the rest. To this extent, neither romantic nostalgia nor modernist triumphalism are in the least appealing. But neither are romantic anti-capitalism or a modernist contempt for tradition. It is this, surely, which the utopian narrative of a condition which combined the best of both worlds is groping for.

It may not be a feasible future, but at least it issues a salutary warning against both despair and presumption, blinkered reaction and callow progressivism. To dream of blending the best of both worlds is also to refuse the worst of both. This is not a vision especially dear to the hearts of postmodernists, but one needs to ask why not. Are they saying that they are not really captivated by the thought of a society which managed somehow to reinvent a degree of human reciprocity at the level of developed individual powers, or just that they think the idea is ludicrously abstract, historically impossible and so really not worth bothering about? They might well have a point here; but if they are saying the former, then one feels stirred to ask why they find this prospect so oddly uninspiring. For it is hard in my view to imagine a more desirable human condition, quite regardless of whether it could ever come about. It is, more or less, what Marx had in mind by communism, in which the individual would finally come into her own. There is no teleology in the sense that this state of affairs is even now shadowily present at the end of history, waiting patiently for us to catch up with it. But it would not, after all, be a bad sort of teleology to keep it in mind, as a heuristic fiction or Kantian 'idea', in the midst of our political action, provided we avoided the hubris and false utopia of trying to beam our actions directly at it.

Teleology usually involves the assumption that there is some potential in the present which could result in a particular sort of future. But this need not mean that this potential lurks within the present like petals within a bud. It is present rather in the sense that I have a potential to travel up to Glasgow right now, which is hardly some kind of secret structure of my being. Teleology here is just a way of describing where I am in the light of where I could feasibly get to. It shows how a future which transcends the present is also a function of it, though not in some fatalistic sense. I have a train ticket to Glasgow, something produced in this country which could in principle get me out of it, but there is no assurance that I shall use it. This brings us, finally, to a different sense of teleology, which we can touch on only briefly. This is a meaning which concerns the individual rather than the historical, and is to be found in Aristotle's discussion of the good life. Aristotle's ethics are not of the modern kind, centred in Kantian style on concepts of duty, the solitary moral subject and the rightness or wrongness of its isolable actions. They focus rather upon the idea of virtue, which is to say upon the shape, texture and quality of a whole life in its practical social context. Virtue is a matter of the proper, pleasurable fulfilment of one's human powers, both a practice and a matter of practise. Being human is a set of techniques, something you have to get good at like tolerating bores or playing the harmonica, and you cannot do it on your own any more than you could carry out major surgery simply by instinct. These are teleological ideas in so far as they involve the trajectory of a whole life in its appropriate unfolding; whereas postmodernism, like David Hume, doubts that there is that much continuity in human selves. Whatever one thinks of that, these are richly suggestive notions which the anaemic morality of modernity disastrously left behind with its fetishes of duty, imperatives, prohibitions, the suppression of pleasure and the like. Which is not to suggest that such ideas have no place in moral discourse (many prohibitions are progressive), just that the few forays which postmodernism has so far made into the field of ethics have been depressingly reliant on this Kantian terminology. Just as some mechanistic Marxists of the Second International turned incongruously to Kant for their moral values because it was proving impossible to generate those values out of their positivist views of history, so postmodernism, which has its own brand of positivism, not least in its wariness of metaphysical depth, seems to have taken to repeating the gesture. And in this sense too it is a child of the modernity it claims to have superseded.

The rejection of so-called metanarratives is definitive of post-modern philosophy, but the options it poses here are sometimes rather narrow. Either you are enthused by a particular metanarrative, such as the story of technological progress or the march of Mind, or you find these fables oppressive and turn instead to a plurality of tales. But we have seen already that these are not the only choices available, as indeed the more intelligent postmodernist recognizes. Socialism holds to a sort of metanarrative, but it is by no means the kind of bedtime story one would recount to a child given to nightmares. It has its more upbeat aspects, but in other ways it is a horror story. The sooner it is over the better; it is just that proclaiming it over already, as postmodernists tend to do, is likely to help perpetuate it.

#### No link to rules or predictability bad—our argument isn't rules-based in the sense they identify, it’s a set of contestable guidelines for evaluating competitions. Rejecting the topic because rules are oppressive doesn’t solve and only a standard like the resolution is limited enough to enable preparation and testing but has enough internal complexity to solve their impact

**Armstrong 2K** – Paul B. Armstrong, Professor of English and Dean of the College of Arts and Sciences at the State University of New York at Stony Brook, Winter 2000, “The Politics of Play: The Social Implications of Iser's Aesthetic Theory,” New Literary History, Vol. 31, No. 1, p. 211-223

\*aleatory = depending on luck, i.e. the throw of a die

Such a play-space also opposes the notion that the only alternative to the coerciveness of consensus must be to advocate the sublime powers of rule-breaking.8 Iser shares Lyotard’s concern that to privilege harmony and agreement in a world of heterogeneous language games is to limit their play and to inhibit semantic innovation and the creation of new games. Lyotard’s endorsement of the “sublime”—the pursuit of the “unpresentable” by rebelling against restrictions, defying norms, and smashing the limits of existing paradigms—is undermined by contradictions, however, which Iser’s explication of play recognizes and addresses. The paradox of the unpresentable, as Lyotard acknowledges, is that it can only be manifested through a game of representation. The sublime is, consequently, in Iser’s sense, an instance of doubling. If violating norms creates new games, this crossing of boundaries **depends on** and carries in its wake the conventions and structures it oversteps. The sublime may be uncompromising, asocial, and unwilling to be bound by limits, but its pursuit of what is not contained in any order or system makes it dependent on the forms it opposes. ¶ The radical presumption of the sublime is not only terroristic in refusing to recognize the claims of other games whose rules it declines to limit itself by. It is also naive and self-destructive in its impossible imagining that it can do without the others it opposes. As a structure of doubling, the sublime pursuit of the unpresentable requires a play-space that includes other, less radical games with which it can interact. Such conditions of exchange would be provided by the nonconsensual reciprocity of Iserian play. ¶ Iser’s notion of play offers a way of conceptualizing power which acknowledges the necessity and force of disciplinary constraints without seeing them as unequivocally coercive and determining. The contradictory combination of restriction and openness in how play deploys power is evident in Iser’s analysis of “regulatory” and “aleatory” rules. Even the regulatory rules, which set down the conditions participants submit to in order to play a game, “permit a certain range of combinations while also establishing a code of possible play. . . . Since these rules limit the text game without producing it, they are regulatory but not prescriptive. They do no more than set the aleatory in motion, and the aleatory rule differs from the regulatory in that it has no code of its own” (FI 273). Submitting to the discipline of regulatory restrictions is both constraining and enabling because it makes possible certain kinds of interaction that the rules cannot completely predict or prescribe in advance. Hence the existence of aleatory rules that are not codified as part of the game itself but are the variable customs, procedures, and practices for playing it. Expert facility with aleatory rules marks the difference, for example, between someone who just knows the rules of a game and another who really knows how to play it. Aleatory rules are more flexible and openended and more susceptible to variation than regulatory rules, but they too are characterized by a contradictory combination of constraint and possibility, limitation and unpredictability, discipline and spontaneity.

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### OFF

#### Fiscal cliff compromise now

Kimberly Atkins (writer for the Boston-Herald) November 8, 2012 “Prez returns to D.C. with more clout” http://bostonherald.com/news/columnists/view/20221108prez\_returns\_to\_dc\_with\_more\_clout

When President Obama returned yesterday to the White House, he brought with him political capital earned in a tough re-election fight as well as a mandate from voters — which means bold changes and bruising fights could lie ahead. **The first** agenda **item** is already waiting for him: reaching an agreement with lawmakers to avert the looming fiscal cliff. GOP lawmakers have previously shot down any plan involving tax increases. Obama’s win — based in part on a message of making the wealthiest Americans pay more — may already be paying dividends. In remarks at the Capitol yesterday, House Speaker John Boehner seemed to acknowledge the GOP has to take a different tack than the obstructionism that has marred progress in the past. “The president has signaled a willingness to do tax reform with lower rates. Republicans have signaled a willingness to accept new revenue if it comes from growth and reform,” Boehner said. “Let’s start the discussion there.” Obama’s fresh political clout could extend to longer term fiscal policies beyond the fiscal cliff, though don’t expect GOP pushback to vanish. House Republicans still have plenty of fight in them.

#### The plan derails the deal

Leiter and Stockton November 10, 2012

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Expect legislative stalemate on energy and environmental issues but increased regulatory activity Despite recent polls showing a close popular vote, President Obama won a decisive electoral vote victory, winning all of the battleground states. Election night also saw Senate Democrats increase their margin in the chamber as Democratic candidates defied expectations and eked out victories in largely Republican states like North Dakota, Montana, Indiana, and Missouri. Despite these gains for Democrats, Republicans maintained control of the House of Representatives, ensuring a divided Congress. Consequently, much of the partisan gridlock that has stalled legislation over the past year will continue. As the confetti from election night settles, the election does not present either party with a clear path to enacting its legislative agenda: indeed, the same players will be at the table as the Administration and Congress decide how to address a number of pressing fiscal and policy issues. The odds of substantive energy and environmental legislation in the next Congress is slim, but the Obama Administration—now freed from the restraints of re-election—is expected to utilize its executive powers and imprint its energy and environmental legacy through the regulatory process. Below is a more detailed look at the key energy and environmental issues to be addressed in the lame duck session of the 112th Congress and in the 113th Congress next year. With election over, federal agencies expected to move forward with regulations Federal agencies—chiefly the Environmental Protection Agency (EPA)—face a backlog of regulations that were put on hold in advance of the election. Just as the Administration has been slow-walking its regulatory agenda leading up to the election, we expect it will continue to do so post-election in an effort to not rock the boat too soon after the Election Day victory. For example, the Administration would be unlikely to quickly approve the Keystone XL pipeline (though an approval is expected), as that would offend environmentalists who rallied to the President’s re-election. Also, the Administration may hold back on some regulatory initiatives, as it still needs to compromise with Republicans on the fiscal cliff, and does not necessarily want to antagonize them in advance of those negotiations.

#### Compromise now, but PC is finite

Ron Kampeas (writer for Intermountain Jewish News) November 7, 2012 “Obama’s second term: More of the same, at least until Iran flares” http://www.ijn.com/presidential-elections/2012-presidential-elections/3530-obamas-second-term-more-of-the-same-at-least-until-iran-flares

The fiscal cliff and specifically sequestration is a major concern," Daroff said. "Our concern continues to be that as the nation and our political leaders continue to assess how to make cuts in spending that those cuts don't fall disproportionately on vulnerable populations that rely upon social service agencies that depend on our funding." Cuts of about 8.5 percent would immediately affect the viability of housing for the elderly, according to officials at B'nai B'rith International, which runs a network of homes. Officials at Jewish federations say the cuts also would curb the meals and transportation for the elderly they provide with assistance from federal programs. Obama and Congress would have had to deal with heading off sequestration in any case, but as a president with a veto-wielding mandate of four more years, he has the leverage to head off deep cuts to programs that his top officials have said remain essential, including food assistance to the poor and medical entitlements for the poor and elderly. David Makovsky, a senior analyst with the Washington Institute for Near East Policy, said Obama's priorities would be domestic. "While a victory in the second term tends to give you some political capital, capital is still finite," he said, citing George W. Bush's failure in 2005 to reform Social Security, despite his decisive 2004 triumph. "This suggests to me the president will keep his focus on the economy and health care," and not on major initiatives in the Middle East.

#### The impact is growth

Harold Mandel (writer for the Examiner) 9/27, 2012 “Fitch says fiscal cliff could set off global recession (Video)” http://www.examiner.com/article/fitch-says-fiscal-cliff-could-set-off-global-recession

The ratings agency stated, "The U.S. fiscal cliff represents the single biggest near-term threat to a global economic recovery." Fitch has gone on to warn, “A U.S. fiscal shock would be exported to the rest of the world via a sharply weaker U.S. dollar and asset prices, lower U.S. price and wage inflation and heightened risk of deflation, and the impact on commodity prices.” In the meantime leading U.S. executives have less confidence in the business outlook now than at any time in the past three years, with a primary reason being fear of gridlock in Washington over the fiscal deficit and tax policy. And so unless the fiscal cliff is confronted and avoided this could be bad news for everyone.

#### Nuclear war

Harris and Burrows, 9 – \*counselor in the National Intelligence Council, the principal drafter of Global Trends 2025, \*\*member of the NIC’s Long Range Analysis Unit “Revisiting the Future: Geopolitical Effects of the Financial Crisis”, Washington Quarterly, http://www.twq.com/09april/docs/09apr\_burrows.pdf)

Increased Potential for Global Conflict

Of course, the report encompasses more than economics and indeed believes the future is likely to be the result of a number of intersecting and interlocking forces. With so many possible permutations of outcomes, each with ample opportunity for unintended consequences, there is a growing sense of insecurity. Even so, history may be more instructive than ever. While we continue to believe that the Great Depression is not likely to be repeated, the lessons to be drawn from that period include the harmful effects on fledgling democracies and multiethnic societies (think Central Europe in 1920s and 1930s) and on the sustainability of multilateral institutions (think League of Nations in the same period). There is no reason to think that this would not be true in the twenty-first as much as in the twentieth century. For that reason, the ways in which the potential for greater conflict could grow would seem to be even more apt in a constantly volatile economic environment as they would be if change would be steadier.

In surveying those risks, the report stressed the likelihood that terrorism and nonproliferation will remain priorities even as resource issues move up on the international agenda. Terrorism’s appeal will decline if economic growth continues in the Middle East and youth unemployment is reduced. For those terrorist groups that remain active in 2025, however, the diffusion of technologies and scientific knowledge will place some of the world’s most dangerous capabilities within their reach. Terrorist groups in 2025 will likely be a combination of descendants of long established groups inheriting organizational structures, command and control processes, and training procedures necessary to conduct sophisticated attacks and newly emergent collections of the angry and disenfranchised that become self-radicalized, particularly in the absence of economic outlets that would become narrower in an economic downturn.

The most dangerous casualty of any economically-induced drawdown of U.S. military presence would almost certainly be the Middle East. Although Iran’s acquisition of nuclear weapons is not inevitable, worries about a nuclear-armed Iran could lead states in the region to develop new security arrangements with external powers, acquire additional weapons, and consider pursuing their own nuclear ambitions. It is not clear that the type of stable deterrent relationship that existed between the great powers for most of the Cold War would emerge naturally in the Middle East with a nuclear Iran. Episodes of low intensity conflict and terrorism taking place under a nuclear umbrella could lead to an unintended escalation and broader conflict if clear red lines between those states involved are not well established. The close proximity of potential nuclear rivals combined with underdeveloped surveillance capabilities and mobile dual-capable Iranian missile systems also will produce inherent difficulties in achieving reliable indications and warning of an impending nuclear attack. The lack of strategic depth in neighboring states like Israel, short warning and missile flight times, and uncertainty of Iranian intentions may place more focus on preemption rather than defense, potentially leading to escalating crises.

Types of conflict that the world continues to experience, such as over resources, could reemerge, particularly if protectionism grows and there is a resort to neo-mercantilist practices. Perceptions of renewed energy scarcity will drive countries to take actions to assure their future access to energy supplies. In the worst case, this could result in interstate conflicts if government leaders deem assured access to energy resources, for example, to be essential for maintaining domestic stability and the survival of their regime. Even actions short of war, however, will have important geopolitical implications. Maritime security concerns are providing a rationale for naval buildups and modernization efforts, such as China’s and India’s development of blue water naval capabilities. If the fiscal stimulus focus for these countries indeed turns inward, one of the most obvious funding targets may be military. Buildup of regional naval capabilities could lead to increased tensions, rivalries, and counterbalancing moves, but it also will create opportunities for multinational cooperation in protecting critical sea lanes. With water also becoming scarcer in Asia and the Middle East, cooperation to manage changing water resources is likely to be increasingly difficult both within and between states in a more dog-eat-dog world.

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#### Procurement is not a financial incentive

Czinkota et al, 9- Associate Professor at the McDonough School of Business at Georgetown University (Michael, Fundamentals of International Business, p. 69 – google books)

Incentives offered by policymakers to facilitate foreign investments are mainly of three types: fiscal, financial, and nonfinancial. **Fiscal incentives** are specific tax measures designed to attract foreign investors. They typically consist of special depreciation allowances, tax credits or rebates, special deductions for capital expenditures, tax holidays, and the reduction of tax burdens. **Financial incentives** offer special funding for the investor by providing, for example, land or buildings, loans, and loan guarantees. Nonfinancial incentives include guaranteed government purchases; special protection from competition through tariffs, import quotas, and local content requirements, and investments in infrastructure facilities.

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#### The Advanced Research Projects Agency for Energy should research and develop small modular reactor technology for Department of Defense demonstration.

#### ARPA-E can spur energy tech for military application—leads to commercialization and adoption

**Hayward et al 10**

Steven Hayward, AEI Resident Scholar, Mark Muro, Brookings Institute Metropolitan Policy Program, Ted Nordhaus and Michael Shellenberger, Breakthrough institute cofounders, October 2010, Post-Partisan Power, thebreakthrough.org/blog/Post-Partisan Power.pdf

In addition to fostering stronger linkages between government-funded research centers and private sector investors, entrepreneurs, and customers, the **DOD can work to** more **closely connect research efforts and** the growing **energy innovation** **needs of the U.S. military**.

This close relationship between research efforts and DOD procurement and technology needs was central to the successful history of the Defense Advanced Research Projects Agency (DARPA), famous for inventing the Internet, GPS, and countless other technologies that have both improved the fighting capabilities of the U.S. military and launched many spin-off technologies American consumers and businesses now take for granted. DARPA program managers had a keen awareness of the technologies and innovations that could improve military capabilities and funded breakthrough innovations aligned with those needs. **Once innovations matured** into potentially useful technologies, the DOD was there as an early customer for these products, allowing entrepreneurial firms to secure market demand, scale-up production, and continue to improve their products.

Congress made the right move in creating and funding an Advanced Research Projects Agency for Energy (ARPA-E) program modeled after the historic success of DARPA. ARPA-E resides within the DOE, however, which is not set up to be a major user of energy technologies. By contrast, DOD has both the opportunity and the urgent need to use many of these technologies.64 The DOD can and should play a greater role in administering ARPA-E and making sure that breakthrough energy discoveries become real- world technologies that can strengthen American energy security, enhance the capabilities of the U.S. military, and spin off to broader commercial use.

Fiscal year 2011 funding requests for the ARPA-E program are currently a modest $300 million, just one- tenth the annual budget for DARPA research.65 Truly bringing the DARPA model to the energy sector would imply scaling ARPA-E up to match DARPA. Given the multi-trillion dollar scale of the energy industry, only funding levels on this order of magnitude will have a significant impact on the pace of energy innovation and entrepreneurship.

We recommend scaling up funding for ARPA-E over the next five years to $1.5 billion annually, with a significant portion of this funding dedicated to dual-use energy technology innovations with the potential to enhance energy security and strengthen the U.S. military. **DOD and DOE should** extend and expand their current Memorandum of Understanding, established in July 2010,66 and **launch an active partnership between ARPA-E and DOD to** determine and **select nascent** dual-use **breakthrough energy innovations for funding through the ARPA-E program and** potential **adoption** and procurement **by the DOD**.

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#### DoD budget aligned with strategic guidance now—additional tradeoffs collapse the entire package

**Harrison 12**

Todd Harrison, Center for Strategic and Budgetary Priorities, 8/24/2012, ANALYSIS OF THE FY 2013 DEFENSE BUDGET AND SEQUESTRATION, http://www.csbaonline.org/publications/2012/08/analysis-of-the-fy2013-defense-budget-and-sequestration/

The Fiscal Year (FY) 2013 defense budget currently being debated in Congress is a departure from previous budgets in several respects. It is the first budget submitted following the release of the Pentagon’s new strategic guidance, marking the beginning of a “pivot” from the wars of the past decade to the Asia-Pacific region. It is also the first budget request in more than a decade to propose a real decline in defense spending from the level currently enacted. Moreover, the prospect of sequestration hangs over the budget, threatening to cut some 10 percent of funding if Congress does not act to prevent it. Secretary of Defense Leon Panetta has argued that **the budget request is a “complete package**,” that “**there is little room here for** significant **modification**,” and that **any further funding reductions**, such as those called for by sequestration, **would require the Department to fundamentally rethink its new strategy**.1 Nevertheless, the FY 2013 request is unlikely to survive unscathed and the Department will likely be forced to revise its strategic guidance.

#### Nuclear is uniquely cost-prohibitive—massive cost overruns

**USA Today 9**

USA Today, 8/1/2009, Cost overruns for reactors in the offing., www.thefreelibrary.com/Cost+overruns+for+reactors+in+the+offing.-a0206055211

The likely cost of electricity for a new generation of nuclear reactors would be 12 to 20 cents per kilowatt hour, **considerably more expensive** than the average cost of increased use of energy efficiency and renewable energies at six cents per kWh, according to a study by Mark Cooper, a senior fellow for economic analysis at the Institute of Energy and the Environment at Vermont Law School, South Royalton. The report finds that it would cost 1.9 trillion to 4.1 **trillion dollars** more over the life of 100 new nuclear reactors than it would to generate the same elecfricity from a combination of more energy efficiency and renewables.

Coopers analysis of more than three dozen cost estimates for proposed **new nuclear reactors** shows that the projected **price tags** for the plants **have quadrupled** since the start of the industry's so-called "Nuclear Renaissance" at the beginning of this decade, a striking parallel to the eventually sevenfold increase in reactor cost estimates that doomed the "Great Bandwagon Market" of the 1960s and 1970s, when half of the planned reactors had to be abandoned or canceled due to **massive cost overruns**.

The study notes that the required massive subsidies from taxpayers and ratepayers would not change the real cost of nuclear reactors; they simply would shift the risks to the public. Even with huge subsidies, nuclear reactors would remain more costly than the alternatives, such as efficiency, biomass, wind, and cogeneration.

"We are literally seeing nuclear reactor history repeat itself," proclaims Cooper. "The Great Bandwagon Market that ended so badly for consumers was driven by **advocates** who **confused** hope and **hype with reality**. It is telling that, in the few short years since the so-called Nuclear Renaissance began, there has been a fourfold increase in projected costs. In both time periods, the original lowball estimates were promotional, not practical,"

Adds former U.S. Nuclear Regulatory Commission member Peter Bradford: "Having government set a quota of 100 new nuclear reactors by a certain date presumes--against decades of evidence to the contrary--that politicians can pick technological winners. Such a policy combines distraction, deception, debt, and disappointment in a mixture reminiscent of other failed Federal policies in recent years."

#### Plan causes massive tradeoffs undermining the military budget

**Spencer**, research fellow in nuclear energy – Heritage, 6/22/**’11**

(Jack, “Capability, Not Politics, Should Drive DOD Energy Research,” http://www.heritage.org/research/reports/2011/06/capability-not-politics-should-drive-dod-energy-research)

With multiple wars ongoing, traditional threats looming, and new ones emerging, the U.S. Armed Forces are already under tremendous stress. So introducing a new assignment that needlessly bleeds scarce resources away from core missions to advance a political agenda is untenable. Yet this is exactly what the Obama Administration is doing by ordering the military to lead a green revolution.

The White House is pushing the idea that the alternative energy industry would get the kick start it needs if the military will just commit to using them. But the assumptions behind this argument are flawed, and the strategy would **increase demands on the military budget** while **harming national security.** Congress should put a stop to it right away.

Not a Legitimate Military Mission

Catalyzing a commercially viable alternative energy industry is not within the military's purview. Even it if were, the federal government has a horrible track record of developing products for commercial use. In most cases, governments fund things that have no market value—hence the need for government support.

#### Key to overall hegemony, impact is Middle East

**Barno and Bensahel 12**

David Barno, Lieutenant General, Center for a New American Security Senior Advisor and Senior Fellow, Nora Bensahel, Ph.D., CNAS Deputy Director of Studies and Senior Fellow, 1/6/12, You Can't Have It All, www.cnas.org/node/7641

On Thursday, President Barack Obama and his top defense advisers unveiled new strategic guidance to direct the U.S. military as it transitions from a decade of grueling ground wars to an era of new challenges, including a rising China and looming budget cuts. The administration has adopted what is best characterized as a "pivot but hedge" strategy: The United States will pivot to the Asia-Pacific but hedge against unexpected threats elsewhere, particularly in the greater Middle East. This new guidance makes good sense in today's world, but it assumes that the Pentagon will absorb only $487 billion in budget cuts over the next decade. **If** far **deeper cuts occur**, as required by sequestration, **the D**epartment **o**f **D**efense **will not have the resources to execute the guidance**. "**Pivot but hedge" will die in its crib**.

The pivot to the Asia-Pacific is essential because the region stands poised to become the centerpiece of the 21st-century global economy. By 2015, East Asian countries are expected to surpass North America and the eurozone to become the world's largest trading bloc. Market opportunities will only increase as the region swells by an additional 175 million people by 2030. As America's economic interests in the Asia-Pacific grow, its diplomatic and military presence should grow to defend against potential threats to those interests.

From the perspective of the United States and its Asian allies, China and North Korea represent the most serious military threats to regional security. China's military modernization continues to progress, and its foreign policy toward its neighbors has become increasingly aggressive over the past two years. Meanwhile, the death of Kim Jong Il means that nuclear-armed North Korea has begun a leadership transition that could lead to greater military aggressiveness as his son Kim Jong Un seeks to consolidate his power and demonstrate control. In light of these potential dangers, several Asian nations have asked the United States to strengthen its diplomatic and military presence in the region so it can remain the ultimate guarantor of peace and security. A bolstered U.S. presence will reassure allies who worry about American decline by clearly conveying an unwavering commitment to Asian security.

But while the Asia-Pacific is becoming more important, instability across the greater Middle East -- from Tunisia to Pakistan -- still makes it the most volatile region in the world. The Arab Spring unleashed a torrent of political change that has reshaped the region in previously unfathomable ways. Iran continues to pursue nuclear weapons, and it has threatened recently to close the Strait of Hormuz. Trapped in the middle of the upheaval is Israel, a permanent ally and key pillar of America's regional security strategy. Meanwhile, U.S.-Pakistan relations continue to plunge toward a nadir, lessening American influence over a nuclear-armed and terrorist-infested state that is arguably the most dangerous country in the world.

Amid these dangers, U.S. interests in the greater Middle East remain largely unchanged: ensuring the free flow of petroleum from a region containing 51 percent of proven global oil reserves, halting nuclear proliferation, and guarding against the diminished but still real threat of Islamist-inspired terror attacks. Protecting these interests will unquestionably require the active involvement of the U.S. military over the next 10 years and beyond, though this certainly does not mean U.S. troops will necessarily repeat the intensive counterinsurgency campaigns of the last decade.

The administration's new guidance tries to balance America's rightful new focus on the Asia-Pacific with the continuing reality of deep instability in other areas of the world where U.S. interests are at stake. Yet implementing this "pivot but hedge" strategy successfully depends largely on how much Congress cuts from the Pentagon's budget, something that still remains undecided at the start of a divisive presidential election year.

The 2011 Budget Control Act, signed as part of last summer's negotiations over raising the U.S. debt ceiling, contains spending caps that will reduce the Department of Defense's base budget (excluding ongoing war costs in Afghanistan) by at least $487 billion over 10 years, according to Pentagon estimates. This represents a decline of about 8 percent compared to current spending levels. Administration officials have repeatedly described these cuts as painful but manageable. Indeed, Defense Secretary Leon Panetta stated Thursday that these cuts require difficult choices but ultimately involve "acceptable risk."

Yet deeper cuts are an entirely different story. Administration officials are extremely concerned about the Budget Control Act's automatic spending reduction process known as sequestration, which was triggered in November by the failure of the deficit reduction "super committee." According to the Congressional Budget Office, this process would roughly double the cuts to the Pentagon's base budget, resulting in nearly $900 billion in total reductions. Current law requires these cuts to take effect in January 2013 unless Congress enacts new legislation that supersedes it.

The new guidance says little about what cuts the Department of Defense will make when it releases its fiscal year 2013 budget request next month. But the Pentagon has made clear that its new guidance and budget request assume it will absorb only $487 billion in cuts over the next 10 years. Defense officials have acknowledged that the new guidance cannot be executed if sequestration takes place. When announcing the new strategy, for instance, Panetta warned that sequestration "would force us to shed missions, commitments, and capabilities necessary to protect core U.S. national security interests."

Sequestration would likely require the United States to abandon its longstanding global engagement strategy and to incur far greater risk in future military operations. If sequestration occurs, the Pentagon will likely repeat past mistakes by reducing capabilities such as ground forces that provide a hedge against unexpected threats. A pivot to the Asia-Pacific might remain an executable option under these conditions, but the U.S. ability to hedge against threats elsewhere -- particularly in the volatile Middle East -- would be diminished. This is a recipe for high risk in an uncertain and dangerous world.

The Pentagon's new strategic guidance presents a realistic way to maintain America's status as a global superpower in the context of shrinking defense dollars. But **further cuts**, especially at the level required by sequestration, **would make this "pivot but hedge" strategy impossible to implement** **and** would **raise serious questions about whether the U**nited **S**tates **can continue to play the central role on the global stage**.

#### Middle East goes nuclear

James A. **Russell,** Senior Lecturer, National Security Affairs, Naval Postgraduate School, **‘9** (Spring) “Strategic Stability Reconsidered: Prospects for Escalation and Nuclear War in the Middle East” IFRI, Proliferation Papers, #26, http://www.ifri.org/downloads/PP26\_Russell\_2009.pdf

Strategic stability in the region is thus undermined by various factors: (1) asymmetric interests in the bargaining framework that can introduce unpredictable behavior from actors; (2) the presence of non-state actors that introduce unpredictability into relationships between the antagonists; (3) incompatible assumptions about the structure of the deterrent relationship that makes the bargaining framework strategically unstable; (4) perceptions by Israel and the United States that its window of opportunity for military action is closing, which could prompt a preventive attack; (5) the prospect that Iran’s response to pre-emptive attacks could involve unconventional weapons, which could prompt escalation by Israel and/or the United States; (6) the lack of a communications framework to build trust and cooperation among framework participants. These systemic weaknesses in the coercive bargaining framework all suggest that escalation by any the parties could happen either on purpose or as a result of miscalculation or the pressures of wartime circumstance. Given these factors, it is disturbingly easy to imagine scenarios under which a conflict could quickly escalate in which the regional antagonists would consider the use of chemical, biological, or nuclear weapons. It would be a mistake to believe the nuclear taboo can somehow magically keep nuclear weapons from being used in the context of an unstable strategic framework. Systemic asymmetries between actors in fact suggest a certain increase in the probability of war – a war in which escalation could happen quickly and from a variety of participants. Once such a war starts, events would likely develop a momentum all their own and decision-making would consequently be shaped in unpredictable ways. The international community must take this possibility seriously, and muster every tool at its disposal to prevent such an outcome, which would be an unprecedented disaster for the peoples of the region, with substantial risk for the

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#### The United States Federal Government should offer substantial competitive power purchase agreements for electricity from space-based solar power for military installations in the United States.

#### Counterplan leads to rapid commercial development

**NSSO 7** (National Security Space Office, Report to the Director, “Space-Based Solar Power As an Opportunity for Strategic Security; Phase 0 Architecture Feasibility Study” October 10, 2007, http://www.nss.org/settlement/ssp/library/final-sbsp-interim-assessment-release-01.pdf)

FINDING:The SBSP Study Group found that industry has stated that the #1 driver and requirement for generating industry interest and investment in developing the initial operational SBSP systems is acquiring an anchor tenant customer, or customers, that are willing to sign contracts for high‐value SBSP services. Industry is particularly interested in the possibility that the DoD might be willing to pay for SBSP services delivered to the warfighter in forward bases in amounts of 5‐50 MWe continuous, at a price of $1 or more per kilowatt‐hour.  o Recommendation:  The SBSP Study Group recommends that the DoD should immediately conduct a requirements analysis of underlying long‐term DoD demand for secure, reliable, and mobile energy delivery to the war‐fighter, what the DoD might be willing to pay for a SBSP service delivered to the warfighter and under what terms and conditions, and evaluate the appropriateness and effectiveness of various approaches to signing up as an anchor tenant customer of a commercially‐delivered service, such as the NextView acquisition approach pioneered by the National GeoSpatial‐imaging Agency. FINDING: The SBSP Study Group found that even with the DoD as an anchor tenant customer at a price of $1‐2 per kilowatt hour for 5‐50 megawatts continuous power for the warfighter, when considering the risks of implementing a new unproven space technology and other major business risks, the business case for SBSP still does not appear to close in 2007 with current capabilities (primarily launch costs). This study did not have the resources to adequately assess the economic viability of SBSP given current or projected capabilities, and this must be part of any future agenda to further develop this concept. Past investigations of the SBSP concept have indicated that the costs are dominated by costs of installation, which depend on the cost of launch (dollars per kilogram) and assembly and on how light the components can be made (kilograms per kilowatt). Existing launch infrastructure cannot close the business case, and any assessment made based upon new launch vehicles and formats are speculative. Greater clarity and resolution is required to set proper targets for technology development and private capital engagement. Ideally SBSP would want to be cost‐competitive with other baseload suppliers in developing markets which cannot afford to spend a huge portion of their GDP on energy (4c/kWh), and these requirements are extremely stringent, but other niche export markets may provide more relaxed criteria (35c/kWh), and some customers, such as DoD, appear to be spending more than $1/kWh in forward deployed locations. It would be helpful to develop a series of curves which examine technology targets for various markets, in addition to the sensitivities and opportunities for development. Some work by the European Space Agency (ESA) has suggested that in an “apples‐to‐apples” comparison, SBSP may already be competitive with large‐scale  terrestrial solar baseload power. A great range of opinions were expressed during the study regarding the near‐term profitability.  It is instructive to note that that there are American companies that have or are actively marketed SBSP at home and abroad, while another group feels the technology is sufficiently mature to create a dedicated public‐private partnership based upon the COMSAT model and has authored draft legislation to that effect. • The business case is much more likely to close in the near future if the U.S. Government agrees to: o Sign up as an anchor tenant customer, and o Make appropriate technology investment and risk‐reduction efforts by the U.S. Government, and o Provide appropriate financial incentives to the SBSP industry that are similar to the significant incentives that Federal and State Governments are providing for private industry investments in other clean and renewable power sources. • The business case may close in the near future with appropriate technology investment and risk‐reduction efforts by the U.S. Government, and with appropriate financial incentives to industry. Federal and State Governments are providing significant financial incentives for private industry investments in other clean and renewable power sources. o Recommendation: The SBSP Study Group recommends that in order to reduce risk and to promote development of SBSP, the U.S. Government should increase and acceler

ate its investments in the development and demonstration of key component, subsystem, and system level technologies that will be required for the creation of operational and scalable SBSP systems. Finding: The SBSP Study Group found that a small amount of entry capital by the US Government is likely to catalyze substantially more investment by the private sector. This opinion was expressed many times over from energy and aerospace companies alike. Indeed, there is anecdotal evidence that even the activity of this intermim study has already provoked significant by at least three major aerospace companies. Should the United States put some dollars in for a study or demonstration, it is likely to catalyze significant amounts of internal research and development. Study leaders likewise heard that the DoD could have a catalytic role by sponsoring prizes or signaling its willingness to become the anchor customer for the product.

#### Solves islanding

**NSSO, 7** (National Security Space Office, Report to the Director, “Space-Based Solar Power As an Opportunity for Strategic Security; Phase 0 Architecture Feasibility Study” October 10, 2007, <http://www.nss.org/settlement/ssp/library/final-sbsp-interim-assessment-release-01.pdf>)

For the DoD specifically, beamed energy from space in quantities greater than 5 MWe has the potential to be a disruptive game changer on the battlefield. SBSP and its enabling wireless power transmission technology could facilitate extremely flexible “energy on demand” for combat units and installations across an entire theater, while significantly reducing dependence on vulnerable over‐land fuel deliveries. SBSP could also enable entirely new force structures and capabilities such as ultra long‐endurance airborne or terrestrial surveillance or combat systems to include the individual soldier himself. More routinely, SBSP could provide the ability to deliver rapid and sustainable humanitarian energy to a disaster area or to a local population undergoing nation‐building activities. **SBSP could also facilitate base “islanding”** such that each installation has the ability to operate independent of vulnerable ground‐ based energy delivery infrastructures. In addition to helping American and Allied defense establishments remain relevant over the entire 21st Century through more secure supply lines, perhaps the greatest military benefit of SBSP is to lessen the chances of conflict due to energy scarcity by providing access to a strategically security energy supply.

#### Basing strategy involves local community dialogue now—the plan reverses this and causes backlash that undermines effectiveness

**Boccuti, Faul and Gray, 12**

Amanda Boccuti, GIS Support Analyst, Marstel-Day, LLC, providing analysis and GIS support for U.S. Marine Corps projects. Lauren Faul, Specializing in Strategic Communications Analyst, Marstel-Day, LLC, Her primary responsibilities entail the development of engagement plans for the U.S. Marine Corps which will provide them a framework to sustain the missions through community outreach and engagement. She has previously worked as a Communications Director on Capitol Hill and Congressional Liaison for the Marine Corps. Lauren Gray, Environmental Issues Researcher, Marstel-Day, LLC, offering research and analysis of environmental issues for encroachment control plans and communications, outreach and engagement strategies for the U.S. Marine Corps. Her primary focus areas include climate change effects and energy development, 5/21/12, http://engagingcities.com/article/establishing-creative-strategies-effective-engagement-between-military-installations-communi

Throughout the Nation’s history, military installations and ranges were historically established in undeveloped areas, except for those forts located to defend cities. Local communities developed near the installations for safety and economic reasons resulting in the installation being the up-to-that-point rural community’s primary economic engine. Routine communication between the installations and local communities were minimal because the installation was self-supporting and not subject to local laws and regulations. Communications were primarily social. Starting in the post-World War II era and accelerating as the 20th Century came to a close, installation-adjacent communities increased in both density and size – becoming less rural, more suburban or urban, and more economically diverse.¶ ¶ Military missions continue to evolve, incorporating new weapon platforms and training over larger areas and at all hours of the day and night. These changes in both surrounding communities and the installation missions have often lead to competing interests with respect to the economy, natural resource management, and land use. Military installations and local communities must, therefore, focus communication efforts on building partnerships to find mutually acceptable paths forward for resolving their competing interests. Developing collaborative relationships is imperative to turning otherwise conflicting interests into opportunities for mutually beneficial solutions. The nature of those interactions is defined by issue type, installation and community rapport, and available communication channels.¶ ¶ The four military services (i.e., Army, Navy, Marine Corps and Air Force) have service-specific community engagement programs to develop partnerships; all four, however, conduct information sharing through the Public Affairs Office (PAO), which handles media and public relations. Three of the services – the Navy, Marine Corps, and Air Force – have established encroachment management policies that outline service responsibilities to establish, maintain, and sustain community relationships in order to reduce encroachment effects. This responsibility is usually assigned to a Community Plans and Liaison Office (CPLO) or an equivalent community planner. The CPLO and PAO work with their installation Commander to act as the military’s voice and point of engagement in the community through consistent messaging, establishing an installation presence in community forums, and planning community-engagement events and processes.¶ ¶ Though Department of Defense (DoD) mechanisms exist to develop community partnerships, mediating the different interests and priorities among military installations and their surrounding communities is a complex, nuanced process usually exercised by the services, through their installation leadership. Siting of renewable energy projects, environmental stewardship responsibilities, noise from training events, and other policy- and planning-related matters invoke difficult questions, such as: how can an installation and its surrounding communities concurrently pursue goals and development in a way that lead to mutual gain, obtaining threshold requirements and fair compromise? Finding interest nexuses and fostering an open, strong relationship in which those nexuses can be explored is key.

#### Locating SMRs on bases destroys solvency--either reactors could only be on non-essential bases, or locating reactors on mission-critical facilities jacks effectiveness

Marcus King et al 11, Associate Director of Research, Associate Research Professor of International Affairs, Elliot School of International Affairs, The George Washington University, et al., March 2011, “Feasibility of Nuclear Power on U.S. Military Installations,” http://www.cna.org/sites/default/files/research/Nuclear%20Power%20on%20Military%20Installations%20D0023932%20A5.pdf

The effect of nuclear power plants on operations, training, and ¶ readiness

The key factor that DoD must consider in the siting of nuclear reactors is the potential impact on training and readiness. All reactors regulated by the NRC have designated exclusion areas. The exclusion¶ area is the area surrounding the reactor, in which the reactor licensee¶ has the authority to determine all activities, including exclusion or¶ removal of personnel and property from the area. The existence of¶ an exclusion area would not necessarily prohibit military training.¶ According to the NRC definition,¶ This area may be traversed by a highway, railroad, or waterway, provided these are not so close to the facility as to interfere with normal operations of the facility and provided¶ appropriate and effective arrangements are made to control¶ traffic on the highway, railroad, or waterway, in case of¶ emergency, to protect the public health and safety [48].

Furthermore,¶ Activities unrelated to operation of the reactor may be permitted in an exclusion area under appropriate limitations,¶ provided that no significant hazards to the public health¶ and safety will result [48].

Another factor to consider is that the exclusion area for SMRs are¶ likely to be smaller than those established for large reactors. ¶ DoD must also consider the potential effect of military training on¶ reactor operations. Reactors must be designed to the criteria that no¶ accidents at nearby military facilities may threaten nuclear plant¶ safety [48]. NRC regulations note that accidents at nearby military¶ facilities such as munitions storage areas and ordinance test ranges¶ may threaten safety. Flight training is another area of concern. The¶ NRC stipulates that nuclear plant developers should identify airports¶ within 16 km, and the risks of potential incidents must be taken into¶ consideration [48]. Hybrid concepts that include industrial facilities¶ associated with nuclear reactors raise additional safety concerns.¶ Another factor is whether a nuclear accident would affect critical¶ DoD missions. It is important that DoD consider only those sites that¶ support missions that are not so critical to national security so that if¶ an interruption caused by a nuclear incident, or an evacuation order,¶ would create lasting damage to national security.

### OFF

#### Text: The Russian Federation should not export nuclear reactors.

### Solvency

#### DOD fails—exacerbates market barriers—first mover hypothesis is flawed

**Marqusee**, executive director – Strategic Environmental Research and Development Program @ DOD, ‘**12**

(Jeffrey, “Military Installations and Energy Technology Innovations,” in Energy Innovation at the Department of Defense: Assessing the Opportunities, March)

Decisions on implementing these technologies will be made in a distributed sense and involve tens of thousands of individual decision makers if they are ever to reach large-scale deployment. These are the energy technologies that DoD installations will be buying, either directly through appropriated funds or in partnership with third-party financing through mechanisms such as Energy Saving Performance Contracts (ESPCs) or Power Purchase Agreements (PPAs). In the DOE taxonomy shown above, these distributed installation energy technologies cover the demand space on building and industrial efficiency, portions of the supply space for clean electricity when restricted to distributed generation scale, and a critical portion in the middle where microgrids and their relationship to energy storage and electric vehicles reside. There is an extensive literature on the impediments to commercialization of these emerging energy technologies for the building infrastructure market.82 A key impediment (and one found not just in the building market) is that energy is a cost of doing business, and thus rarely the prime mission of the enterprise or a priority for decision makers. In contrast to sectors such as information technology and biotechnology, where advanced technologies often provide the end customer with a new capability or the ability to create a new business, improvements in energy technology typically just lower the cost of an already relatively low-cost commodity (electricity). As a result, the market for new technology is highly price sensitive, and life-cycle costs are sensitive to the operational efficiency of the technology, to issues of maintenance, and to the estimated lifetime of the component. Thus, a first user of a new energy technology bears significantly more risk while getting the same return as subsequent users. A second impediment is the slow pace of technological change in the U.S. building sector: it takes years, if not decades, for new products to achieve widespread use. One reason for this is that many firms in the industry are small; they lack the manpower to do research on new products, and they have limited ability to absorb the financial risks that innovation entails. A third impediment to the widespread deployment of new technologies arises from the fragmented or distributed nature of the market; decisions are usually made at the individual building level, based on the perceived return on investment for a specific project. The structural nature of decision making and ownership can be a significant obstacle to technological innovation in the commercial market: n The entity that bears the up-front capital costs is often not the same as the one that reaps the operation and management savings (this is known as the “split incentives” or “principal agent” problem). n Key decision makers (e.g., architecture and engineering firms) face the liabilities associated with operational failure but do not share in the potential savings, creating an incentive to prefer reliability over innovation. n Financing mechanisms for both energy efficiency (by energy service companies using an ESPC) and distributed and renewable energy generation (through PPA and the associated financing entities) require high confidence in the long-term (decade-plus) performance of the technology, and thus investors are unwilling to put capital at risk on new technologies. Other significant barriers to innovation include a lack of information, which results in high transactional costs, and an inability to properly project future savings. As the National Academy of Sciences has pointed out, the lack of “evidence based” data inhibits making an appropriate business case for deployment.83 The return on the capital investment is often in terms of avoided future costs. Given the limited visibility of those costs when design decisions are being made, it is often hard to properly account for them or see the return. This is further exacerbated by real and perceived discount rates that can lead to suboptimal investment decisions. Finally, the lack of significant operational testing until products are deployed severely limits the rapid and complete development of new energy technologies. The impact of real-world conditions such as building operations, variable loads, human interactions, and so forth makes it very difficult to optimize technologies, and specifically inhibits **any radical departure** from standard practice. These barriers are particularly problematic for new energy efficiency technologies in the building retrofit market, which is where DoD has the greatest interest. In addition to these barriers, which are common across DoD and the commercial market, DoD has some unique operational requirements (security and information assurance issues) that create other barriers.

#### Supply chain atrophy

ITA, ‘11

[International Trade Administration -- U.S. Department of Commerce, February, “The Commercial Outlook for U.S. Small Modular Nuclear Reactors,” http://trade.gov/mas/ian/build/groups/public/@tg\_ian/@nuclear/documents/webcontent/tg\_ian\_003185.pdf]

There are also domestic policies that hinder U.S. SMR competitiveness, with some policies relevant to all nuclear suppliers and some specific to SMR deployment, both at home and abroad. One obstacle is diminished manufacturing capacity. U.S. nuclear competitiveness is hampered because U.S. manufacturing capacity has been eroded through the lack of new reactor construction during the past few decades. Some government resources to help manufacturers are not appropriate for nuclear suppliers, or the resources exclude the suppliers entirely. For example, only two U.S. nuclear manufacturers qualified for the advanced energy manufacturing tax credit. The timeline to be eligible for the credit requires a facility to be up and running four years from certification. Some U.S. firms say that the timeline is too short for many nuclear suppliers; just acquiring the high-precision machines necessary to retool and rebuild capacity can require a lead time of several years.

#### Smallness has no cost advantage

**Makhijani, ‘11**

[Arjun, President -- IEER, The Hill, “The problems with small nuclear reactors,” http://thehill.com/blogs/congress-blog/energy-a-environment/166609-the-problems-with-small-nuclear-reactors]

The arguments of the proponents are alluring:  since they are small, SMRs could be cheaply mass produced in factories and quickly erected on site.  Being small, no single reactor would be a "bet the farm" risk. Most seductively, there would be highly paid industrial jobs right here in the United States; SMRs would just roll off the assembly lines like the Model Ts of yesteryear in contrast to the custom made Lamborghinis of today. The devil, as usual, is in the details. For instance, the cost of a nuclear reactor per unit of electrical generating capacity declines with increasing size. This is because, contrary to intuition, larger reactors use less material per unit of capacity than smaller reactors. When the size of given type of reactor is reduced from 1,000 to 100 megawatts, the amount of material used per megawatt will more than double. And the notion that U.S. workers would get the bulk of the factory jobs is entirely fanciful, given the rules of the World Trade Organization on free trade. Most likely the reactors would be made in China or another country with industrial infrastructure and far lower wages. And what would we do if the severe quality problems with Chinese products, such as drywall and infant formula, afflict reactors? Will there be a process for recalls, as has happened with factory products from Toyotas to Tylenol? How do you recall a radioactively-contaminated, mass-produced nuclear reactor if it has problems? There are economies of scale associated with security, too. Today, large crews staff a reactor control room round-the-clock and guard the site. To reduce operating costs, some vendors are advocating to lower the number of security staff and to require only one operator for three modules, raising serious questions about whether there would be sufficient personnel in the event of an accident or attack. The same problem is associated with safety. The cost of electricity from SMRs would skyrocket if each reactor had to have its own secondary containment structure. Such containment is needed to prevent large-scale releases of radioactivity in case of a severe accident. To ameliorate this problem, it has been proposed to put a number of SMRs in a single containment structure. The result is that a typical reactor project would still have to be very large with several reactors per project; a single small reactor at a site would become prohibitively expensive if security and safety standards are to be maintained. This would defeat the purpose of the flexible "modular" design. All these problems would be associated with SMRs even if we stuck with the basic design approach - light water reactors - that is well-known.  They would be compounded with new reactor designs and new types of waste. Nuclear power advocates have long promised far more than they can deliver, ignoring essential hurdles such as cost, safety, and performance. Decades of experience, however, have proven those promises to be hollow and hazardous. The notion that "small is beautiful" for nuclear reactors is not just fanciful; it is whistling past the graveyard of the "nuclear renaissance" that never was.

### New Advantage

**No Russian expansionism - not interested in conquering**

Doug **Bandow,** 1-2-20**12**; senior fellow at the Cato Institute, specializing in foreign policy and civil liberties; Op Ed: NATO and Libya: It’s Time To Retire a Fading Alliance http://feb17.info/editorials/op-ed-nato-and-libya-its-time-to-retire-a-fading-alliance/

The Cold War required an extraordinary defense commitment from the U.S. But no longer. Europe still matters, but it faces no genuine military threat. Whatever happens politically in Moscow, **there will be no Red Army pouring armored divisions through Germany’s Fulda Gap.** Washington has much to worry about, but Europe is not on the list. Of course, the Europeans still have geopolitical concerns. Civil wars in the Balkans and Libya threatened refugee flows and economic disruption. However, the Europeans are capable of handling such issues. Potentially more dangerous is the situation in Eastern Europe and beyond, most notably Georgia and Ukraine. But not dangerous to America. The U.S. has survived most of its history with these lands successively part of the Russian Empire and the Soviet Union. Nor is there any evidence that Russia wants to forcibly reincorporate its “lost” territories into a renewed Soviet empire. Rather, Moscow appears to have retrogressed to a “great power” like Imperial Russia. The new Russia is concerned about international respect and border security. Threaten that, and war might result, as Georgia learned in 2008.

#### If aq has wmd then it doesn’t matter if there are floating smrs because they can attack cargo or trade checkpoints

#### No impact to nuclear acquisition

**Asia Times 10** [Asia Times Online, 4/16/10, “Terrorism: The nuclear summit’s ‘straw man’”, <http://www.atimes.com/atimes/Middle_East/LD16Ak02.html>]

In actuality, the threat of terrorists acquiring a working nuclear device are relatively remote. Building nuclear weapons is a complex and resource intensive business; if it were not, more countries **would already possess them**. That leaves the option of stealing a weapon. But pilfering a nuclear weapon is not simply a case of planning a sophisticated smash-and-grab operation. Nuclear weapons have multi-layered security systems, both technological and human. For example, access to nuclear facilities and weapons follows strict chains of command. Warheads are usually stored in **several different pieces** that require a cross-expertise and technical sophistication to assemble. In addition, they employ security features called Permissive Action Links (PAL) that use either external enabling devices or advanced encryption to secure the weapon. Older security systems include anti-tamper devices capable of exploding the device without a nuclear chain reaction. Not to mention that effectively delivering a nuclear device comes with its own hefty challenges. Thus, there are many serious obstacles to terrorists actually obtaining and setting off a nuclear bomb.

#### They don’t have a card that they solve intime – its about SMR design certification - by definition the DOD doesn’t solve because it goes to the NRC

#### Latin America impact empirically denied

**Hartzell 2000** (Caroline A., 4/1/2000, Middle Atlantic Council of Latin American Studies Latin American Essays, “Latin America's civil wars: conflict resolution and institutional change.” http://www.accessmylibrary.com/coms2/summary\_0286-28765765\_ITM)

Latin America has been the site of fourteen civil wars during the post-World War II era, thirteen of which now have ended. Although not as civil war-prone as some other areas of the world, Latin America has endured some extremely violent and destabilizing intrastate conflicts. (2) The region's experiences with civil wars and their resolution thus may prove instructive for other parts of the world in which such conflicts continue to rage. By examining Latin America's civil wars in some depth not only might we better understand the circumstances under which such conflicts are ended but also the institutional outcomes to which they give rise. More specifically, this paper focuses on the following central questions regarding Latin America's civil wars: Has the resolution of these conflicts produced significant institutional change in the countries in which they were fought? What is the nature of the institutional change that has taken place in the wake of these civil wars? What are the factors that are responsible for shaping post-war institutional change?

#### Squo solves—NRC is conducting SMR assessments, but letting that demanding review process before immediate demand is key to solvency

Heft, ‘11

[Gordon, Black & Veatch, “Small Modular Reactors Make Headway In Many Countries: Design Certification Starts Soon,” Issue No. 1, http://solutions.bv.com/small-modular-reactors-make-headway-in-many-countries/]

Small Modular Reactors (SMRs), those nuclear power plants that have the capability of being mass produced, hauled by rail and dropped in the ground, at first glance sound like something from the futuristic pages of Popular Science magazine. But look out – the first proposals head for design certification as early as next year. Already, the U.S. Nuclear Regulatory Commission (NRC) is holding discussions with various designers on what are called topical reports. It is a “meet and discussion” time that allows the subjects addressed in the topical reports (e.g., security, passive safety systems) to get an early review by the NRC and to see what kinds of questions or concerns the NRC raises. Call it an early-stage vetting opportunity. “SMRs have many advantages, including the passive cooling systems that have simplicity and safety,” said Larry Drbal, Chief Engineer, Nuclear for Black & Veatch. “It is really an interesting, exciting concept.” The notion of using nuclear power in a very small manner is certainly not new, considering several countries have naval fleets that are nuclear powered. But using SMRs to generate electrical power in small quantities – 10 megawatts to 300 MW – is definitely new and ground-breaking, Drbal said. Currently, there are four small reactors operating in a remote area of Siberia and a floating barge equipped with two small reactors under construction in Russia, with operation expected in 2013 near the city of Viluchinsk. Drbal sees SMRs as gaining much traction in the next few years. Although the design certification documents (DCDs) may take five years for NRC review, he said that utilities could also submit COLAs (combined construction and operating license applications) to the NRC in parallel with the DCD. By the time the DCD receives NRC approval, the COLA approval could soon follow, and construction could quickly begin. “One developer is saying they expect to have their first SMR operating commercially by 2020,” Drbal noted. Advantages to SMRs Drbal has no problem reeling off a laundry list of advantages he sees to this new way of viewing nuclear power. “All components can be built in-country and then hauled by truck, rail or barge to the site. These modules can be mass produced, which gains factory-like efficiencies. Since they are modular, they can be built to match the load growth of a given region, and when you need additional power, you add another module, just like what we do with combined cycle units.” Drbal says SMRs will likely be used in remote locations, where it is difficult to generate power and erect transmission lines. Because the generation size is so much smaller than a full-sized nuclear plant, the load output would be more compatible with the electric grid size. The designs also promise longer fuel cycles, and when it does come time to refuel, it may be a matter of pulling out one module and dropping in a new one for some SMR designs. Financially, SMRs come with a much smaller price tag. While owners are probably looking upwards at $1 billion, Drbal estimates, that is still dwarfed by the $8 billion price that comes with the full-sized brethren. With the smaller size also comes a smaller staff, partially reduced security needs, less operating maintenance, decreased financial risk, and perhaps even less emergency planning. The designs also are “passive,” meaning less safety-related pumps, motors, piping and other apparatus. International Interest in SMRs Many countries are looking at developing SMRs – China, South Korea, Argentina, Russia, the U.S., South Africa and France, just to name a few. The International Atomic Energy Association projects that 1,000 such reactors could be in commercial operation in the next 30 years – reaching isolated areas and small cities. There are a variety of different designs being offered by the global nuclear community, ranging from scaled-down PWRs (pressurized water reactors) to liquid metal-cooled (e.g., sodium) fast reactors to high-temperature gas-cooled reactors. “The NRC is first looking at the PWR designs, since that is what they are used to examining,” Drbal noted. “We expect the first two design certification applications to go before the NRC for review beginning in 2012.” The review process is meticulous but is continually ongoing during the five-year period, although SMR developers believe the NRC review time will be less because their designs are smaller, passive and simpler. There are many SMR generic licensing issues that will require resolution, including emergency planning, passive safety systems, staffing, physical security, financial issues, decommissioning and many more. These issues are being addressed with the NRC by the industry, technical societies, the government and other organizations. “The NRC will do a very detailed analysis. They will question everything – all assumptions, all calculations,” Drbal said. “They will ask for documentation, data and proof on literally hundreds of items. And after you answer those questions, they’ll ask more. They will also do their own analyses. Then there is a public comment period, which will generate more questions and discussions. It just takes time.” The fact that all of this technology is new – and in some cases, unproven – makes it even more time-consuming. There are few existing prototypes to gather data from, and no commercial operations to point to as examples. Still, Drbal says he has no doubt that SMR designs will be moving forward quickly in the upcoming years.

#### Domestic SMR construction is inevitable, but accelerating it during the review process leads to catastrophic accidents

Wang, 12

[Ucilia, Forbes, 1-20, “Feds To Finance Small Nuclear Reactor Designs,” http://www.forbes.com/sites/uciliawang/2012/01/20/feds-to-finance-small-nuclear-reactor-designs/]

The U.S. Department of Energy on Friday announced a plan to support the design of so-called “small modular nuclear reactors” and popularize their use for power generation. The plan is to fund two reactor designs that will become available for licensing and production by 2022. The department is first asking for advice from the power industry on crafting the details of this project, and it hasn’t said how much it would dole out. But whoever wins the contracts to design the reactors will have to pony up money as well. Small reactors are generally about one-third the size of existing nuclear reactors, and a power plant with small reactors promises to be cheaper to build and easier to obtain permits more quickly than a full-size nuclear power plant, proponents say. Utilities should have more flexibility in modifying the size of a power plant with small reactors – if they need more power, then they can add more reactors over time. Nuclear reactors have historically been designed to be 1-gigawatt or more each because such scale helps to drive down the manufacturing and installation costs. Small reactors can be economical, too, advocates say, because they can be shipped more easily and cheaply around the world. “We think (small, modular nuclear) solves a lot of issues in terms of investments and electricity infrastructure,” Chu said at a press conference a year ago. “And it’s a way for the United States to regain its leadership in nuclear.” Several startups and major power equipment makers are working on small modular nuclear reactors. They include TerraPower, which is backed by Bill Gates and recently received funding from Indian conglomerate Reliance Industries. TerraPower also has been talking to the governments of China, India and Russia, basically countries where nuclear power won’t likely receive the kind of intense opposition that you’ll find in the United States, Germany or Japan. Other venture capital-funded startups include NuScale Power and Hyperion Power Generation (see a list from GigaOm). These companies aren’t just working on shrinking the size of the reactors. They also are investigating the use of different fuels and ways to reduce nuclear waste, for example. Following the energy department’s announcement Friday morning, Westinghouse Electric Co. issued a statement to say it intends to apply for the funding. Westinghouse already is in the nuclear reactor design business. It received approval from the Nuclear Regulatory Commission for a large, 1,154-megawatt nuclear reactor called AP1000 last month. The energy department funded part of the project to design AP1000. Just because small nuclear reactors promise many economic and environmental benefits (they don’t produce dirty air like coal or natural gas power plants do) doesn’t mean they can be developed and made more quickly or cheaply, however. Technology companies also will have to prove that their small nuclear reactors can be just as safe if not safer than the conventional, large-scale nuclear reactors today. The Fukushima nuclear power plant disaster in Japan has shown that a misstep in designing and operating a nuclear plant can have a far greater and more devastating impact than a mistake in running other types of power plants. That means nuclear power companies — and the government — will have to do a lot more to prove that nuclear power should remain an important part of the country’s energy mix.

#### Extinction

Lendman, ‘11

[Stephen, Research Associate -- Center for Research on Globalization, 3-13, “Nuclear Meltdown in Japan,” http://www.thepeoplesvoice.org/TPV3/Voices.php/2011/03/13/nuclear-meltdown-in-japan]

For years, Helen Caldicott warned it's coming. In her 1978 book, "Nuclear Madness," she said: "As a physician, I contend that nuclear technology threatens life on our planet with extinction. If present trends continue, the air we breathe, the food we eat, and the water we drink will soon be contaminated with enough radioactive pollutants to pose a potential health hazard far greater than any plague humanity has ever experienced." More below on the inevitable dangers from commercial nuclear power proliferation, besides added military ones. On March 11, New York Times writer Martin Fackler headlined, "Powerful Quake and Tsunami Devastate Northern Japan," saying: "The 8.9-magnitude earthquake (Japan's strongest ever) set off a devastating tsunami that sent walls of water (six meters high) washing over coastal cities in the north." According to Japan's Meteorological Survey, it was 9.0. The Sendai port city and other areas experienced heavy damage. "Thousands of homes were destroyed, many roads were impassable, trains and buses (stopped) running, and power and cellphones remained down. On Saturday morning, the JR rail company" reported three trains missing. Many passengers are unaccounted for. Striking at 2:46PM Tokyo time, it caused vast destruction, shook city skyscrapers, buckled highways, ignited fires, terrified millions, annihilated areas near Sendai, possibly killed thousands, and caused a nuclear meltdown, its potential catastrophic effects far exceeding quake and tsunami devastation, almost minor by comparison under a worst case scenario. On March 12, Times writer Matthew Wald headlined, "Explosion Seen at Damaged Japan Nuclear Plant," saying: "Japanese officials (ordered evacuations) for people living near two nuclear power plants whose cooling systems broke down," releasing radioactive material, perhaps in far greater amounts than reported. NHK television and Jiji said the 40-year old Fukushima plant's outer structure housing the reactor "appeared to have blown off, which could suggest the containment building had already been breached." Japan's nuclear regulating agency said radioactive levels inside were 1,000 times above normal. Reuters said the 1995 Kobe quake caused $100 billion in damage, up to then the most costly ever natural disaster. This time, from quake and tsunami damage alone, that figure will be dwarfed. Moreover, under a worst case core meltdown, all bets are off as the entire region and beyond will be threatened with permanent contamination, making the most affected areas unsafe to live in. On March 12, Stratfor Global Intelligence issued a "Red Alert: Nuclear Meltdown at Quake-Damaged Japanese Plant," saying: Fukushima Daiichi "nuclear power plant in Okuma, Japan, appears to have caused a reactor meltdown." Stratfor downplayed its seriousness, adding that such an event "does not necessarily mean a nuclear disaster," that already may have happened - the ultimate nightmare short of nuclear winter. According to Stratfor, "(A)s long as the reactor core, which is specifically designed to contain high levels of heat, pressure and radiation, remains intact, the melted fuel can be dealt with. If the (core's) breached but the containment facility built around (it) remains intact, the melted fuel can be....entombed within specialized concrete" as at Chernobyl in 1986. In fact, that disaster killed nearly one million people worldwide from nuclear radiation exposure. In their book titled, "Chernobyl: Consequences of the Catastrophe for People and the Environment," Alexey Yablokov, Vassily Nesterenko and Alexey Nesterenko said: "For the past 23 years, it has been clear that there is a danger greater than nuclear weapons concealed within nuclear power. Emissions from this one reactor exceeded a hundred-fold the radioactive contamination of the bombs dropped on Hiroshima and Nagasaki." "No citizen of any country can be assured that he or she can be protected from radioactive contamination. One nuclear reactor can pollute half the globe. Chernobyl fallout covers the entire Northern Hemisphere." Stratfor explained that if Fukushima's floor cracked, "it is highly likely that the melting fuel will burn through (its) containment system and enter the ground. This has never happened before," at least not reported. If now occurring, "containment goes from being merely dangerous, time consuming and expensive to nearly impossible," making the quake, aftershocks, and tsunamis seem mild by comparison. Potentially, millions of lives will be jeopardized. Japanese officials said Fukushima's reactor container wasn't breached. Stratfor and others said it was, making the potential calamity far worse than reported. Japan's Nuclear and Industrial Safety Agency (NISA) said the explosion at Fukushima's Saiichi No. 1 facility could only have been caused by a core meltdown. In fact, 3 or more reactors are affected or at risk. Events are fluid and developing, but remain very serious. The possibility of an extreme catastrophe can't be discounted. Moreover, independent nuclear safety analyst John Large told Al Jazeera that by venting radioactive steam from the inner reactor to the outer dome, a reaction may have occurred, causing the explosion. "When I look at the size of the explosion," he said, "it is my opinion that there could be a very large leak (because) fuel continues to generate heat." Already, Fukushima way exceeds Three Mile Island that experienced a partial core meltdown in Unit 2. Finally it was brought under control, but coverup and denial concealed full details until much later. According to anti-nuclear activist Harvey Wasserman, Japan's quake fallout may cause nuclear disaster, saying: "This is a very serious situation. If the cooling system fails (apparently it has at two or more plants), the super-heated radioactive fuel rods will melt, and (if so) you could conceivably have an explosion," that, in fact, occurred. As a result, massive radiation releases may follow, impacting the entire region. "It could be, literally, an apocalyptic event. The reactor could blow." If so, Russia, China, Korea and most parts of Western Asia will be affected. Many thousands will die, potentially millions under a worse case scenario, including far outside East Asia. Moreover, at least five reactors are at risk. Already, a 20-mile wide radius was evacuated. What happened in Japan can occur anywhere. Yet Obama's proposed budget includes $36 billion for new reactors, a shocking disregard for global safety. Calling Fukushima an "apocalyptic event," Wasserman said "(t)hese nuclear plants have to be shut," let alone budget billions for new ones. It's unthinkable, he said. If a similar disaster struck California, nuclear fallout would affect all America, Canada, Mexico, Central America, and parts of South America. Nuclear Power: A Technology from Hell Nuclear expert Helen Caldicott agrees, telling this writer by phone that a potential regional catastrophe is unfolding. Over 30 years ago, she warned of its inevitability. Her 2006 book titled, "Nuclear Power is Not the Answer" explained that contrary to government and industry propaganda, even during normal operations, nuclear power generation causes significant discharges of greenhouse gas emissions, as well as hundreds of thousands of curies of deadly radioactive gases and other radioactive elements into the environment every year. Moreover, nuclear plants are atom bomb factories. A 1000 megawatt reactor produces 500 pounds of plutonium annually. Only 10 are needed for a bomb able to devastate a large city, besides causing permanent radiation contamination. Nuclear Power not Cleaner and Greener Just the opposite, in fact. Although a nuclear power plant releases no carbon dioxide (CO2), the primary greenhouse gas, a vast infrastructure is required. Called the nuclear fuel cycle, it uses large amounts of fossil fuels. Each cycle stage exacerbates the problem, starting with the enormous cost of mining and milling uranium, needing fossil fuel to do it. How then to dispose of mill tailings, produced in the extraction process. It requires great amounts of greenhouse emitting fuels to remediate. Moreover, other nuclear cycle steps also use fossil fuels, including converting uranium to hexafluoride gas prior to enrichment, the enrichment process itself, and conversion of enriched uranium hexafluoride gas to fuel pellets. In addition, nuclear power plant construction, dismantling and cleanup at the end of their useful life require large amounts of energy. There's more, including contaminated cooling water, nuclear waste, its handling, transportation and disposal/storage, problems so far unresolved. Moreover, nuclear power costs and risks are so enormous that the industry couldn't exist without billions of government subsidized funding annually. The Unaddressed Human Toll from Normal Operations Affected are uranium miners, industry workers, and potentially everyone living close to nuclear reactors that routinely emit harmful radioactive releases daily, harming human health over time, causing illness and early death. The link between radiation exposure and disease is irrefutable, depending only on the amount of cumulative exposure over time, Caldicott saying: "If a regulatory gene is biochemically altered by radiation exposure, the cell will begin to incubate cancer, during a 'latent period of carcinogenesis,' lasting from two to sixty years." In fact, a single gene mutation can prove fatal. No amount of radiation exposure is safe. Moreover, when combined with about 80,000 commonly used toxic chemicals and contaminated GMO foods and ingredients, it causes 80% of known cancers, putting everyone at risk everywhere. Further, the combined effects of allowable radiation exposure, uranium mining, milling operations, enrichment, and fuel fabrication can be devastating to those exposed. Besides the insoluble waste storage/disposal problem, nuclear accidents happen and catastrophic ones are inevitable. Inevitable Meltdowns Caldicott and other experts agree they're certain in one or more of the hundreds of reactors operating globally, many years after their scheduled shutdown dates unsafely. Combined with human error, imprudently minimizing operating costs, internal sabotage, or the effects of a high-magnitude quake and/or tsunami, an eventual catastrophe is certain. Aging plants alone, like Japan's Fukushima facility, pose unacceptable risks based on their record of near-misses and meltdowns, resulting from human error, old equipment, shoddy maintenance, and poor regulatory oversight. However, under optimum operating conditions, all nuclear plants are unsafe. Like any machine or facility, they're vulnerable to breakdowns, that if serious enough can cause enormous, possibly catastrophic, harm. Add nuclear war to the mix, also potentially inevitable according to some experts, by accident or intent, including Steven Starr saying: "Only a single failure of nuclear deterrence is required to start a nuclear war," the consequences of which "would be profound, potentially killing "tens of millions of people, and caus(ing) long-term, catastrophic disruptions of the global climate and massive destruction of Earth's protective ozone layer. The result would be a global nuclear famine that could kill up to one billion people." Worse still is nuclear winter, the ultimate nightmare, able to end all life if it happens. It's nuclear proliferation's unacceptable risk, a clear and present danger as long as nuclear weapons and commercial dependency exist. In 1946, Enstein knew it, saying: "Our world faces a crisis as yet unperceived by those possessing the power to make great decisions for good and evil. The unleashed power of the atom has changed everything save our modes of thinking, and thus we drift toward unparalleled catastrophe." He envisioned two choices - abolish all forms of nuclear power or face extinction. No one listened. The Doomsday Clock keeps ticking.

#### Transparent public engagement in this process is key to manage concerns and prevent visceral public backlash – turns case

Guy, 12

[Megan, investment professional at Angeleno Group, a growth equity investment firm focused on next generation energy and natural resources companies, holds an MBA from the Stanford Graduate School of Business and a Masters of Science from Stanford’s Emmett Interdisciplinary Program in Environment and Resources, Stanford Energy Journal, Spring, “NEW STRATEGIES FOR PUBLIC ENGAGEMENT,” http://energyclub.stanford.edu/index.php/Journal/Public\_Engagement\_by\_Megan\_Guy]

To shift public sentiment in its favor, proponents of nuclear energy must work against two critical factors: the psychology of risk and public distrust of institutions. On a purely quantitative basis, the risk of death or substantial harm from radiation exposure rates far below that of numerous other hazards (e.g., driving a car, being struck by lightning). Yet these figures are largely irrelevant when it comes to risk perception. Paul Slovic’s work has identified numerous qualitative factors that shape how a person understands and experiences risk: hazards that a person is involuntarily exposed to, is unfamiliar with, or which have potentially catastrophic consequences dramatically elevate perceived risk above actual risk. A nuclear accident–unexpected, technical, and “black box” in nature, conjuring images of radiation sickness and desolation–satisfies each of these criteria, activating the darkest recesses of the imagination and yielding, for many, an unacceptable level of perceived risk. Institutional distrust also undermines public confidence in nuclear energy, which has long been perceived as the domain of academics, experts, and bureaucrats. The history of nuclear crises provides plenty of evidence to illustrate that this may be well-founded. For example, the Soviet government did not publicly acknowledge the Chernobyl accident until elevated radiation levels were detected in Sweden two days after the accident occurred. During the Three Mile Island crisis, poor communication from Metropolitan Edison and state and Nuclear Regulatory Commission (NRC) officials led to conflicting public statements that heightened public confusion and alarm. And most recently, in the initial days of the Fukushima disaster the NRC perceived the accident to be much more severe than the Japanese government acknowledged. Governmental distrust and public turmoil grew rapidly among the Japanese citizenry when the Americans advocated for more drastic containment and evacuation measures than the Japanese were recommending. As such, few were surprised when an overly close relationship between Japanese regulators and TEPCO came to light in the following weeks. Similar concerns are present in the U.S., where they are compounded by a large segment of the public that is already disillusioned and suspicious of government, corporations, and expertise in the wake of the financial crisis and other recent events. If nuclear power is to play a meaningful role in addressing the world’s future energy needs, it must do a better job of engaging public support by rebuilding institutional trust and mitigating risk perception through education. Neither is easy (nor by any means guaranteed), but actions that improve controls, engagement, and transparency are all steps in the right direction. Regulatory regimes must be structured to incentivize regulators, operators, and citizens to identify and elevate safety concerns. Industry should work with regulators to develop a collaborative culture of openness and continuous improvement. For example, current technology enables real-time monitoring and analytics at a plant level. Real-time information sharing across fleets and among operators and regulators could accelerate learning and reduce costs across the industry, particularly as existing plants age and require increased maintenance. Most importantly, voicing a concern or identifying a problem must not be stigmatized. Rather, it should be rewarded to encourage candid assessment and communication. Although the fear associated with a potential nuclear accident can never be eliminated, it can be lessened through increasing the public’s understanding of, and familiarity with, nuclear science and safety processes. All stakeholders would be well served by collaboratively formulating, refining, and disseminating a proactive crisis management plan. Clearly this has limitations – every incident is different and inherently unpredictable – but by setting some expectations in advance and establishing clear channels of communication, citizens, operators, and regulators can build trust and lessen panic. Finally, the industry needs new methods of public engagement to expand the discussion to a broader audience: rather than branding individuals and regions as pro- or anti-nuclear, the industry would be better served by engaging in conversation, using expert knowledge to creatively facilitate a dialogue rather than to advocate a particular point at all costs. For example, Bill Gates’ TED Talk on energy (which features TerraPower’s Traveling Wave Reactor) has been viewed and debated by over one million people. This figure is certainly orders of magnitude greater than the number of individuals who have read any industry white paper or NRC report. People are far more likely to trust sources that both acknowledge weaknesses in their own positions, and also encourage their audiences to think critically, than those who view the world in black and white. From a technology perspective, the future of nuclear energy looks very bright – but without better strategies for public engagement, this renaissance may end before it truly begins.

#### Rushing SMR licensing increases liability cases—turns viability and supercharges the safety link

Feinstein, ‘11

[Dianne, US Senator, “AN EXAMINATION OF THE SAFETY AND ECONOMICS OF LIGHT WATER SMALL MODULAR REACTORS: HEARING before a SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS UNITED STATES SENATE ONE HUNDRED TWELFTH CONGRESS FIRST SESSION, SPECIAL HEARING, JULY 14, 2011--WASHINGTON DC,” http://www.gpo.gov/fdsys/pkg/CHRG-112shrg72251/html/CHRG-112shrg72251.htm]

The Fukushima crisis also demonstrated the potential danger of storing spent fuel in pools on site, and yet the proposed SMR designs do not appear to make any improvements in this method of spent-fuel storage. Bluntly, I'm struggling to reconcile the lessons of Fukushima with the principal design premise of SMRs, and so I look forward to witnesses addressing these issues today. This hearing is not about spent fuel, but it's hard to have a hearing on new nuclear power without considering the issue of what we do with the waste. This country has not--and I stress not--done a good job dealing with defense or commercial nuclear waste. That's simply a fact. Today, we have no national policy to address our commercial spent nuclear fuel, and we store it at every nuclear plant in the country in pools and dry casks for decades without end. Yet, today we're considering investing $452 million in LW SMRs that will result in more spent fuel stored at sites with no permanent storage for waste. By law, the Federal Government must take this waste and store it permanently but, today, the Federal Government is being sued and is making payments for lost cases because it cannot fulfill that obligation. This is not inexpensive. The Government Accountability Office estimates that we face $12.3 billion in liability through 2020 if we fail to take the spent fuel from utilities. That's $12.3 billion of liability. Now, that's a very deep concern and should concern every one of us in this Congress. Presumably, building new plants licensed under the SMR program would only increase this liability. While we discuss the specific safety and economic issues of LW SMRs, I continue to view these issues with the absence of a spent-fuel policy. I visited our two reactors in California and, candidly, I don't know how the NRC can say it's fine to keep re-racking spent fuels, adding more rods, keeping them there in California for 24 years, transferring to dry casks, most of which are designed for transportation to permanent storage, and we have no permanent storage. We have no repository. We have no regional storage. We have no permanent storage, and yet we're looking at a new start. So I'm struggling to understand how these reactors will also be economical. The central premise I've been given is that for SMRs to be economical, they must offset the loss of economies of scale with economies of manufacturing.

#### Other countries will not develop SMRs

Shellenberger et al., 9-11-12

[Michael Shellenberger, President -- The Breakthrough Institute, Ted Nordhaus, Chairman -- The Breakthrough Institute, both leading global thinkers on energy, climate, security, human development, and politics, authors of numerous books on energy, Jessica Lovering, Policy Analyst, Energy and Climate Program -- The Breakthrough Institute, “New Nukes

Why We Need Radical Innovation to Make New Nuclear Energy Cheap,” http://thebreakthrough.org/index.php/programs/energy-and-climate/new-nukes/]

Most of these designs still face substantial technical hurdles before they will be ready for commercial demonstration. That means a great deal of research and innovation will be necessary to make these next generation plants viable and capable of displacing coal and gas. The United States could be a leader on developing these technologies, but unfortunately U.S. nuclear policy remains mostly stuck in the past. Rather than creating new solutions, efforts to restart the U.S. nuclear industry have mostly focused on encouraging utilities to build the next generation of large, light-water reactors with loan guarantees and various other subsidies and regulatory fixes. With a few exceptions, this is largely true elsewhere around the world as well. Nuclear has enjoyed bipartisan support in Congress for more than 60 years, but the enthusiasm is running out. The Obama administration deserves credit for authorizing funding for two small modular reactors, which will be built at the Savannah River site in South Carolina. But a much more sweeping reform of U.S. nuclear energy policy is required. At present, the Nuclear Regulatory Commission has little institutional knowledge of anything other than light-water reactors and virtually no capability to review or regulate alternative designs. This affects nuclear innovation in other countries as well, since the NRC remains, despite its many critics, the global gold standard for thorough regulation of nuclear energy. Most other countries follow the NRC's lead when it comes to establishing new technical and operational standards for the design, construction, and operation of nuclear plants. What's needed now is a new national commitment to the development, testing, demonstration, and early stage commercialization of a broad range of new nuclear technologies -- from much smaller light-water reactors to next generation ones -- in search of a few designs that can be mass produced and deployed at a significantly lower cost than current designs. This will require both greater public support for nuclear innovation and an entirely different regulatory framework to review and approve new commercial designs. In the meantime, developing countries will continue to build traditional, large nuclear power plants. But time is of the essence. With the lion's share of future carbon emissions coming from those emerging economic powerhouses, the need to develop smaller and cheaper designs that can scale faster is all the more important.

#### **No impact to trade wars**

Lester, 9/10/12 (Simon a trade policy analyst at the Cato Institute, “A New Kind of Trade War” , http://www.unitedliberty.org/articles/11178-a-new-kind-of-trade-war)

In the past, a “trade war” was something to be avoided at all costs.  It meant a spiral of protectionist measures:  one country would adopt some form of protectionism, and its trading partners would respond in kind.  The impact on the global economy could be disastrous.

Today, by contrast, trade conflict often involves a **tit-for-tat litigation** process in which countries challenge each other’s trade barriers before the World Trade Organization.  The result can actually be beneficial, as successful complaints usually lead to the removal of trade restrictions.  As a result, the “trade wars” of today may lead to less protectionism rather than more.

### Afghanistan

#### Squo solves grid

**Aimone, 9/12**/12 - Director Business Enterprise Integration Office of the Deputy Under Secretary of Defense (Installations and Environment) (Michael, Congressional Testimony, <http://homeland.house.gov/sites/homeland.house.gov/files/Testimony%20-%20Aimone.pdf>)

DoD’s facility energy strategy is also focused heavily on grid security in the name of mission assurance. Although the Department’s fixed installations traditionally served largely as a platform for training and deployment of forces, in recent years they have begun to provide direct support for combat operations, such as unmanned aerial vehicles (UAVs) flown in Afghanistan from fixed installations here in the United States. Our fixed installations also serve as staging platforms for humanitarian and homeland defense missions. These installations are largely dependent on a commercial power grid that is vulnerable to disruption due to aging infrastructure, weather-related events, and potential kinetic, cyber attack. In 2008, the Defense 2 Science Board warned that DoD’s reliance on a fragile power grid to deliver electricity to its bases places critical missions at risk. 1

Standby Power Generation

Currently, DoD ensures that it can continue mission critical activities on base largely through its fleet of on-site power generation equipment. This equipment is connected to essential mission systems and automatically operates in the event of a commercial grid outage. In addition, each installation has standby generators in storage for repositioning as required. Facility power production specialists ensure that the generators are primed and ready to work, and that they are maintained and fueled during an emergency. With careful maintenance these generators can bridge the gap for even a lengthy outage. As further back up to this installed equipment, DoD maintains a strategic stockpile of electrical power generators and support equipment that is kept in operational readiness. For example, during Hurricane Katrina, the Air Force transported more than 2 megawatts of specialized diesel generators from Florida, where they were stored, to Keesler Air Force Base in Mississippi, to support base recovery.

Next Generation Microgrids

Although the Department will continue to maintain its fleet of on-site and mobile backup generators, we are moving aggressively to adopt next generation microgrids. Advanced microgrids, combined with on-site energy generation (e.g., solar or geothermal) and energy storage, offer a more robust and cost effective approach to ensuring installation energy security than the current solution (backup generators). Although microgrid systems are in use today, they are relatively unsophisticated, with limited ability to integrate renewable and other distributed energy sources, little or no energy storage capability, uncontrolled load demands, and “dumb” distribution that is subject to excessive energy losses. By contrast, we envision advanced (or “smart”) microgrids as local power networks that can utilize distributed energy, manage local energy supply and demand, and operate seamlessly both in parallel to the grid and in “island” mode. Advanced microgrids are a “triple play” for DoD’s installations: First, they will facilitate the incorporation of renewable and other on-site energy generation. Second, they will reduce installation energy costs on a day-to-day basis by allowing for load balancing and demand response—i.e., the ability to curtail load or increase on-site generation in response to a request from the grid operator. Third, and most importantly, the combination of on-site energy and storage, together with the microgrid’s ability to manage local energy supply and demand, will allow an installation to shed non-essential loads and maintain mission-critical loads if and when the grid goes down.

DoD’s Installation Energy Test Bed, run out of the Department’s Installations and Environment office, is funding ten demonstrations of microgrid and storage technologies to evaluate the benefits and risks of alternative approaches and configurations. The Test Bed is working with multiple vendors so as to allow DoD to capture the benefits of competition. Demonstrations are underway at Twentynine Palms, CA (General Electric’s advanced microgrid system); Fort Bliss, TX (Lockheed Martin); Joint Base McGuire-Dix-Lakehurst, NJ (United Technologies); Fort Sill, OK (Eaton); and several other installations.

#### No blackouts—the grid is safe

**Koerth-Baker**, science editor – Boing Boing, columnist – NYT Magazine, electric grid expert, 8/3/**’12**

(Maggie, “Blackout: What's wrong with the American grid,” <http://boingboing.net/2012/08/03/blackout-whats-wrong-with-t.html>)

But this is about more than mere bad luck. The real causes of the 2003 blackout were fixable problems, and the good news is that, since then, we’ve made great strides in fixing them. The bad news, say some grid experts, is that we’re still not doing a great job of preparing our electric infrastructure for the future.¶ Let’s get one thing out of the way right up front: The North American electric grid is not one bad day away from the kind of catastrophic failures we saw in India this week. I’ve heard a lot of people speculating on this, but the **folks who know the grid** say that, while such a huge blackout is theoretically possible, it is also extremely unlikely. As Clark Gellings, a fellow at the Electric Power Research Institute put it, “An engineer will never say never,” but you should definitely not assume anything resembling an imminent threat at that scale. Remember, the blackouts this week cut power to half of all Indian electricity customers. Even the 2003 blackout—the largest blackout in North America ever—only affected about 15% of Americans.¶ We don’t know yet what, exactly, caused the Indian blackouts, but there are several key differences between their grid and our grid. India’s electricity is only weakly tied to the people who use it, Gellings told me. Most of the power plants are in the far north. Most of the population is in the far south. The power lines linking the two are neither robust nor numerous. That’s not a problem we have in North America.¶ Likewise, India has considerably more demand for electricity than it has supply. Even on a good day, there’s not enough electricity for all the people who want it, said Jeff Dagle, an engineer with the Pacific Northwest National Laboratory’s Advanced Power and Energy Systems research group. “They’re pushing their system much harder, to its limits,” he said. “If they have a problem, there’s less cushion to absorb it. Our system has rules that prevent us from dipping into our electric reserves on a day-to-day basis. So we have reserve power for emergencies.”

#### Drones fail

CAVALLARO et al 12 professor of law & founding director of Stanford Law School's International Human Rights and Conflict Resolution Clinic [James Cavallaro, http://livingunderdrones.org/report-strategy/]

Strategic Considerations

The central justification for US drone strikes is that they are necessary to make the US safer by disrupting militant activity. Proponents argue that they are an effective, accurate, and precise tool to that end. However, serious questions have been raised about the accuracy and efficacy of strikes, and the publicly available evidence that they have made the US safer overall is ambiguous at best. Considerable costs also have been documented. The under-accounted-for harm to civilians–injuries, killings, and broad impacts on daily life, education, and mental health–was analyzed in detail above, and must be factored as a severe cost of the US program.[1] In addition, it is clear that US strikes in Pakistan foster anti-American sentiment and undermine US credibility not only in Pakistan but throughout the region. There is strong evidence to suggest that US drone strikes have facilitated recruitment to violent non-state armed groups, and motivate attacks against both US military and civilian targets. Further, current US targeted killing and drone strike practices may set dangerous global legal precedents, erode the rule of law, and facilitate recourse to lethal force.

A significant rethinking of current policies, in light of all available evidence, the concerns of various stakeholders, and short and long-term costs and benefits, is long overdue.

#### No Afghanistan impact

**Innocent and Carpenter, 9 –** \*foreign policy analyst at Cato who focuses on Afghanistan and Pakistan AND \*\*vice president for defense and foreign policy studies at Cato (Malou and Ted, “Escaping the Graveyard of Empires: A Strategy to Exit Afghanistan,” http://www.cato.org/pubs/wtpapers/escaping-graveyard-empires-strategy-exit-afghanistan.pdf)

Additionally, regional stakeholders, especially Russia and Iran, have an interest in a stable Afghanistan. Both countries possess the capacity to facilitate development in the country and may even be willing to assist Western forces. In July, leaders in Moscow allowed the United States to use Russian airspace to transport troops and lethal military equipment into Afghanistan. Yet another relevant regional player is the Collective Security Treaty Organization, made up of Russia, Kazakhstan, Tajikistan, Kyrgyzstan, Uzbekistan, Armenia, and Belarus. At the moment, CSTO appears amenable to forging a security partnership with NATO. CSTO secretary general Nikolai Bordyuzha told journalists in March 2009 of his bloc’s intention to cooperate. “The united position of the CSTO is that we should give every kind of aid to the anti-terror coalition operating in Afghanistan. . . . The interests of NATO and the CSTO countries regarding Afghanistan conform unequivocally.”83

Mutual interests between Western forces and Afghanistan’s surrounding neighbors can converge on issues of transnational terrorism, the Caspian and Central Asia region’s abundant energy resources, cross-border organized crime, and weapons smuggling. Enhanced cooperation alone will not stabilize Afghanistan, but engaging stakeholders may lead to tighter regional security.

#### No nuclear theft in Pakistan

**Innocent, 10** – foreign policy analyst at the Cato Institute (Malou, “Away from McChrystal and Back to the Basics,” Huffington Post, 6/28, http://www.cato.org/pub\_display.php?pub\_id=11934)

Pakistan has an elaborate command and control system in place that complies with strict Western standards, and the country's warheads, detonators, and missiles are not stored fully-assembled, but are scattered and physically separated throughout the country. In short, the danger of militants seizing Pakistan's nuclear weapons in some Rambo-like scenario remains highly unlikely.

#### No chance of Pakistan collapse

**Bandow 09** – Senior Fellow @ Cato, former special assistant to Reagan (11/31/09, Doug, “Recognizing the Limits of American Power in Afghanistan,” Huffington Post, http://www.cato.org/pub\_display.php?pub\_id=10924)

From Pakistan's perspective, limiting the war on almost any terms would be better than prosecuting it for years, even to "victory," whatever that would mean. In fact, the least likely outcome is a takeover by widely unpopular Pakistani militants. The Pakistan military is the nation's strongest institution; while the army might not be able to rule alone, it can prevent any other force from ruling.

Indeed, Bennett Ramberg made the important point: "Pakistan, Iran and the former Soviet republics to the north have demonstrated a brutal capacity to suppress political violence to ensure survival. This suggests that even were Afghanistan to become a terrorist haven, the neighborhood can adapt and resist." The results might not be pretty, but the region would not descend into chaos. In contrast, warned Bacevich: "To risk the stability of that nuclear-armed state in the vain hope of salvaging Afghanistan would be a terrible mistake."

#### Drones don’t solve terrorism – they increase radicalization and make attacks more likely

**McGrath 10**  LIEUTENANT COLONEL SHAUN R. MCGRATH United States Air Force

STRATEGIC MISSTEP: “IMMORTAL” ROBOTIC WARFARE, INVITING COMBAT TO SUBURBAN AMERICA March 18, 2010 <http://www.dtic.mil/cgi-bin/GetTRDoc?AD=ADA521822&Location=U2&doc=GetTRDoc.pdf> d.a. 7-27-10

Today one solution to the vexing problem of engaging in continued retribution and pro-active strikes against terrorists or insurgents creates a growing strategic peril with every ostensible tactical success. The strategic peril stems from the expanded use of remotely piloted aircraft (RPA) strikes that target individuals. The peril primarily emanates from strikes against high value targets (HVT) or high value individuals (HVI) outside of direct force-on-force engagements. 3 When used in a complimentary role for force-on-force actions, an RPA’s persistent over-watch ability and targeted firepower enhances tactical success. Extrapolating this tactical success to a broader strategic campaign without the full consideration for second and third order effects induces potential strategic missteps. Key counter-terrorism experts already argue that the second order effect of anti-U.S. sentiment continues to grow with each one of these strikes.4 Today, however, few experts appear to connect the dots to the postulated third order effect of an increased risk of enduring enemy attacks on U.S. soil.

#### Drones increase instability

Innocent, ‘9 [Malou Innocent is a foreign policy analyst at the Cato Institute in Washington DC and recently returned from a fact-finding trip to Pakistan, CATO Institute, 8/25/09, http://www.cato.org/pub\_display.php?pub\_id=10479]

An American missile killed Pakistan's most wanted militant, Baitullah Mehsud, on August 5. The death of the radical Taliban commander was a success for Pakistan and the United States. However, the method used may well produce dangerous unintended consequences in how it might undermine one of the United States' primary interests. Chaos in Afghanistan could spill over and destabilize neighboring Pakistan. That's why the efficacy of missile strikes must be reassessed. The targeting of tribal safe havens by CIA-operated drone strikes strengthens the very jihadist forces that America seeks to defeat, by alienating hearts and minds in a fragile, nuclear-armed, Muslim-majority Pakistani state. During a recent visit to the frontier region, I spoke with several South Waziri tribesmen about the impact of US missile strikes. They recounted how militants exploit the popular resentment felt from the accidental killing of innocents from unmanned aerial vehicles (UAVs), and defined themselves as a force against the injustice of a hostile foreign occupation. The ability to keep militant groups off balance must be weighed against the cost of facilitating the rise of more insurgents.

## 2nc

### at: fourth generation

**4th gen warfare won’t escalate – only nation state wars matter**

**Friedman**, '**8** (Stratfor, June 11, <http://www.stratfor.com/weekly/geopolitical_weekly_u_s_air_force_and_next_war>)

This should be the key point of contention for the Air Force, which should argue that there is no such thing as fourth-generation warfare. There have always been guerrillas, assassins and other forms of politico-military operatives. With the invention of explosives, they have been able to kill more people than before, but there is nothing new in this. What is called fourth-generation warfare is simply a type of war faced by everyone from Alexander to Hitler. It is just resistance. This has not superseded third-generation warfare; it merely happens to be the type of warfare the United States has faced recently. Wars between nation-states, such as World War I and World War II, are rare in the sense that the United States fought many more wars like the Huk rising in the Philippines or the Vietnam War in its guerrilla phase than it did world wars. Nevertheless, it was the two world wars that **determined the future of the world and threatened fundamental U.S. interests. The United States can lose a dozen Vietnams or Iraqs and not have its interests harmed. But losing a war with a nation-state could be catastrophic**.

**No spillover or escalation – local conflicts stay local**

Col. Dr. Frans **Osinga**, 200**7**; Royal Netherlands Air Force; “On Boyd, Bin Laden, and Fourth Generation Warfare as String Theory”, From John Olson, ed., On New Wars (Oslo, 2007, forthcoming). Reprinted with permission, 26 June 2007

Conceptually flawed Fourth, and related to the previous observation, conceptually the threat is addressed in a flawed manner. 4GW is guilty of trying to create too much coherence among disparate events, incidents, localized developments and factions. Most criminal, terrorist and insurgent groups actually are very local in their greed, grievances and activities and only use the ‘global insurgency’ as a veneer to gain local traction, wider attraction and legitimacy. Their strategic mobility and aspirations, and the expectation that such groups may all cohere against western states, may well be exaggerated. In addition, 4GW seems to lean heavily on case studies such as Vietnam, Iraq and the IDF-Palestian conflict and extrapolate from that to western states that are in fact not nearly so proximate to areas of instability and are also in contrast quite resilient. There is an obvious danger in that. What applies in Iraq – hardly a modern established stable state – may not apply in the US or Europe, nor is it immediately apparent what the equivalent actors – the terroristcriminal symbiosis of John Robb - are to the various Sunni and Shiite rogues perpetrating the daily atrocities in the streets of Baghdad or the to gangs in Columbia and Nigeria.

### 2nc dod fails

#### Even if the DOD is effective, using the verb “acquire” jeopardizes these benefits

**Sarewitz and Thernstrom 2012** – \*Co-Director, Consortium for Science, Policy and Outcomes, Arizona State University, \*\*Senior Climate Policy Advisor, Clean Air Task Force (March, Daniel and Samuel, “Energy Innovation at the Department of Defense: Assessing the Opportunities”, http://bipartisanpolicy.org/sites/default/files/Energy%20Innovation%20at%20DoD.pdf)

DoD’s Modernization Dilemma: Moving Innovations through the Acquisition System

In the 2009 Defense Authorization Act, Congress instructed¶ DoD to consider the fully burdened costs of energy in future ¶ acquisition decisions (i.e., life-cycle costs attributable to energy ¶ consumption). As yet, no information on fully burdened energy ¶ costs calculated under DoD’s implementing regulations appears ¶ to be publicly available. More to the point, acquisition programs ¶ take years to complete, and systems then remain in service for ¶ decades. The major programs under way today will dominate ¶ DoD energy consumption for the next half century. These ¶ programs, such as the F-35 Joint Strike Fighter, reflect decisions ¶ made when DoD considered energy consumption primarily ¶ as it affected platform range (and carbon footprint was of no ¶ concern at all). The F-35 program began in the mid-1990s, when ¶ oil sold for around $20 per barrel; low-rate production began in ¶ 2005, testing and engineering development will continue until ¶ at least 2018, and current plans call for cumulative deliveries of ¶ 2,456 aircraft through 2035. Ongoing incremental changes to the ¶ F-35’s engine, airframe, and flight controls will at best reduce fuel ¶ consumption a little.

Major systems invariably cost too much for frequent ¶ replacement, and consequently remain in service for lengthy ¶ periods. Acquisition costs for the F-35, DoD’s most expensive ¶ program, are expected to exceed $385 billion.¶ 17¶ Each Littoral ¶ Combat Ship, exclusive of weapons modules, will cost some ¶ $500 million (in 2011 dollars); the Navy hopes to buy 55.¶ 18¶ DoD ¶ has purchased nearly 28,000 MRAPs for some $44 billion.¶ 19¶ Modifications or retrofitting to reduce the energy consumption ¶ of existing systems, while frequently suggested, has almost ¶ always been rejected as too costly, as for the Abrams. For the ¶ B-52, designed in the early 1950s and still an Air Force mainstay, ¶ “numerous re-engining studies over the years (at least nine ¶ studies since 1984)” have reached the same conclusion: almost ¶ regardless of future oil prices, total costs will rise.

Although the F-35’s 40-year acquisition cycle is extreme, ¶ even low-cost, straightforward programs take so long to ¶ complete that equipment may be obsolete by the time it ¶ reaches the field. More than four-fifths of the 125,000 diesel ¶ generators in DoD’s inventory are decades old, based on ¶ designs laid down in the 1960s.¶ 20¶ They burn more fuel than ¶ up-to-date equipment—in Iraq and Afghanistan consuming ¶ greater quantities than armored vehicles, helicopters, or trucks ¶ (including transport convoys that haul in the fuel)—and make ¶ more noise, which can alert the enemy.¶ 21

#### Their warrants for DOD innovation assume operational improvements abroad, not domestic base improvements—this distinction wrecks the aff

**Gholz 2012** – PhD, Associate Professor of Public Affairs, University of Texas at Austin, senior advisor to the deputy assistant secretary of defense for manufacturing and industrial base policy (March, Eugene, Energy Innovation at the Department of Defense: Assessing the Opportunities, White Paper, “The dynamics of military innovation and the prospects for defense-led energy innovation”, http://bipartisanpolicy.org/sites/default/files/Energy%20Innovation%20at%20DoD.pdf, WEA)

Many pundits and leaders in the U.S. government hope to ¶ use the model of successful military innovation to stimulate ¶ innovation for green technologies—notwithstanding criticisms ¶ that defense technologies are often expensive and esoteric and ¶ sometimes fail to meet optimistic performance projections. ¶ Advocates particularly hope that the Department of Defense ¶ (DoD) will use its substantial procurement budget to “pull” the ¶ development of new energy technologies; in their vision DoD ¶ will serve as an early adopter to help new energy technologies ¶ achieve economies of scale.¶ 86¶ This paper will build on the baseline of knowledge about ¶ military innovation—what we know about why some largescale military innovation has worked while some has not—to ¶ explain which parts of the effort to encourage defense-led ¶ energy innovation are likely to be more successful than others. ¶ Innovation in major weapons systems has worked best when ¶ customers understand the technology trajectory that they ¶ are hoping to pull and when progress along that technology ¶ trajectory is important to the customer organization’s mission; ¶ under those circumstances, the customer protects the research ¶ effort, provides useful feedback about the development effort, ¶ adequately (or generously) funds the effort, and happily buys ¶ the end product, often helping the developer appeal to elected ¶ leaders for funding. The alliance between the military customer ¶ and private firms selling the innovation can overcome the ¶ collective action problems that providing public goods like ¶ defense and energy security would otherwise face.¶ This model of military innovation is not the only way that the ¶ U.S. has developed and applied new technologies for defense, ¶ but it is the principal route to substantial change. At best, other ¶ innovation dynamics tend to yield relatively minor evolutionary ¶ improvements or small-scale innovations that can matter a ¶ great deal at the level of a local organization but do not attract ¶ sufficient resources and political attention to change overall ¶ national capabilities.¶ Applied to energy innovation, this understanding of ¶ innovation suggests that DoD will more effectively pull ¶ development efforts related to operational energy (e.g., fuel ¶ supplies to operating bases in Afghanistan) than efforts related ¶ to energy at military bases in the U.S., even if the efforts for home ¶ installations would cost less, would increase efficiency more, ¶ would better protect energy security (e.g., protecting against ¶ threats to homeland security), or would draw equal support from ¶ private-sector lobbying. The operational energy efforts better ¶ fit into the military’s traditional concerns with innovation in ¶ the field that reduces casualties and eases logistical constraints ¶ (even at the cost of complexity in the logistics chain). Meanwhile, ¶ installation energy improvements try to gain political support by ¶ appealing to a more general conception of the national interest, ¶ recognizing that “security” claims are a useful political lever in the ¶ United States—a code word for “important”—but that promises ¶ to contribute to “energy independence” have failed to attract ¶ sustained support and real funding since President Nixon first ¶ used that phrase.

#### That means their warrants only apply to weapons contractors, not energy suppliers

**Gholz 2012** – PhD, Associate Professor of Public Affairs, University of Texas at Austin, senior advisor to the deputy assistant secretary of defense for manufacturing and industrial base policy (March, Eugene, Energy Innovation at the Department of Defense: Assessing the Opportunities, White Paper, “The dynamics of military innovation and the prospects for defense-led energy innovation”, http://bipartisanpolicy.org/sites/default/files/Energy%20Innovation%20at%20DoD.pdf, WEA)

Because the military is blocked by the professionalism ¶ that defines American civil-military relations from overtly ¶ lobbying for its preferences, its trusted relationship with key ¶ defense contractors provides a key link in developing political ¶ support for military innovation. The prime contractors take ¶ charge of directly organizing district-level political support ¶ for the defense acquisition budget, and any major innovative ¶ project that the military hopes to invest in needs to fit into a ¶ contractor-led political strategy to be funded.¶ 92¶ Other unusual ¶ features of the defense market reinforce the especially strong ¶ and insular relationship between military customers and ¶ established suppliers. Their relationship is freighted with strategic ¶ jargon, security classification, regulation of domestic content, ¶ socioeconomic set-asides, extremely costly audit procedures, and ¶ hypersensitivity to scandals driven by perceived or occasionally ¶ real malfeasance. The military has to work with suppliers who are ¶ comfortable with the terms and conditions of working for the ¶ government, who are able to translate the language in which the ¶ military describes its doctrinal vision into technical requirements ¶ for systems engineering, and who are trusted by the military ¶ to temper optimistic hopes with technological realism without ¶ undercutting the military’s key objectives. The military feels ¶ relatively comfortable discussing its half-baked ideas about the ¶ future of warfare with established firms—ideas that can flower ¶ into viable innovations as the military officers go back and forth ¶ with company technologists and financial officers.

That iterative process has given the U.S. military the best ¶ equipment in the world in the past, but it tends to limit the ¶ pool of companies with which the military buyers directly ¶ contract to a particular set of firms: the usual prime contractors ¶ like Lockheed Martin, Boeing, Northrop Grumman, Raytheon, ¶ General Dynamics, and BAE Systems. The core competency ¶ of these companies is dealing with the unique features of the ¶ military customer.

#### The Air Force already tried to get companies to build SMRs---they concluded tech’s a decade away

Kate Anderson 10, Senior Engineer in the Integrated Applications Office, National Renewable Energy Laboratory, 2/1/10, “SMALL NUCLEAR REACTORS,” https://smr.inl.gov/Document.ashx?path=DOCS%2FReading+Room%2Fgeneral%2FNuclear+White+Paper+by+NREL+020110.pdf

Small nuclear reactors were originally developed for defense applications. The US Navy began developing small nuclear reactors for naval propulsion in the early 1950s, and today operates more than 100 reactors aboard aircraft carriers, other surface ships, and submarines. The Army Nuclear Power Program ran between 1954 and 1976, with 8 small reactors constructed to power remote operations. The program was discontinued due to the poor economics of nuclear plants relative to cheaper alternative fuels available at the time.3 Today, the Army is studying small transportable reactor concepts for power, water, and synfuel production4,5 and the use of mobile nuclear reactors has been suggested for expeditionary forces.6 The Air Force explored nuclear powered aircraft, but discontinued the program in 1961. Today, they are considering fielding small nuclear reactors on domestic bases. In January 2008 the Air Force issued a request for proposals, looking for a private company that would be interested in building small nuclear reactors on Air Force bases. However, Air Force spokeswoman Vicki Stein says the Air Force is 12 to 14 years away from building such a power plant.7

### at: andres and breetz

#### Disregard Andres and Breetz—they describe advantages in the abstract but don’t substantiate the relevant claims

**Smith 2011** (2/16, Terrence, CSIS, “An Idea I Can Do Without: “Small Nuclear Reactors for Military Installations””, http://csis.org/blog/idea-i-can-do-without-small-nuclear-reactors-military-installations, WEA)

The National Defense University’s Institute for National Strategic Studies recently released a report on Small Nuclear Reactors for Military Installations: Capabilities, Costs, and Technological Implications. The authors of the report, Richard B. Andres and Hanna L. Breetz, provide a thoughtful analysis of the benefits and key implications of a move towards the use of small nuclear reactors for the Defense Department and its fighting forces. However, in my opinion, the report’s focus is misplaced by encouraging the pursuit of small reactor technology for the purpose of controlling a competitive technological edge. In doing so, the report pushes the assumption that the technology is a good idea to begin with – an approval I am hesitant to give. The report makes some reference to the downsides, but too quickly brushes aside the risks, as well as the numerous unknowns.

In recent years the “U.S. Department of Defense (DOD) has become increasingly interested in the potential of small (less than 300 megawatts electric [MWe]) nuclear reactors for military use.” The NDU report does an excellent job of exploring why the DoD would have in interest in such an endeavor, but stops short of thoroughly examining the wisdom behind DoD’s interest, which is ultimately the more important question.

### smrs fail

#### Solvency takes decades---SMRs require re-orienting the entire manufacturing industry

Dylan Ryan 11, Masters in Mechanical Engineering, expertise in energy, sustainability, Computer Aided Engineering, renewables technology; Ph.D. in solar energy systems, 2011, “Part 10 – Small modular reactors and mass production options,” <http://daryanenergyblog.wordpress.com/ca/part-10-smallreactors-mass-prod/>

So there are a host of practical factors in favour smaller reactors. But what’s the down side? Firstly, economies of scale. With a small reactor, we have all the excess baggage that comes with each power station, all the fixed costs and a much smaller pay-off. As I noted earlier, even thought many smaller reactors are a lot safer than large LWR’s (even a small LWR is somewhat safer!) you would still need to put them under a containment dome. It’s this process of concrete pouring that is often a bottle neck in nuclear reactor construction. We could get around the problem by clustering reactors together, i.e putting 2 or 4 reactors not only on the same site but under the same containment dome. The one downside here is that if one reactor has a problem, it will likely spread to its neighbours. How much of a showstopper this fact is depends on which type of reactors we are discussing.

Also, in the shorter term small reactors would be slower to build, especially many of those we’ve been discussing, given that they are often made out of non-standard materials. Only a few facilities in the world could build them as the entire nuclear manufacturing industry is currently geared towards large LWR’s. Turning that juggernaut around would take decades. So by opting for small reactors while we’d get safer more flexible reactors, we be paying for it, as these reactors would be slower to build (initially anyway) and probably more expensive too.

### 2nc squo solves grid

#### The SPIDERS program solves DOD energy security

**Sandia Labs, 12** (“SPIDERS microgrid project secures military installations,” 2/22

<https://share.sandia.gov/news/resources/news_releases/spiders/>)

A three-phase, $30 million, multi-agency project known as SPIDERS, or the Smart Power Infrastructure Demonstration for Energy Reliability and Security, is focused on lessening those risks by building smarter, more secure and robust microgrids that incorporate renewable energy sources.

Sandia was selected as the lead designer for SPIDERS, the first major project under a Memorandum of Understanding (MOU) signed by the Department of Energy (DOE) and the Department of Defense (DoD) to accelerate joint innovations in clean energy and national energy security. The effort builds on Sandia’s decade of experience with microgrids – localized, closed-circuit grids that both generate and consume power – that can be run connected to or independent of the larger utility grid.

The goal for SPIDERS microgrid technology is to provide secure control of on-base generation.

“If there is a disruption to the commercial utility power grid, a secure microgrid can isolate from the grid and provide backup power to ensure continuity of mission-critical loads. The microgrid can allow time for the commercial utility to restore service and coordinate reconnection when service is stabilized,” said Col. Nancy Grandy, oversight executive of the SPIDERS Joint Capability Technology Demonstration (JCTD). “This capability provides much-needed energy security for our vital military missions.”

#### And this new DOD strategy ends the risk of mission interruption during a significant grid outage

**Aimone, 9/12**/12 - Director Business Enterprise Integration Office of the Deputy Under Secretary of Defense (Installations and Environment) (Michael, Congressional Testimony, <http://homeland.house.gov/sites/homeland.house.gov/files/Testimony%20-%20Aimone.pdf>)

Chairman Lungren and distinguished Members of the Subcommittee. Thank you for the opportunity to testify. I was asked to address the question of how the Department of Defense (DoD) would operate during a significant outage of the commercial electric power grid. Although today’s hearing is focused on the prospect of an electromagnetic pulse (EMP) event, such an event is only one scenario for a grid outage. DoD is heavily dependent on the commercial electric power grid. The Department has two closely coordinated sets of activities that focus on the need to maintain critical mission activities in the event of a commercial grid outage. One set of activities, led by DoD’s office of homeland defense, is part of the Department’s explicit “mission assurance strategy.” The other set of activities, focused on the Department’s fixed installations and led by its Installations and Environment office, falls under DoD’s “facility energy strategy.”

Mission Assurance Strategy

The Department has long had a major focus on mitigating risks to high priority DoD facilities and infrastructure and the critical global missions they support. Toward that end, DoD recently adopted an explicit Mission Assurance Strategy, which is focused on ensuring operational continuity in an all-hazard threat environment.

This strategy entails a two-track approach. Track I includes "in-house" mitigation efforts-- activities that the Department can execute largely on its own. A key element is DoD’s Defense Critical Industry Program (DCIP)—an integrated risk management program designed to secure critical assets, infrastructure and key resources for our nation. DoD and the Department of Homeland Security (DHS) work closely together as part of DCIP. Under Track I of the Mission Assurance Strategy, DCIP will continue to update the list of DoD's most critical assets and target them for special mitigation efforts through DoD’s budget and other internal processes.

Track II of our Mission Assurance Strategy tackles the many challenges to DoD mission execution that require external collaboration with partners such as the Department of Energy (DOE), DHS and industry. Given that DoD mission execution relies heavily upon the energy surety of the communities surrounding our installations, Defense Industrial Base facilities spread across entire regions, and on private sector infrastructure that will collapse without electricity, this two-track approach can help meet the challenges to DoD mission assurance that lie far beyond our military bases.

### 2nc smr turns overview

#### Any accident turns case

Energy Fair, 12 [Energy Fair, THE FINANCIAL RISKS OF INVESTING IN NEW NUCLEAR POWER PLANTS, www.energyfair.org.uk, March 2012 Energy Fair Email: nuclearsubsidies@gmail.com Phone: +44 (0) 1248 712962, +44 (0) 7746 290775 Web: www.energyfair.org.uk 23rdMarch 2012, http://www.nirs.org/neconomics/risks\_of\_nuclear\_investment\_published.pdf]

Political risk. Apart from the risk that politicians may decide to withdraw some or all of the subsidies for nuclear power, it is vulnerable to political action arising from events like the nuclear meltdowns in Fukushima. That disaster led to a sharp global shift in public opinion against nuclear power and it led to decisions by politicians in several different countries to close down nuclear power stations and to accelerate the roll-out of alternative sources of power. The next nuclear disaster—and the world has been averaging one such disaster every 11 years—is likely to lead to even more decisive actions by politicians, perhaps including the closing down of nuclear plants that are still under construction or are relatively new.

#### Crushes the industry

Squassoni, ‘8

[Sharon, Senior Associate, Nonproliferation Program -- Carnegie Endowment for International Peace, 3-12, “The Realities of Nuclear Expansion” Congressional Testimony: House Select Committee for Energy Independence and Global Warming, Washington, DC]

A few caveats with respect to projecting nuclear energy expansion are necessary. Nuclear energy is undoubtedly safer and more efficient now than when it began fifty years ago, but it still faces four fundamental challenges: waste, cost, proliferation, and safety. It is an inherently risky business. Most industry executives will admit that it will only take one significant accident to plunge the “renaissance” back into the nuclear Dark Ages. Because of this, estimates are highly uncertain. For example, the U.S. Energy Information Administration does not use its computer model to estimate nuclear energy growth because, among other things, key variables such as public attitudes and government policy are difficult to quantify and project. That said, estimates tend to extrapolate electricity consumption and demand from gross domestic product (GDP) growth, make assumptions about nuclear energy’s share of electricity production, and then estimate nuclear reactor capacity.

**nuclear expansion is impossible without alleviating public opposition.**

**Ramana, ‘11**

[M. V., appointed jointly with the Nuclear Futures Laboratory and the Program on Science and Global Security -- Princeton University, works on the future of nuclear energy in the context of climate change and nuclear disarmament, member of the International Panel on Fissile Materials and the Bulletin’s Science and Security Board, 7-1, “Nuclear Power and the Public,” SAGE Journals]

Opinion polls show that public support for nuclear power has declined since the Fukushima crisis began, not only in Japan but also in other nations around the world. People oppose nuclear power for a variety of reasons, but the predominant concern is the perception that it is a risky technology. Some communities that are closely associated with it even suffer from stigmatization. The nuclear industry has tried a variety of strategies to break down public resistance to nuclear power—including information campaigns, risk comparisons, and efforts to promote nuclear power as a solution to climate change. None of these strategies has worked well, mostly because the public lacks trust in the nuclear industry. Public resistance to nuclear power is likely to continue, making it difficult to site and build new reactors. This resistance may be a major obstacle to the rapid expansion of nuclear power.

### at: smrs can't melt down

#### Framing issue—SMRs are only safe because of squo review rigorousness—the plan rushes to the market and creates moral hazard

Lyman, ‘11

[Dr. Edwin, Senior Scientist -- Union of Concerned Scientists, “AN EXAMINATION OF THE SAFETY AND ECONOMICS OF LIGHT WATER SMALL MODULAR REACTORS: HEARING before a SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS UNITED STATES SENATE ONE HUNDRED TWELFTH CONGRESS FIRST SESSION, SPECIAL HEARING, JULY 14, 2011--WASHINGTON DC,” http://www.gpo.gov/fdsys/pkg/CHRG-112shrg72251/html/CHRG-112shrg72251.htm]

The Fukushima Daiichi crisis has revealed significant vulnerabilities in nuclear safety and has shaken public confidence in nuclear power around the world. If we want to reduce the risk of another Fukushima in the future, new nuclear plants will have to be significantly safer than the current generation. And to this end we do believe that it is appropriate for some level of support for the DOE to work with the nuclear industry to develop safer nuclear plant designs. But we do think that that money should be directed to spend taxpayer money only on supportive technologies that have clear potential to significantly increase levels of safety and security compared to currently operating reactors. Also, in light of Fukushima, we do believe it is appropriate for the Department to devote resources to addressing safety and security issues with the current fleet that have been revealed by the Fukushima crisis. Proponents of SMRs claim that their designs have inherent safety features compared to larger reactors and some even argue their reactors would have been able to withstand an event as severe as Fukushima. We find these claims to be unpersuasive. For any plan, whether it's large or small, the key factor is the most severe event that it's designed to withstand, the so-called maximum design-basis event. But unless nuclear safety standards for new reactors are strengthened, one cannot expect that either small or large reactors will be able to survive the beyond-design- basis event like Fukushima. Although some LW SMR concepts may have desirable safety characteristics, unless they are carefully designed, licensed, deployed, and inspected they could pose comparable or even greater risks than large reactors.

#### Complexity outewighs

Smith, ‘11

[Gar, environmental journalist, editor of Earth Island Institute's weekly "eco-zine" The-Edge, Summer, “Don’t Mini-mize the Dangers of Nuclear Power,” http://www.earthisland.org/journal/index.php/eij/article/dont\_mini-mize\_the\_dangers\_of\_nuclear\_power/]

And that’s just a partial list. The problem with nuclear power is simple: It’s too complex. When things go wrong – as they inevitably do, because humans are fallible – the consequences can be deadly. The Fukushima disaster has severely hobbled the atomic industry’s hopes for a big-ticket nuclear renaissance. So the American Nuclear Society has proposed a mini-renaissance based on “Small Modular Reactors,” or SMRs. Cheaper, quicker to build, and small enough to fit in a garage, SMRs could power homes, factories, and military bases. South Carolina’s Savannah River National Laboratory hopes to start building SMRs at a New Mexico plant and is taking a lead role in a GE-Hitachi demonstration project. Even as Japanese engineers were working to contain the radiation risks at Fukushima, an international SMR conference in South Carolina in April attracted representatives from Westinghouse, AREVA, GE, the International Atomic Energy Agency, China National Nuclear Corp., Iraq Energy Institute, the US Army, and many US utilities. But SMRs still depend on designs that generate intense heat, employ dangerous materials (highly reactive sodium coolant), and generate nuclear waste. SMRs also retain all the risks associated with supplying, maintaining, safeguarding, and dismantling large nuclear reactors – only now those risks would be multiplied and decentralized. The planet can’t afford nuclear energy – be it mega or mini. As Dave Brower observed 30 years ago: “Is the minor convenience of allowing the present generation the luxury of doubling its energy consumption every 10 years worth the major hazard of exposing the next 20,000 generations to this lethal waste?

#### No passive safety

Lyman, ‘11

[Dr. Edwin, Senior Scientist -- Union of Concerned Scientists, “AN EXAMINATION OF THE SAFETY AND ECONOMICS OF LIGHT WATER SMALL MODULAR REACTORS: HEARING before a SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS UNITED STATES SENATE ONE HUNDRED TWELFTH CONGRESS FIRST SESSION, SPECIAL HEARING, JULY 14, 2011--WASHINGTON DC,” http://www.gpo.gov/fdsys/pkg/CHRG-112shrg72251/html/CHRG-112shrg72251.htm]

Some SMR vendors emphasize their designs are passively safe, but no credible reactor design is completely passive and can shut itself down in every circumstance without need for intervention. Small reactors may have an advantage because the lower the power of a reactor, the easier it may be to cool through passive means, but accidents involving multiple small units may cause complications that could outweigh the advantages of having lower heat removal requirements for each unit. Moreover, passively safe reactors do require some equipment, such as valves that are designed to operate automatically, but are not 100 percent reliable. All passive systems will have to be equipped or should be equipped with highly reliable active backup systems in order to compensate for these uncertainties, but more backups mean generally higher costs and this poses a particular problem for SMRs, which begin with a large economic disadvantage compared to large reactors.

### public

#### Not true -- it’s just dormant -- circumventing necessary licensing processes guarantees backlash.

The Economist, ‘12

[“The 30-year itch: America’s nuclear industry struggles to get off the floor,” 2-18, http://www.economist.com/node/21547803]

Some claim that the Georgia decision heralds a nuclear renaissance in America. Another four reactors—two in South Carolina and two in Florida—are up for NRC approval this year, with the South Carolina decision just weeks away. The coal industry may be fighting new federal emissions standards, air-pollution regulations and even the idea of carbon pricing, but those things are all a boon for carbon-free nuclear power. Steven Chu, America's energy secretary, has called nuclear power an essential part of America's energy portfolio, and has been vocal about the administration's commitment to “restarting the American nuclear industry”. In 2009 Lamar Alexander, Tennessee's senior senator, called for 100 new reactors to be built by 2030. The following year Mr Obama proposed tripling the nuclear loan-guarantee programme to $54 billion. Mr Obama's proposed budget for fiscal 2013 (which begins this October) includes money to fund research into advanced small “modular” reactors. Still, nuclear power faces strong headwinds. A poll taken last year showed that 64% of Americans opposed building new nuclear reactors. The NRC's last new reactor approval predates Three Mile Island, Chernobyl and Fukushima, all of which dented public support (and not just in America either: nuclear power supplies three-fourths of France's electricity, yet in one poll 57% of French respondents favoured abandoning it). America's anti-nuclear movement has been as quiet as its nuclear industry, but as one comes to life so will the other. Already a consortium of nine environmental groups plans to contest the Vogtle licence in court, alleging that the NRC violated the National Environmental Policy Act by failing fully to consider the environmental impact of the new reactors. Mindy Goldstein, who heads the Turner Environmental Law Clinic in Atlanta and is representing the nine groups, said that the NRC failed to “consider the implications of Fukushima” before issuing its licences.

### ocenas

**Oceans resilient**

**Kennedy 2** (Victor, Coastal and Marine Ecosystems and Global Climate Change, http://www.pewclimate.org/projects/marine.cfm)

There is evidence that marine organisms and ecosystems are resilient to environmental change. Steele (1991) hypothesized that the biological components of marine systems are tightly coupled to physical factors, allowing them to respond quickly to rapid environmental change and thus rendering them ecologically adaptable. Some species also have wide genetic variability throughout their range, which may allow for adaptation to climate change.

**Alt causes doom solvency**

**Kunich 6** – Professor of Law, Appalachian School of Law (John, Killing Our Oceans, p 122-3, AG)

It is crucial, albeit perhaps counterintuitive, that we pay close attention to land-based activities even as we focus on marine hotspots. There are enormous threats to marine biodiversity that originate, not in the oceans, but on dry land in the coastal zones of the world. Part of the reason these threats are prevalent is that an estimated 67 percent of the entire global human population lives either on the coast or within 37 miles of the coast, and that percentage is increasing.14 These huge and growing populations often cause overutilization of fishing and other resources in coastal areas, habitat destruction and degradation, pollution (both organic and inorganic), eutrophication and related issues such as pathogenic bacteria and algal toxins, introduction of invasive species, watershed alteration, marine littering, and other harms to the nearby marine regions.15 Given that so many key marine centers of biodiversity reside in the near-coast coral reefs and continental shelf areas, it is of tremendous importance that our legal approach embrace appropriate controls over these land-based threats. Any plan that shortsightedly and narrowly focuses too much on ocean-based activities will, paradoxically, miss the boat.

## 1nr

### 2nc ov

**Econ collapse outweighs and turns case, that’s Friedberg and Schoenfeld—**

**A) Magnitude—recession triggers 1930’s regional trading blocs, empirically escalates and is uniquely likely to cause extinction**

**Mootry 2008,** [Primus, B.A. Northern Illinois University “Americans likely to face more difficult times” - The Herald Bulletin, 10/8/2008 http://www.theheraldbulletin.com/columns/local\_story\_282184703.html?keyword=secondarystory]

These are difficult times. The direct and indirect costs associated with the war on Iraq have nearly wrecked our economy. The recent $700 billion bailout, bank failures, and the failure of many small and large businesses across the nation will take years — perhaps decades — to surmount. Along with these rampant business failures, we have seen unemployment rates skyrocket, record numbers of home foreclosures, an explosion of uninsured Americans, and other economic woes that together have politicians now openly willing to mention the "D" word: Depression. These are difficult days. We have seen our international reputation sink to all time lows. We have seen great natural disasters such as hurricanes Ike and Katrina leaving hundreds of thousands of citizens stripped of all they own or permanently dislocated. In all my years, I have never seen a time such as this. To make matters worse, we are witnessing a resurgence of animosities between the United States and Russia, as well as the rapid growth of India and China. As to the growth of these two huge countries, the problem for us is that they are demanding more and more oil — millions of barrels more each week — and there is not much we can say or do about it. In the meantime, if America does not get the oil it needs, our entire economy will grind to a halt. In short, the challenges we face are complex and enormous. Incidentally, one of the factors that makes this time unlike any other in history is the potential for worldwide nuclear conflict. **There has never been a time in** the long **history** of ~~man~~ **when**, through his own technologies — and his arrogance — ~~he~~ can destroy the planet. Given the tensions around the world, **a mere spark could lead to global conflagration.**[This evidence has been gender paraphrased].

**B) Timeframe and Probability—failure to pass fiscal cliff legislation results in automatic sequestration. Tipping point is now.**

Victoria Craig (writer for Fox Business) September 24, 2012 “Fiscal Pitfalls Hinge on Gridlocked Congress” http://www.foxbusiness.com/government/2012/09/20/fiscal-pitfalls-hinge-on-gridlocked-congress/

A fix for the national economy is not as simple as just passing a budget, or reducing government spending. And the risk is potential to seriously destabilize an economy that is already at a tipping point. If more than one credit ratings service decides to downgrade its outlook on the U.S., it not only spells trouble for lawmakers, but financial markets as well. In its report, Moody’s warns what follows multiple downgrades would be a very different scene than when S&P took action. That’s because money-markets funds and other investment tools hold only the highest quality bonds. But the report adds, “Even without any action by the ratings agencies, a failure to make progress toward fiscal sustainability would signal that policymakers will not act until the budget is out of control and the nation is in a serious financial crisis.” Holtz Eakin takes that one step further, describing what the bigger picture would look like in the absence of some kind of Congressional action. “It would be an unambiguously bad event in the financial markets,” Holtz-Eakin said. “We’ve seen turbulence in the past and Main Street’s unimmune. We’d have bad equity market performance, bond yields would go up, credit channels would be depressed. It would send us into another recession.” Still, no matter how you slice it, it seems the future of the economy all comes down to politics.

**D) Economic downturn collapses R&D in green energy, causes the aff to get rolled back**

**RICHARD 08** LLL & LLB . 2/6/08 (“Counter-Point: 4 Reasons Why Recession is BAD for the Environment” http://www.treehugger.com/files/2008/02/4\_reasons\_recession\_bad\_environment.php)

As a counter-point to Lloyd's tongue-in-cheek post about 10 Ways the Recession Can Help the Environment, here are some eco-reasons why we should wish a speedy recovery (we won't get into non-green reasons here): Firstly, when **squeezed, companies will reduce their investments into research & development and green programs. These are usually not short-term profit centers, so that is what's axed first**. Some progress has been made in the past few years, it would be sad to lose ground now. Secondly, average people, when money is tight, will look for less expensive products (duh). Right now, that usually means that greener products won't make it. Maybe someday if we start taxing “bads” instead of “goods” (pollution, carbon, toxins instead of labor, income, capital gains) the least expensive products will also be the greenest, but right now that's not the case. Thirdly, there's less money going into the stock markets and bank loans are harder to get, which means that many small firms and startups working on the breakthrough green technologies of tomorrow can have trouble getting funds or can even go bankrupt, especially if their clients or backers decide to make cuts. Fourthly, during economic crises, voters want the government to appear to be doing something about the economy (even if it's government that screwed things up in the first place). They'll accept all kinds of measures and laws, including those that aren't good for the environment. Massive corn subsidies anyone? Don't even think about progress on global warming.

### 2nc uniqueness

#### Presidential push for a fiscal bargain solves status quo divisions

Vicki Needham (writer for The Hill) November 7, 2012 “Business groups urge quick extension of tax policies in lame duck” http://thehill.com/blogs/on-the-money/economy/266701-business-groups-urge-quick-extension-of-tax-policies-in-lame-duck

A grand bargain will require complex negotiations that will take more time than the six or so weeks left before year's end. "What we need is action," Engler said. Engler, Casey and Jay Timmons, president of the National Association of Manufacturers, told reporters that Obama must lay out a blueprint for Congress that will tackle the long list of these issues hampering a more robust economic recovery. "This is going to take executive leadership," Engler said. Timmons said it is time for unity to help the country improve its global competitiveness. "Our goal is to grow the economy," he said. The president talked to congressional leaders on Wednesday about the legislative agenda less than a day after winning reelection. But congressional leaders immediately staked out the same positions that have created so much division on Capitol Hill. Speaker John Boehner (R-Ohio) said he would not yield to raising any taxes this year, while Senate Majority Leader Harry Reid (D-Nev.) argued for letting tax rates expire for wealthier earners. Still, both men hinted that they need to find a way to work together toward a bipartisan compromise.

#### Obama has all the leverage now – Republicans are starting to cave

Jason Pye (writer for United Liberty) November 8, 2012 “Boehner willing to raise taxes in lame duck session” http://www.unitedliberty.org/articles/11841-boehner-willing-to-raise-taxes-in-lame-duck-session

It didn’t take long for the predicted sellout by Republican leadership after the election. With Boehner has already showing weakness, Obama and Senate Democrats are going to wind up with a clear advantage out of whatever deal is made and whatever revenue cuts are agree upon will, much like past budget deals, most likely never come to fruition.

#### This PC ensures sufficient numbers of Republican jump ship to resolve negotiations

Seth Fraser (writer for PolicyMic) November 8, 2012 “Should We Get Ready For 4 More Years of Ridiculous Obama vs GOP Obstructionism?” http://www.policymic.com/mobile/articles/18841/should-we-get-ready-for-4-more-years-of-ridiculous-obama-vs-gop-obstructionism

Whichever road taken, the GOP has about one and a half years to make votes on bills that suggest to their constituents that they have actually gotten something done. The incentive system hasn’t changed. In 2014, candidates will again have to report back to their districts and ask for your vote. What they have to show depends on Obama’s political agenda over the coming months and the Republicans' willingness to accept defeat and work with him. President Obama indeed owns a great deal of political capital.He has that much more momentum than Bush II, who famously said after his 2004 presidential win, “I have political capital. I intend to spend it.” The strategic political reason behind this momentum is due, in large part, to the way the GOP framed the election as a battle between big government and small government. In the end, voters wanted a president and a party in power that was pragmatic and could get things done. But now that Obama has won, it is difficult to argue that Obama’s victory wasn’t also a referendum on liberal or left-leaning ideals that government can play a meaningful part in people’s lives. Elizabeth Warren went as far as to say that the reason she was elected was because she stood up for the “core of liberalism.” The president also has economic winds at his back as the job and housing markets have shown signs of continuing recovery. The fact that there is evidence that the president’s policies are actually improving things should create a greater political willingness for Republicans to join the winning team, if only to take some of the credit. If things continue to improve and the Republicans still choose to obstruct and sit on the sidelines, the Democrats will be able to tout success once again in the face of Republican intransigence. These factors, as well as the increased media and public attention in the afterglow of the election, may provide an impetus for a new jobs bill and perhaps reaching a deal on raising new revenue, two things that will be addressed at the end of this year and early next year. Moreover, the Democrats will certainly continue to pound the strong narrative that the election was a mandate on raising new revenue, as Joe Biden recently pointed out.

#### GOP is giving ground now

Bill French (Writer for Democracy Arsenal) November 7, 2012 “Lame Duck Opening Moves: GOP Leadership Agrees DoD is on the Table?” http://www.democracyarsenal.org/2012/11/lame-duck-opening-moves-gop-leadership-agrees-dod-is-on-the-table-.html

Of those reductions, those affecting the Pentagon have received disproportionate attention. What role the Pentagon budget should play in avoiding the fiscal cliff has been hotly debated, with many – but by no means all – conservatives calling for a deal to exempt the DoD from cuts. Some, most notably Buck Mckeon (R-CA), have even called to reverse the cuts already in place, even though those "cuts" are from projected budgetary increases and the Pentagon budget is still on course to rise slightly over the next decade. But Boehner may have just signaled a significant softening of the GOP position. In his speech, he dedicated only one sentence to Pentagon spending to oppose “slashing” the DoD budget. Crucially, this is not objecting to reductions in Pentagon spending as such – a rhetorical fact which is likely indicative of GOP intentions when uttered in such a calibrated address. This interpretation would seem to be corroborated by House Majority Leader Eric Cantor's (R-VA) statements today when he similarly indicated merely opposing “massive defense cuts.” In looking forward to near-term the work required to avoid the fiscal cliff, it seems that the GOP leadership now tacitly agrees that Pentagon spending should remain on the table.

#### BUT, the plan picks a fight that makes the lame duck toxic

Richard Cowan (writer for Reuters) October 22, 2012 “Some in Congress look to $55 billion fiscal cliff 'fallback'” http://www.reuters.com/article/2012/10/22/us-usa-congress-fiscalcliff-idUSBRE89L0YB20121022

Analysts are increasingly pointing to a status quo congressional election: one that keeps the House of Representatives under Republican control and the Senate under Democratic control. Even as Obama and Romney battle for votes in the last two weeks of their campaigns, some Republicans on Capitol Hill are speculating about a victory by the Democratic president. "If Obama wins, we're going to have to play the cards we're dealt and work out some negotiation with him," said one senior Republican aide who works on fiscal policy matters. Another Republican aide added that if Obama "squeaks out" a victory, the president "will have a choice to make: He can pick a fight, make the lame duck toxic and we can go over the fiscal cliff, or we can work to find common ground on the framework for a bigger tax and entitlement reform agreement" that could take at least a year to put together. At the same time, Democrats, who voice confidence in an Obama victory despite a late Romney surge, warn that they will stick to their demands that the wealthy share more of the burden of getting the U.S. fiscal house in order. "We really think we're going to have leverage and we will use it," the Senate Democratic aide said, pointing to a contentious lame duck session that might be in need of a "fallback."

### 2NC Impact

#### Economy is already starting to contract because of investor jitters now – resolving fiscal cliff IMMEDIATELY jumpstarts growth

Richard Leong (writer for Reuters) November 7, 2012 “Global stocks sink on fiscal angst after U.S. vote, euro slips” <http://www.reuters.com/article/2012/11/07/us-markets-global-idUSBRE88901C20121107>

Shares on world markets slumped and the euro slid further on Wednesday as investors worried that the fiscal challenges facing U.S. President Barack a day after his re-election could lead to a new recession. Fresh concerns about Europe's debt crisis added to the jitters among investors, who scrambled for safer assets. Benchmark U.S. Treasury yields were set for their biggest one-day fall since May. Markets doubted that Obama can reach a timely deal with Republican lawmakers in the lame-duck session of a divided Congress to avert the "fiscal cliff" - some $600 billion in automatic tax hikes and spending cuts set to kick in on January 1. "The minute such a deal is cut, we'll boom. If one is not cut - and soon - we may well double-dip into recession," said Robert L. Reynolds, president and chief executive of Putnam Investments in Boston. "This upcoming lame-duck session may just be the most consequential in our lifetimes. The stakes are high and the time is short," he said in a statement. Rhetoric from Obama and some top lawmakers on Wednesday suggested a possibility of reaching a compromise to avoid to a dire path for the economy and further erosion of the country's creditworthiness, but the contentious history between the two main political parties offered little confidence to investors.

#### Fiscal cliff collapses the economy

Maximillian Walsh (writer for the Australian Financial Review) October 25, 2012 “Good ship QE3 must reverse sometime” Lexis

Even though fiscal gridlock has meant Ben Bernanke has, in effect, been operating with one arm tied behind his back, his monetary strategy has been courageous and reasonably effective. The US still has a way to go but its recovery to date has been in line with the experience of previous systemic financial crises as outlined by Carmen Reinhart and Kenneth Rogoff in their timely study, This Time is Different: Eight Centuries of Financial Folly. Full recovery from such episodes averages out at about 10 years. Output in the US rose above its pre-crisis peak in the second half of 2011 - a result that put it ahead of most developed economies. Since then, however, the US, along with rest of the developed world, has lost some momentum. The IMF's World Economic Outlook, published this month, reports there is now a one in six chance of global growth falling below 2 per cent. For the US the biggest immediate risk is the so-called fiscal cliff - drastic and automatic tax increases and spending cutbacks - scheduled to come into effect on January 1. The conventional wisdom is that these measures will be postponed by Congress in the lame-duck session after the coming presidential election. Winston Churchill's observation that the US always does the right thing after all other options have been tried, is widely quoted to support the conventional wisdom. That wasn't the case in 1930, when Congress gave open slather to vested interests and brought down what was the most protectionist bill in US history - the Smoot-Hawley Tariff Act. This became the excuse for other countries to introduce "beggar-thy-neighbour" policies that exacerbated the contraction in global trade and deepened the Great Depression. This was the outcome predicted by economists who petitioned Congress against Smoot-Hawley. Not surprisingly, the approaching threat of the fiscal cliff and the absence of any engagement in the political area on its consequences is already having a significant impact on the capital investment and employment plans of American industry. It needs to be said that, considering the magnitude of the ongoing financial crisis, the two presidential candidates remain insouciance personified. It's not just the candidates. As John Hussman, an American economic analyst, wrote in his weekly commentary: "We've become desensitised to extraordinary large numbers - if hundreds of billions don't solve the problem, then a few trillion will - ignoring the magnitude of those figures relative to our actual capacity to produce economic output." If the fiscal cliff is not dealt with - and this would involve postponing most of the measures - then the US is headed for recession in 2013 and it will drag the rest of the developed world and quite a swag of the emerging economies down with it.

#### Economy is at a tipping point – lack of lame duck passage causes economic collapse

Victoria Craig (writer for Fox Business) September 24, 2012 “Fiscal Pitfalls Hinge on Gridlocked Congress” http://www.foxbusiness.com/government/2012/09/20/fiscal-pitfalls-hinge-on-gridlocked-congress/

A fix for the national economy is not as simple as just passing a budget, or reducing government spending. And the risk is potential to seriously destabilize an economy that is already at a tipping point. If more than one credit ratings service decides to downgrade its outlook on the U.S., it not only spells trouble for lawmakers, but financial markets as well. In its report, Moody’s warns what follows multiple downgrades would be a very different scene than when S&P took action. That’s because money-markets funds and other investment tools hold only the highest quality bonds. But the report adds, “Even without any action by the ratings agencies, a failure to make progress toward fiscal sustainability would signal that policymakers will not act until the budget is out of control and the nation is in a serious financial crisis.” Holtz Eakin takes that one step further, describing what the bigger picture would look like in the absence of some kind of Congressional action. “It would be an unambiguously bad event in the financial markets,” Holtz-Eakin said. “We’ve seen turbulence in the past and Main Street’s unimmune. We’d have bad equity market performance, bond yields would go up, credit channels would be depressed. It would send us into another recession.” Still, no matter how you slice it, it seems the future of the economy all comes down to politics.

### 2nc pc key

**Yes vote switching—even due to unrelated legislation**

**Simes and Saunders 2010** – \*publisher of the National Interest, \*\*Executive Director of The Nixon Center and Associate Publisher of The National Interest, served in the State Department from 2003 to 2005 (12/23, Dimitri and Paul, National Interest, “START of a Pyrrhic Victory?”, http://nationalinterest.org/commentary/start-pyrrhic-victory-4626, WEA)

Had the lame-duck session not already been so contentious, this need not have been a particular problem. Several Senate Republicans indicated openness to supporting the treaty earlier in the session, including Senator Lindsey Graham and Senator John McCain. Senator Jon Kyl—seen by many as leading Republican opposition to the agreement—was actually quite careful to avoid saying that he opposed New START until almost immediately prior to the vote. Our own conversations with Republican Senate sources during the lame duck session suggested that several additional Republicans could have voted to ratify New START under other circumstances; Senator Lamar Alexander is quoted in the press as saying that **Republican anger over unrelated legislation cost** five to ten **votes**. By the time the Senate reached New START, earlier conduct by Senate Democrats and the White House had alienated many Republicans who could have voted for the treaty.

That the administration secured thirteen Republican votes (including some from retiring Senators) for the treaty now—and had many more potentially within its grasp—makes clear what many had believed all along: it would not have been so difficult for President Obama to win the fourteen Republican votes needed for ratification in the new Senate, if he had been prepared to wait and to work more cooperatively with Senate Republicans. Senator Kerry’s comment that “70 votes is yesterday’s 95” ignores the reality that he and the White House could have secured many more than 70 votes had they handled the process differently and attempts to shift the blame for the low vote count onto Republicans.

**Obama thinks capital is finite—he’ll back off over controversies**

**Kuttner 9** [Robert, co-editor of The American Prospect and a senior fellow at Demos, author of "Obama's Challenge: America's Economic Crisis and the Power of a Transformative Presidency, “Obama Has Amassed Enormous Political Capital, But He Doesn't Know What to Do with It,” 4/28 – http://www.alternet.org/economy/138641/obama\_has\_amassed\_enormous\_political\_capital,\_but\_he\_doesn%27t\_know\_what\_to\_do\_with\_it/?page=entire]

We got a small taste of what a more radical break might feel like when Obama briefly signaled with the release of Bush's torture memos that he might be open to further investigation of the Bush's torture policy, but then backtracked and quickly asked the Democratic leadership to shut the idea down. Evidently, Obama's political self wrestled with his constitutional conscience, and won. Civil libertarians felt a huge letdown, but protest was surprisingly muted. Thus the most important obstacle for seizing the moment to achieve enduring change: Barack Obama's conception of what it means to promote national unity. Obama repeatedly declared during the campaign that he would govern as a consensus builder. He wasn't lying. However, there are two ways of achieving consensus. One is to split the difference with your political enemies and the forces obstructing reform. The other is to use presidential leadership to transform the political center and alter the political dynamics. In his first hundred days, Obama has done a little of both, but he defaults to the politics of accommodation.

#### PC key

Janie Lorber and Kate Ackley (writers for Roll Call) November 8, 2012 “Lobbyists Eager for Short-Term Fiscal Deal” http://www.rollcall.com/issues/58\_35/Lobbyists-Eager-for-Short-Term-Fiscal-Deal-218891-1.html?pos=olobh

“The stakes over the fiscal cliff discussion just got significantly higher,” said David French, chief lobbyist at the National Retail Federation. “If Washington was looking to guidance from the voters on the path ahead, voters weren’t exactly clear.” As the nation approaches its debt ceiling yet again, lawmakers have less than 20 legislative days to decide what to do about the simultaneous expiration of the Bush-era tax cuts and the Social Security payroll tax holiday, as well as the first round of sequestration cuts. Every interest group has a stake. Business advocates argue that the tax provisions set to expire on Dec. 31 will stifle the still sputtering economy. Defense lobbyists fear that the longer the Pentagon budget remains up in the air, the harder it will be for contractors to recover. And unions and other liberal groups worry that emboldened Senate Democrats may agree to cuts in Medicare as part of a last-minute compromise. Add to that pleas from lobbyists representing municipalities ravaged by Hurricane Sandy that are desperate for federal funds to speed disaster relief efforts. “Folks in the business community believe it’s time to unite our country because America’s competitiveness is at stake,” Jay Timmons, the president of the National Association of Manufacturers, said on a conference call Wednesday. “I don’t think there’s anything more urgent than dealing with our fiscal crisis.” For the past year, defense giants and, to a lesser degree, technology firms, have begged lawmakers to avoid billions of dollars in cuts associated with sequestration. Michael Herson, a Republican lobbyist with American Defense International, said he is optimistic that lawmakers will delay sequestration until the next Congress and said most defense lobbyists will adopt a wait-and-see approach for the lame-duck session. The U.S. Chamber of Commerce, which fielded its largest voter mobilization effort ever and spent millions in support of Republicans this cycle, also urged the parties to come together on comprehensive tax and entitlement reforms. But with many of the same faces returning to Washington, D.C., next year, lobbyists wondered whether the illusive “grand bargain” is little more than a pipe dream. “[It] hinges on how Obama plays it. If he and his team really bear down and work with GOPers — an element sadly lacking the last four years — they can make a lot of progress,” said Jack Howard, a Republican lobbyist at Wexler & Walker Public Policy Associates. “If, however, he takes a hands-off approach, then I don’t really see much of a path forward. He has to be the arm-twister, the head-knocker to move things forward.”

#### Obama’s political capital will give him leverage in the ‘fiscal cliff’ negotiations now – brokers a deal

Andrew Sprung (he is the CEO of Sprung PR and hold a PhD from the University of Rochestor) September 21, 2012 “Ezra Klein's unconvincing theory that Obama misunderstands (or misrepresents) "change," http://xpostfactoid.blogspot.com/2012/09/ezra-kleins-unconvincing-theory-that.html)

In my view, Klein is viewing this question too narrowly. Obama is well aware of the limitations of the bully pulpit, and he's got to know better than any person on the planet that presidential advocacy polarizes, entrenching the opposing party in implacable opposition to whatever the president proposes. Yet, in presenting a revamped theory of how the presidency works, he's not just feeding us a line of BS. And if Obama wins reelection, I believe that we will look back five or ten or twenty years from now and recognize that yes, Obama did change the way Washington works. Or at the very least, he kept the US on a sane policy course in a time of extreme polarization and thus gave (will have given...) the system space to self-correct, as it has in the past. Let's start with Klein's objection to Obama's characterization of how healthcare reform got done: The health-care process, which I reported on extensively, was a firmly “inside game” strategy. There were backroom deals with most every major interest group and every swing legislator.... By the time the law passed, many more Americans viewed it unfavorably than viewed it favorably — exactly the opposite of what you’d expect if health care had passed through an “outside game” strategy in which, as Obama put it, “the American people … put pressure on Congress to move these things forward.” And yet, health care passed. The inside game worked. All true, laddie. And yet, in claiming that the impetus for healthcare reform came from the outside, I don't think Obama is attempting to whitewash this long and messy process -- or is even referring to it. He is alluding to the marshaling or channeling of popular will that got him elected. The essence of Obama's primary election argument against Hillary Clinton was that he was better equipped to marshal the popular will for fundamental change -- with healthcare reform as the centerpiece -- than she was. I well remember the moment when that argument first impressed itself on me. It was in a debate in the immediate aftermath of the Iowa caucuses, on Jan. 5, 2008: Look, I think it's easier to be cynical and just say, "You know what, it can't be done because Washington's designed to resist change." But in fact there have been periods of time in our history where a president inspired the American people to do better, and I think we're in one of those moments right now. I think the American people are hungry for something different and can be mobilized around big changes -- not incremental changes, not small changes. I actually give Bill Clinton enormous credit for having balanced those budgets during those years. It did take political courage for him to do that. But we never built the majority and coalesced the American people around being able to get the other stuff done. And, you know, so the truth is actually words do inspire. Words do help people get involved. Words do help members of Congress get into power so that they can be part of a coalition to deliver health care reform, to deliver a bold energy policy. Don't discount that power, because when the American people are determined that something is going to happen, then it happens. And if they are disaffected and cynical and fearful and told that it can't be done, then it doesn't. I'm running for president because I want to tell them, yes, we can. And that's why I think they're responding in such large numbers.

Cue the political science eye-roll. The American people were not "determined" that healthcare reform per se had to occur. You can't read the results of the 2008 wave election as a "mandate" for a specific policy. In the aftermath, the electoral tide went back out with a vengeance. But it's also true that in two years of campaigning Obama's words did inspire people, that the American people were hungry for change after Bush, that Obama made a broad and conceptually coherent case for moving the center of American politics back to the left with a renewed commitment to shared prosperity and investment in the common good, and that healthcare reform was at the center of that case. True too that the results of that election gave him enough of a majority to persist, even when relentless Republican misinformation and bad-faith negotiation and delay eroded public support. Obama also used the bully pulpit at crucial points, if not to rally public opinion, at least to re-commit wavering Democrats -- and also to convince the public, as he enduringly has, that he was more of a good faith negotiator, more willing to compromise, than the Republicans. Those pressure points were the September 2009 speech he gave to a joint session of Congress, and the remarkable eight-hour symposium he staged with the leadership of both parties in late February 2010 to showcase the extent to which the ACA incorporated past Republican proposals and met goals allegedly shared by both parties, as well as his own bend-over-backwards willingness to incorporate any Republican ideas that could reasonably be cast as advancing those goals. In a series of posts about Ronald Reagan, Brendhan Nyhan has demonstrated that presidential rhetoric generally does not sway public opinion. Savvy politicians channel public opinion; transformative ones seize an opportunity when their basic narrative of where the country needs to go aligns with a shift in public opinion, usually in response to recent setbacks or turmoil. Obama, like Reagan, effected major change in his first two years because he caught such a wave -- he amassed the political capital, and he spent it, and we got what he paid for. The force from outside -- a wave election -- empowered Obama to work change from inside in a system that reached a new peak of dysfunctionality. Klein's also objects to Obama's pitch for how to effect change going forward. In 2011, he notes, Obama highlighted the substantial change won from the messy inside game of legislating, touting the long list of legislative accomplishments of the 111th Congress. In election season, he has reverted to a keynote of his 2008 campaign: change comes from you, the electorate; it happens when ”the American people … put pressure on Congress to move these things forward.” Klein regards this as election season hooey: But while this theory of change might play better, it’s the precise theory of change that the last few years have shattered. Whatever you want to say about the inside game, it worked. Legislation passed. But after the midterm elections, it stopped working. And so the White House moved towards an outside game strategy, where ”the American people … put pressure on Congress to move these things forward.” Perhaps the most public example was Obama’s July 2011 speech, in which he said: I’m asking you all to make your voice heard. If you want a balanced approach to reducing the deficit, let your member of Congress know. If you believe we can solve this problem through compromise, send that message. So many Americans responded that Congress’s Web site crashed. But Obama didn’t get his “balanced approach,” which meant a deal including taxes. Klein goes on to recount that throughout the past year of confrontation with the GOP, pushing a jobs package that had broad popular support, Obama won only one minor victory, extension of the payroll tax cut. He then reverts to two political science tenets: presidential advocacy entrenches the opposition, and it can't move popular opinion. But I think he misreads Obama's pitch, strategy and record on several counts. First, he understates Obama's (and the Democrats') successes in the year of confrontation that has followed the debt ceiling debacle. He writes off the payroll tax cut and unemployment benefit extension as small beer. But this was actually a near-total victory in two stages against entrenched opposition, and it won Obama some vital back-door stimulus for the second year running in the wake of the GOP House takeover. It was followed by a similar GOP cave-in on maintaining low student loan interest rates -- and then again, by the collapse of the House GOP effort to renege on the Budget Control Act and impose still more spending cuts. Presidential rhetoric may not change the public mind. But when it's in sync with voter's propensities, it can deploy public opinion to bring pressure to bear on the opposition. Second, it's true that under threat of GOP debt ceiling extortion, Obama successfully marshaled public opinion in favor of his "balanced" approach to deficit reduction but wasn't able to use that pressure to move the GOP off their no-new-taxes intransigence. But that battle ain't over yet, and popular support for Obama's position is political capital that's still in the bank. In the upcoming fiscal cliff negotiations, Obama, if he wins reelection, will have the whip hand, given the expiration of the Bush tax cuts and Republican teeth-gnashing over the defense cuts in the sequester. Speaking of which, Obama's refusal to intervene in the supercommittee negotiations as Republicans stonewalled once again over any tax hikes banked him further capital in this upcoming fight. Republicans are screaming much louder than Democrats about the sequester, disastrous though the cuts may be on the domestic side. Third, it's rational for Obama to recast his bid for change in election season, because of course he's seeking further "change" from the outside, i.e., more Democrats elected to Congress. He's not going to win a mandate as in 2008, or, most likely, majorities in both houses of Congress. But he has to make the pitch for being granted renewed tools to advance his agenda. Finally, a key part of Obama's "you are the change" pitch in his convention speech was a frank call to play defense -- to protect the changes wrought in his first term and fend off the further capture of the electoral process and the nation's resources by the oligarchy the GOP represents: If you turn away now – if you buy into the cynicism that the change we fought for isn’t possible … well, change will not happen. If you give up on the idea that your voice can make a difference, then other voices will fill the void: lobbyists and special interests; the people with the $10 million checks who are trying to buy this election and those who are making it harder for you to vote; Washington politicians who want to decide who you can marry, or control health-care choices that women should make for themselves.

### 2nc link wall

#### Their link turns don’t apply during the lame duck

Richard Miniter, investigative journalist, NYTimes best selling author, 2012, Leading from Behind: The Reluctant President and the Advisors Who Decide for Him, google books p. 85-6

After the historic defeat, Axelrod went on to teach a course called Campaign Strategy at Northwestern University in the Chicago suburbs. The day after the election, many White House staffers described their mood as "depressed." The loss of the U.S. House of Representatives and only a skinny remaining majority in the U.S. Senate meant that passing new programs would be very difficult. Would the next two years be an endless and enervating siege? Obama seemed strangely upbeat, '[he day after the midterm elections, the president convened a meeting with his senior Staff, While they saw clouds, he saw the sun through them. Democrats still ran both houses of Congress until January 3.2011. when the new session convened. To the surprise of some starters present, he enumerated an ambitious list of measures that he would like to see made law in the next sixty days; "a tax deal, extending unemployment benefits, ratification of New START treaty reducing nuclear arms, repeal of the Pentagon's Don't Ask/ Don't Tell policy preventing gays and lesbians from openly serving in the military, passage of the DREAM Act (which would grant citizenship to undocumented young adults who met certain requirements), and a children's nutrition bill advocated by Michelle Obama."" The list was unrealistic. It would have been a demanding agenda for Congress to accomplish over two years. let alone two months. Besides, using a "lame duck" Congress to pass major legislation had enormous political risks. It would be seen as an end-run around voters who had just elected a new majority with a new agenda. When President Carter had used a "lame duck' Congress to pass major bills (including the costly "Superfund" program) following the November 1980 elections in which he lost his reelection bid and Republicans won control of the Senate for the first time since I95-\*. the public was outraged. The outrage would be much bigger this time: Since 1980. the Internet, talk radio, and the Fox News Channel had emerged as powerful forums for channeling outrage. liven if Congress could actually adopt these controversial measures in a few short months, the political price of such a strategy would he high. Still, Obama continued to back Axelrod's analysis, which held that "independent voters wanted a leader who would make all the squabbling schoolchildren in Washington do their assignments."12 Who would do the "assigning"? The voters or the White House? Neither Obama nor Axel-rod seemed to wonder. If the federal government would finally pass a liberal wish list. Axelrod and Obama contended, voters would be happy. It was an unusual view. Independent voters in swing districts had actually voted down candidates who had supported the president's policies in the 2010 elections. Even in safely Democratic districts, independent voters had reduced their support of liberal lawmakers compared with 2008, exit polls showed. Few staffers were persuaded ch.it the president was right, although none dared to contradict him during that meeting. Passing Obama’s priorities during the Thanksgiving and Christmas holiday season had yet another obstacle. A massive White House staff reorganization was in progress. Rahm Emmanuel had stepped down as chief of staff in October 2010 and many other staffers were returning to Chicago or to academia. Without staff, it would be harder to rally the already reluctant Congress to act. Still, Obama was keen to proceed as planned. He was finally going to lead, but the timing and strategy were ill-considered. "Obama didn't care about the criticism that he was too insular," a White House aide said. "He didn't give a shit.\* Obama's proposals were dutifully sent to Capitol 1 lill. but most were essentially dead on arrival. Congress was exhausted and didn't want to take any more political risks.

#### SMRs politically “nuclear”

Fairly, 2010 (Peter “Downsizing Nuclear Power Plants”, IEE Spectrum, http://spectrum.ieee.org/energy/nuclear/downsizing-nuclear-power-plants/2)

However, there are political objections to SMRs. Precisely because they are more affordable, they may well increase the risk of proliferation by bringing the cost and power output of nuclear reactors within the reach of poorer countries.

Russia’s first SMR, which the nuclear engineering group Rosatom expects to complete next year, is of particular concern. The Akademik Lomonosov is a floating nuclear power plant sporting two 35-MW reactors, which Rosatom expects to have tethered to an Arctic oil and gas operation by 2012. The reactor’s portability prompted Greenpeace Russia to call this floating plant the world’s most dangerous nuclear project in a decade.

SMRs may be smaller than today’s reactors. But, politically at least, they’re just as nuclear.

#### SMRs are a high profile political issue -- policymakers and public.

Magwood, ‘11

[William D., Commissioner -- NRC, “AN EXAMINATION OF THE SAFETY AND ECONOMICS OF LIGHT WATER SMALL MODULAR REACTORS: HEARING before a SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS UNITED STATES SENATE ONE HUNDRED TWELFTH CONGRESS FIRST SESSION, SPECIAL HEARING, JULY 14, 2011--WASHINGTON DC,” http://www.gpo.gov/fdsys/pkg/CHRG-112shrg72251/html/CHRG-112shrg72251.htm]

The various concepts known as SMRs have garnered a great deal of interest both inside the Government and in the public, and I understand this interest for all the reasons that Dr. Lyons has outlined. I won't try to repeat all those points. These are all laudable and important interests. However, I'm sure the subcommittee will hear, over the course of the morning, that all these possibilities are really just still that, possibilities. We're really only at the very early first steps of this venture and there's much work to be done.

#### The aff incites Congressional backlash -- post-Fukushima safety concerns.

Holt, 6-20-12

[Mark, Specialist in Energy Policy -- CRS, “Nuclear Energy Policy,” http://www.fas.org/sgp/crs/misc/RL33558.pdf]

NRC on March 12, 2012, issued its first nuclear plant safety requirements based on lessons learned from the March 2011 Fukushima disaster in Japan. NRC ordered U.S. nuclear plant operators to begin implementing safety enhancements related to the loss of power caused by natural disasters, reactor containment venting, and monitoring the water levels of reactor spent fuel pools. The Fukushima nuclear plant was hit by an earthquake and tsunami that knocked out all electric power at the six-reactor plant, resulting in the overheating of the reactor cores in three of the units and a heightened overheating risk at several spent fuel storage pools at the site. The overheating of the reactor cores caused major hydrogen explosions and releases of radioactive material to the environment. Several House and Senate hearings have been held on the accident, and several bills on nuclear safety have been introduced in the 112th Congress. Proposed bills would delay all new nuclear licenses and permits until stronger safety standards were in place (H.R. 1242), expand evacuation planning around U.S. nuclear reactors (H.R. 1268), and initiate U.S. efforts to strengthen international nuclear safety agreements (S. 640, H.R. 1326).

#### Nuclear energy debates cost capital -- tons of strong opposition.

Szondy, ‘12

[David, freelance writer -- Gizmag, 2-16, “Feature: Small modular nuclear reactors - the future of energy?” <http://www.gizmag.com/small-modular-nuclear-reactors/20860/>]

The problem is that nuclear energy is the proverbial political hot potato - even in early days when the new energy source exploded onto the world scene. The tremendous amount of energy locked in the atom held the promise of a future like something out of a technological Arabian Nights. It would be a world where electricity was too cheap to meter, deserts would bloom, ships would circle the Earth on a lump of fuel the size of a baseball, planes would fly for months without landing, the sick would be healed and even cars would be atom powered. But though nuclear power did bring about incredible changes in our world, in its primary role, generating electricity for homes and industry, it ended up as less of a miracle and more of a very complicated way of boiling water.¶ Not only complicated, but expensive and potentially dangerous. Though hundreds of reactors were built all over the world and some countries, such as France, generate most of their electricity from it, nuclear power has faced continuing questions over cost, safety, waste disposal and proliferation. One hundred and four nuclear plants provide the United States with 20 percent of the nation's power, but a building permit hadn't been issued since 1978 with no new reactors coming on line since 1996 and after the uproar from the environmental movement after nuclear accidents at Three Mile Island, Chernobyl and Fukushima, it seemed unlikely that any more would ever be approved - until now. This fierce domestic opposition to nuclear power has caused many governments to take an almost schizophrenic stance regarding the atom.

you control the whole government.

### A2 Add On

#### Timeframe distinction – we access an immediate economic shock which is the only conflict that would cause extinction

#### LINK is too small – 2009 stimulus wasn’t sufficient – the plan is smaller and their ev doesn’t substantiate a large enough internal link

[Chapman](http://reason.org/contrib/show/) 11-  columnist and editorial writer for the Chicago Tribune (Steve 6/30/11 "Stimulus to Nowhere", Reason.org, <http://reason.org/news/show/stimulus-to-nowhere>)//AP

Mired in excruciating negotiations over the budget and the debt ceiling, President Barack Obama might reflect that things didn't have to turn out this way. The impasse grows mainly out of one major decision he made early on: pushing through a giant stimulus.

When he took office in January 2009, this was his first priority. The following month, Obama signed the American Recovery and Reinvestment Act, with a price tag eventually put at $862 billion.

It was, he said at the time, the most sweeping economic recovery package in our history," and would "create or save three and a half million jobs over the next two years."

The president was right about the first claim. As a share of gross domestic output, it was the largest fiscal stimulus program ever tried in this country. But the second claim doesn't stand up so well. Today, total nonfarm employment is down by more than a million jobs.

What Obama didn't foresee is that his program would spark a populist backlash and give rise to the tea party. Where would Michele Bachmann be if the stimulus had never been enacted—or if it had been a brilliant success?

To say it has not been is to understate the obvious. The administration says the results look meager because the economy was weaker than anyone realized. Maybe so, but fiscal policy is a clumsy and uncertain tool for stimulating growth, which the past two years have not vindicated.

The package had three main components: tax cuts, aid to state governments, and spending on infrastructure projects. Tax cuts would induce consumers to buy stuff. State aid would prop up spending by keeping government workers employed. Infrastructure outlay would generate hiring to build roads, bridges, and other public works.

That was the alluring theory, which vaporized on contact with reality. The evidence amassed so far by economists indicates that the stimulus has come up empty in every possible way.

Consider the tax cuts. Wage-earners saw their take-home pay rise as the IRS reduced withholding. But as with past rebates and one-time tax cuts, consumers proved reluctant to perform their assigned role.

Claudia Sahm of the Federal Reserve Board and Joel Slemrod and Matthew Shapiro of the University of Michigan found that only 13 percent of households indicated they would spend most of the windfall. The rest said they preferred to put it in the bank or pay off debts—neither of which boosts the sale of goods and services.

This puny yield was even worse than that of the 2008 tax rebate devised by President George W. Bush. Neither attempt, the study reported, "was very effective in stimulating spending in the near term."

The idea behind channeling money to state governments is that it would reduce the paring of government payrolls, thus preserving the spending power of public employees. But the plan went awry, according to a paper by Dartmouth College economists James Feyrer and Bruce Sacerdote published by the National Bureau of Economic Research.

"Transfers to the states to support education and law enforcement appear to have little effect," they concluded. Most likely, they said, states used the money to avoid raising taxes or borrowing money.

That's right: The federal government took out loans that it will have to cover with future tax increases ... so states don't have to.It's like paying your Visa bill with your MasterCard.

The public works component could have been called public non-works. It sounds easy for Washington to pay contractors to embark on "shovel-ready projects" that needed only money to get started. The administration somehow forgot that even when the need is urgent, the government moves at the speed of a glacier.

John Cogan and John Taylor, affiliated with Stanford University and the Hoover Institution, reported earlier this year that out of that $862 billion, a microscopic $4 billion has been used to finance infrastructure. Even Obama has been chagrined.

"There's no such thing as shovel-ready projects," he complained last year.

Even if jobs were somehow created or saved by this ambitious effort, they came at a prohibitive price. Feyrer and Sacerdote say the costs may have been as high as $400,000 per job.

#### Stimulus will never be enough

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| Spruiell 10 is a conservative writer and columnist for the National Review. (Stephen “[Stimulus Spending as Deficit Reduction: An Idea that Just Needs to Die](http://www.nationalreview.com/corner/253484/stimulus-spending-deficit-reduction-idea-just-needs-die-stephen-spruiell)” National Review Online Nov. 17 2010 |

<http://www.nationalreview.com/corner/253484/stimulus-spending-deficit-reduction-idea-just-needs-die-stephen-spruiell)//BM>

Both the Schakowsky deficit reduction plan, which I [wrote about](http://www.nationalreview.com/articles/253425/schakowsky-s-lack-principle-stephen-spruiell) today, and the Rivlin-Domenici plan, which Veronique [wrote about](http://www.nationalreview.com/corner/253455/rivlin-domenici-alternative-deficit-commission-report-veronique-de-rugy) below, call for increases in Keynesian stimulus spending to happen immediately, right now, as an essential step in the struggle to get deficits under control eventually. Their arguments rest on one correct assumption and two incorrect ones: While it is true that [restoring economic growth](http://www.nationalreview.com/articles/253392/thus-does-economy-grow-keith-hennessey) will make the task of reducing the deficit much easier, it is not true that short-term bursts of fiscal stimulus will get us there, and it is crazy to think that the 112th Congress will do more fiscal stimulus.

But let’s assume for arguments’ sake that some amount of short-term fiscal stimulus can produce lasting growth and that Congress could be persuaded to pass another stimulus bill. Even if we made those assumptions, it would appear that neither the Schakowsky nor the Rivlin-Domenici stimulus proposals would provide enough fiscal stimulus to get the job done — at least not according to Paul Krugman, a.k.a. the stimulus lover’s stimulus lover.

Krugman is an [ardent proponent](http://krugman.blogs.nytimes.com/2010/07/28/how-did-we-know-the-stimulus-was-too-small/) of the idea that the trillion-plus we have spent on stimulus since early 2008 was far too little to get us to that magical tipping point where short-term stimulus begets sustainable growth. And the figure he relies on when making that argument is the CBO’s output gap, which represents the difference between real GDP and the CBO’s estimate of what GDP would be if all the nation’s underutilized resources were fully employed. According to the CBO, we had an output gap of about $2 trillion over the two-year period covered by Obama’s stimulus bill, and according to Krugman, that means the stimulus bill should have spent $1.2 trillion, because, if you make some optimistic assumptions about Keynesian multipliers, then that would have filled the gap.

The CBO’s output gap remains wide, which is why Krugman thinks our next grand adventure in Keynesian fiscal stimulus [needs to be](http://www.onpointradio.org/2010/07/paul-krugman-1-trillion-more) on the order of $1 trillion, at least. But the Schakowsky plan only calls for about $200 billion in new stimulus, and the payroll-tax holiday called for in the Rivlin-Domenici plan would only provide a jolt of $650 billion. And again, all of this assumes that lots of people are going to make big decisions with long-term implications — such as how many workers to hire or fire — based on temporary policies. If the people who are praising the stimulus ideas in the Schakowsky and Rivlin-Domenici plans subscribe to the Krugman view that the last stimulus wasn’t big enough, then they’re not being consistent: Neither of the stimulus plans they’re embracing now would be big enough, either. And if they don’t subscribe to the Krugman view regarding output gaps and the need for a WWII-sized stimulus package, then what’s their explanation for why the first stimulus failed?

# round 8 neg v. concordia nw

## 1nc

### OFF

#### The role of the affirmative is to defend a topical example of the resolution—the link to this should be pretty obvious, but for the sake of being thorough:

#### USFG is an institution, not us as individual citizens

**Black’s Law Dictionary 99** (Seventh Edition Ed. Bryan A. Garner (chief)

Federal government 1. A national government that exercises some degree of control over smaller political units that have surrendered some degree of power in exchange for the right to participate in national political matters.

#### Solar energy is not solar power—solar power is the use of solar energy to generate electricity. Otherwise ANYTHING could be construed as topical

**Sklar, ‘7** founder and president of The Stella Group, Ltd., in Washington, DC, is the Chair of the Steering Committee of the Sustainable Energy Coalition and serves on the Boards of Directors of the Sustainable Buildings Industry Council, the Business Council for Sustainable Energy, and the Renewable Energy Policy Project. The Stella Group, Ltd., a strategic marketing and policy firm for clean distributed energy users and companies using renewable energy (Scott Sklar, 23 October 2007, “What’s the Difference Between Solar Energy and Solar Power?” http://www.renewableenergyworld.com/rea/news/article/2007/10/whats-the-difference-between-solar-energy-and-solar-power-50358)//CC

Lee, this is a question I get often, and believe it is worth addressing. Solar "power" usually means converting the sun's rays (photons) to electricity. The solar technologies could be photovoltaics, or the various concentrating thermal technologies: solar troughs, solar dish/engines, and solar power towers. Solar "energy" is a more generic term, meaning any technology that converts the sun's energy into a form of energy—so that includes the aforementioned solar power technologies, but also solar thermal for water heating, space heating and cooling, and industrial process heat. Solar energy includes solar daylighting and even passive solar that uses building orientation, design and materials to heat and cool buildings. Now in the early 1980's, I was Political Director of the Solar Lobby, formed by the big nine national environmental groups, that embraced all solar technologies—which we viewed as wind, hydropower, and biomass, along with the long list of traditional solar conversion technologies. The thesis, which is correct, is that the sun contributes to growing plants, wind regimes, and evaporation and rain (hydropower), so that all the renewables are part of the solar family. Now, of course, most would argue that geothermal, and tidal and wave (effected by the gravitational force of the moon) are not solar, but we included these technologies as well.

#### Specific, limited resolutions ensure mutual ground which is key to sustainable controversy without sacrificing creativity or clash

**Steinberg & Freeley 8** \*Austin J. Freeley is a Boston based attorney who focuses on criminal, personal injury and civil rights law, AND \*\*David L. Steinberg , Lecturer of Communication Studies @ U Miami, Argumentation and Debate: Critical Thinking for Reasoned Decision Making pp45-

Debate is a means of settling differences, so there must be a difference of opinion or a conflict of interest before there can be a debate. If everyone is in agreement on a tact or value or policy, there is no need for debate: the matter can be settled by unanimous consent. Thus, for example, it would be pointless to attempt to debate "Resolved: That two plus two equals four," because there is simply no controversy about this statement. (Controversy is an essential prerequisite of debate. Where there is no clash of ideas, proposals, interests, or expressed positions on issues, there is no debate. In addition, debate cannot produce effective decisions without clear identification of a question or questions to be answered. For example, general argument may occur about the **broad topic** of illegal immigration. How many illegal immigrants are in the United States? What is the impact of illegal immigration and immigrants on our economy? What is their impact on our communities? Do they commit crimes? Do they take jobs from American workers? Do they pay taxes? Do they require social services? Is it a problem that some do not speak English? Is it the responsibility of employers to discourage illegal immigration by not hiring undocumented workers? Should they have the opportunity- to gain citizenship? Docs illegal immigration pose a security threat to our country? Do illegal immigrants do work that American workers are unwilling to do? Are their rights as workers and as human beings at risk due to their status? Are they abused by employers, law enforcement, housing, and businesses? I low are their families impacted by their status? What is the moral and philosophical obligation of a nation state to maintain its borders? Should we build a wall on the Mexican border, establish a national identification can!, or enforce existing laws against employers? Should we invite immigrants to become U.S. citizens? Surely you can think of many more concerns to be addressed by a conversation about the topic area of illegal immigration. Participation in this "debate" is likely to be emotional and intense. However, it is not likely to be productive or useful without focus on a particular question and identification of a line demarcating sides in the controversy. To be discussed and resolved effectively, controversies must be stated clearly. **Vague understanding** results in unfocused deliberation and poor decisions, frustration, and emotional distress, as evidenced by the failure of the United States Congress to make progress on the immigration debate during the summer of 2007.

Someone disturbed by the problem of the growing underclass of poorly educated, socially disenfranchised youths might observe, "Public schools are doing a terrible job! They are overcrowded, and many teachers are poorly qualified in their subject areas. Even the best teachers can do little more than struggle to maintain order in their classrooms." That same concerned citizen, facing a complex range of issues, might arrive at an unhelpful decision, such as "We ought to do something about this" or. worse. "It's too complicated a problem to deal with." Groups of concerned citizens worried about the state of public education could join together to express their frustrations, anger, disillusionment, and emotions regarding the schools, but without a focus for their discussions, they could easily agree about the sorry state of education **without** finding points of clarity or potential solutions. A gripe session would follow. But if a precise question is posed—such as "What can be done to improve public education?"—then a more profitable area of discussion is opened up simply by placing a focus on the search for a concrete solution step. One or more judgments can be phrased in the form of debate propositions, motions for parliamentary debate, or bills for legislative assemblies. The statements "Resolved: That the federal government should implement a program of charter schools in at-risk communities" and "Resolved: That the state of Florida should adopt a school voucher program" more clearly identify specific ways of dealing with educational problems in a manageable form, suitable for debate. They provide specific policies to be investigated and aid discussants in identifying points of difference.

To have a productive debate, which facilitates effective decision making by directing and placing limits on the decision to be made, the basis for argument should be clearly defined. If we merely talk about "homelessness" or "abortion" or "crime'\* or "global warming" we are likely to have an interesting discussion but not to establish profitable basis for argument. For example, the statement "Resolved: That the pen is mightier than the sword" is debatable, yet fails to provide much basis for clear argumentation. If we take this statement to mean that the written word is more effective than physical force for some purposes, we can identify a problem area: the comparative effectiveness of writing or physical force for a specific purpose.

Although we now have a general subject, we have not yet stated a problem. It is still too broad, too loosely worded to promote well-organized argument. What sort of writing are we concerned with—poems, novels, government documents, website development, advertising, or what? What does "effectiveness" mean in this context? What kind of physical force is being compared—fists, dueling swords, bazookas, nuclear weapons, or what? A more specific question might be. "Would a mutual defense treaty or a visit by our fleet be more effective in assuring Liurania of our support in a certain crisis?" The basis for argument could be phrased in a debate proposition such as "Resolved: That the United States should enter into a mutual defense treatv with Laurania." Negative advocates might oppose this proposition by arguing that fleet maneuvers would be a better solution. This is not to say that debates should completely avoid creative interpretation of the controversy by advocates, or that good debates cannot occur over competing interpretations of the controversy; in fact, these sorts of debates may be very engaging. The point is that debate is best facilitated by the guidance provided by **focus on a particular point of difference**, which will be outlined in the following discussion.

#### Topical fairness requirements are key to effective dialogue—monopolizing strategy and prep makes the discussion one-sided and subverts any meaningful neg role

**Galloway 7** – professor of communications at Samford University (Ryan, “Dinner And Conversation At The Argumentative Table: Reconceptualizing Debate As An Argumentative Dialogue”, Contemporary Argumentation and Debate, Vol. 28 (2007), ebsco)

Debate as a dialogue sets an argumentative table, where all parties receive a relatively fair opportunity to voice their position. Anything that fails to allow participants to have their position articulated denies one side of the argumentative table a fair hearing. The affirmative side is set by the topic and fairness requirements. While affirmative teams have recently resisted affirming the topic, in fact, the topic selection process is rigorous, taking the relative ground of each topic as its central point of departure.¶ Setting the affirmative reciprocally sets the negative. The negative crafts approaches to the topic consistent with affirmative demands. The negative crafts disadvantages, counter-plans, and critical arguments premised on the arguments that the topic allows for the affirmative team. According to fairness norms, each side sits at a relatively balanced argumentative table.¶ When one side takes more than its share, competitive equity suffers. However, it also undermines the respect due to the other involved in the dialogue. When one side excludes the other, it fundamentally denies the personhood of the other participant (Ehninger, 1970, p. 110). A pedagogy of debate as dialogue takes this respect as a fundamental component. A desire to be fair is a fundamental condition of a dialogue that takes the form of a demand for equality of voice. **Far from** being **a banal request for links** to a disadvantage, fairness is a demand for respect, a demand to be heard, a demand that a voice backed by literally months upon **months of preparation**, research, and critical thinking not be silenced.¶ Affirmative cases that suspend basic fairness norms **operate to exclude** particular negative strategies. Unprepared, one side comes to the argumentative table unable to meaningfully participate in a dialogue. They are unable to “understand what ‘went on…’” and are left to the whims of time and power (Farrell, 1985, p. 114). Hugh Duncan furthers this line of reasoning:¶ Opponents not only tolerate but honor and respect each other because in doing so they enhance their own chances of thinking better and reaching sound decisions. Opposition is necessary because it sharpens thought in action. We assume that argument, discussion, and talk, among free an informed people who subordinate decisions of any kind, because it is only through such discussion that we reach agreement which binds us to a common cause…If we are to be equal…relationships among equals must find expression in many formal and informal institutions (Duncan, 1993, p. 196-197).¶ **Debate compensates for the exigencies of the world by offering a framework that maintains equality for the sake of the conversation** (Farrell, 1985, p. 114).¶ For example, an affirmative case on the 2007-2008 college topic might defend neither state nor international action in the Middle East, and yet claim to be germane to the topic in some way. The case essentially denies the arguments that state action is oppressive or that actions in the international arena are philosophically or pragmatically suspect. Instead of allowing for the dialogue to be modified by the interchange of the affirmative case and the negative response, the affirmative subverts any meaningful role to the negative team, preventing them from offering effective “counter-word” and undermining the value of a meaningful exchange of speech acts. **Germaneness and other substitutes for topical action do not accrue the dialogical benefits** of topical advocacy.

#### Game spaces like debate are distinct from other forms of education and public speaking. There has to be a balance of ground or else the aff turns debate into a stultifying monologue

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Debate games are often based on pre-designed scenarios that include descriptions of issues to be debated, educational goals, game goals, roles, rules, time frames etc. In this way, debate games differ from textbooks and everyday classroom instruction as debate scenarios allow teachers and students to actively imagine, interact and communicate within a domain-specific game space. However, instead of mystifying debate games as a “magic circle” (Huizinga, 1950), I will try to overcome the epistemological dichotomy between “gaming” and “teaching” that tends to dominate discussions of educational games. In short, educational gaming is a form of teaching. As mentioned, education and games represent two different semiotic domains that both embody the three faces of knowledge: assertions, modes of representation and social forms of organisation (Gee, 2003; Barth, 2002; cf. chapter 2). In order to understand the interplay between these different domains and their interrelated knowledge forms, I will draw attention to a central assumption in Bakhtin’s dialogical philosophy. According to Bakhtin, all forms of communication and culture are subject to centripetal and centrifugal forces (Bakhtin, 1981). A centripetal force is the drive to impose one version of the truth, while a centrifugal force involves a range of possible truths and interpretations. This means that any form of expression involves a duality of centripetal and centrifugal forces: “Every concrete utterance of a speaking subject serves as a point where centrifugal as well as centripetal forces are brought to bear” (Bakhtin, 1981: 272). If we take teaching as an example, it is always affected by centripetal and centrifugal forces in the on-going negotiation of “truths” between teachers and students. In the words of Bakhtin: “Truth is not born nor is it to be found inside the head of an individual person, it is born between people collectively searching for truth, in the process of their dialogic interaction” (Bakhtin, 1984a: 110). Similarly, the dialogical space of debate games also embodies centrifugal and centripetal forces. Thus, the election scenario of The Power Game involves centripetal elements that are mainly determined by the rules and outcomes of the game, i.e. the election is based on a limited time frame and a fixed voting procedure. Similarly, the open-ended goals, roles and resources represent centrifugal elements and create virtually endless possibilities for researching, preparing, presenting, debating and evaluating a variety of key political issues. Consequently, the actual process of enacting a game scenario involves a complex negotiation between these centrifugal/centripetal forces that are inextricably linked with the teachers and students’ game activities. In this way, the enactment of The Power Game is a form of teaching that combines different pedagogical practices (i.e. group work, web quests, student presentations) and learning resources (i.e. websites, handouts, spoken language) within the interpretive frame of the election scenario. Obviously, tensions may arise if there is too much divergence between educational goals and game goals. This means that game facilitation requires a balance between focusing too narrowly on the rules or “facts” of a game (centripetal orientation) and a focusing too broadly on the contingent possibilities and interpretations of the game scenario (centrifugal orientation). For Bakhtin, the duality of centripetal/centrifugal forces often manifests itself as a dynamic between “monological” and “dialogical” forms of discourse. Bakhtin illustrates this point with the monological discourse of the Socrates/Plato dialogues in which **the teacher never learns anything new** from the students, despite Socrates’ ideological claims to the contrary (Bakhtin, 1984a). Thus, discourse becomes monologised when “someone who knows and possesses the truth **instructs someone** who is ignorant of it and in error”, where “a thought is either affirmed or repudiated” by the authority of the teacher (Bakhtin, 1984a: 81). In contrast to this, dialogical pedagogy fosters inclusive learning environments that are able to expand upon students’ existing knowledge and collaborative construction of “truths” (Dysthe, 1996). At this point, I should clarify that Bakhtin’s term “dialogic” is both a descriptive term (all utterances are per definition dialogic as they address other utterances as parts of a chain of communication) and a normative term as dialogue is an ideal to be worked for against the forces of “monologism” (Lillis, 2003: 197-8). In this project, I am mainly interested in describing the dialogical space of debate games. At the same time, I agree with Wegerif that “one of the goals of education, perhaps the most important goal, should be dialogue as an end in itself” (Wegerif, 2006: 61).

#### This outweighs—skills unique to this model are an avenue for expression and betterment—the alternative is decisionistic formulas that refuse to test themselves

**Mitchell 2010** – associate professor and director of graduate studies in the Department of Communication at the University of Pittsburgh (Gordon, Rhetoric & Public Affairs, 13.1, “SWITCH-SIDE DEBATING MEETS DEMAND-DRIVEN RHETORIC OF SCIENCE”)

The watchwords for the intelligence community’s debating initiative— collaboration, critical thinking, collective awareness—resonate with key terms anchoring the study of deliberative democracy. In a major new text, John Gastil defines deliberation as a process whereby people “carefully examine a problem and arrive at a well-reasoned solution aft er a period of inclusive, respectful consideration of diverse points of view.”40 Gastil and his colleagues in organizations such as the Kettering Foundation and the National Coalition for Dialogue and Deliberation are pursuing a research program that foregrounds the democratic telos of deliberative processes. Work in this area features a blend of concrete interventions and studies of citizen empowerment.41 Notably, a key theme in much of this literature concerns the relationship between deliberation and debate, with the latter term often loaded with pejorative baggage and working as a negative foil to highlight the positive qualities of deliberation.42 “Most political discussions, however, are debates. Stories in the media turn politics into a never-ending series of contests. People get swept into taking sides; their energy goes into figuring out who or what they’re for or against,” says Kettering president David Mathews and coauthor Noelle McAfee. “Deliberation is different. It is neither a partisan argument where opposing sides try to win nor a casual conversation conducted with polite civility. Public deliberation is a means by which citizens make tough choices about basic purposes and directions for their communities and their country. It is a way of reasoning and talking together.”43 Mathews and McAfee’s distrust of the debate process is almost paradigmatic amongst theorists and practitioners of Kettering-style deliberative democracy. One conceptual mechanism for reinforcing this debate-deliberation opposition is characterization of debate as a process inimical to deliberative aims, with debaters adopting dogmatic and fixed positions that frustrate the deliberative objective of “choice work.” In this register, Emily Robertson observes, “unlike deliberators, debaters are typically not open to the possibility of being shown wrong. . . . Debaters are not trying to find the best solution by keeping an open mind about the opponent’s point of view.”44 Similarly, founding documents from the University of Houston–Downtown’s Center for Public Deliberation state, “Public deliberation is about choice work, which is different from a dialogue or a debate. In dialogue, people oft en look to relate to each other, to understand each other, and to talk about more informal issues. In debate, there are generally two positions and people are generally looking to ‘win’ their side.”45 Debate, cast here as the theoretical scapegoat, provides a convenient, low-water benchmark for explaining how other forms of deliberative interaction better promote cooperative “choice work.” The Kettering-inspired framework receives support from perversions of the debate process such as vapid presidential debates and verbal pyrotechnics found on Crossfire-style television shows.46 In contrast, the intelligence community’s debating initiative stands as a nettlesome anomaly for these theoretical frameworks, with debate serving, rather than frustrating, the ends of deliberation. The presence of such an anomaly would seem to point to the wisdom of fashioning a theoretical orientation that frames the debate-deliberation connection in contingent, rather than static terms, with the relationship between the categories shift ing along with the various contexts in which they manifest in practice.47 Such an approach gestures toward the importance of rhetorically informed critical work on multiple levels. First, the contingency of situated practice invites analysis geared to assess, in particular cases, the extent to which debate practices enable and/ or constrain deliberative objectives. Regarding the intelligence community’s debating initiative, such an analytical perspective highlights, for example, the tight connection between the deliberative goals established by intelligence officials and the cultural technology manifest in the bridge project’s online debating applications such as Hot Grinds. An additional dimension of nuance emerging from this avenue of analysis pertains to the precise nature of the deliberative goals set by bridge. Program descriptions notably eschew Kettering-style references to democratic citizen empowerment, yet feature deliberation prominently as a key ingredient of strong intelligence tradecraft . Th is caveat is especially salient to consider when it comes to the second category of rhetorically informed critical work invited by the contingent aspect of specific debate initiatives. To grasp this layer it is useful to appreciate how the name of the bridge project constitutes an invitation for those outside the intelligence community to participate in the analytic outreach eff ort. According to Doney, bridge “provides an environment for Analytic Outreach—a place where IC analysts can reach out to expertise elsewhere in federal, state, and local government, in academia, and industry. New communities of interest can form quickly in bridge through the ‘web of trust’ access control model—access to minds outside the intelligence community creates an analytic force multiplier.”48 This presents a moment of choice for academic scholars in a position to respond to Doney’s invitation; it is an opportunity to convert scholarly expertise into an “analytic force multiplier.” In reflexively pondering this invitation, it may be valuable for scholars to read Greene and Hicks’s proposition that switch-side debating should be viewed as a cultural technology in light of Langdon Winner’s maxim that “technological artifacts have politics.”49 In the case of bridge, politics are informed by the history of intelligence community policies and practices. Commenter Th omas Lord puts this point in high relief in a post off ered in response to a news story on the topic: “[W]hy should this thing (‘bridge’) be? . . . [Th e intelligence community] on the one hand sometimes provides useful information to the military or to the civilian branches and on the other hand it is a dangerous, out of control, relic that by all external appearances is not the slightest bit reformed, other than superficially, from such excesses as became exposed in the cointelpro and mkultra hearings of the 1970s.”50 A debate scholar need not agree with Lord’s full-throated criticism of the intelligence community (he goes on to observe that it bears an alarming resemblance to organized crime) to understand that participation in the community’s Analytic Outreach program may serve the ends of deliberation, but not necessarily democracy, or even a defensible politics. Demand-driven rhetoric of science necessarily raises questions about what’s driving the demand, questions that scholars with relevant expertise would do well to ponder carefully before embracing invitations to contribute their argumentative expertise to deliberative projects. By the same token, it would be prudent to bear in mind that the technological determinism about switch-side debate endorsed by Greene and Hicks may tend to flatten reflexive assessments regarding the wisdom of supporting a given debate initiative—as the next section illustrates, manifest differences among initiatives warrant context-sensitive judgments regarding the normative political dimensions featured in each case. Public Debates in the EPA Policy Process The preceding analysis of U.S. intelligence community debating initiatives highlighted how analysts are challenged to navigate discursively the heteroglossia of vast amounts of diff erent kinds of data flowing through intelligence streams. Public policy planners are tested in like manner when they attempt to stitch together institutional arguments from various and sundry inputs ranging from expert testimony, to historical precedent, to public comment. Just as intelligence managers find that algorithmic, formal methods of analysis often don’t work when it comes to the task of interpreting and synthesizing copious amounts of disparate data, public-policy planners encounter similar challenges. In fact,the argumentative turn in public-policy planning elaborates an approach to public-policy analysis that foregrounds deliberative interchange and critical thinking as alternatives to “decisionism,” the formulaic application of “objective” decision algorithms to the public policy process. Stating the matter plainly, Majone suggests, “whether in written or oral form, argument is central in all stages of the policy process.” Accordingly, he notes, “we miss a great deal if we try to understand policy-making solely in terms of power, influence, and bargaining, to the exclusion of debate and argument.”51 One can see similar rationales driving Goodwin and Davis’s EPA debating project, where debaters are invited to conduct on-site public debates covering resolutions craft ed to reflect key points of stasis in the EPA decision-making process. For example, in the 2008 Water Wars debates held at EPA headquarters in Washington, D.C., resolutions were crafted to focus attention on the topic of water pollution, with one resolution focusing on downstream states’ authority to control upstream states’ discharges and sources of pollutants, and a second resolution exploring the policy merits of bottled water and toilet paper taxes as revenue sources to fund water infrastructure projects. In the first debate on interstate river pollution, the team of Seth Gannon and Seungwon Chung from Wake Forest University argued in favor of downstream state control, with the Michigan State University team of Carly Wunderlich and Garrett Abelkop providing opposition. In the second debate on taxation policy, Kevin Kallmyer and Matthew Struth from University of Mary Washington defended taxes on bottled water and toilet paper, while their opponents from Howard University, Dominique Scott and Jarred McKee, argued against this proposal. Reflecting on the project, Goodwin noted how the intercollegiate Switch-Side Debating Meets Demand-Driven Rhetoric of Science 107 debaters’ ability to act as “honest brokers” in the policy arguments contributed positively to internal EPA deliberation on both issues.52 Davis observed that since the invited debaters “didn’t have a dog in the fight,” they were able to give voice to previously buried arguments that some EPA subject matter experts felt reticent to elucidate because of their institutional affiliations.53 Such findings are consistent with the views of policy analysts advocating the argumentative turn in policy planning. As Majone claims, “Dialectical confrontation between generalists and experts often succeeds in bringing out unstated assumptions, conflicting interpretations of the facts, and the risks posed by new projects.”54 Frank Fischer goes even further in this context, explicitly appropriating rhetorical scholar Charles Willard’s concept of argumentative “epistemics” to flesh out his vision for policy studies: Uncovering the epistemic dynamics of public controversies would allow for a more enlightened understanding of what is at stake in a particular dispute, making possible a sophisticated evaluation of the various viewpoints and merits of different policy options. In so doing, the differing, oft en tacitly held contextual perspectives and values could be juxtaposed; the viewpoints and demands of experts, special interest groups, and the wider public could be directly compared; and the dynamics among the participants could be scrutizined. This would by no means sideline or even exclude scientific assessment; it would only situate it within the framework of a more comprehensive evaluation.55 As Davis notes, institutional constraints present within the EPA communicative milieu can complicate eff orts to provide a full airing of all relevant arguments pertaining to a given regulatory issue. Thus, intercollegiate debaters can play key roles in retrieving and amplifying positions that might otherwise remain sedimented in the policy process. The dynamics entailed in this symbiotic relationship are underscored by deliberative planner John Forester, who observes, “If planners and public administrators are to make democratic political debate and argument possible, they will need strategically located allies to avoid being fully thwarted by the characteristic self-protecting behaviors of the planning organizations and bureaucracies within which they work.”56 Here, an institution’s need for “strategically located allies” to support deliberative practice constitutes the demand for rhetorically informed expertise, setting up what can be considered a demand-driven rhetoric of science. As an instance of rhetoric of science scholarship, this type of “switch-side public 108 Rhetoric & Public Affairs debate” differs both from insular contest tournament debating, where the main focus is on the pedagogical benefit for student participants, and first-generation rhetoric of science scholarship, where critics concentrated on unmasking the rhetoricity of scientific artifacts circulating in what many perceived to be purely technical spheres of knowledge production.58 As a form of demand-driven rhetoric of science, switch-side debating connects directly with the communication field’s performative tradition of argumentative engagement in public controversy—a different route of theoretical grounding than rhetorical criticism’s tendency to locate its foundations in the English field’s tradition of literary criticism and textual analysis.59 Given this genealogy, it is not surprising to learn how Davis’s response to the EPA’s institutional need for rhetorical expertise took the form of a public debate proposal, shaped by Davis’s dual background as a practitioner and historian of intercollegiate debate. Davis competed as an undergraduate policy debater for Howard University in the 1970s, and then went on to enjoy substantial success as coach of the Howard team in the new millennium. In an essay reviewing the broad sweep of debating history, Davis notes, “Academic debate began at least 2,400 years ago when the scholar Protagoras of Abdera (481–411 bc), known as the father of debate, conducted debates among his students in Athens.”60 As John Poulakos points out, “older” Sophists such as Protagoras taught Greek students the value of dissoi logoi, or pulling apart complex questions by debating two sides of an issue.61 The few surviving fragments of Protagoras’s work suggest that his notion of dissoi logoi stood for the principle that “two accounts [logoi] are present about every ‘thing,’ opposed to each other,” and further, that humans could “measure” the relative soundness of knowledge claims by engaging in give-and-take where parties would make the “weaker argument stronger” to activate the generative aspect of rhetorical practice, a key element of the Sophistical tradition.62 Following in Protagoras’s wake, Isocrates would complement this centrifugal push with the pull of synerchesthe, a centripetal exercise of “coming together” deliberatively to listen, respond, and form common social bonds.63 Isocrates incorporated Protagorean dissoi logoi into synerchesthe, a broader concept that he used flexibly to express interlocking senses of (1) inquiry, as in groups convening to search for answers to common questions through discussion;64 (2) deliberation, with interlocutors gathering in a political setting to deliberate about proposed courses of action;65 and (3) alliance formation, a form of collective action typical at festivals,66 or in the exchange of pledges that deepen social ties.67 Switch-Side Debating Meets Demand-Driven Rhetoric of Science 109 Returning once again to the Kettering-informed sharp distinction between debate and deliberation, one sees in Isocratic synerchesthe, as well as in the EPA debating initiative, a fusion of debate with deliberative functions. Echoing a theme raised in this essay’s earlier discussion of intelligence tradecraft , such a fusion troubles categorical attempts to classify debate and deliberation as fundamentally opposed activities. Th e significance of such a finding is amplified by the frequency of attempts in the deliberative democracy literature to insist on the theoretical bifurcation of debate and deliberation as an article of theoretical faith. Tandem analysis of the EPA and intelligence community debating initiatives also brings to light dimensions of contrast at the third level of Isocratic synerchesthe, alliance formation. Th e intelligence community’s Analytic Outreach initiative invites largely one-way communication flowing from outside experts into the black box of classified intelligence analysis. On the contrary, the EPA debating program gestures toward a more expansive project of deliberative alliance building. In this vein, Howard University’s participation in the 2008 EPA Water Wars debates can be seen as the harbinger of a trend by historically black colleges and universities (hbcus) to catalyze their debate programs in a strategy that evinces Davis’s dual-focus vision. On the one hand, Davis aims to recuperate Wiley College’s tradition of competitive excellence in intercollegiate debate, depicted so powerfully in the feature film The Great Debaters, by starting a wave of new debate programs housed in hbcus across the nation.68 On the other hand, Davis sees potential for these new programs to complement their competitive debate programming with participation in the EPA’s public debating initiative. Th is dual-focus vision recalls Douglas Ehninger’s and Wayne Brockriede’s vision of “total” debate programs that blend switch-side intercollegiate tournament debating with forms of public debate designed to contribute to wider communities beyond the tournament setting.69 Whereas the political telos animating Davis’s dual-focus vision certainly embraces background assumptions that Greene and Hicks would find disconcerting—notions of liberal political agency, the idea of debate using “words as weapons”70—there is little doubt that the project of pursuing environmental protection by tapping the creative energy of hbcu-leveraged dissoi logoi differs significantly from the intelligence community’s eff ort to improve its tradecraft through online digital debate programming. Such diff erence is especially evident in light of the EPA’s commitment to extend debates to public realms, with the attendant possible benefits unpacked by Jane Munksgaard and Damien Pfister: 110 Rhetoric & Public Affairs Having a public debater argue against their convictions, or confess their indecision on a subject and subsequent embrace of argument as a way to seek clarity, could shake up the prevailing view of debate as a war of words. Public uptake of the possibility of switch-sides debate may help lessen the polarization of issues inherent in prevailing debate formats because students are no longer seen as wedded to their arguments. This could transform public debate from a tussle between advocates, with each public debater trying to convince the audience in a Manichean struggle about the truth of their side, to a more inviting exchange focused on the content of the other’s argumentation and the process of deliberative exchange.71 Reflection on the EPA debating initiative reveals a striking convergence among (1) the expressed need for dissoi logoi by government agency officials wrestling with the challenges of inverted rhetorical situations, (2) theoretical claims by scholars regarding the centrality of argumentation in the public policy process, and (3) the practical wherewithal of intercollegiate debaters to tailor public switch-side debating performances in specific ways requested by agency collaborators. These points of convergence both underscore previously articulated theoretical assertions regarding the relationship of debate to deliberation, as well as deepen understanding of the political role of deliberation in institutional decision making. But they also suggest how decisions by rhetorical scholars about whether to contribute switch-side debating acumen to meet demand-driven rhetoric of science initiatives ought to involve careful reflection. Such an approach mirrors the way policy planning in the “argumentative turn” is designed to respond to the weaknesses of formal, decisionistic paradigms of policy planning with situated, contingent judgments informed by reflective deliberation. Conclusion Dilip Gaonkar’s criticism of first-generation rhetoric of science scholarship rests on a key claim regarding what he sees as the inherent “thinness” of the ancient Greek rhetorical lexicon.72 That lexicon, by virtue of the fact that it was invented primarily to teach rhetorical performance, is ill equipped in his view to support the kind of nuanced discriminations required for eff ective interpretation and critique of rhetorical texts. Although Gaonkar isolates rhetoric of science as a main target of this critique, his choice of subject matter Switch-Side Debating Meets Demand-Driven Rhetoric of Science 111 positions him to toggle back and forth between specific engagement with rhetoric of science scholarship and discussion of broader themes touching on the metatheoretical controversy over rhetoric’s proper scope as a field of inquiry (the so-called big vs. little rhetoric dispute).73 Gaonkar’s familiar refrain in both contexts is a warning about the dangers of “universalizing” or “globalizing” rhetorical inquiry, especially in attempts that “stretch” the classical Greek rhetorical vocabulary into a hermeneutic metadiscourse, one pressed into service as a master key for interpretation of any and all types of communicative artifacts. In other words, Gaonkar warns against the dangers of rhetoricians pursuing what might be called supply-side epistemology, rhetoric’s project of pushing for greater disciplinary relevance by attempting to extend its reach into far-flung areas of inquiry such as the hard sciences. Yet this essay highlights how rhetorical scholarship’s relevance can be credibly established by outsiders, who seek access to the creative energy flowing from the classical Greek rhetorical lexicon in its native mode, that is, as a tool of invention designed to spur and hone rhetorical performance. Analysis of the intelligence community and EPA debating initiatives shows how this is the case, with government agencies calling for assistance to animate rhetorical processes such as dissoi logoi (debating different sides) and synerchesthe (the performative task of coming together deliberately for the purpose of joint inquiry, collective choice-making, and renewal of communicative bonds).74 Th is demand-driven epistemology is diff erent in kind from the globalization project so roundly criticized by Gaonkar. Rather than rhetoric venturing out from its own academic home to proselytize about its epistemological universality for all knowers, instead here we have actors not formally trained in the rhetorical tradition articulating how their own deliberative objectives call for incorporation of rhetorical practice and even recruitment of “strategically located allies”75 to assist in the process. Since the productivist content in the classical Greek vocabulary serves as a critical resource for joint collaboration in this regard, demand-driven rhetoric of science turns Gaonkar’s original critique on its head. In fairness to Gaonkar, it should be stipulated that his 1993 intervention challenged the way rhetoric of science had been done to date, not the universe of ways rhetoric of science might be done in the future. And to his partial credit, Gaonkar did acknowledge the promise of a performance-oriented rhetoric of science, especially one informed by classical thinkers other than Aristotle.76 In his Ph.D. dissertation on “Aspects of Sophistic Pedagogy,” Gaonkar documents how the ancient sophists were “the greatest champions” 112 Rhetoric & Public Affairs of “socially useful” science,77 and also how the sophists essentially practiced the art of rhetoric in a translational, performative register: Th e sophists could not blithely go about their business of making science useful, while science itself stood still due to lack of communal support and recognition. Besides, sophistic pedagogy was becoming increasingly dependent on the findings of contemporary speculation in philosophy and science. Take for instance, the eminently practical art of rhetoric. As taught by the best of the sophists, it was not simply a handbook of recipes which anyone could mechanically employ to his advantage. On the contrary, the strength and vitality of sophistic rhetoric came from their ability to incorporate the relevant information obtained from the on-going research in other fields.78 Of course, deep trans-historical diff erences make uncritical appropriation of classical Greek rhetoric for contemporary use a fool’s errand. But to gauge from Robert Hariman’s recent reflections on the enduring salience of Isocrates, “timely, suitable, and eloquent appropriations” can help us postmoderns “forge a new political language” suitable for addressing the complex raft of intertwined problems facing global society. Such retrospection is long overdue, says Hariman, as “the history, literature, philosophy, oratory, art, and political thought of Greece and Rome have never been more accessible or less appreciated.”79 Th is essay has explored ways that some of the most venerable elements of the ancient Greek rhetorical tradition—those dealing with and deliberation—can be retrieved and adapted to answer calls in the contemporary milieu for cultural technologies capable of dealing with one of our time’s most daunting challenges. This challenge involves finding meaning in inverted rhetorical situations characterized by an endemic surplus of heterogeneous content.

#### Argument by definition requires limits—the existence of clash in this round doesn’t mean there’s an appropriate frame of reference. This proves ground is key—not because we’d have nothing to say, but because setting the agenda makes us negate descriptive facts or moral truisms instead of collectively reason

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The final two characteristics identified by Brockriede--a willingness to risk confrontation and a shared frame of reference--also are not necessary attributes of argument. People often support their claims with reasons and evidence although they don't share a frame of reference or risk confrontation. When the Soviet and United States ambassadors to the United Nations engage in debate, they support their claims, but there is no risk of self and no shared frame of reference. Thus, characteristics (5) and (6) are not essential to the definition of argument. Rather, they are essential to the successful resolution of argument. Without a shared frame of reference and a willingness to risk the self, there is little chance of rationally resolving a dispute.

Conclusion

The functional approach to the study of argumentation is valuable because it provides a clear definition of the scope of argumentation. It recognizes that **while all argument is rhetorical, not all rhetoric is argument**. One danger associated with some recent work on argument is that the term argument itself becomes so broad that it loses all meaning. **If argument is** defined to include **all disagreement**, all comparison of construct systems, and all instances in which an individual believes that he or she is arguing then essentially all communication is argument.

A more useful definitional move is to treat argument as the symbolic form(s) we use to solve problems rationally. This implies that argument is the method of reason. Such a definition sets the limits of argumentation and defines the form of argument in relation to the function of arguing. Moreover, so to define argument recognizes the role of evaluation in the study of argument. Merely to describe an argument or set of arguments leaves their human significance out of consideration. Once the arguments of a speech, essay, or other verbal interaction have been described with accuracy, the next point of critical interest is naturally the arguments' relative quality as efforts to induce closure. The value of examining arguments is undercut if description becomes the only aim of criticism of argumentation. A socially satisfying definition of argument and a useful theory of argumentation must provide at least trained theorists with grounds for distinguishing between weak and strong arguments, as the functional definition does.

Some will perhaps object that the functional definition of argument for which I have contended restricts a student of argumentation to study of propositional discourse. This is true in the sense that my definition identifies reason-giving as a fundamental characteristic of argument, and reason-giving is propositional. On the other hand, an issue that needs clarification in theory of argument, as I have shown, is whether "argumentation" and "rhetoric" are to be considered synonymous. If so, the concept of "argument" becomes unnecessary; the concept of "rhetoric" is sufficient. My contention is that arguments occur in rhetoric and need to be recognized, described, and evaluated in light of their unique functional and formal features. Arguments cannot be understood by applying the same kinds of analysis as we would apply if, say, rhythm were our point of interest. Arguments are formally and functionally different from rhythmic patterns, situational constraints, levels of vocabulary, and the like-all features of rhetoric. If argument is taken to be the means by which humans rationally solve problems-or try to, arguments can be identified , described, and evaluated critically as part of the broader enterprise of identifying, describing, and evaluating rhetoric. Across centuries, people have believed there is such a process as trying to arrive at preferred conclusions by rational means, rather than by non-rational means. That process, I have argued, entails distinctive verbal forms appropriate to the function of the process. It is at least useful to give such purposeful forms and function a name. Traditionally and contemporaneously "argument" is philosophically and etymologically the appropriate name.

#### Prevention of competitive struggle is hostile to life—provisional norms like topicality are key or else we reactively protest the structures that make interaction possible

**Acampora 2002** – philosophy professor at Hunter College of the City University of New York (Fall, Christa Davis, International Studies in Philosophy, 34.3, “Of Dangerous Games and Dastardly Deeds”, http://christaacampora.com/uploads/news/id18/Dangerous%20Games.pdf)

**The agonistic game** is organized around the test of a specific quality the persons involved possess. When two runners compete, the quality tested is typically speed or endurance; when artists compete, it is creativity; craftsmen test their skills, etc.. The contest has a specific set of **rules and criteria** for determining (i.e., measuring) which person has excelled above the others in the relevant way. What is tested is a quality the individual competitors themselves possess; and external assistance is not permitted. (This is not to say that agonistic games occur only between individuals and that there can be no cooperative aspects of agonistic engagement. Clearly individuals can assert themselves and strive against other individuals within the context of a team competition, but groups can also work collectively to engage other groups agonistically. In those cases what is tested is the collective might, creativity, endurance, or organizational ability of the participating groups.) Ideally, agonistic endeavors draw out of the competitors the best performance of which they are capable. Although agonistic competition is sometimes viewed as a "zero-sum game," in which the winner takes all, in the cases that Nietzsche highlights as particularly productive agonistic institutions, all who participate are enhanced by their competition. **Winning must be a significant goal** of participation in agonistic contests, but it would seem that winning might be only one, and not necessarily the most important one, **among many reasons to participate** in such a competition. In his later writings, Nietzsche appears to be interested in thinking about how the structures of contests or struggles can facilitate different possibilities for competing well within them. In other words, he questions whether the structure of the game might limit the way in which one might be able to compete. His study of slavish morality illuminates well that concern.

II. Dastardly Deeds

The so-called "Good Eris," described in "Homer's Contest," supposedly allowed the unavoidable urge to strive for preeminence to find expression in perpetual competition in ancient Greek culture. In On the Genealogy of Morals, Nietzsche seeks to critique Christianity for advocating a kind of altruism, or selflessness, that is essentially self-destructive, and for perverting the urge to struggle by transforming it into a desire for annihilation. Read in light of "Homer's Contest," Nietzsche's Genealogy enables us to better grasp his conception of the value of contest as a possible arena for the revaluation of values, and it advances an understanding of the distinctions Nietzsche draws between creative and destructive forms of contest and modes of competing within them.

Nietzsche's On the Genealogy of Morals, a Streitschrift—a polemic, a writing that aims to provoke a certain kind of fighting—portrays a battle between "the two opposing values 'good and bad,' 'good and evil'." Nietzsche depicts slavish morality as that which condemns as evil what perpetuates the agon—namely, self-interest, jealousy, and the desire to legislate values— but rather than killing off the desire to struggle, slavish morality manipulates and redirects it. **Prevention of struggle** **is** considered by Nietzsche to be **hostile to life**: an "order thought of as sovereign and universal, not as a means in the struggle between power-complexes but as a means of preventing all struggle in general—... would be a principle hostile to life, an agent of the dissolution and destruction of man, an attempt to assassinate the future of man, a sign of weariness, a secret path to nothingness" (GM II:11). "The 'evolution' of a thing, a custom, an organ is [...] a succession of [...] more or less mutually independent processes of subduing, plus the resistances they encounter, the attempts at transformation for the purpose of defense and reaction, and the results of successful counteractions"(GM II:12). For Nietzsche, human beings, like nations, acquire their identity in their histories of struggles, accomplishments, and moments of resistance. The complete cessation of strife, for Nietzsche, robs a being of its activity, of its life.

In the second essay of the Genealogy, Nietzsche identifies the notion of conscience, which demands a kind of self-mortification, as an example of the kind of contest slavish morality seeks: "Hostility, cruelty, joy in persecuting, in attacking, in change, in destruction—all this turned against the possessors of such instinct: that is the origin of the 'bad conscience'" (GM II:16). Denied all enemies and resistances, finding nothing and no one with whom to struggle except himself, the man of bad conscience:

impatiently lacerated, persecuted, gnawed at, assaulted, and maltreated himself; this animal that rubbed itself raw against the bars of its cage as one tried to 'tame' it; this deprived creature... had to turn himself into an adventure, a torture chamber, an uncertain and dangerous wilderness — this fool, this yearning and desperate prisoner became the inventor of the 'bad conscience.' But thus began the gravest and uncanniest illness... a declaration of war against the old instincts upon which his strength, joy, and terribleness had reached hitherto (GM II:16).

Bad conscience functions in slavish morality as a means of self-flagellation, as a way to vent the desire to hurt others once external expressions of opposition are inhibited and forbidden. "Guilt before God: this thought becomes an instrument of torture to him" (GM II:22). In that case, self-worth depends upon the ability to injure and harm oneself, to apply the payment of selfmaltreatment to one's irreconcilable account with God. It is the effort expended in one's attempt to make the impossible repayment that determines one's worth. xi The genuine struggle, that which truly determines value for the ascetic ideal is one in which one destructively opposes oneself—one's value increases as one succeeds in annihilating oneself. Slavish morality is still driven by contest, but the mode of this contest is destructive. It mistakes self-inflicted suffering as a sign of strength. The ascetic ideal celebrates cruelty and torture—it revels in and sanctifies its own pain. It is a discord that wants to be discordant, that enjoys itself in this suffering and even grows more self-confident and triumphant the more its own presupposition, its physiological capacity for life decreases. 'Triumph in the ultimate agony': the ascetic ideal has always fought under this hyperbolic sign; in this enigma of seduction, in this image of torment and delight, it recognized its brightest light, its salvation, its ultimate victory (GM III:28).

Slavish morality, particularly in the form of Pauline Christianity, redirects the competitive drive and whips into submission all outward expressions of strife by cultivating the desire to be "good" xii in which case being good amounts abandoning, as Nietzsche portrays it, both the structure of the contests he admired in "Homer's Contest" and the productive ways of competing within them. It does not merely redirect the goal of the contest (e.g., struggling for the glory of Christ rather than competing for the glory of Athens), rather **how one competes well is** also **transformed** (e.g., the "good fight" is conceived as tapping divine power to destroy worldly strongholds xiii rather than excelling them). In other words, the ethos of contest, the ethos of the agon is transformed in slavish morality. xiv

III. Dangerous Games

Moralities effect contests in two ways: 1) they articulate a structure through which the meaning of human being (e.g., excellence, goodness, etc.) can be created and meted out, and 2) they simultaneously cultivate a commitment to a certain way of competing within those structures. By cultivating not only a desire to win but a desire to compete well (which includes respect for one's competitor and the institutions that sets forth the terms of the engagement), xv we can establish a culture capable of deriving our standards of excellence internally and of renewing and revaluing those standards according to changes in needs and interests of our communities. This is the legacy that Nietzsche strives to articulate in his "Homer's Contest," one that he intends his so-called "new nobility" to claim. If the life of slavish morality is characterized by actions of annihilation and cruelty, Nietzsche's alternative form of valuation is marked by its activity of surmounting what opposes, of overcoming opposition by rising above (erheben) what resists, of striving continually to rise above the form of life it has lived. As a form of spiritualized striving, self-overcoming, must, like Christian agony, be selfdirected; its aim is primarily resistance to and within oneself, but the agony—that is, the structure of that kind of painful struggle—differs both in how it orients its opposition and in how it pursues its goals . Self-overcoming does not aim at self-destruction but rather at selfexhaustion and self-surpassing. It strives not for annihilation but for transformation, and the method of doing so is the one most productive in the external contests of the ancient Greeks: the act of rising above. Self-overcoming asks us to seek hostility and enmity as effective means for summoning our powers of development. Others who pose as resistances, who challenge and test our strength, are to be earnestly sought and revered. That kind of reverence, Nietzsche claims, is what makes possible genuine relationships that enhance our lives. Such admiration and cultivation of opposition serve as "a bridge to love" (GM I:10) because they present a person with the opportunity to actively distinguish himself, to experience the joy and satisfaction that comes with what Nietzsche describes as "becoming what one is." xvi

This, Nietzsche suggests, is what makes life worth living—it is what permits us to realize a certain human freedom to be active participants in shaping our own lives. xvii

Agonists, in the sense that Nietzsche has in mind, do not strive to win at all costs. Were that their chief or even highly prominent goal we would expect to see even the best contestants hiding from their serious challengers to their superiority or much more frequently resorting to cheating in order to win. Rather, agonists strive to claim maximal meaning for their actions. (That's the good of winning.) They want to perform in a superior manner, one that they certainly hope will excel that of their opponent. In other words, the best contestants have a foremost commitment to excellence, a disposition that includes being mindful of the structure through which their action might have any meaning at all—the rules of the contest or game. xviii

What makes this contest dangerous?xix

To be engaged in the process of overcoming, as Nietzsche describes it, is to be willing to risk oneself, to be willing to risk what one has been— the meaning of what one is—in the process of creating and realizing a possible future. The outcome is not guaranteed, that a satisfactory or "better" set of meanings and values will result is not certain. And when the contest is one in which rights to authority are in play, even the Nietzschean contest always runs the risk of supporting tyranny—of supplying the means by which the tyrannical takes its hold. Nietzsche is, of course, mindful of this danger, which is why in his account of the Greek agon he finds it important to discuss the alleged origin of ostracism as the mechanism for preserving the openness of contest. xx

Nietzsche claims agonistic institutions contribute to the health of individuals and the culture in which these institutions are organized because agon provides the means for attaining personal distinction and for creating shared goals and interests. Pursuit of this activity, Nietzsche claims, is meaningful freedom. Late in his career, Nietzsche writes, "How is freedom measured in individuals and peoples? According to the resistance which must be overcome, according to the exertion required, to remain to top. The highest type of free men should be sought where the highest resistance is constantly overcome: five steps from tyranny, close to the threshold of the danger of servitude" (TI, "Skirmishes," 38). Nietzsche believes that it is **only when our strength is tested** that it will develop. Later in the passage just cited, Nietzsche continues, "Danger alone acquaints us with our own resources, our virtues, our armor and weapons, our spirit, and forces us to be strong. First principle: one must need to strong—otherwise one will never become strong" (TI, "Skirmishes," 38). Nietzsche takes upon himself, in his own writing, the task of 11 making these kinds of challenges for his readers. Nietzsche's critiques of liberal institutions, democracy, feminism, and socialism should be read in the context of his conception of human freedom and the goal he takes for himself as a kind of liberator. Read thus, we could very well come to see the relevance of agonistic engagement as a means of pursuing a kind of democracy viewed **not as** a **static preservation of some artificial** and stultifying sense of **equality**, but as a process of pursuing meaningful liberty, mutual striving together in pursuit of freedom conceived not as freedom from the claims of each other but as the freedom of engagement in the process of creating ourselves. xxi

IV. A Nietzschean ethos of agonism

In a recent essay, Dana R. Villa examines the general thrust of arguments of those advocating agonistic politics. These "contemporary agonists," xxii he claims, largely look to Nietzsche and Foucault (cast as Nietzsche's heir, at least with regard to his conception of power and contest) for inspiration as they make their "battle cry of 'incessant contestation'," which is supposed to create the space a radical democratic politics. These theorists, remind us that the public sphere is as much a stage for conflict and expression as it is a set of procedures or institutions designed to preserve peace, promote fairness, or achieve consensus. They also (contra Rawls) insist that politics and culture form a continuum, where ultimate values are always already in play; where the content of basic rights and the purposes of political association are not the objects of a frictionless 'overlapping consensus' but are contested every day in a dizzying array of venues. xxiii

Villa would commend them for this reminder, but he claims that "recent formulations of an agonistic politics […] have tended to celebrate conflict, and individual and group expression, a bit too unselectively". xxiv

He argues that "Nietzsche-inspired" agonists would do better to look to Arendt's conception of the agon and its place in political life for pursuing democratic aims, because she stipulates "that action and contestation must be informed by both judgment and a sense of the public if they are to be praiseworthy. The mere expression of energy in the form of 12 political commitment fails to impress her." "'Incessant contestation,' like Foucauldian 'resistance,' is essentially reactive." What such a politics boils down to is "merely fighting"; so conceived, "politics is simply conflict". xxv

Placing the expression of energies of the individual, multiplicities of selves, or groups at the center of an agonistic politics that lacks some aim beyond just fighting does not advance the aims of democracy. Without specifying an agonistic ethos that crafts a sense of "care for the world—a care for the public realm," politics as the socalled "contemporary agonists" conceive it cannot be liberatory. Arendt, Villa argues, supplies such an ethos in a way that Nietzsche does not. My goal here has been to argue that Nietzsche does supply us with an agonistic ethos, that despite the fact that the advocates of "incessant contestation" might fail to distinguish agonistic conflict from "mere fighting" or "simply conflict" Nietzsche does. My aim is more than mere point-scoring. I am not interested in supporting a case that Nietzsche's views are better than Arendt's. I do think Nietzsche's work offers conceptual resources useful for amplifying and clarifying agonistic theories that are pervasive in numerous fields, including political science, moral psychology, and literary criticism. If we are attentive to how Nietzsche distinguishes different kinds of contests and ways of striving within them we can construct an ethos of agonism that is potentially valuable not only for the cultivation of a few great men but which also contributes to the development of a vibrant culture. By way of concluding, I shall draw on the distinctions developed in Nietzsche's conception of agon and sketch the outlines of a productive ethos of agonism.

Some competitions bring with them entitlements and rewards that are reserved for the sole winner. Nearly all of these can be described as zero-sum games: in order for someone to win, others must lose. Further, if I choose to help you to prepare your dossier for your promotion application for the only available post, I risk reducing my own chances for success. Let's call these kinds of competitions antagonistic ones, in which the competitors are pitted against each other in an environment hostile to cooperation.

We can also imagine competitions that are not zero-sum games, in which there is not a limited number of resources. Such contests would allow us to enact some of the original meanings at the root of our words for competition and struggle. The Latin root of compete means "to meet," "to be fitting," and "to strive together toward." The Greek word for struggle, which also applied to games and competitions, is agon, which in its original use meant "gathering together." xxvi

Practicing an agonistic model of competition could provide results of shared satisfaction and might enable us to transform competitions for fame and status that inform so much of our lives into competitions for meeting cooperatively and provisionally defined standards of aesthetic and intellectual excellence. xxvii

If we can revive the sense of agon as a gathering together that vivifies the sense of **competition** that initiates a striving together toward, we can better appreciate the unique relational possibilities of competition. Recalling the definitions of agon and competition provided above, from which I tried to indicate a sense of competition that could facilitate a process of gathering to strive together toward, consider another example. When two runners compete in order to bring out the best performances in each, their own performances become inextricably linked. When I run with you, I push you to pull me, I leap ahead and call you to join me. When you run faster, I respond to your advance not by wishing you would run slower or that you might fall so that I could surge ahead. I do not view your success as a personal affront, rather I respond to it as a call to join you in the pursuit. When in the course of running with me, you draw from me the best of which I am capable, our performances serve as the measure of the strength in both of us. Neither achievement finds its meaning outside of the context in which we created it. When two (or more) compete in order to inspire each other, to strive together toward, the gathering they create, their agon, creates a space in which the meaning of their achievements are gathered. When your excellent performance draws mine out of me, together we potentially unlock the possibilities in each. For this we can certainly be deeply indebted to each other. At the same time, we come to understand and appreciate ourselves and our own possibilities in a new way. Furthermore, this way of coming to understand and appreciate our difference(s), and 14 of recognizing perhaps their interdependence, might be preferable, to other ways in which differences might be determined. Although surely not appropriate in all circumstances, agonistic endeavors can provide an arena for devising a more flexible and creative way of measuring excellence than by comparison with some rigid and externally-imposed rule. xxviii

Agonism is not the only productive way of relating to each other, and we can certainly play in ways that are not agonistic, but I do think such an ethos of agonism is compatible with recognition of both the vulnerability of the other and one's dependence upon others for one's own identity. It incorporates aggression, instructive resistance, as well as cooperation, and it is compatible with the practice of generosity. It cultivates senses of yearning and desire that do not necessarily have destructive ends. It requires us to conceive of liberation as something more than freedom from the constraints of others and the community, but as a kind of freedom— buttressed with active support—to be a participant in the definition and perpetual recreation of the values, beliefs, and practices of the communities of which one is a part. That participation might entail **provisional restraints**, limitations, and norms **that mark** out the **arenas in which such recreations occur**.

At his best, I think Nietzsche envisions a similar form for the agonistic life. Competitive "striving together toward" can be a difficult condition to create and a fragile one to maintain. It requires the **creation of a common ground** from which participants can interact. It needs a **clearly defined** goal that is appropriately demanding of those who participate. It requires that the goal and the acceptable means of achieving it are cooperatively defined and clearly articulated, and yet it must allow for **creativity within those rules**. It demands systematic support to cultivate future participants. And it must have some kind of mechanism for keeping the competition open so that **future play can be anticipated**. When any one of the required elements is disrupted, the competition can deteriorate into alternative and non-productive modes of competition and destructive forms of striving. But when agonistic contest is realized, it creates enormous opportunities for creative self-expression, for the formation of individual and communal identity, for acquiring self-esteem and mutual admiration, and for achieving individual as well as 15 corporate goals. It is one of the possibilities that lie not only beyond good and evil but also beyond the cowardly and barbarous.

#### Critiques of consensus miss the mark—our model requires clash and provisional judgments but there’s no final liberal telos to impact turn. This also proves they have no alt because their argument is a critique of the structures that make their critique possible

**Gürsözlü 9** (Fuat, Dept. Phil. – Binghamton U., Journal of Political Philosophy, “Debate: Agonism and Deliberation— Recognizing the Difference\*”, 17:3)

In the second and third sections of his article, Knops tries to refute Mouffe's claim that the rational consensus achieved within a sphere free of power is not only a practical impossibility but also a conceptual impossibility. He does this by arguing how the sources Mouffe utilizes to make her point, in this case Wittgenstein and Derrida, do not necessarily preclude rational consensus. After explaining how Habermas' version of a deliberative theory of reasoning that models communicative reasoning is compatible to Wittgensteinian theory of language, he makes the claim that "deliberation, and rational consensus, can be seen as agonistic", since the understandings reached through deliberation or a Wittgensteinian process of explanation and language learning "are partial and defeasible, formed from an encounter with difference."25 At this point I turn to Patchen Markell's "Contesting Consensus: Rereading Habermas On the Public Sphere". In this article, Markell advances a similar claim to that of Knops. He points out that Habermas' model of the public sphere and discursive politics does not only tolerate agonistic political action but also requires it.26 In doing so, Markell repeats the same hegemonic pattern that Knops does by treating agonistic politics as a corrective to the deliberative approach that helps him reveal the full potential of deliberative politics. However, unlike knops' attempt to assimilate agonistic politics to the deliberative approach, markell takes a more reconciliatory approach by first reinterpreting one of the core elements of Habermas's theory, and second by illustrating how his interpretation of habermas can accommodate agonistic political action. Markell points out that the highly criticized aspect of habermas' public sphere theory—its emphasis on consensus—applies **only if** the public sphere is "conceived as a space of dialogue among citizens in which all speech is governed by the ultimate **telos of arriving at consensus**." For critics of Habermas, Markell indicates, this understanding of politics—since it aims at consensus—delegitimizes and discourages disruptive speech which challenges agreements and aims to "reintroduce a plurality of opinions, or to give voice to perspectives that cannot be acknowledged within the rules of discourse that govern a given public." however, Markell argues, habermas' communicative action makes it clear that what is important within the practical discourse is not achieving consensus, rather orientation towards agreement refers to "foreswearing of the mechanisms of coercion and influence—a foreswearing of perlocution—in the pursuit of one's goals and a corresponding **commitment to provide reasons for one's claims** if they are challenged." So, Markell claims, although Habermas makes a strong normative claim about the shape the process of discussion is supposed to take, he does not make a strong phenomenological claim about the possibility of agreement itself. On this reading of Habermas, agreement may or may not be reached, but what is important is the condition under which the discourse takes place. As such, Markell concludes, Habermas' theory of the public sphere does not lead to "the suppression of agonistic and contestatory speech and action in the name of consensus."27

Religious tolerationhas played a crucial role inthe emergence of modern citizenship. It became the basis for a distinctly universal identity within the political community of a modern nation-state that united citizens across social and cultural differences. Both multiculturalism and cosmopolitanism challenge the adequacy of this particular interpretation of universal identity. Deliberative tolerationlooks at the problem of inclusionfrom the other way around. Precisely because of the successful inclusion of ever more citizens in a nonnaturalistic, nonculturally-based community of judgment, the conflicts inherent in deep pluralism recursively challenge the same institutional **framework that made this inclusion possible**. The emerging challenges to the liberal regime of toleratione veninits expanded multicultural form are increasingly transnational, given the fact that global migration has spurred new levels of pluralism in liberal democratic societies. This migration will call into question the requirements of citizenship, as people no longer live their lives within the boundaries of a particular nation-state. Here we might consider the extent to which traditional liberal and republican conceptions can still provide the basis for mutual toleration among diverse citizens. As Rawls put it, liberal toleration applied in the international sphere “asks of other societies only what they can reasonably grant without submitting to a position of inferiority or domination.”42 Giventhe fact of deep pluralism, cosmopolitanism nowbegins at home. It may well be that the deliberative framework insocieties characterized by migrationan d deep pluralism will have to incorporate interactions among many different inclusive communities. The revival of the debate about religious identities in the public sphere is one more indication of the fact that democracies are no longer the expression of a single political subjectivity. In such an emerging multiperspectival polity, intolerance is evidenced in the inability of citizens to raise vital and significant concerns in deliberation, in the exclusion of relevant reasons, and in the illicit and unspoken generalization of the dominant or majority perspective. Deliberative toleration does not merely aim at mutually granted rights and immunities from interference, but at the ideal of a democratic community of deliberation and judgment. Guided by its practical orientation to successful public communication and the regulative ideal of an inclusive community, toleration becomes reflexive and thus both a means and an end for furthering democratization in a situation of undiminished pluralism. Toleration is thus the attitude of perspective taking that makes such disagreements fruitful for deliberation, in that they are necessary to promote a richly complex ideal of democracy in large, diverse, and increasingly porous polities.

### OFF

#### The 1ac converts political life into an aesthetic experience, collapsing the ability to make distinctions between friend and enemy

**Levi 2007** – Professor of English at Drew University (Neil, New German Critique, 34.2 101, “Carl Schmitt and the Question of the Aesthetic”, Duke Journals, WEA)

I want to use Schmitt’s defense of his concept of the political against its enemies as a license to suggest that in the Schmittian universe there are such things as enemy concepts and that Schmitt sees the aesthetic as the conceptual enemy of the political. When Schmitt talks about the aesthetic, he means the realm of the autonomous production and evaluation of art, art governed by its own laws and sovereign figures, functioning independently of political, religious, or moral strictures. He also employs a notion of “aesthetic consumption” that is akin to Benjamin’s notion of aestheticization. Like aestheticization, aesthetic consumption imports the mode of perception usually brought to works of art and to nature to other spheres of human activity, especially politics. ¶ A conceptual enemy will not fulfill all the terms of Schmitt’s definition of the enemy: for example, a concept is not a collective. But it will satisfy some important requirements. To say that Schmitt sees the aesthetic as the enemy of the political will be to say that he sees the aesthetic as that which negates and threatens, but also brings to light, the political’s distinctive features.¶ If the enemy embodies our own question, then the enemy cannot be merely an alien, opposing force. To embody a fundamental question we have about ourselves the enemy must also have a distinctive relationship to us. In “Weisheit der Zelle” (“The Cell’s Wisdom”), in which Schmitt delivers the line “The enemy embodies our own question” for the first time, he also asks, “Whom can I recognize as my enemy? Clearly only he who puts me into question . . . and who can really put me into question? Only I, myself. Or my brother. That’s it. The other is my brother.”23¶ Schmitt then comments that human history begins with Cain and Abel. Perhaps his point is that the brother is the one who reminds you of what you can least tolerate in yourself or who knows how to ask the questions that get right under your skin. Perhaps it is that the brother who resembles me puts into question my uniqueness in the eyes of others. Cain wanted to be special, too. In any case, if we follow Schmitt here, then my enemy is neither an uncanny Doppelgänger nor a total alien but one who is both significantly different from and disturbingly similar to me. And if the enemy is in some sense my brother, then between enemy concepts there will be something like an unsettling family resemblance. ¶ Schmitt sees the aesthetic as the existential negation of the political in two apparently contradictory ways. On the one hand, he suggests that the dominance of aesthetic perception is a precursor to destruction of the Lebensform, to political defeat: “Everywhere in political history the incapacity or the unwillingness to make [the] distinction [between friend and enemy] is a symptom of the political end” (CP, 68). For example, before the Revolution the Russian bourgeoisie romanticized the Russian peasant, he says, while “a relativistic bourgeoisie in a confused Europe searched all sorts of exotic cultures for the purpose of making them an object of its aesthetic consumption” (CP, 68). For Schmitt, romanticization and exoticization of the other are modes of aestheticization. Aesthetic consumption, he thinks, is a condition, like consump- tion proper, with fatal consequences. It negates political perception—negates, that is, the ability to recognize a mortal threat when one sees it.24 On the other hand, Schmitt believes that if the friend-enemy distinction and, with it, war itself vanished from the earth, the world that remained would be, so to speak, an aesthetic world. Schmitt writes that if war became impossible, then “the distinction of friend and enemy would also cease” and what remained would be “neither politics nor state, but culture, civilization, economics, morality, law, art, entertainment, and so on” (CP, 53). Commenting in the 1930s on this list of remainders, Strauss pointed out that “the ‘and so on’ following on ‘entertainment’ hides the fact that ‘entertainment’ is in actual fact the final member of the series, its finis ultimus. . . . what the opponents of the political have in mind is to bring into being a world of entertainment, a world of fun, a world devoid of seriousness.”25¶ Schmitt himself recommended Strauss’s commentary to his friends as one that he believed saw right through him like an X-ray. For Schmitt, then, the world of arts and entertainment is the world of the decadent European bourgeoisie become universal: a world in which everything is interesting but nothing is taken seriously. One thinks of contemporary diatribes against postmodern irony, especially during the soul-searching that took place in the United States for a few weeks after September 11, 2001, weeks in which the idea of the enemy could still raise questions about one’s own form of life.

**Metaphors are weak politics – the political requires a concrete and absolute identification of the enemy – it’s the only way to solve real life violence.**

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In The Concept of the Political Schmitt also equates liberalism with an aesthetic approach to politics. He begins by defining the political, in contrast to the liberal ideals of formal neutrality and depoliticization, as an "intensification" of differ- ences and allegiances to the point where "public collective enemies" are willing to fight each other on the battlefield (38, 28). Here Schmitt repeatedly insists that **the friend/enemy distinction is not a "metaphor" but a "concrete, existential" reality** (27), linked to the possibility of "real physical killing" (33). Reiterating the thesis of Political Theology, he argues that the extreme case of war reveals the core of politics precisely because it is an exception and requires a decision (36). Politics is at its core a matter of conflict; law, which attempts to adjudicate conflict is a form of "civi- lized" depoliticization and thus the counterpart of aesthetics (53). Thus "all genuine political theories"-those of Machiavelli, Hobbes, and Benedict de Spinoza, for example-"presuppose man to be evil" (61), inclined to violent conflict and con- cerned with self-preservation (67). In light of this elemental truth of human nature and the existential intensity of the friend/enemy confrontation, liberal representa- tive democracy and the notion of the "absolutely autonomous" "aesthetic value judgment" (72) appear **as fundamentally suspect**. Political and aesthetic representa- tion are equally condemned. Both in politics and in art, in short, Schmitt argues for myth and against representation, for decisionism and against the aesthetic.

#### Enmity is build into very existence, to deny this invites annihilation and perpetual warfare.

Harris 4 – Essayist for Policy Review (Lee, Policy Review is one of America's leading conservative journals. It was founded by the Heritage Foundation and was for many years the foundation's flagship publication. In 2001, the publication was acquired by the Stanford, California-based Hoover Institution, though it maintains its office on Washington, D.C.'s Dupont Circle. “Civilization and its Enemies”, <http://www.freerepublic.com/focus/f-news/1260214/posts>)

This is why all utopian projects are set either on a distant island or in a hidden valley: they must exist in isolation from the rest of the world, to keep even the thought of the enemy at bay. Otherwise, they would have to deal with the problem of how to survive without abandoning their lofty ideals. This is the problem that confronts us today. The ideals that our intellectuals have been instilling in us are utopian ideals, designed for men and women who know no enemy and who do not need to take precautions against him. They are the values appropriate for a world in which everyone plays by the same rules, and accepts the same standards, of rational cooperation; **they are fatally unrealistic** in a world in which the enemy acknowledges no rule except that of ruthlessness. To insist on maintaining utopian values when your society is facing an enemy who wishes only to annihilate you **is to invite annihilation.** And that is unacceptable. The only solution is for us to go back and unforget some of what we have forgotten, for our very forgetfulness is an obstacle to understanding the lessons of the past, so long as we insist on interpreting the past in ways which give comfort to our pet illusions. We want to believe that civilization came about because men decided one fine morning to begin living sensible, peaceful, rational lives; we refuse to acknowledge what its not to achieve even the first step in this direction. Unless we can understand this first step, none of the rest will make any sense to us, and we will fail to see what is looming right in front of us. The Greek way of expressing past and future differed from ours. We say that the past is behind us and the future is in front of us. To the Greeks, however, the past was before them, because they could plainly see its finished form standing in front of them: it was territory they had passed through and whose terrain they had charted. It was the future that was behind them, sneaking up like a thief in the night, full of dim imaginings and vast uncertainties. Nothing could penetrate the blackness of this unknown future except the rare flash of foresight that the Greeks called sophos, or wisdom. Yet even these flashes of wisdom depended entirely upon the capacity to remember that which is eternal and unchanging-which is precisely what we have almost forgotten. The **past tells that there can be no end** of history, **no realm of perpetual peace,** and that those who are convinced by this illusion are risking all that they hold dear. The past tells us that **there will always be an enemy** as long as men care enough about anything to stake a claim to it, and thus **enmity is built into the very nature of things**. The past tells us that the next stage of history will be a tragic conflict between two different ways of life, which both have much that is worthy of admiration in them but which cannot coexist in the same world. But the past does not, and cannot, tell us how it will end this time. That is why **it is impossible simply to stand by and not take sides**. No outcome is assured by any deep logic of history or by any iron law of human development. Individual civilizations rise and fall; in each case the fall was not inevitable, but due to the decisions – or lack of decision – of the human beings whose ancestors had created the civilization for them, but who had forgotten the secret of how to preserve it for their own children. We ourselves are dangerously near this point, which is all the more remarkable considering how close we are still to 9/11. It is as if 9/11 has become simply an event in the past and not the opening up of a new epoch in human history, one that will be ruled by the possibility of catastrophic terror, just a previous historical epochs were ruled by other possible forms of historical catastrophe, from attack by migratory hordes to totalitarian takeover, from warrior gangs to the threat of nuclear annihilation.

#### Instead of attempting to unify and help the other, we should use differences to ground the political

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The line of argument here is immediately, if superficially, familiar: Just War justifies escalation, feeds self-righteousness, legitimizes war – this is very much the contemporary critique of Just War thinking as presented, from different perspectives, by Booth and other critics. There is, however, an important difference; Schmitt does not dodge the Henny Youngman question. He is quite clear that there is an alternative normative and conceptual framework against which Just War thinking ought to be judged, and much of The Nomos of the Earth is devoted to defending this alternative and bemoaning its delegitimation by the sea-going Anglo-Saxons, who promote a conception of world order that has had the effect of reinstating the medievalism and extremism of the Just War. This alternative framework emerges from the development of the sovereign, territorial state in Europe, which involved a spatial disposition of the Continent that undermined the jurisdiction of the Catholic Church and the Empire. The political order is no longer committed to the preservation of God’s Order in the world, and the staving off of the reign of the Antichrist, but instead is based on Reason of State.4 The European princes create among themselves a jus publicum Europaeum, a secular legal order under which they recognize each other’s rights and interests, within Europe (the proviso here is crucial). Beyond the line, in the extra-European world, Europeans engage in large-scale appropriations of land, respecting neither the rights of the locals nor each other’s rights, but within Europe a different modus vivendi is possible. In the extra-European world appalling atrocities occur which would not happen, or at least ought not to happen, in Europe.5 As between European rulers within Europe, war became ‘bracketed’ – rationalized and humanized. Rather than a divine punishment, war became an act of state. Whereas in the medieval order the enemy must necessarily be seen as unjust (the alternative being that one was, oneself, unjust – clearly an intolerable prospect), the new humanitarian approach to war involved the possibility of the recognition of the other as a justus hostis, an enemy but a legitimate enemy, not someone who deserves to be annihilated, but someone in whom one can recognize oneself, always a good basis for a degree of restraint. This, for Schmitt, is the great achievement of the age, and the ultimate justification for – glory of, even – the sovereign state. [An] international legal order, based on the liquidation of civil war and on the bracketing of war (in that it transformed war into a duel between Euro- pean states), actually had legitimated a realm of relative reason. The equality of sovereigns made them equally legal partners in war, and prevented military methods of annihilation. (Schmitt 2003: 142) The new thinking about war also opened up the possibility of neutrality as a legal status; since war was no longer justified in accordance with a theological judgement based on notions of good and evil, it became possible for third parties to stand aside if their interests were not engaged. Equally, the ordinary subjects of belligerent rulers need not feel obliged to become emotionally engaged in the fray. War becomes a matter for sovereigns and their servants, civil and military; the kind of wider involvement that might be appropriate to a war between good and evil becomes strictly optional.6 Thus was established what Schmitt clearly regarded as a kind of golden age in European international relations, a golden age that would be sabotaged in the twentieth century by the United States, with the reluctant, ambiguous, assistance of the United Kingdom – two maritime powers whose commitment to the jus publicum Europaeum was highly qualified in the case of the UK, non-existent in the case of the US.

#### And, their 1ac obscures the only way that we should be fighting – follow US or DIE

Van Gerven Oei and Staal 2k8(Vincent, Jonas, dutch artists and theorists Introduction to Follow us or Die)

In recent years, the People has crept back into broad daylight. It seems proud once again, self-confident, and it contaminates towns and cities. Proudly, it looks upon the trail of filth it leaves behind on squares, streets and porticos, on the underground, buses and trains, in parks, museums and libraries. It knows it is heard, it feels empowered in its right to speak. Its screams are deafening. It drives away the last breaths of clean air with its lamentations, sullies the last vestiges of lucid thought, pollutes the rest of civilization **with its mindless urge to express itself** Amidst these hordes of creatures that leave heaps of feces in their wake, a foul noise is brewing, a sickening sound.   
It is the sound of “independent” media channels, gorging on conspiracy theories about government involvement in assaults, desperately latching onto the latest war zone or the next environmental disaster, intimidating their audience into doing the Good and the Ethical for the last humpback whale, which, in all of its ponderous ignorance, creates the illusion that they have right on their side. “Alternative” news channels, fed by a ceaseless stream of “concerned” griping, which results in little more than individuals chained to trees planted on toxic waste dumps, waving banners on a deflating plastic boat to obstruct poor Polynesian fishermen, or marching in “fuck the police” demonstrations and guerrilla concerts, in which there is little to no dividing line left between broadcasting news, propaganda and support of institutionalized monstrosities which have been lumped together under the name of the “Good Cause”, where to the People, **this filth, this excrement of civilization,** which now thinks it has a voice and therefore a right to exercise it, which has become convinced of the importance of its slothful and gratuitous lusts, its loathsome, uniform thoughts and the rumblings of its insatiable belly. The only truth that remains is **its** truth: that of glowing ambilight TV screens, of dolled up, spoiled pets, kitschy birds and drooling lapdogs. And the intelligentsia listens. The intelligentsia ratifies the banal mating calls of the uniform masses, whose thoughts and words are like an endless succession of the television game shows they watch, the hotlines they call, the lottery tickets they buy: all while knowing that they are merely replaceable cogs in the machine, cogs of a simplicity, of an exchangeability, of an overwhelming stupidity.   
And now the intelligentsia is afraid of taking any responsibility, afraid to force a standard, a model upon these mindless masses. And thus an army of parasites is ready to actually claim power, aid, instead of fighting them, our intelligentsia issues awards in the hope of involving them in the “enlightened” field of arts, where our cultural heritage is reduced to rubble by young radicals and replaced by patheticJb/klore. Civilization has become a punching bag for the scum of the earth, for whose stupidity the intelligentsia has taken responsibility.   
**Idiots: what have you done?!**   
This pamphlet is an attack on man and his society which has not arisen from a dissatisfaction that has an ideological basis. We do not wish to bring about change, to start a revolution for the benefit of proletariat or the bourgeoisie, or for the benefit of halfhearted humanism or bigoted capitalism; in short, we do not assume any kind of a linear, historical development one would dare to consider a form of “progress.” **The only possible attack we can envision is an attack for the benefit of itself:**This doesn’t require any legitimation. There’s no justifiable “right” to take a particular position. There is only the militant desire, the quest for action, as the only way to have our existence acknowledged, to define our relation to the world, to make it visible, possibly only for a single instance: taking a position as an act in its own right. The only option left to us is to use the visual arts and theory as weapons to bring about the possibility of formulating a position. There are no longer stages to scream from, no longer innovations to embrace with loud cheers, no longer nations to denounce or banish completely. We are only left with the People: the monomaniacal masses who make all thought, all nuance, impossible through their brainless weight:   
they form a mental gravity of pure, unparalleled stupidity.   
The idea that the decline of civilization rests on the old- fashioned idea of the “society of the spectacle” is a tragic illusion. The society of the spectacle is at least still a distinguishable enemy, a discrete product of a linear historiography, an enemy which was surmountable through its recognizability as entertainment.   
The body in the society of the spectacle also is always a dissatisfied physical body. As a result of this permanent dissatisfaction — a condition brought about by the constant desire for the same disinformation, a desire that is never fulfilled — it is always oriented toward more consumption. The body is still experienced in reality: that is to say, the reality of the red, flayed body of the People. The society of the spectacle is merely a starting point for the change of actual importance: the total digitalization of that same society to a digital mediacracy.   
The society of the spectacle is a prelude, because it still constitutes a temporary screen, an obstacle between the dissatisfied body and its liberation: its “ideal,” digital body. It is a prelude to a sensory world, a world without past, present or future, a world purely and solely in the hands of the ego, its lusts, its passive physical body and a satisfied, safe, digital body.   
The society of the spectacle is a stepping stone for the revolution of digital reality, a revolution in which ideology, media and art have no future. Nevertheless, there are those who oppose this fatalistic stampeding of the masses in pursuit of the perfect digital.   
With their high school shootings, Eric Harris, Dylan Klebold, Cho Seung-Hui and Pekka-Eric Auvinen typified the youthful resistance of bodies without a place in a global capitalistic society, and, in the style of this same society, only saw annihilation and self-destruction as possibilities, expressing themselves with excessive physical aggression in home videos, which hardly differ in their rhetoric from those of the militant resistance group Al-Qa’ida. Together, they form the antipode of the false and contemptible homo ludens.   
Both the high school killers and Al-Qa’ida represent the resistance to the actual enemy threatening us, the most intense, revolutionary development currently taking place which is neither generally accepted nor opposed: the digitalization of society, the dissolution of the body by a second life, a “desire machine” that continually reminds us of who or what we really want to be and what we really want to feel. A development taking place in computer games, chat rooms, which feeds an existence marked by a constant desire for instant gratification, something which the physical 4fè—a trap, a snare—does not offer. Obscure bodies like the high school killers and Al-Qa’ida represent the final obstacle in the way of a society whose only measure, only objective, is the gratification of individual desires.   
This final resistance desires to be punished, rebuked, persecuted. It seeks to be confronted with fear, to sacrifice itself for a community. The suppressed ideal to befirndamentalist, capable of turning to radicalism; so consistent, so rational, that a source of inconsistency, of irrationality, is opened as an excess: one of fire, of sickening, sacrilegious pain. The resistance to digitalization is a reminder of’ the fear, true fear, which was the basis of our society, of democracy, still long before the society of’ the spectacle came into being.

**Not only artists and intellectuals, but politicians and journalists as well, seem to be blind to this development, and the disappearance of the individual** as a physical, inconvenient body, as we have known it, which at random can always succumb to cancer or torture, is not acknowledged by them. Ostensible oppositions between lifeless ideologies, rich and poor, old and new, abstract, impressionistic, conceptual, relevant, outdated, effective or sensationalist are settled in language games, while our audience disappears in front of wide-screen TVs, where the distinction between the person in front of and behind the screen, severed from the problematic characteristics of his body, fades further and further.   
The small amount of resistance, the small amount of aversion to this advance of the digital body—whether conscious or unconscious—we would like to call this resistance depression. Depression which the government, science and pharmaceutical-industrial complex combats with legal medicine, with our own government-sponsored Soma: uppers, antidepressants. Depression which is combated by our own body reduced to pill form, in which its inconvenience is condensed and day after day is taken by prescription, digested. In this way, all ultimate, desperate, physical resistance, every form of bodily depression is being oppressed. The hours of soulless feeding on mass entertainment is a prelude to the complete integration of man and machine, which the People has given a higher status than our resistance. Our resistance: the search for an impossible way out.   
We are here to fight. Enemies are interchangeable. The fiction of practicality is non-existent. The “question why” has disappeared. We are fighting against ourselves, we are fighting in the dark, in the void. This black, amorphous mass is a relief. A void that does not reveal itself in the taking of a stance, but in the process of taking it. It is the detour, the gaps in the system, the emergency exit. We, proud cowards, who will not die for the sake of the other, who will not be found bleeding, our intestines torn out of our bellies on a distant battlefield, corpse-ridden beach or barren desert, not for the Nation, not for Mankind, not for Good, not for joint resistance. No, we will continue to flee from broad daylight; we operate in the dark, when the People has locked itself up in its housing blocks, drugging themselves with the growing number of desire machines, which will soon — all too soon — be ready. T**his is where we wage the only possible confrontation, the only war left: a war against life itself, for life itself**   
**The positions have been taken.** **You have only one choice.   
Follow us. Or die.**

**Choosing to pussyfoot around with flowery does not correctly identify the enemy. The world that the affirmative seeks is not peaceful or better but rather is one filled with mass violence against all those who refuse to join their project**

**Rasch** prof Germanic studies @ Indiana U **2k3** (William, “Human Rights as Geopolitics   
Carl Schmitt and the Legal Form of American Supremacy” Cultural Critique 54 (2003) 120-147)

In the past, we/they, neighbor/foreigner, friend/enemy polarities were inside/outside distinctions that produced a plurality of worlds, separated by physical and cultural borders. When these worlds collided, it was not always a pretty picture, but it was often possible to [End Page 138] maintain the integrity of the we/they distinction, even to regulate it by distinguishing between domestic and foreign affairs. If "they" differed, "we" did not always feel ourselves obliged to make "them" into miniature versions of "us," to Christianize them, to civilize them, to make of them good liberals. Things have changed. With a single-power global hegemony that is guided by a universalist ideology, all relations have become, or threaten to become, domestic. The inner/outer distinction has been transformed into a morally and legally determined acceptable/unacceptable one, and the power exists (or is thought to exist), both spiritually and physically, to **eliminate the unacceptable** once and for all and make believers of everyone. The new imperative states: **the other shall be included**. Delivered as a promise, it can only be received, by some, as an ominous threat.

In his The Conquest of America, Tzvetan Todorov approaches our relationship to the "other" by way of three interlocking distinctions, namely, self/other, same/different, and equal/unequal. A simple superposition of all three distinctions makes of the other someone who is different and therefore unequal. The problem we have been discussing, however, comes to light when we make of the other someone who is equal because he is essentially the same. This form of the universalist ideology is assimilationist. **It denies the other by embracing him**. Of the famous sixteenth-century defender of the Indians, Bartolomé de Las Casas, Todorov writes,

[his] declaration of the equality of men is made in the name of a specific religion, Christianity.... Hence, there is a potential danger of seeing not only the Indians' human nature asserted but also their Christian "nature." "The natural laws and rules and rights of men," Las Casas said; but who decides what is natural with regard to laws and rights? Is it not speciWcally the Christian religion? Since Christianity is universalist, it implies an essential non-difference on the part of all men. We see the danger of the identiWcation in this text of Saint John Chrysostrom, quoted and defended at Valladolid: "Just as there is no natural difference in the creation of man, so there is no difference in the call to salvation of all men, barbarous or wise, since God's grace can correct the minds of barbarians, so that they have a reasonable understanding."[12](http://muse.jhu.edu.proxy.lib.umich.edu/journals/cultural_critique/v054/54.1rasch.html" \l "FOOT12)

Once again we see that the term "human" is not descriptive, but evaluative. **To be truly human, one needs to be corrected.** Regarding the relationship of difference and equality, Todorov concludes, "If it is [End Page 139] incontestable that the prejudice of superiority is an obstacle in the road to knowledge, we must also admit that the prejudice of equality is a still greater one, for it consists in identifying the other purely and simply with one's own 'ego ideal' (or with oneself)" (1984, 165). Such identification is not only the essence of Christianity, but also of the doctrine of human rights preached by enthusiasts like Habermas and Rawls. And such identification means that the other is stripped of his otherness and made to conform to the universal ideal of what it means to be human.

And yet, despite—indeed, because of—the all-encompassing embrace, the detested other is never allowed to leave the stage altogether. Even as we seem on the verge of actualizing Kant's dream, as Habermas puts it, of "a cosmopolitan order" that unites all peoples and abolishes war under the auspices of "the states of the First World" who "can afford to harmonize their national interests to a certain extent with the norms that define the halfhearted cosmopolitan aspirations of the UN" (1998, 165, 184), it is still fascinating to see how the barbarians make their functionally necessary presence felt. John Rawls, in his The Law of Peoples (1999), conveniently divides the world into well-ordered peoples and those who are not well ordered. Among the former are the "reasonable liberal peoples" and the "decent hierarchical peoples" (4). Opposed to them are the

"outlaw states" and other "burdened" peoples who are not worthy of respect. Liberal peoples, who, by virtue of their history, possess superior institutions, culture, and moral character (23-25), have not only the right to deny non-well-ordered peoples respect, but the duty to

extend what Vitoria called "brotherly correction" and Habermas "gentle compulsion" (Habermas 1997, 133). [13](http://muse.jhu.edu.proxy.lib.umich.edu/journals/cultural_critique/v054/54.1rasch.html" \l "FOOT13) That is, Rawls believes that the "refusal to tolerate" those states deemed to be outlaw states "is a consequence of

liberalism and decency." Why? Because outlaw states violate human rights. What are human rights? "What I call human rights," Rawls states, "are ... a proper subset of the rights possessed by

citizens in a liberal constitutional democratic regime, or of the rights of the members of a decent hierarchical society" (Rawls 1999, 81). Because of their violation of these liberal rights, nonliberal, nondecent societies do not even have the right "to protest their condemnation by the world society" (38), and decent peoples have the right, if necessary, to wage just wars against them. Thus, [End Page 140] liberal societies are not merely contingently established and historically conditioned forms of organization; they become the universal standard against which other societies are judged. Those found wanting are banished, as outlaws, from the civilized world. Ironically, one of the signs of their outlaw status is their insistence on autonomy, on sovereignty. As Rawls states, "Human rights are a class of rights that play a special role in a reasonable Law of Peoples: they restrict the justifying reasons for war and its conduct, and they specify limits to a regime's internal autonomy. In this way they reflect the two basic and historically profound changes in how the powers of sovereignty have been conceived since World War II" (79). Yet, what Rawls sees as a postwar development in the notion of sovereignty—that is, its restriction—could not, in fact, have occurred had it not been for the unrestricted sovereign powers of the victors of that war, especially, of course, the supreme power of the United States. The limitation of (others') sovereignty is an imposed limitation, imposed by a sovereign state that has never relinquished its own sovereign power. What for Vitoria was the sovereignty of Christendom and for Scott the sovereignty of humanity becomes for Rawls the simple but uncontested sovereignty of liberalism itself. [14](http://muse.jhu.edu.proxy.lib.umich.edu/journals/cultural_critique/v054/54.1rasch.html" \l "FOOT14)

So goes the contemporary refinement of the achievement that so impressed Schmitt in 1932. "Time and again," wrote Schmitt back then, sensing what was to come,

the great superiority, the amazing political achievement of the U.S. reveals itself in the fact that it uses general, flexible concepts.... With regard to these decisive political concepts, it depends on who interprets, defines, and uses them; who concretely decides what peace is, what disarmament, what intervention, what public order and security are. One of the most important manifestations of humanity's legal and spiritual life is the fact that whoever has true power is able to determine the content of concepts and words. Caesar dominus et supra grammaticam. Caesar is also lord over grammar. (1988, Positionen und Begriffe, 202)

For Schmitt, to assume that one can derive morally correct political institutions from abstract, universal norms is to put the cart before the horse. The truly important question remains: **who decides?** [15](http://muse.jhu.edu.proxy.lib.umich.edu/journals/cultural_critique/v054/54.1rasch.html" \l "FOOT15) What political power representing which political order defines terms like human rights and public reason, defines, in fact, what it means to be properly human? What political power distinguishes [End Page 141] between the decent and the indecent, between those who police the world and those who are outlawed from it? Indeed, what political power decides what is and what is not political? Habermas's contention that normative legality neutralizes the moral and the political and that therefore Schmitt "suppresses" the "decisive point," namely, "the legal preconditions of an impartial judicial authority and a neutral system of criminal punishment" (1998, 200), is enough to make even an incurable skeptic a bit nostalgic for the old Frankfurt School distinction between affirmative and critical theory. One could observe, for instance, that the "universality" of human rights has a very particular base. As Habermas says:

Asiatic societies cannot participate in capitalistic modernization without taking advantage of the achievements of an individualistic legal order. One cannot desire the one and reject the other. From the perspective of Asian countries, the question is not whether human rights, as part of an individualistic legal order, are compatible with the transmission of one's own culture. Rather, the question is whether the traditional forms of political and societal integration can be reasserted against—or must instead be adapted to—the hard-to-resist imperatives of an economic modernization that has won approval on the whole. (2001, 124)

Thus, despite his emphasis on procedure and the universality of his so-called discourse principle, the choice that confronts Asiatic societies or any other people is a choice between cultural identity and economic survival, between, in other words, cultural and physical extermination. As Schmitt said, the old Christian and civilizing distinction between believers and nonbelievers (Gläubigern and Nicht-Gläubigern) has become the modern, economic distinction between "creditors and debtors" (Gläubigern and Schuldnern).

But while affirmative theorists like Habermas and Rawls are busy constructing the ideological scaffolding that supports the structure of the status quo, what role is there for the "critical" theorist to play? Despite the sanguine hopes of Hardt and Negri (2000) that "Empire" will all but spontaneously combust as a result of the irrepressible ur-desire of the multitude, can we seriously place our faith in some utopian grand alternative anymore, or in some revolutionary or therapeutic result based on the truth of critique that would allow us all, in the end, to sing in the sunshine and laugh everyday? Do, in fact, such utopian fantasies not lead to the moralizing hubris of a [End Page 142] Rawls or a Habermas? [16](http://muse.jhu.edu.proxy.lib.umich.edu/journals/cultural_critique/v054/54.1rasch.html" \l "FOOT16) In short, it is one thing to recognize the concealed, particular interests that govern the discourse and politics of human rights and quite another to think seriously about how things could be different, to imagine an international system that respected both the equality and the difference of states and/or peoples. Is it possible—and this is Todorov's question—to value Vitoria's principle of the "free circulation of men, ideas, and goods" and still also "cherish another principle, that of self-determination and noninterference" (Todorov 1984, 177)? The entire "Vitorian" tradition, from Scott to Habermas and Rawls, thinks not. Habermas, for instance, emphatically endorses the fact that "the erosion of the principle of nonintervention in recent decades has been due primarily to the politics of human rights" (1998, 147), a "normative" achievement that is not so incidentally correlated with a positive, economic fact: "In view of the subversive forces and imperatives of the world market and of the increasing density of worldwide networks of communication and commerce, the external sovereignty of states, however it may be grounded, is by now in any case an anachronism" (150). And opposition to this development is not merely anachronistic; it is illegitimate, not to be tolerated. So, for those who sincerely believe in American institutional, cultural, and moral superiority, the times could not be rosier. After all, when push comes to shove, "we" decide—not only about which societies

are decent and which ones are not, but also about which acts of violence are "terrorist" and which compose the "gentle compulsion" of a "just war."

What, however, are those "barbarians" who disagree with the new world order supposed to do? With Agamben, they could wait for a "completely new politics" to come, but the contours of such a politics are unknown and will remain unknown until the time of its arrival. And that time, much like the second coming of Christ, seems infinitely deferrable. While they wait for the Benjaminian "divine violence" to sweep away the residual effects of the demonic rule of law (Benjamin 1996, 248-52), the barbarians might be tempted to entertain Schmitt's rather forlorn fantasy of an egalitarian balance of power. Yet if the old, inner-European balance of power rested on an asymmetrical exclusion of the non-European world, it must be asked: what new exclusion will be necessary for a new balance, and is that new exclusion tolerable? At the moment, there is no answer to [End Page 143] this question, only a precondition to an answer. If one wishes to entertain Todorov's challenge of thinking both equality and difference, universal commerce of people and ideas as well as self-determination and nonintervention, then the concept of humanity must once again become the invisible and unsurpassable horizon of discourse, not its positive pole. The word "human," to evoke one final distinction, must once again become descriptive of a "fact" and not a "value." Otherwise, whatever else it may be, the search for "human" rights will always also be the negative image of the relentless search for the "inhuman" other.

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#### This outweighs—skills unique to this model are an avenue for expression and betterment—the alternative is decisionistic formulas that refuse to test themselves

**Mitchell 2010** – associate professor and director of graduate studies in the Department of Communication at the University of Pittsburgh (Gordon, Rhetoric & Public Affairs, 13.1, “SWITCH-SIDE DEBATING MEETS DEMAND-DRIVEN RHETORIC OF SCIENCE”)

The watchwords for the intelligence community’s debating initiative— collaboration, critical thinking, collective awareness—resonate with key terms anchoring the study of deliberative democracy. In a major new text, John Gastil defines deliberation as a process whereby people “carefully examine a problem and arrive at a well-reasoned solution aft er a period of inclusive, respectful consideration of diverse points of view.”40 Gastil and his colleagues in organizations such as the Kettering Foundation and the National Coalition for Dialogue and Deliberation are pursuing a research program that foregrounds the democratic telos of deliberative processes. Work in this area features a blend of concrete interventions and studies of citizen empowerment.41 Notably, a key theme in much of this literature concerns the relationship between deliberation and debate, with the latter term often loaded with pejorative baggage and working as a negative foil to highlight the positive qualities of deliberation.42 “Most political discussions, however, are debates. Stories in the media turn politics into a never-ending series of contests. People get swept into taking sides; their energy goes into figuring out who or what they’re for or against,” says Kettering president David Mathews and coauthor Noelle McAfee. “Deliberation is different. It is neither a partisan argument where opposing sides try to win nor a casual conversation conducted with polite civility. Public deliberation is a means by which citizens make tough choices about basic purposes and directions for their communities and their country. It is a way of reasoning and talking together.”43 Mathews and McAfee’s distrust of the debate process is almost paradigmatic amongst theorists and practitioners of Kettering-style deliberative democracy. One conceptual mechanism for reinforcing this debate-deliberation opposition is characterization of debate as a process inimical to deliberative aims, with debaters adopting dogmatic and fixed positions that frustrate the deliberative objective of “choice work.” In this register, Emily Robertson observes, “unlike deliberators, debaters are typically not open to the possibility of being shown wrong. . . . Debaters are not trying to find the best solution by keeping an open mind about the opponent’s point of view.”44 Similarly, founding documents from the University of Houston–Downtown’s Center for Public Deliberation state, “Public deliberation is about choice work, which is different from a dialogue or a debate. In dialogue, people oft en look to relate to each other, to understand each other, and to talk about more informal issues. In debate, there are generally two positions and people are generally looking to ‘win’ their side.”45 Debate, cast here as the theoretical scapegoat, provides a convenient, low-water benchmark for explaining how other forms of deliberative interaction better promote cooperative “choice work.” The Kettering-inspired framework receives support from perversions of the debate process such as vapid presidential debates and verbal pyrotechnics found on Crossfire-style television shows.46 In contrast, the intelligence community’s debating initiative stands as a nettlesome anomaly for these theoretical frameworks, with debate serving, rather than frustrating, the ends of deliberation. The presence of such an anomaly would seem to point to the wisdom of fashioning a theoretical orientation that frames the debate-deliberation connection in contingent, rather than static terms, with the relationship between the categories shift ing along with the various contexts in which they manifest in practice.47 Such an approach gestures toward the importance of rhetorically informed critical work on multiple levels. First, the contingency of situated practice invites analysis geared to assess, in particular cases, the extent to which debate practices enable and/ or constrain deliberative objectives. Regarding the intelligence community’s debating initiative, such an analytical perspective highlights, for example, the tight connection between the deliberative goals established by intelligence officials and the cultural technology manifest in the bridge project’s online debating applications such as Hot Grinds. An additional dimension of nuance emerging from this avenue of analysis pertains to the precise nature of the deliberative goals set by bridge. Program descriptions notably eschew Kettering-style references to democratic citizen empowerment, yet feature deliberation prominently as a key ingredient of strong intelligence tradecraft . Th is caveat is especially salient to consider when it comes to the second category of rhetorically informed critical work invited by the contingent aspect of specific debate initiatives. To grasp this layer it is useful to appreciate how the name of the bridge project constitutes an invitation for those outside the intelligence community to participate in the analytic outreach eff ort. According to Doney, bridge “provides an environment for Analytic Outreach—a place where IC analysts can reach out to expertise elsewhere in federal, state, and local government, in academia, and industry. New communities of interest can form quickly in bridge through the ‘web of trust’ access control model—access to minds outside the intelligence community creates an analytic force multiplier.”48 This presents a moment of choice for academic scholars in a position to respond to Doney’s invitation; it is an opportunity to convert scholarly expertise into an “analytic force multiplier.” In reflexively pondering this invitation, it may be valuable for scholars to read Greene and Hicks’s proposition that switch-side debating should be viewed as a cultural technology in light of Langdon Winner’s maxim that “technological artifacts have politics.”49 In the case of bridge, politics are informed by the history of intelligence community policies and practices. Commenter Th omas Lord puts this point in high relief in a post off ered in response to a news story on the topic: “[W]hy should this thing (‘bridge’) be? . . . [Th e intelligence community] on the one hand sometimes provides useful information to the military or to the civilian branches and on the other hand it is a dangerous, out of control, relic that by all external appearances is not the slightest bit reformed, other than superficially, from such excesses as became exposed in the cointelpro and mkultra hearings of the 1970s.”50 A debate scholar need not agree with Lord’s full-throated criticism of the intelligence community (he goes on to observe that it bears an alarming resemblance to organized crime) to understand that participation in the community’s Analytic Outreach program may serve the ends of deliberation, but not necessarily democracy, or even a defensible politics. Demand-driven rhetoric of science necessarily raises questions about what’s driving the demand, questions that scholars with relevant expertise would do well to ponder carefully before embracing invitations to contribute their argumentative expertise to deliberative projects. By the same token, it would be prudent to bear in mind that the technological determinism about switch-side debate endorsed by Greene and Hicks may tend to flatten reflexive assessments regarding the wisdom of supporting a given debate initiative—as the next section illustrates, manifest differences among initiatives warrant context-sensitive judgments regarding the normative political dimensions featured in each case. Public Debates in the EPA Policy Process The preceding analysis of U.S. intelligence community debating initiatives highlighted how analysts are challenged to navigate discursively the heteroglossia of vast amounts of diff erent kinds of data flowing through intelligence streams. Public policy planners are tested in like manner when they attempt to stitch together institutional arguments from various and sundry inputs ranging from expert testimony, to historical precedent, to public comment. Just as intelligence managers find that algorithmic, formal methods of analysis often don’t work when it comes to the task of interpreting and synthesizing copious amounts of disparate data, public-policy planners encounter similar challenges. In fact,the argumentative turn in public-policy planning elaborates an approach to public-policy analysis that foregrounds deliberative interchange and critical thinking as alternatives to “decisionism,” the formulaic application of “objective” decision algorithms to the public policy process. Stating the matter plainly, Majone suggests, “whether in written or oral form, argument is central in all stages of the policy process.” Accordingly, he notes, “we miss a great deal if we try to understand policy-making solely in terms of power, influence, and bargaining, to the exclusion of debate and argument.”51 One can see similar rationales driving Goodwin and Davis’s EPA debating project, where debaters are invited to conduct on-site public debates covering resolutions craft ed to reflect key points of stasis in the EPA decision-making process. For example, in the 2008 Water Wars debates held at EPA headquarters in Washington, D.C., resolutions were crafted to focus attention on the topic of water pollution, with one resolution focusing on downstream states’ authority to control upstream states’ discharges and sources of pollutants, and a second resolution exploring the policy merits of bottled water and toilet paper taxes as revenue sources to fund water infrastructure projects. In the first debate on interstate river pollution, the team of Seth Gannon and Seungwon Chung from Wake Forest University argued in favor of downstream state control, with the Michigan State University team of Carly Wunderlich and Garrett Abelkop providing opposition. In the second debate on taxation policy, Kevin Kallmyer and Matthew Struth from University of Mary Washington defended taxes on bottled water and toilet paper, while their opponents from Howard University, Dominique Scott and Jarred McKee, argued against this proposal. Reflecting on the project, Goodwin noted how the intercollegiate Switch-Side Debating Meets Demand-Driven Rhetoric of Science 107 debaters’ ability to act as “honest brokers” in the policy arguments contributed positively to internal EPA deliberation on both issues.52 Davis observed that since the invited debaters “didn’t have a dog in the fight,” they were able to give voice to previously buried arguments that some EPA subject matter experts felt reticent to elucidate because of their institutional affiliations.53 Such findings are consistent with the views of policy analysts advocating the argumentative turn in policy planning. As Majone claims, “Dialectical confrontation between generalists and experts often succeeds in bringing out unstated assumptions, conflicting interpretations of the facts, and the risks posed by new projects.”54 Frank Fischer goes even further in this context, explicitly appropriating rhetorical scholar Charles Willard’s concept of argumentative “epistemics” to flesh out his vision for policy studies: Uncovering the epistemic dynamics of public controversies would allow for a more enlightened understanding of what is at stake in a particular dispute, making possible a sophisticated evaluation of the various viewpoints and merits of different policy options. In so doing, the differing, oft en tacitly held contextual perspectives and values could be juxtaposed; the viewpoints and demands of experts, special interest groups, and the wider public could be directly compared; and the dynamics among the participants could be scrutizined. This would by no means sideline or even exclude scientific assessment; it would only situate it within the framework of a more comprehensive evaluation.55 As Davis notes, institutional constraints present within the EPA communicative milieu can complicate eff orts to provide a full airing of all relevant arguments pertaining to a given regulatory issue. Thus, intercollegiate debaters can play key roles in retrieving and amplifying positions that might otherwise remain sedimented in the policy process. The dynamics entailed in this symbiotic relationship are underscored by deliberative planner John Forester, who observes, “If planners and public administrators are to make democratic political debate and argument possible, they will need strategically located allies to avoid being fully thwarted by the characteristic self-protecting behaviors of the planning organizations and bureaucracies within which they work.”56 Here, an institution’s need for “strategically located allies” to support deliberative practice constitutes the demand for rhetorically informed expertise, setting up what can be considered a demand-driven rhetoric of science. As an instance of rhetoric of science scholarship, this type of “switch-side public 108 Rhetoric & Public Affairs debate” differs both from insular contest tournament debating, where the main focus is on the pedagogical benefit for student participants, and first-generation rhetoric of science scholarship, where critics concentrated on unmasking the rhetoricity of scientific artifacts circulating in what many perceived to be purely technical spheres of knowledge production.58 As a form of demand-driven rhetoric of science, switch-side debating connects directly with the communication field’s performative tradition of argumentative engagement in public controversy—a different route of theoretical grounding than rhetorical criticism’s tendency to locate its foundations in the English field’s tradition of literary criticism and textual analysis.59 Given this genealogy, it is not surprising to learn how Davis’s response to the EPA’s institutional need for rhetorical expertise took the form of a public debate proposal, shaped by Davis’s dual background as a practitioner and historian of intercollegiate debate. Davis competed as an undergraduate policy debater for Howard University in the 1970s, and then went on to enjoy substantial success as coach of the Howard team in the new millennium. In an essay reviewing the broad sweep of debating history, Davis notes, “Academic debate began at least 2,400 years ago when the scholar Protagoras of Abdera (481–411 bc), known as the father of debate, conducted debates among his students in Athens.”60 As John Poulakos points out, “older” Sophists such as Protagoras taught Greek students the value of dissoi logoi, or pulling apart complex questions by debating two sides of an issue.61 The few surviving fragments of Protagoras’s work suggest that his notion of dissoi logoi stood for the principle that “two accounts [logoi] are present about every ‘thing,’ opposed to each other,” and further, that humans could “measure” the relative soundness of knowledge claims by engaging in give-and-take where parties would make the “weaker argument stronger” to activate the generative aspect of rhetorical practice, a key element of the Sophistical tradition.62 Following in Protagoras’s wake, Isocrates would complement this centrifugal push with the pull of synerchesthe, a centripetal exercise of “coming together” deliberatively to listen, respond, and form common social bonds.63 Isocrates incorporated Protagorean dissoi logoi into synerchesthe, a broader concept that he used flexibly to express interlocking senses of (1) inquiry, as in groups convening to search for answers to common questions through discussion;64 (2) deliberation, with interlocutors gathering in a political setting to deliberate about proposed courses of action;65 and (3) alliance formation, a form of collective action typical at festivals,66 or in the exchange of pledges that deepen social ties.67 Switch-Side Debating Meets Demand-Driven Rhetoric of Science 109 Returning once again to the Kettering-informed sharp distinction between debate and deliberation, one sees in Isocratic synerchesthe, as well as in the EPA debating initiative, a fusion of debate with deliberative functions. Echoing a theme raised in this essay’s earlier discussion of intelligence tradecraft , such a fusion troubles categorical attempts to classify debate and deliberation as fundamentally opposed activities. Th e significance of such a finding is amplified by the frequency of attempts in the deliberative democracy literature to insist on the theoretical bifurcation of debate and deliberation as an article of theoretical faith. Tandem analysis of the EPA and intelligence community debating initiatives also brings to light dimensions of contrast at the third level of Isocratic synerchesthe, alliance formation. Th e intelligence community’s Analytic Outreach initiative invites largely one-way communication flowing from outside experts into the black box of classified intelligence analysis. On the contrary, the EPA debating program gestures toward a more expansive project of deliberative alliance building. In this vein, Howard University’s participation in the 2008 EPA Water Wars debates can be seen as the harbinger of a trend by historically black colleges and universities (hbcus) to catalyze their debate programs in a strategy that evinces Davis’s dual-focus vision. On the one hand, Davis aims to recuperate Wiley College’s tradition of competitive excellence in intercollegiate debate, depicted so powerfully in the feature film The Great Debaters, by starting a wave of new debate programs housed in hbcus across the nation.68 On the other hand, Davis sees potential for these new programs to complement their competitive debate programming with participation in the EPA’s public debating initiative. Th is dual-focus vision recalls Douglas Ehninger’s and Wayne Brockriede’s vision of “total” debate programs that blend switch-side intercollegiate tournament debating with forms of public debate designed to contribute to wider communities beyond the tournament setting.69 Whereas the political telos animating Davis’s dual-focus vision certainly embraces background assumptions that Greene and Hicks would find disconcerting—notions of liberal political agency, the idea of debate using “words as weapons”70—there is little doubt that the project of pursuing environmental protection by tapping the creative energy of hbcu-leveraged dissoi logoi differs significantly from the intelligence community’s eff ort to improve its tradecraft through online digital debate programming. Such diff erence is especially evident in light of the EPA’s commitment to extend debates to public realms, with the attendant possible benefits unpacked by Jane Munksgaard and Damien Pfister: 110 Rhetoric & Public Affairs Having a public debater argue against their convictions, or confess their indecision on a subject and subsequent embrace of argument as a way to seek clarity, could shake up the prevailing view of debate as a war of words. Public uptake of the possibility of switch-sides debate may help lessen the polarization of issues inherent in prevailing debate formats because students are no longer seen as wedded to their arguments. This could transform public debate from a tussle between advocates, with each public debater trying to convince the audience in a Manichean struggle about the truth of their side, to a more inviting exchange focused on the content of the other’s argumentation and the process of deliberative exchange.71 Reflection on the EPA debating initiative reveals a striking convergence among (1) the expressed need for dissoi logoi by government agency officials wrestling with the challenges of inverted rhetorical situations, (2) theoretical claims by scholars regarding the centrality of argumentation in the public policy process, and (3) the practical wherewithal of intercollegiate debaters to tailor public switch-side debating performances in specific ways requested by agency collaborators. These points of convergence both underscore previously articulated theoretical assertions regarding the relationship of debate to deliberation, as well as deepen understanding of the political role of deliberation in institutional decision making. But they also suggest how decisions by rhetorical scholars about whether to contribute switch-side debating acumen to meet demand-driven rhetoric of science initiatives ought to involve careful reflection. Such an approach mirrors the way policy planning in the “argumentative turn” is designed to respond to the weaknesses of formal, decisionistic paradigms of policy planning with situated, contingent judgments informed by reflective deliberation. Conclusion Dilip Gaonkar’s criticism of first-generation rhetoric of science scholarship rests on a key claim regarding what he sees as the inherent “thinness” of the ancient Greek rhetorical lexicon.72 That lexicon, by virtue of the fact that it was invented primarily to teach rhetorical performance, is ill equipped in his view to support the kind of nuanced discriminations required for eff ective interpretation and critique of rhetorical texts. Although Gaonkar isolates rhetoric of science as a main target of this critique, his choice of subject matter Switch-Side Debating Meets Demand-Driven Rhetoric of Science 111 positions him to toggle back and forth between specific engagement with rhetoric of science scholarship and discussion of broader themes touching on the metatheoretical controversy over rhetoric’s proper scope as a field of inquiry (the so-called big vs. little rhetoric dispute).73 Gaonkar’s familiar refrain in both contexts is a warning about the dangers of “universalizing” or “globalizing” rhetorical inquiry, especially in attempts that “stretch” the classical Greek rhetorical vocabulary into a hermeneutic metadiscourse, one pressed into service as a master key for interpretation of any and all types of communicative artifacts. In other words, Gaonkar warns against the dangers of rhetoricians pursuing what might be called supply-side epistemology, rhetoric’s project of pushing for greater disciplinary relevance by attempting to extend its reach into far-flung areas of inquiry such as the hard sciences. Yet this essay highlights how rhetorical scholarship’s relevance can be credibly established by outsiders, who seek access to the creative energy flowing from the classical Greek rhetorical lexicon in its native mode, that is, as a tool of invention designed to spur and hone rhetorical performance. Analysis of the intelligence community and EPA debating initiatives shows how this is the case, with government agencies calling for assistance to animate rhetorical processes such as dissoi logoi (debating different sides) and synerchesthe (the performative task of coming together deliberately for the purpose of joint inquiry, collective choice-making, and renewal of communicative bonds).74 Th is demand-driven epistemology is diff erent in kind from the globalization project so roundly criticized by Gaonkar. Rather than rhetoric venturing out from its own academic home to proselytize about its epistemological universality for all knowers, instead here we have actors not formally trained in the rhetorical tradition articulating how their own deliberative objectives call for incorporation of rhetorical practice and even recruitment of “strategically located allies”75 to assist in the process. Since the productivist content in the classical Greek vocabulary serves as a critical resource for joint collaboration in this regard, demand-driven rhetoric of science turns Gaonkar’s original critique on its head. In fairness to Gaonkar, it should be stipulated that his 1993 intervention challenged the way rhetoric of science had been done to date, not the universe of ways rhetoric of science might be done in the future. And to his partial credit, Gaonkar did acknowledge the promise of a performance-oriented rhetoric of science, especially one informed by classical thinkers other than Aristotle.76 In his Ph.D. dissertation on “Aspects of Sophistic Pedagogy,” Gaonkar documents how the ancient sophists were “the greatest champions” 112 Rhetoric & Public Affairs of “socially useful” science,77 and also how the sophists essentially practiced the art of rhetoric in a translational, performative register: Th e sophists could not blithely go about their business of making science useful, while science itself stood still due to lack of communal support and recognition. Besides, sophistic pedagogy was becoming increasingly dependent on the findings of contemporary speculation in philosophy and science. Take for instance, the eminently practical art of rhetoric. As taught by the best of the sophists, it was not simply a handbook of recipes which anyone could mechanically employ to his advantage. On the contrary, the strength and vitality of sophistic rhetoric came from their ability to incorporate the relevant information obtained from the on-going research in other fields.78 Of course, deep trans-historical diff erences make uncritical appropriation of classical Greek rhetoric for contemporary use a fool’s errand. But to gauge from Robert Hariman’s recent reflections on the enduring salience of Isocrates, “timely, suitable, and eloquent appropriations” can help us postmoderns “forge a new political language” suitable for addressing the complex raft of intertwined problems facing global society. Such retrospection is long overdue, says Hariman, as “the history, literature, philosophy, oratory, art, and political thought of Greece and Rome have never been more accessible or less appreciated.”79 Th is essay has explored ways that some of the most venerable elements of the ancient Greek rhetorical tradition—those dealing with and deliberation—can be retrieved and adapted to answer calls in the contemporary milieu for cultural technologies capable of dealing with one of our time’s most daunting challenges. This challenge involves finding meaning in inverted rhetorical situations characterized by an endemic surplus of heterogeneous content.

#### No link to rules or predictability bad—our argument isn't rules-based in the sense they identify, it’s a set of contestable guidelines for evaluating competitions. Rejecting the topic because rules are oppressive doesn’t solve and only a standard like the resolution is limited enough to enable preparation and testing but has enough internal complexity to solve their impact

**Armstrong 2K** – Paul B. Armstrong, Professor of English and Dean of the College of Arts and Sciences at the State University of New York at Stony Brook, Winter 2000, “The Politics of Play: The Social Implications of Iser's Aesthetic Theory,” New Literary History, Vol. 31, No. 1, p. 211-223

\*aleatory = depending on luck, i.e. the throw of a die

Such a play-space also opposes the notion that the only alternative to the coerciveness of consensus must be to advocate the sublime powers of rule-breaking.8 Iser shares Lyotard’s concern that to privilege harmony and agreement in a world of heterogeneous language games is to limit their play and to inhibit semantic innovation and the creation of new games. Lyotard’s endorsement of the “sublime”—the pursuit of the “unpresentable” by rebelling against restrictions, defying norms, and smashing the limits of existing paradigms—is undermined by contradictions, however, which Iser’s explication of play recognizes and addresses. The paradox of the unpresentable, as Lyotard acknowledges, is that it can only be manifested through a game of representation. The sublime is, consequently, in Iser’s sense, an instance of doubling. If violating norms creates new games, this crossing of boundaries **depends on** and carries in its wake the conventions and structures it oversteps. The sublime may be uncompromising, asocial, and unwilling to be bound by limits, but its pursuit of what is not contained in any order or system makes it dependent on the forms it opposes. ¶ The radical presumption of the sublime is not only terroristic in refusing to recognize the claims of other games whose rules it declines to limit itself by. It is also naive and self-destructive in its impossible imagining that it can do without the others it opposes. As a structure of doubling, the sublime pursuit of the unpresentable requires a play-space that includes other, less radical games with which it can interact. Such conditions of exchange would be provided by the nonconsensual reciprocity of Iserian play. ¶ Iser’s notion of play offers a way of conceptualizing power which acknowledges the necessity and force of disciplinary constraints without seeing them as unequivocally coercive and determining. The contradictory combination of restriction and openness in how play deploys power is evident in Iser’s analysis of “regulatory” and “aleatory” rules. Even the regulatory rules, which set down the conditions participants submit to in order to play a game, “permit a certain range of combinations while also establishing a code of possible play. . . . Since these rules limit the text game without producing it, they are regulatory but not prescriptive. They do no more than set the aleatory in motion, and the aleatory rule differs from the regulatory in that it has no code of its own” (FI 273). Submitting to the discipline of regulatory restrictions is both constraining and enabling because it makes possible certain kinds of interaction that the rules cannot completely predict or prescribe in advance. Hence the existence of aleatory rules that are not codified as part of the game itself but are the variable customs, procedures, and practices for playing it. Expert facility with aleatory rules marks the difference, for example, between someone who just knows the rules of a game and another who really knows how to play it. Aleatory rules are more flexible and openended and more susceptible to variation than regulatory rules, but they too are characterized by a contradictory combination of constraint and possibility, limitation and unpredictability, discipline and spontaneity.

#### Limits are inevitable. Only applying them for explicable reasons applies creative potential and gives meaning to freedom

**Ramaekers 1** [Stefan, “Teaching to lie and obey: Nietzsche and Education”, Journal of Philosophy of Education 35.2]

The nature of morality inspires us to stay far from an excessive freedom and cultivates the need for restricted horizons. This narrowing of perspective is for Nietzsche a condition of life and growth. It is interesting to see how this is prefigured in Nietzsche's second Unfashionable Observation (On the Utility and Liability of History for Life). The cure for what he there calls ‘the historical sickness’, i.e. an excess of history which attacks the shaping power of life and no longer understands how to utilise the past as a powerful source of nourishment, is (among others) the ahistorical: "the art and power to be able to forget and to enclose oneself in a limited horizon. Human beings cannot live without a belief in something lasting and eternal. Subordination to the rules of a system of morality should not be understood as a deplorable restriction of an individual's possibilities and creative freedom: on the contrary, it is the necessary determination and limitation of the conditions under which anything can be conceived as possible. Only from within a particular and arbitrary framework can freedom itself be interpreted as freedom. In other words, Nietzsche points to the necessity of being embedded in a particular cultural and historical frame. The pervasiveness of this embeddedness can be shown in at least four aspects of Nietzsche's writings.

#### All definitions are somewhat arbitrary, but this proves limits are key. The only solution is contesting reasonable interpretations of terms—means T debates solve their offense

**Kemerling 97** (Garth, professor of philosophy at Newberry College, http://www.philosophypages.com/lg/e05.htm)

We've seen that sloppy or misleading use of ordinary language can seriously limit our ability to create and communicate correct reasoning. As philosopher John Locke pointed out three centuries ago, the achievement of human knowledge is often hampered by the use of words without fixed signification. **Needless controversy is** sometimes **produced** and perpetuated by an unacknowledged ambiguity in the application of key terms. We can distinguish disputes of three sorts: Genuine disputes involve disagreement about whether or not some specific proposition is true. Since the people engaged in a genuine dispute agree on the meaning of the words by means of which they convey their respective positions, each of them can propose and assess logical arguments that might eventually lead to a resolution of their differences. Merely verbal disputes, on the other hand, arise entirely from ambiguities in the language used to express the positions of the disputants. A verbal dispute disappears entirely once the people involved arrive at an agreement on the meaning of their terms, since doing so reveals their underlying agreement in belief. Apparently verbal but really genuine disputes can also occur, of course. In cases of this sort, the resolution of every ambiguity only reveals an underlying genuine dispute. Once that's been discovered, it can be addressed fruitfully by appropriate methods of reasoning. We can save a lot of time, sharpen our reasoning abilities, and communicate with each other more effectively if we watch for disagreements about the meaning of words and try to resolve them whenever we can. Kinds of Definition The most common way of preventing or eliminating differences in the use of languages is by agreeing on the definition of our terms. Since these explicit accounts of the meaning of a word or phrase can be offered in distinct contexts and employed in the service of different goals, it's useful to distinguish definitions of several kinds: A lexical definition simply reports the way in which a term is already used within a language community. The goal here is to inform someone else of the accepted meaning of the term, so the definition is more or less correct depending upon the accuracy with which it captures that usage. In these pages, my definitions of technical terms of logic are lexical because they are intended to inform you about the way in which these terms are actually employed within the discipline of logic. At the other extreme, a stipulative definition freely assigns meaning to a completely new term, creating a usage that had never previously existed. Since the goal in this case is to propose the adoption of shared use of a novel term, there are no existing standards against which to compare it, and the definition is always correct (though it might fail to win acceptance if it turns out to be inapt or useless). If I now decree that we will henceforth refer to Presidential speeches delivered in French as "glorsherfs," I have made a (probably pointless) stipulative definition. Combining these two techniques is often an effective way to reduce the vagueness of a word or phrase. These precising definitions begin with the lexical definition of a term but then propose to **sharpen it by stipulating more narrow limits** on its use. Here, the lexical part must be correct and the stipulative portion should appropriately reduce the troublesome vagueness. If the USPS announces that "proper notification of a change of address" means that an official form containing the relevant information must be received by the local post office no later than four days prior to the effective date of the change, it has offered a (possibly useful) precising definition.

#### Ideology is only shaken by agonistic spaces with arguments subject to testing and reconsideration on both sides—this is key to make competition productive

**Roberts-Miller 2003** – associate professor of rhetoric at the University of Texas (Patricia, JAC 22.2, “Fighting Without Hatred: Hannah Arendt's Agonistic Rhetoric”, http://www.jaconlinejournal.com/archives/vol22.3/miller-fighting.pdf)

Totalitarianism and the Competitive Space of Agonism

Arendt is probably most famous for her analysis of totalitarianism (especially her The Origins of Totalitarianism and Eichmann in Jerusalem), but the recent attention has been on her criticism of mass culture (The Human Condition). Arendt's main criticism of the current human condition is that the common world of deliberate and joint action is fragmented into solipsistic and unreflective behavior. In an especially lovely passage, she says that in mass society people are all **imprisoned in the subjectivity of their own singular experience**, which does not cease to be singular if the same experience is multiplied innumerable times. The end of the common world has come when it is seen only under one aspect and is permitted to present itself in only one perspective. (Human 58)

What Arendt so beautifully describes is that isolation and individualism are not corollaries, and may even be antithetical because obsession with one's own self and the particularities of one's life prevents one from engaging in conscious, deliberate, collective action. Individuality, unlike isolation, depends upon a collective with whom one argues in order to direct the common life. Self-obsession, even (especially?) when coupled with isolation from one' s community is far from apolitical; it has political consequences. Perhaps a better way to put it is that it is political precisely because it aspires to be apolitical. This fragmented world in which many people live simultaneously and even similarly but not exactly together is what Arendt calls the "social."

Arendt does not mean that group behavior is impossible in the realm of the social, but that social behavior consists "in some way of isolated individuals, incapable of solidarity or mutuality, who abdicate their human capacities and responsibilities to a projected 'they' or 'it,' with disastrous consequences, both for other people and eventually for themselves" (Pitkin 79). One can behave, but not act. For someone like Arendt, a German-assimilated Jew, one of the most frightening aspects of the Holocaust was the ease with which a people who had not been extraordinarily anti-Semitic could be put to work industriously and efficiently on the genocide of the Jews. And what was striking about the perpetrators of the genocide, ranging from minor functionaries who facilitated the murder transports up to major figures on trial at Nuremberg, was their constant and apparently sincere insistence that they were not responsible. For Arendt, this was not a peculiarity of the German people, but of the current human and heavily bureaucratic condition of twentieth-century culture: we do not consciously choose to engage in life's activities; we drift into them, or we do them out of a desire to conform. Even while we do them, we do not acknowledge an active, willed choice to do them; instead, we attribute our behavior to necessity, and we perceive ourselves as determined—determined by circumstance, by accident, by what "they" tell us to do. We do something from within the anonymity of a mob that we would never do as an individual; we do things for which we will not take responsibility. Yet, whether or not people acknowledge responsibility for the consequences of their actions, those consequences exist. Refusing to accept responsibility can even make those consequences worse, in that the people who enact the actions in question, because they do not admit their own agency, cannot be persuaded to stop those actions. They are simply doing their jobs. In a totalitarian system, however, everyone is simply doing his or her job; there never seems to be anyone who can explain, defend, and change the policies. Thus, it is, as Arendt says, rule by nobody.

It is illustrative to contrast Arendt's attitude toward discourse to Habermas'. While both are critical of modern bureaucratic and totalitarian systems, Arendt's solution is the playful and **competitive space** of agonism; it is not the rational-critical public sphere. The "actual content of political life" is "the joy and the gratification that arise out of being in company with our peers, out of acting together and appearing in public, out of inserting ourselves into the world by word and deed, thus acquiring and sustaining our personal identity and beginning something entirely new" ("Truth" 263). According to Seyla Benhabib, Arendt's public realm emphasizes the assumption of competition, and it "represents that space of appearances in which moral and political greatness, heroism, and preeminence are revealed, displayed, shared with others. This is a competitive space in which one competes for recognition, precedence, and acclaim" (78). These qualities are displayed, but not entirely for purposes of acclamation; they are not displays of one's self, but of ideas and arguments, of one's thought. When Arendt discusses Socrates' thinking in public, she emphasizes his performance: "He performed in the marketplace the way the flute-player performed at a banquet. It is sheer performance, sheer activity"; nevertheless, it was thinking: "What he actually did was to make public, in discourse, the thinking process" {Lectures 37). Pitkin summarizes this point: "Arendt says that the heroism associated with politics is not the mythical machismo of ancient Greece but something more like the existential leap into action and public exposure" (175-76). Just as it is not machismo, although it does have considerable ego involved, so it is not instrumental rationality; Arendt's discussion of the kinds of discourse involved in public action include myths, stories, and personal narratives.

Furthermore, the competition is not ruthless; it does not imply a willingness to triumph at all costs. Instead, it involves something like having such a passion forideas and politics that one is willing to take risks. One tries to articulate the best argument, propose the best policy, design the best laws, make the best response. This is a risk in that one might lose; advancing an argument means that one must be **open to the criticisms** others will make of it. The situation is agonistic not because the participants manufacture or seek conflict, but because **conflict is a necessary consequence of difference**. This attitude is reminiscent of Kenneth Burke, who did not try to find a language free of domination but who instead theorized a way that the very tendency toward hierarchy in language might be used against itself (for more on this argument, see Kastely). Similarly, Arendt does **not** propose **a** public **realm of neutral**, rational **beings** who escape differences to live in the discourse of universals; she envisions one of different people who argue with passion, vehemence, and integrity.

Continued…

Eichmann perfectly exemplified what Arendt famously called the "banality of evil" but that might be better thought of as the bureaucratization of evil (or, as a friend once aptly put it, the evil of banality). That is, he was able to engage in mass murder because he was able not to think about it, especially not from the perspective of the victims, and he was able to exempt himself from personal responsibility by telling himself (and anyone else who would listen) that he was just following orders. It was the bureaucratic system that enabled him to do both. He was not exactly passive; he was, on the contrary, very aggressive in trying to do his duty. He behaved with the "ruthless, competitive exploitation" and "inauthen-tic, self-disparaging conformism" that characterizes those who people totalitarian systems(Pitkin 87).

Arendt's theorizing of totalitarianism has been justly noted as one of her strongest contributions to philosophy. She saw that a situation like Nazi Germany is different from the conventional understanding of a tyranny. Pitkin writes,

Totalitarianism cannot be understood, like earlier forms of domination, as the ruthless exploitation of some people by others, whether the motive be selfish calculation, irrational passion, or devotion to some cause. Understanding totalitarianism's essential nature requires solving the central mystery of the holocaust—the objectively useless and indeed dysfunctional, fanatical pursuit of a purely ideological policy, a pointless process to which the people enacting it have fallen captive. (87)

Totalitarianism is closely connected to bureaucracy; it is oppression by rules, rather than by people who have willfully chosen to establish certain rules. It is the triumph of the social.

Critics (both friendly and hostile) have paid considerable attention to Arendt's category of the "social," largely because, despite spending so much time on the notion, Arendt remains vague on certain aspects of it. Pitkin appropriately compares Arendt's concept of the social to the Blob, the type of monster that figured in so many post-war horror movies. That Blob was "an evil monster from outer space, entirely external to and separate from us [that] had fallen upon us intent on debilitating, absorbing, and ultimately destroying us, gobbling up our distinct individuality and turning us into robots that mechanically serve its purposes" (4).

Pitkin is critical of this version of the "social" and suggests that Arendt meant (or perhaps should have meant) something much more complicated. The simplistic version of the social-as-Blob can itself be an instance of Blob thinking; Pitkin's criticism is that Arendt talks at times as though the social comes from outside of us and has fallen upon us, turning us into robots. Yet, Arendt's major criticism of the social is that it involves seeing ourselves as victimized by something that comes from outside our own behavior. I agree with Pitkin that Arendt's most powerful descriptions of the social (and the other concepts similar to it, such as her discussion of totalitarianism, imperialism, Eichmann, and parvenus) emphasize that these processes are not entirely out of our control but that they happen to us when, and because, we keep refusing to make active choices. We create the social through negligence. It is not the sort of force in a Sorcerer's Apprentice, which once let loose cannot be stopped; on the contrary, it continues to exist because we structure our world to reward social behavior. Pitkin writes, "From childhood on, in virtually all our institutions, we reward euphemism, salesmanship, slogans, and we punish and suppress truth-telling, originality, thoughtful-ness. So we continually cultivate ways of (not) thinking that induce the social" (274). I want to emphasize this point, as it is important for thinking about criticisms of some forms of the social construction of knowledge: denying our own agency is what enables the social to thrive. To put it another way, theories of powerlessness are self-fulfilling prophecies.

Arendt grants that there are people who willed the Holocaust, but she insists that totalitarian systems result not so much from the Hitlers or Stalins as from the bureaucrats who may or may not agree with the established ideology but who enforce the rules for no stronger motive than a desire to avoid trouble with their superiors (see Eichmann and Life). They do not think about what they do. One might prevent such occurrences—or, at least, resist the modern tendency toward totalitarianism—by thought: "critical thought is in principle anti-authoritarian" (Lectures 38).

By "thought" Arendt does not mean eremitic contemplation; in fact, she has great contempt for what she calls "professional thinkers," refusing herself to become a philosopher or to call her work philosophy. Young-Bruehl, Benhabib, and Pitkin have each said that Heidegger represented just such a professional thinker for Arendt, and his embrace of Nazism epitomized the genuine dangers such "thinking" can pose (see Arendt's "Heidegger"). "Thinking" is not typified by the isolated contemplation of philosophers; it requires the **arguments of others** and close attention to the truth. It is easy to overstate either part of that harmony. One must consider carefully the arguments and viewpoints of others:

Political thought is representative. I form an opinion by considering a given issue from different viewpoints, by making present to my mind the standpoints of those who are absent; that is, I represent them. This process of representation does not blindly adopt the actual views of those who stand somewhere else, and hence look upon the world from a different perspective; this is a question neither of empathy, as though I tried to be or to feel like somebody else, nor of counting noses and joining a majority but of being and thinking in my own identity where actually I am not. The more people's standpoints I have present in my mind while I am pondering a given issue, and the better I can imagine how I would feel and think if I were in their place, the stronger will be my capacity for representative thinking and the more valid my final conclusions, my opinion. ("Truth" 241)

There are two points to emphasize in this wonderful passage. First, one does not get these standpoints in one's mind through imagining them, but through listening to them; thus, good thinking requires that one hear the arguments of other people. Hence, as Arendt says, "critical thinking, while still a solitary business, does not cut itself off from' all others.'" Thinking is, in this view, necessarily public discourse: critical thinking is possible "only where the standpoints of all others are open to inspection" (Lectures 43). Yet, it is not a discourse in which one simply announces one's stance; participants are interlocutors and not just speakers; they must listen. Unlike many current versions of public discourse, this view presumes that speech matters. It is not asymmetric manipulation of others, nor merely an economic exchange; it must be a world into which one enters and by which one might be changed.

Second, passages like the above make some readers think that Arendt puts too much faith in discourse and too little in truth (see Habermas). But Arendt is no crude relativist; she believes in truth, and she believes that there are facts that can be more or less distorted. She does not believe that reality is constructed by discourse, or that truth is indistinguishable from falsehood. She insists that the truth has a different pull on us and, consequently, that it has a difficult place in the world of the political. Facts are different from falsehood because, while they can be distorted or denied, especially when they are inconvenient for the powerful, they also have a certain positive force that falsehood lacks: "Truth, though powerless and always defeated in a head-on clash with the powers that be, possesses a strength of its own: whatever those in power may contrive, they are unable to discover or invent a viable substitute for it. Persuasion and violence can destroy truth, but they cannot replace it" ("Truth" 259).

Facts have a strangely resilient quality partially because a lie "tears, as it were, a hole in the fabric of factuality. As every historian knows, one can spot a lie by noticing incongruities, holes, or the junctures of patched-up places" ("Truth" 253). While she is sometimes discouraging about our ability to see the tears in the fabric, citing the capacity of totalitarian governments to create the whole cloth (see "Truth" 252-54), she is also sometimes optimistic. In Eichmann in Jerusalem, she repeats the story of Anton Schmidt—a man who saved the lives of Jews—and concludes that such stories cannot be silenced (230-32). For facts to exert power in the common world, however, these stories must be told. Rational truth (such as principles of mathematics) might be perceptible and demonstrable through individual contemplation, but "factual truth, on the contrary, is always related to other people: it concerns events and circumstances in which many are involved; it is established by witnesses and depends upon testimony; it exists only to the extent that it is spoken about, even if it occurs in the domain of privacy. It is political by nature" (23 8). Arendt is neither a positivist who posits an autonomous individual who can correctly perceive truth, nor a relativist who positively asserts the inherent relativism of all perception. Her description of how truth functions does not fall anywhere in the three-part expeditio so prevalent in bothrhetoric and philosophy: it is not expressivist, positivist, or social constructivist. Good thinking depends upon good public argument, and good public argument depends upon access to facts: "Freedom of opinion is a farce unless factual information is guaranteed" (238).

The sort of thinking that Arendt propounds takes the form of action only when it is public argument, and, as such, it is particularly precious: "For if no other test but the experience of being active, no other measure but the extent of sheer activity were to be applied to the various activities within the vita activa, it might well be that thinking as such would surpass them all" (Human 325). Arendt insists that it is "the same general rule— Do not contradict yourself (not your self but your thinking ego)—that determines both thinking and acting" (Lectures 3 7). In place of the mildly resentful conformism that fuels totalitarianism, Arendt proposes what Pitkin calls "a tough-minded, open-eyed readiness to perceive and judge reality for oneself, in terms of concrete experience and independent, critical theorizing" (274). The paradoxical nature of agonism (that it must involve both individuality and commonality) makes it difficult to maintain, as the temptation is great either to think one's own thoughts without reference to anyone else or to let others do one's thinking.

Arendt's Polemical Agonism

As I said, agonism does have its advocates within rhetoric—Burke, Ong, Sloane, Gage, and Jarratt, for instance—but while each of these theorists proposes a form of conflictual argument, not one of these is as adversarial as Arendt's. Agonism can emphasize persuasion, as does John Gage's textbook The Shape of Reason or William Brandt et al.'s The Craft of Writing. That is, the goal of the argument is to identify the disagreement and then construct a text that gains the assent of the audience. This is not the same as what Gage (citing Thomas Conley) calls "asymmetrical theories of rhetoric": theories that "presuppose an active speaker and a passive audience, a speaker whose rhetorical task is therefore to do something to that audience" ("Reasoned" 6). Asymmetric rhetoric is not and cannot be agonistic. Persuasive agonism still values conflict, disagreement, and equality among interlocutors, but it has the goal of reaching agreement, as when Gage says that the process of argument should enable one's reasons to be "understood and believed" by others (Shape 5; emphasis added).

Arendt's version is what one might call polemical agonism: it puts less emphasis on gaining assent, and it is exemplified both in Arendt's own writing and in Donald Lazere's "Ground Rules for Polemicists" and "Teaching the Political Conflicts." Both forms of agonism (persuasive and polemical) require substantive debate at two points in a long and recursive process. First, one engages in debate in order to invent one's argument; even silent thinking is a "dialogue of myself with myself (Lectures 40). The difference between the two approaches to agonism is clearest when one presents an argument to an audience assumed to be an opposition. In persuasive agonism, one plays down conflict and moves through reasons to try to persuade one's audience. In polemical agonism, however, one's intention is not necessarily to prove one's case, but to make public one' s thought in order to test it. In this way, communicability serves the same function in philosophy that replicability serves in the sciences; it is how one tests the validity of one's thought. In persuasive agonism, success is achieved through persuasion; in polemical agonism, success may be marked through the quality of subsequent controversy.

Arendt quotes from a letter Kant wrote on this point:

You know that I do not approach reasonable objections with the intention merely of refuting them, but that in thinking them over I always weave them into my judgments, and afford them the opportunity of overturning all my most cherished beliefs. I entertain the hope that by thus viewing my judgments impartially from the standpoint of others some third view that will improve upon my previous insight may be obtainable. {Lectures 42)

Kant's use of "impartial" here is interesting: he is not describing a stance that is free of all perspective; it is impartial only in the sense that it is not his own view. This is the same way that Arendt uses the term; she does not advocate any kind of positivistic rationality, but instead a "universal interdependence" ("Truth" 242). She does not place the origin of the "disinterested pursuit of truth" in science, but at "the moment when Homer chose to sing the deeds of the Trojans no less than those of the Achaeans, and to praise the glory of Hector, the foe and the defeated man, no less than the glory of Achilles, the hero of his kinfolk" ("Truth" 26263). It is useful to note that Arendt tends not to use the term "universal," opting more often for "common," by which she means both what is shared and what is ordinary, a usage that evades many of the problems associated with universalism while preserving its virtues (for a brief but provocative application of Arendt's notion of common, see Hauser 100-03).

In polemical agonism, there is a sense in which one' s main goal is not to persuade one's readers; persuading one's readers, if this means that they fail to see errors and flaws in one' s argument, might actually be a sort of failure. It means that one wishes to put forward an argument that makes clear what one's stance is and why one holds it, but with the intention of provoking critique and counterargument. Arendt describes Kant's "hope" for his writings not that the number of people who agree with him would increase but "that the circle of his examiners would gradually be enlarged" {Lectures 39); he wanted interlocutors, not acolytes.

**This is not consensus-based argument**, nor is it what is sometimes called "consociational argument," nor is this argument as mediation or conflict resolution. Arendt (and her commentators) use the term "fight," and they mean it. When Arendt describes the values that are necessary in our world, she says, "They are a sense of honor, desire for fame and glory, the spirit of fighting without hatred and 'without the spirit of revenge,' and indifference to material advantages" {Crises 167). Pitkin summarizes Arendt's argument: "Free citizenship presupposes the ability to fight— openly, seriously, with commitment, and about things that really matter—without fanaticism, without seeking to exterminate one's opponents" (266). My point here is two-fold: first, there is not a simple binary opposition between persuasive discourse and eristic discourse, the conflictual versus the collaborative, or argument as opposed to debate.

Second, while polemical agonism requires diversity among interlocutors, and thus seems an extraordinarily appropriate notion, and while it may be a useful corrective to too much emphasis on persuasion, it seems to me that polemical agonism could easily slide into the kind of wrangling that is simply frustrating. Arendt does not describe just how one is to keep the conflict useful. Although she rejects the notion that politics is "no more than a battlefield of partial, conflicting interests, where nothing countfs] but pleasure and profit, partisanship, and the lust for dominion," she does not say exactly how we are to know when we are engaging in the existential leap of argument versus when we are lusting for dominion ("Truth" 263).

Like other proponents of agonism, Arendt argues that rhetoric does not lead individuals or communities to **ultimate Truth**; it leads to decisions that will necessarily have to be reconsidered. Even Arendt, who tends to express a greater faith than many agonists (such as Burke, Sloane, or Kastely) in the ability of individuals to perceive truth, insists that self-deception is always a danger, so public **discourse is necessary as a form of testing** (see especially Lectures and "Truth"). She remarks that it is difficult to think beyond one's self-interest and that "nothing, indeed, is more common, even among highly sophisticated people, than the blind obstinacy that becomes manifest in lack of imagination and failure to judge" ("Truth" 242).

Agonism demands that one simultaneously trust and **doubt one' s own perceptions**, rely on one's own judgment and consider the judgments of others, think for oneself and imagine how others think. The question remains whether this is a kind of thought in which everyone can engage. Is the agonistic public sphere (whether political, academic, or scientific) only available to the few? Benhabib puts this criticism in the form of a question: "That is, is the 'recovery of the public space' under conditions of modernity necessarily an elitist and antidemocratic project that can hardly be reconciled with the demand for universal political emancipation and the universal extension of citizenship rights that have accompanied modernity since the American and French Revolutions?" (75). This is an especially troubling question not only because Arendt's examples of agonistic rhetoric are from elitist cultures, but also because of comments she makes, such as this one from The Human Condition: "As a living experience, thought has always been assumed, perhaps wrongly, to be known only to the few. It may not be presumptuous to believe that these few have not become fewer in our time" {Human 324).

Yet, there are important positive political consequences of agonism.

Arendt' s own promotion of the agonistic sphere helps to explain how the system could be actively moral. It is not an overstatement to say that a central theme in Arendt's work is the evil of conformity—the fact that the modern bureaucratic state makes possible extraordinary evil carried out by people who do not even have any ill will toward their victims. It does so by "imposing innumerable and various rules, all of which tend to 'normalize' its members, to make them behave, to exclude spontaneous action or outstanding achievement" (Human 40). It keeps people from thinking, and it keeps them behaving. The agonistic model's celebration of achievement and verbal skill undermines the political force of conformity, so it is a force against the bureaucratizing of evil. If people think for themselves, they will resist dogma; if people think of themselves as one of many, they will empathize; if people can do both, they will resist totalitarianism. And if they talk about what they see, tell their stories, argue about their perceptions, and listen to one another—that is, engage in rhetoric—then they are engaging in antitotalitarian action.

In post-Ramistic rhetoric, it is a convention to have a thesis, and one might well wonder just what mine is—whether I am arguing for or against Arendt's agonism. Arendt does not lay out a pedagogy for us to follow (although one might argue that, if she had, it would lookmuch like the one Lazere describes in "Teaching"), so I am not claiming that greater attention to Arendt would untangle various pedagogical problems that teachers of writing face. Nor am I claiming that applying Arendt's views will resolve theoretical arguments that occupy scholarly journals. I am saying, on the one hand, that Arendt's connection of argument and thinking, as well as her perception that both serve to thwart totalitarianism, suggest that **agonal rhetoric (despite the current preference for collaborative rhetoric) is the best discourse for a diverse and inclusive public sphere**. On the other hand, Arendt's advocacy of agonal rhetoric is troubling (and, given her own admiration for Kant, this may be intentional), especially in regard to its potential elitism, masculinism, failure to describe just how to keep argument from collapsing into wrangling, and apparently cheerful acceptance of hierarchy. Even with these flaws, Arendt describes something we would do well to consider thoughtfully: a fact-based but not positivist, communally grounded but not relativist, adversarial but not violent, independent but not expressivist rhetoric.

## 1nr

### 2nc overview

**The question of authenticity comes prior to how we understand the world and thus prior to all other impacts – only an ontology that makes our lives authentic through war should be accepted**

**Gelven** prof phil @ NIU **1994** (Michael, War and Existence)

In his description of what he calls the ‘existential analytic,’ that is, the analysis of the ways we exist, Heidegger argues that there are certain categories of explanation that are a priori and that apply only to the question of our existence. He calls these existentials, and among them are being-in-the-world and being-with. To say that being-in-the-world is an a priori existential is to claim that one does not first know oneself privately and then later discover an “external” world that somehow provides a landscape for the individual; rather one understands oneself already (a priori) within the world, so that the notion of “world” is not the result of external experience at all but is a precondition for making any sense of existence whatsoever. In characterizing this mode of existence, being-in-the- world, we see that one way in which being-in-the-world happens is to be with. Again, we must see that being-with is a priori; it is a necessary way we think about ourselves: it predates any particular experience.   
In order to grasp the nature of this being-with, it must be contrasted with being-next-to. I can only be with another person; I can be next to a thing. However, I can also be next to another person, but I cannot be with a thing. An example of how we use ordinary language may show what this means. Suppose I visit a movie theater and I enter the auditorium alone. I sit down next to another person. We would not say I am “with” that person. However, if I enter the theater with a friend and we sit down together, we would say that I am with that person. What this shows is that there is a simple but profound difference in the way we think about being-with and being- next-to. Should I enter a theater and sit next to a post, there would be no existential difference between that and my sitting next to another person. I may indeed even be physically closer to the person I am next to than the person I am with (my friend’s chair may be several inches further away from me than the chair of the stranger). Indeed, I may even be next to a friend and with a nonfriend, so that how I feel about the person next to me cannot be said to determine the existential meaning. There is nothing spectacular about this; it is manifested in the way we use language, and as soon as we see the point of the distinctions, the mind grasps the difference as meaningful and important. But I cannot adequately account for the distinction between being-with and being-next-to merely by appealing to physical predicates; the difference concerns how we think and, specifically, how we think about the meaning of our existence.   
Recognizing that being-with, therefore, is an a priori existential, not a mere accidental property of physical objects, we can now see that being- with is one of the ways we can be said to be-in-the-world (also an existential a priori). Thus, being-with is an essential part of how I understand myself. If we allow ourselves to leap ahead in Heidegger’s analysis, we will also see that in his description of our temporality, he shows that our historicality is also an existential a priori and, further, that an essential dimension of our historicality is our heritage, fate, and destiny. If we put together the notion of our heritage and our being-with, we have the basis for communal existence. It is not merely that as a matter of fact we happen to live with others who share our heritage; it is rather that being-with-others and sharing a heritage are **essential to our self-understanding.**   
Heidegger develops a simple expedient for making sense out of the various modalities of our existence. We are either authentic or inauthentic in our modalities. Authenticity is the way in which our meaning is manifest in the ways in which we exist; inauthenticity is the way in which that meaning does not occur. To put it simply, each and every one of the various a priori existentials, such as being-in-the-world and being-with, can be either authentic or inauthentic.   
Authentic being-with and authentic heritage require that one’s historical and one’s communal existence be made meaningful. In other words, I cannot remain indifferent to who I am or what my history is and remain true to myself. Who I am is determined in part by who I am with. Thus, my American historicality and my American being-with provide their inevitable destiny. It is on the basis of this that we recognize the primordial right of every man and woman to his and her own meaningfulness. **Since this meaningfulness is necessarily historical and communal, it explains why war is accepted as a grim but undeniable right. Not to sacrifice on behalf of what is mine is to discredit the very authenticity of being at all.**

### a2 standing reserve

Confrontation with the Other is a prerequisite to defining independent value

Vatter 02 (Migel Vatter, Author, “ Politics as war : a formula for radical democracy ?”, <http://multitudes.samizdat.net/Politics-as-war-a-formula-for>, 10 May 2002)

Schmitt argues that in war it is up to each individual to decide for themselves "whether the otherness of the stranger in the concrete, present case of conflict means the negation of one’s own kind of existence and therefore must be fended off or fought against in battle in order to save one’s own, existential kind of life." But the force of Schmitt’s argument is precisely that it is not a pre-given, culturally determined "kind of existence" that is "one’s own" and that could serve as criterion for deciding who is the authentic enemy. On the contrary, the judgment as to what ought to be one’s authentic form of life can only result from the confrontation with the decision as to who is the enemy : "The enemy is not something that for some reason must be done away with and annihilated because of its want of value. The enemy is on my own level. For this reason I must confront him in battle in order to gain my own standard, my own limit, my own figure." Without this confrontation with the question of otherness there is no such thing as "one’s own kind of existence" because there is no term against which to determine what is authentically "one’s own". Hence Schmitt can say that his conception of the political is none other than a transcription of the Biblical Ur-scene : the story of Cain and Abel, where "the other reveals himself as my brother," because one does not start with knowing who the enemy is, and "the brother reveals himself as my enemy," because one comes to know oneself only by making the decision on who is enemy. In this sense, Schmitt belongs to a postmodern constellation for which any claim to self-identity passes through the prior acknowledgment of the other as other.

#### Link turns value to life

**Gelven** prof phil @ NIU **1994** (Michael, War and Existence)

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Authentic being-with and authentic heritage require that one’s historical and one’s communal existence be made meaningful. In other words, I cannot remain indifferent to who I am or what my history is and remain true to myself. Who I am is determined in part by who I am with. Thus, my American historicality and my American being-with provide their inevitable destiny. It is on the basis of this that we recognize the primordial right of every man and woman to his and her own meaningfulness. Since this meaningfulness is necessarily historical and communal, it explains why war is accepted as a grim but undeniable right. Not to sacrifice on behalf of what is mine is to discredit the very authenticity of being at all.   
What Heidegger has done is to show the philosophical legitimacy of judgments about meaning. He has shown that being who I am matters, and if being who I am is characterized by both heritage and being-with, then it can be shown that a supreme and existential value can be placed on one’s nation and tradition. War is the violent defense of these rights, these special existential rights, and since the existential awareness of self-worth must be assumed if any other value whatsoever is possible, the right to war is fundamental. It is the persuasion of the present argument that this self- worth includes a sense of we-self-worth, that is, that the worth of the self required for any and all values understands the self as shared, as we as well as I.   
When we imagine the people of London bravely going about their business during the blitz, we can explain this philosophically as their presenting themselves as beings whose collective self-worth matters. Theirs is a statement of the sort, **“This is who we are, and who we are matters.”** Similarly, when we reflect that soldiers are thought of with a kind of affection lacking in our image of police, we can explain the presence of this affection in terms of what the soldier means to us, a protection of what is ours. Again, the philosophical basis of this attitude is the worth of the we-self over against the threat of something not belonging to what is our own, the they.   
This, of course, is going far beyond what Clausewitz says in On War. His point is merely that in our attempt to understand the phenomenon of war, we must see that it is rooted in the political order. Nevertheless, this suggestion has many consequences, among which are these existential observations about war as communal. It is perhaps sometimes difficult to identify with a far-flung and distant war, particularly when things at home are going well or when the reports of the war focus solely on the suffering, confusion, and grief of the combatants and their families, but it is simply inauthentic not to associate oneself with these vast endeavors.   
Of all the existential marks, this one most reflects the basic principle of the we-they. If wars are essentially communal, it is easy to see that men fight for the communal we against the threatening other, the they. However, the existential priority of this principle influences not only the content of the description but the method as well. War must be distinguished from other forms of conflict in that it is fought because of the communal sense of being-with-others and not merely fought by groups. This leads us to the consideration of a genealogical account of war.

### Goldhammer

**By refusing to concretely and directly identify and enemy, the aff has posited itself as a weak player within the political that is incapable of justifying values. Only a strong assertive and absolute declaration of the enemy makes strong politics possible.**

**Pourciau** dept german studies @ Stanford **2k5** (Sarah, “Bodily Negation: Carl Schmitt on the Meaning of Meaning” MLN 120.5 (2005) 1066-1090, Muse)

The essence of the Schmittian political resides, as the passages already cited suggest, in a practice of self-definition ["seinsmäßigen Behauptung der eigenen Existenzform"], which depends on a capacity to decide on the political enemy. Only in the autonomous application of this boundary-drawing power, in the clear delineation of a previously non-existent exterior, can the political self emerge from the formless plurality of bodily selves to take shape as a cohesive entity. "For **as long as a people exists in the political sphere,** this people must, even if only in the most extreme case—and whether this point has been reached it decides for itself—determine by itself the distinction of friend and enemy. Therein resides the essence of its political existence" (49). ["Solange ein Volk in der Sphäre des Politischen existiert, muß es, wenn auch nur für den extremsten Fall—über dessen Vorliegen es aber selbst entscheidet—die Unterscheidung von Freund und Feind selber bestimmen. Darin liegt das Wesen seiner politischen Existenz" (50**).] To refuse the responsibility** implied by the political decision **is to relinquish all claims to political selfhood**, and with it all capacity for worldly agency: "The political does not disappear from the world because a people no longer possesses the energy or the will to maintain itself in the sphere of politics. Only a weak people disappears" (53, translation modified). ["Dadurch, daß ein Volk nicht mehr die Kraft oder den Willen hat, sich in der Sphäre des Politischen zu halten, verschwindet das Politische nicht aus der Welt. Es verschwindet nur ein schwaches Volk" (54).] That such a disappearance bespeaks a definitional failure on the part of the political self becomes abundantly clear from the way the structure plays out within the realm of the political concept, where the loss of a definite enemy effectively eliminates the potential for (linguistic) meaning:

First, all political concepts, ideas, and terms have a political meaning. They are focused on a specific conflict and are bound to a concrete situation; the result (which manifests itself in war or revolution) is a friend-enemy [End Page 1072]grouping, and they turn into empty and ghostlike abstractions when this situation disappears.

[Erstens haben alle politischen Begriffe, Vorstellungen und Worte einen polemischen Sinn; sie haben eine konkrete Gegensätzlichkeit im Auge, sind an eine konkrete Situation gebunden, deren letzte Konsequenz eine (in Krieg oder Revolution sich äußernde) Freund-Feindgruppierung ist, und werden zu leeren und gespenstischen Abstraktionen, wenn diese Situation entfällt.]

(31)

This descent into irrelevant abstraction**,** Schmitt will later insist, accurately characterizes the contemporary predicament of liberal thought, developed in the nineteenth century as a polemical alternative to now-defunct institutions like the absolutist state and the feudal aristocracy, and relegated, since the demise of its enemies, to the amorphous but hardly impotent status of meaningless anachronism.[7](http://muse.jhu.edu.proxy.lib.umich.edu/journals/mln/v120/120.5pourciau.html" \l "FOOT7)

A **definitive decision** on the enemy, then, whether conceptual or human, produces a political entity made meaningful by the clarity of its contours. The kind of meaning arising within these boundaries has, however, little in common with the conventionally codified meaning of dictionary definitions, and still less with the romantic fantasy of a mystical link between word and thing. The definition neither imposes on the self arbitrarily from without, nor presupposes it as timeless essence; it derives instead from the real, relational configuration on which the decision decides:

#### You aren’t the flesh of the United States and you are not capable of reasserting excessive enjoyment through sacrifice – you cannot live like a sun, and your flesh in no way resembles the sun – their focus on metaphors obscures concrete reality

#### We, the *flesh* of the United States federal government, are capable of *reasserting* the excessive enjoyment of life through sacrifice. We, the *flesh* of the United States federal government, should gloriously sacrifice our flesh to *live like suns*.

#### Their first piece of evidence identifies the magical gesture of Vincent van gogh – magic implies a distinction that exists somehow independent of that of the friend and the one – they “tear within themselves through ecstasy and love” – this is reflective of role confusion, rather than demarcating lines they have pussyfooted around with those distinctions causing them to break down altogether

#### Their Jay and Land evidence - there aren’t two suns – there is in fact one sun, their refusal to identify reality and conflation of the sun - van gogh doesn’t become solar – solar is a thing and van gogh is a think – believing they are the same is a fallacious play on words, an aesthetic that is violent and precludes effective friend enemy dichotomies

### Metaphors

#### Metaphors suck in the context of the political. They will have some persuasive arguments about how metaphors are nice in the abstract, however in the realm of the political we need to concretely and directly identify who is the enemy. 1NC Kahn evidence indicates that enemies are not things that we just make up and refer to half-heartedly, they are existential realities that we need to in order to give value to life. the aff has forgone and prevented us from engaging in the creation of enemies.

**The political is where we define the values that we embody and defend to the death. The enemies that we choose are essential in this process – only a concrete identification of the enemy can solve**

**Manzoor 2k** last date cited, no date given (Parvez, “The Sovereignty of the Political” http://evans-experientialism.freewebspace.com/carlschmitte.htm)

The totalizing thrust of Schmitt's argument is directed against liberalism, which by the postulation of a false universalism, according to him, obscures the existentially paramount nature of politics and replaces it with the struggle for purely formal notions of rights. Thus, Schmitt is at pains to underscore that, within the purview of his theory, **friend and foe are not to be construed as metaphors or symbols**, for they are 'neither normative not pure spiritual antitheses.' Elsewhere, he elaborates the same point in the following manner: 'The distinction of friend and enemy denotes the utmost degree of intensity of a union or separation, of an association or dissociation. It can exist, theoretically and practically, without having simultaneously to draw upon all those moral, aesthetic, economic, or other distinctions. The political enemy need not be morally evil or aesthetically ugly; he need not appear as an economic competitor, and it may even be advantageous to engage with him in business transaction. But he is, nevertheless, **the other, the stranger;** and it is sufficient for his nature that he is, in a specially intense way, existentially something different and alien, so that in the extreme case conflicts with him are always possible. These can neither be decided by a previously determined norm nor by the judgement of a disinterested and therefore neutral third party.' (26-7; emphasis has been added.)  
The political enemy, furthermore, must not be confounded with the private adversary whom one hates. For 'an enemy exists only when, at least potentially, one fighting collectivity of people **confronts** a similar collectivity. The enemy is solely the public enemy, because everything that has a relationship to such a collectivity of men, particularly to a whole nation, becomes public by virtue of such a relationship.' (28; my emphasis.) Given Schmitt's quintessentially tribal and bellicose conception of politics, it is not surprising that he is not disturbed by the New Testament exhortation: 'Love your enemies' (Matt: 5:44; Luke: 6:27) for the Bible quotation, he claims, does not touch the political antithesis, and 'it certainly does not mean that one should love and support the enemies of one's own people.' Thus, loving one's (private) enemy and pursuing the politics of the Holy Crusade are accepted as two complementary religio-political activities. Carrying his argument about the legitimacy of the two-tier, public-private, morality further, Schmitt then appeals to the logic of history itself: 'Never in the thousand year struggle between Christians and Moslems did id occur to a Christian to surrender rather than defend Europe out of love toward the Saracens or Turks.' (29) Thus, defining one's enemy is for him the first step towards defining the innermost self: **'Tell me who your enemy is and I'll tell you who you are,'** Schmitt has pronounced on more than one occasion. Little wonder that he claims that 'the political is the most intense and extreme antagonism.'!

### A2 Perm

**The Political needs to be serious – it’s how we create and define the values that we will live and die for, only true engagement in the political gives value to life**

**Vander Valk** doctoral student at the University at Albany **2k2** (Frank, “Decisions, Decisions: Carl Schmitt on Friends and Political Will” Rockefeller College Review, Vol 1 No. 2 http://www.albany.edu/rockefeller/rockreview/issue2/Paper4.pdf)

For Schmitt, the high point of politics is simultaneous with the recognition of the enemy, and in this recognition the meaning of the term “friend” is “he who can be counted on to fight and die for the state.” Friendship, in its most perfect political realization, occurs in those fleeting moments of decision, when sovereignty is asserted and the possibility of death in battle is imminent. At the point where the friend is most important, the individual citizen matters least. The relationship between friendship and the state is quite different for Aristotle, in whose theory “civic friendship is but the reflection, in the lives of individuals, of the constitution of the state” (Stern-Gillet, 1995, p. 153). This being the case, Aristotle notes that the most wide-ranging examples of civic friendship, as well as justice, are likely to be found in a democracy, “the citizens of a democracy being equal and having many things in common” (1955, p. 249). Civic friendship, for Aristotle, is accompanied by individual deliberation, reciprocal legal responsibilities, and the possibility, if not the promise, of an ethical component.

The recognition of the enemy cannot take place, for Schmitt, but through an expression of political will. And in the same way, the identification of friends also serves as an example of the expression of political will. In the sense in which Schmitt understands the political, friends cannot be chosen but for choosing enemies. To truly invoke political will is to affirm or reaffirm a particular friend/enemy grouping. Schmitt’s divergence from the tradition on this point is illustrative; for many political theorists the identification of friends entails no necessary simultaneous designation of enemies.

Schmitt does not think the selection of friends can allow for neutrality towards those who fall outside the circle of friendship. Such a choice is a profoundly important existential act of will. One defines one’s self in this political moment. The way one will exist, the very way of life which people are able to partake of, is the crux of the designation of the enemy. As Schmitt points out, “war is the existential negation of the enemy” (1996, p. 33). The corollary to this point, and perhaps one of the two or three most important insights that Schmitt provides in this area of thought, is that war is also the existential affirmation of the friend.

**Answering our argument was the 2AC’s first mistake. Their act of criticism is just another liberal façade**

**Staal 2k8** (Jonas, Chapter 11 of Follow Us or Die. Eds Van Gerven Oei and Staal. “Beyond Irony” Pp 121-127)

Furtively, these same idiots have deployed their first-aid-psychology kit to dismiss the position occupied by the high school shooters as teenage angst, not realizing the fact that the true sick of mind are the ones that act without belief No belief in their own acts: no belief in acting, positioning as a deed in itself The avant-garde, the critics, have tried to smear the resistance of the high school shooters by relating it to bad family situations and the schizophrenia that the digital alter-ego in video games and other online activities would induce.   
They don’t understand that it is exactly our culture, the ironic culture that is schizophrenic. They don’t understand that Dylan Klebold (1981-1999), Eric Harris (1981-1999), Cho Seung-Hui (1984-2007), Pekka Eric Auvinen (1989-2007), and Matti Juhani Saari (1986-2008) weren’t excesses of a schizophrenic culture: they were rather the ones that wanted to restore this culture.   
The critics, they don’t know what a real act of resistance is. They are unaware of what it means to believe. Belief, not in result, but rather in action: in the process that the positioning toward the culture of irony actually entails. Belief in the act of ordering, this necessary intervention, the urgency this positioning demands, the elimination of any possible way back. **A belief in being able to incorporate any criticism, because this act, this truly radical act of resistance cannot endure any criticism.** The high school shooters have moved beyond critique or criticism, beyond the order that condemns us, artists, us, avant- garde of zombies, to each other. Auvinen and Saari visualized this impossibility to “go back,” inherent to their choice to commit their act of resistance, through simple cinematographic means. Both have taped themselves before their killing spree, exercising in respectively a forest (Auvinen), and what seems to be a shooting range in an industrial area (Saari), using the weapons they would later on employ to kill their classmates and teachers. In both cases, the camera is placed on a tripod. Auvinen and Saari stand — both clothed in a black leather jacket — in profile towards the camera and empty their weapon’s clips onto an unknown target outside the camera’s angle.

#### Schmitt says the pole of Amity is critical to understanding political units. Friends are as important as enemies for Schmitt

Zarmanian, University of Milan, ‘6 [Thalin, “Carl Schmitt and the Problem of Legal Order: From Domestic to International”, Leiden Journal of International Law, 19 (2006), pp. 41–67]

Later, 46 Schmitt lamented that interpreters of his definition of ‘friend’ and ‘enemy’ had paid too much attention to the pole of enmity and not enough to the pole of amity. The definition of ‘amity’ is, in fact, a key point in understanding Schmitt’s definition of the political and of its implications for legal order. In an extreme conflict, the political necessarily entails an extreme grade of association as well. Since conflict is assumed to be possible within every field of human endeavour – morals, religion, economics – and can lead to physical struggle, saying that the sovereign is the one who decides about the distinction between friend and enemy means, first of all, that it is he who can make sure that all the other conflicts do not give rise to the critical case. Whoever is able to make a decision about the political capable of inducing individuals on one hand to give up the use of violence against each other and on the other hand to risk their life to defend it is the sovereign. By contrast, if the sovereign is incapable of preventing conflicts within the group from reaching the critical case, the group ceases to be a political unit, and either chaos ensues or new political units arise. A political unit is, therefore, a group which has already overcome the critical case within itself and has therefore already established a concrete order within itself.

This is the point where the political and the juridical converge. In order to neutralize internal political conflicts, obtaining that they give up armed conflict, the sovereign’s decision must guarantee all parties. This guarantee function is the essence of legal order as a concrete order – ‘concrete’ meaning depending on a preexistent, given, empirical context – and the measure of the risks and responsibilities that the sovereign must take in order to be legitimate. Schmitt clarified this view in a later work, U¨ ber die drei Arten des rechtswissenschaftliches Denken,47 and definitely in Der Nomos der Erde,48 in which he refined his decisionism, and put the concrete order, instead of the decision per se, at the centre of his legal thought. By taking a decision that can avoid a conflict within the group without creating another one capable of bringing its members to the critical case, the sovereign respects the asset of power and interest which is necessarily pre-existent in the political unit, but gives it a legal form. That is, the sovereign renders conflicts capable of mediation and non-violent adjudication. The particular shape of a legal order, in which the lawfulness of the sovereign’s decision lies, consists, therefore, in its respecting (or establishing) such a concrete order. A norm, a decision, or a behaviour is legitimate to the extent that it is in accordance with the pre-existing concrete social order or to the extent that it brings a pre-existent asset of power and interest to a concrete order through a creative action which is able to neutralize conflicts as they arise.

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### OFF

#### Obama has enough clout to get fiscal cliff through now, but it could change

Kimberly Atkins (writer for the Boston-Herald) November 8, 2012 “Prez returns to D.C. with more clout” http://bostonherald.com/news/columnists/view/20221108prez\_returns\_to\_dc\_with\_more\_clout

When President Obama returned yesterday to the White House, he brought with him political capital earned in a tough re-election fight as well as a mandate from voters — which means bold changes and bruising fights could lie ahead. The first agenda item is already waiting for him: reaching an agreement with lawmakers to avert the looming fiscal cliff. GOP lawmakers have previously shot down any plan involving tax increases. Obama’s win — based in part on a message of making the wealthiest Americans pay more — may already be paying dividends. In remarks at the Capitol yesterday, House Speaker John Boehner seemed to acknowledge the GOP has to take a different tack than the obstructionism that has marred progress in the past. “The president has signaled a willingness to do tax reform with lower rates. Republicans have signaled a willingness to accept new revenue if it comes from growth and reform,” Boehner said. “Let’s start the discussion there.” Obama’s fresh political clout could extend to longer term fiscal policies beyond the fiscal cliff, though don’t expect GOP pushback to vanish. House Republicans still have plenty of fight in them.

#### SMR subsidies are uniquely unpopular now

**Greenwire, 9-24**, 12, <http://www.eenews.net/public/Greenwire/2012/09/24/3> “DOE Funding for Small Reactors Languishes as Parties Clash on Debt”

Likewise, top energy officials in the Obama administration have hailed the promise of the new reactors, and they haven't shown any signs of a change of heart. DOE spokeswoman Jen Stutsman said last week that the department is still reviewing applications, but she did not say when a decision will be made. "This is an important multiyear research and development effort, and we want to make sure we take the time during the review process to get the decision right," she wrote in an email. That the grants haven't been given outduring a taut campaign season, even as President Obama announces agency actions ranging from trade cases to creating new national monuments to make the case for his re-election, may be a sign that the reactors are ensnared in a broader feud over energy spending*.*Grant recipientswould develop reactor designs with an eye toward eventually turning those into pilot projects -- and the loan guarantees that these first-of-a-kind nuclear plants are using today to get financing would be blocked under the "No More Solyndras" billthat passed the House last week ([*Greenwire*](http://www.eenews.net/Greenwire/2012/09/14/archive/2), Sept. 14). Congresshas given thegrantprogram$67 million for fiscal 2012,shy of the amount that would be needed*annually to reach full funding*. If the "sequester" kicks in at year's end and slashes DOE funding or the balance of power changes in Washington, the amount of money available could dwindle yet again. Even the staunchest supportersof the federal nuclear programare acknowledging it is a tough time to promise a$452 millioncheck. Former Sen. Pete Domenici, a New Mexico Republican who pushed for new reactors as chairman of both the Senate Energy and Natural Resources Committee and the Energy and Water Appropriations Subcommittee, said during a brief interview Tuesday that well-designed loan guarantees won't cost too much because they get repaid over time. The cost could be borne by a "tiny little tax" on the nuclear industry, he said. But when it comes to straight-up spending, like the grants that would support getting these cutting-edge reactors ready for their first demonstrations, the solution may not be so clear. While someRepublicansremain staunch supporters of funding for the nuclear power industry, there are others wholabel thegovernmentsubsidies as a waste of taxpayer dollars. "It's awful hard, with the needs that are out there and the debt that haunts us, to figure out how you're going to establish priorities," said Domenici, who has advocated for the deployment of new nuclear reactors as a fellow at the Bipartisan Policy Center. "I can't stand here and tell you that I know how to do that."

#### Compromise now, but PC is finite

Ron Kampeas (writer for Intermountain Jewish News) November 7, 2012 “Obama’s second term: More of the same, at least until Iran flares” http://www.ijn.com/presidential-elections/2012-presidential-elections/3530-obamas-second-term-more-of-the-same-at-least-until-iran-flares

The fiscal cliff and specifically sequestration is a major concern," Daroff said. "Our concern continues to be that as the nation and our political leaders continue to assess how to make cuts in spending that those cuts don't fall disproportionately on vulnerable populations that rely upon social service agencies that depend on our funding." Cuts of about 8.5 percent would immediately affect the viability of housing for the elderly, according to officials at B'nai B'rith International, which runs a network of homes. Officials at Jewish federations say the cuts also would curb the meals and transportation for the elderly they provide with assistance from federal programs. Obama and Congress would have had to deal with heading off sequestration in any case, but as a president with a veto-wielding mandate of four more years, he has the leverage to head off deep cuts to programs that his top officials have said remain essential, including food assistance to the poor and medical entitlements for the poor and elderly. David Makovsky, a senior analyst with the Washington Institute for Near East Policy, said Obama's priorities would be domestic. "While a victory in the second term tends to give you some political capital, capital is still finite," he said, citing George W. Bush's failure in 2005 to reform Social Security, despite his decisive 2004 triumph. "This suggests to me the president will keep his focus on the economy and health care," and not on major initiatives in the Middle East.

#### The impact is growth

Harold Mandel (writer for the Examiner) 9/27, 2012 “Fitch says fiscal cliff could set off global recession (Video)” http://www.examiner.com/article/fitch-says-fiscal-cliff-could-set-off-global-recession

The ratings agency stated, "The U.S. fiscal cliff represents the single biggest near-term threat to a global economic recovery." Fitch has gone on to warn, “A U.S. fiscal shock would be exported to the rest of the world via a sharply weaker U.S. dollar and asset prices, lower U.S. price and wage inflation and heightened risk of deflation, and the impact on commodity prices.” In the meantime leading U.S. executives have less confidence in the business outlook now than at any time in the past three years, with a primary reason being fear of gridlock in Washington over the fiscal deficit and tax policy. And so unless the fiscal cliff is confronted and avoided this could be bad news for everyone.

#### Nuclear war

Harris and Burrows, 9 – \*counselor in the National Intelligence Council, the principal drafter of Global Trends 2025, \*\*member of the NIC’s Long Range Analysis Unit “Revisiting the Future: Geopolitical Effects of the Financial Crisis”, Washington Quarterly, http://www.twq.com/09april/docs/09apr\_burrows.pdf)

Increased Potential for Global Conflict

Of course, the report encompasses more than economics and indeed believes the future is likely to be the result of a number of intersecting and interlocking forces. With so many possible permutations of outcomes, each with ample opportunity for unintended consequences, there is a growing sense of insecurity. Even so, history may be more instructive than ever. While we continue to believe that the Great Depression is not likely to be repeated, the lessons to be drawn from that period include the harmful effects on fledgling democracies and multiethnic societies (think Central Europe in 1920s and 1930s) and on the sustainability of multilateral institutions (think League of Nations in the same period). There is no reason to think that this would not be true in the twenty-first as much as in the twentieth century. For that reason, the ways in which the potential for greater conflict could grow would seem to be even more apt in a constantly volatile economic environment as they would be if change would be steadier.

In surveying those risks, the report stressed the likelihood that terrorism and nonproliferation will remain priorities even as resource issues move up on the international agenda. Terrorism’s appeal will decline if economic growth continues in the Middle East and youth unemployment is reduced. For those terrorist groups that remain active in 2025, however, the diffusion of technologies and scientific knowledge will place some of the world’s most dangerous capabilities within their reach. Terrorist groups in 2025 will likely be a combination of descendants of long established groups inheriting organizational structures, command and control processes, and training procedures necessary to conduct sophisticated attacks and newly emergent collections of the angry and disenfranchised that become self-radicalized, particularly in the absence of economic outlets that would become narrower in an economic downturn.

The most dangerous casualty of any economically-induced drawdown of U.S. military presence would almost certainly be the Middle East. Although Iran’s acquisition of nuclear weapons is not inevitable, worries about a nuclear-armed Iran could lead states in the region to develop new security arrangements with external powers, acquire additional weapons, and consider pursuing their own nuclear ambitions. It is not clear that the type of stable deterrent relationship that existed between the great powers for most of the Cold War would emerge naturally in the Middle East with a nuclear Iran. Episodes of low intensity conflict and terrorism taking place under a nuclear umbrella could lead to an unintended escalation and broader conflict if clear red lines between those states involved are not well established. The close proximity of potential nuclear rivals combined with underdeveloped surveillance capabilities and mobile dual-capable Iranian missile systems also will produce inherent difficulties in achieving reliable indications and warning of an impending nuclear attack. The lack of strategic depth in neighboring states like Israel, short warning and missile flight times, and uncertainty of Iranian intentions may place more focus on preemption rather than defense, potentially leading to escalating crises.

Types of conflict that the world continues to experience, such as over resources, could reemerge, particularly if protectionism grows and there is a resort to neo-mercantilist practices. Perceptions of renewed energy scarcity will drive countries to take actions to assure their future access to energy supplies. In the worst case, this could result in interstate conflicts if government leaders deem assured access to energy resources, for example, to be essential for maintaining domestic stability and the survival of their regime. Even actions short of war, however, will have important geopolitical implications. Maritime security concerns are providing a rationale for naval buildups and modernization efforts, such as China’s and India’s development of blue water naval capabilities. If the fiscal stimulus focus for these countries indeed turns inward, one of the most obvious funding targets may be military. Buildup of regional naval capabilities could lead to increased tensions, rivalries, and counterbalancing moves, but it also will create opportunities for multinational cooperation in protecting critical sea lanes. With water also becoming scarcer in Asia and the Middle East, cooperation to manage changing water resources is likely to be increasingly difficult both within and between states in a more dog-eat-dog world.

### OFF

#### Procurement is not a financial incentive

Czinkota et al, 9- Associate Professor at the McDonough School of Business at Georgetown University (Michael, Fundamentals of International Business, p. 69 – google books)

Incentives offered by policymakers to facilitate foreign investments are mainly of three types: fiscal, financial, and nonfinancial. **Fiscal incentives** are specific tax measures designed to attract foreign investors. They typically consist of special depreciation allowances, tax credits or rebates, special deductions for capital expenditures, tax holidays, and the reduction of tax burdens. **Financial incentives** offer special funding for the investor by providing, for example, land or buildings, loans, and loan guarantees. Nonfinancial incentives include guaranteed government purchases; special protection from competition through tariffs, import quotas, and local content requirements, and investments in infrastructure facilities.

### OFF

#### DoD budget aligned with strategic guidance now—additional tradeoffs collapse the entire package

**Harrison 12**

Todd Harrison, Center for Strategic and Budgetary Priorities, 8/24/2012, ANALYSIS OF THE FY 2013 DEFENSE BUDGET AND SEQUESTRATION, http://www.csbaonline.org/publications/2012/08/analysis-of-the-fy2013-defense-budget-and-sequestration/

The Fiscal Year (FY) 2013 defense budget currently being debated in Congress is a departure from previous budgets in several respects. It is the first budget submitted following the release of the Pentagon’s new strategic guidance, marking the beginning of a “pivot” from the wars of the past decade to the Asia-Pacific region. It is also the first budget request in more than a decade to propose a real decline in defense spending from the level currently enacted. Moreover, the prospect of sequestration hangs over the budget, threatening to cut some 10 percent of funding if Congress does not act to prevent it. Secretary of Defense Leon Panetta has argued that **the budget request is a “complete package**,” that “**there is little room here for** significant **modification**,” and that **any further funding reductions**, such as those called for by sequestration, **would require the Department to fundamentally rethink its new strategy**.1 Nevertheless, the FY 2013 request is unlikely to survive unscathed and the Department will likely be forced to revise its strategic guidance.

#### Nuclear is uniquely cost-prohibitive—massive cost overruns

**USA Today 9**

USA Today, 8/1/2009, Cost overruns for reactors in the offing., www.thefreelibrary.com/Cost+overruns+for+reactors+in+the+offing.-a0206055211

The likely cost of electricity for a new generation of nuclear reactors would be 12 to 20 cents per kilowatt hour, **considerably more expensive** than the average cost of increased use of energy efficiency and renewable energies at six cents per kWh, according to a study by Mark Cooper, a senior fellow for economic analysis at the Institute of Energy and the Environment at Vermont Law School, South Royalton. The report finds that it would cost 1.9 trillion to 4.1 **trillion dollars** more over the life of 100 new nuclear reactors than it would to generate the same elecfricity from a combination of more energy efficiency and renewables.

Coopers analysis of more than three dozen cost estimates for proposed **new nuclear reactors** shows that the projected **price tags** for the plants **have quadrupled** since the start of the industry's so-called "Nuclear Renaissance" at the beginning of this decade, a striking parallel to the eventually sevenfold increase in reactor cost estimates that doomed the "Great Bandwagon Market" of the 1960s and 1970s, when half of the planned reactors had to be abandoned or canceled due to **massive cost overruns**.

The study notes that the required massive subsidies from taxpayers and ratepayers would not change the real cost of nuclear reactors; they simply would shift the risks to the public. Even with huge subsidies, nuclear reactors would remain more costly than the alternatives, such as efficiency, biomass, wind, and cogeneration.

"We are literally seeing nuclear reactor history repeat itself," proclaims Cooper. "The Great Bandwagon Market that ended so badly for consumers was driven by **advocates** who **confused** hope and **hype with reality**. It is telling that, in the few short years since the so-called Nuclear Renaissance began, there has been a fourfold increase in projected costs. In both time periods, the original lowball estimates were promotional, not practical,"

Adds former U.S. Nuclear Regulatory Commission member Peter Bradford: "Having government set a quota of 100 new nuclear reactors by a certain date presumes--against decades of evidence to the contrary--that politicians can pick technological winners. Such a policy combines distraction, deception, debt, and disappointment in a mixture reminiscent of other failed Federal policies in recent years."

#### Plan causes massive tradeoffs undermining the military budget

**Spencer**, research fellow in nuclear energy – Heritage, 6/22/**’11**

(Jack, “Capability, Not Politics, Should Drive DOD Energy Research,” http://www.heritage.org/research/reports/2011/06/capability-not-politics-should-drive-dod-energy-research)

With multiple wars ongoing, traditional threats looming, and new ones emerging, the U.S. Armed Forces are already under tremendous stress. So introducing a new assignment that needlessly bleeds scarce resources away from core missions to advance a political agenda is untenable. Yet this is exactly what the Obama Administration is doing by ordering the military to lead a green revolution.

The White House is pushing the idea that the alternative energy industry would get the kick start it needs if the military will just commit to using them. But the assumptions behind this argument are flawed, and the strategy would increase demands on the military budget while harming national security. Congress should put a stop to it right away.

Not a Legitimate Military Mission

Catalyzing a commercially viable alternative energy industry is not within the military's purview. Even it if were, the federal government has a horrible track record of developing products for commercial use. In most cases, governments fund things that have no market value—hence the need for government support.

#### Key to overall hegemony, impact is Middle East

**Barno and Bensahel 12**

David Barno, Lieutenant General, Center for a New American Security Senior Advisor and Senior Fellow, Nora Bensahel, Ph.D., CNAS Deputy Director of Studies and Senior Fellow, 1/6/12, You Can't Have It All, www.cnas.org/node/7641

On Thursday, President Barack Obama and his top defense advisers unveiled new strategic guidance to direct the U.S. military as it transitions from a decade of grueling ground wars to an era of new challenges, including a rising China and looming budget cuts. The administration has adopted what is best characterized as a "pivot but hedge" strategy: The United States will pivot to the Asia-Pacific but hedge against unexpected threats elsewhere, particularly in the greater Middle East. This new guidance makes good sense in today's world, but it assumes that the Pentagon will absorb only $487 billion in budget cuts over the next decade. **If** far **deeper cuts occur**, as required by sequestration, **the D**epartment **o**f **D**efense **will not have the resources to execute the guidance**. "**Pivot but hedge" will die in its crib**.

The pivot to the Asia-Pacific is essential because the region stands poised to become the centerpiece of the 21st-century global economy. By 2015, East Asian countries are expected to surpass North America and the eurozone to become the world's largest trading bloc. Market opportunities will only increase as the region swells by an additional 175 million people by 2030. As America's economic interests in the Asia-Pacific grow, its diplomatic and military presence should grow to defend against potential threats to those interests.

From the perspective of the United States and its Asian allies, China and North Korea represent the most serious military threats to regional security. China's military modernization continues to progress, and its foreign policy toward its neighbors has become increasingly aggressive over the past two years. Meanwhile, the death of Kim Jong Il means that nuclear-armed North Korea has begun a leadership transition that could lead to greater military aggressiveness as his son Kim Jong Un seeks to consolidate his power and demonstrate control. In light of these potential dangers, several Asian nations have asked the United States to strengthen its diplomatic and military presence in the region so it can remain the ultimate guarantor of peace and security. A bolstered U.S. presence will reassure allies who worry about American decline by clearly conveying an unwavering commitment to Asian security.

But while the Asia-Pacific is becoming more important, instability across the greater Middle East -- from Tunisia to Pakistan -- still makes it the most volatile region in the world. The Arab Spring unleashed a torrent of political change that has reshaped the region in previously unfathomable ways. Iran continues to pursue nuclear weapons, and it has threatened recently to close the Strait of Hormuz. Trapped in the middle of the upheaval is Israel, a permanent ally and key pillar of America's regional security strategy. Meanwhile, U.S.-Pakistan relations continue to plunge toward a nadir, lessening American influence over a nuclear-armed and terrorist-infested state that is arguably the most dangerous country in the world.

Amid these dangers, U.S. interests in the greater Middle East remain largely unchanged: ensuring the free flow of petroleum from a region containing 51 percent of proven global oil reserves, halting nuclear proliferation, and guarding against the diminished but still real threat of Islamist-inspired terror attacks. Protecting these interests will unquestionably require the active involvement of the U.S. military over the next 10 years and beyond, though this certainly does not mean U.S. troops will necessarily repeat the intensive counterinsurgency campaigns of the last decade.

The administration's new guidance tries to balance America's rightful new focus on the Asia-Pacific with the continuing reality of deep instability in other areas of the world where U.S. interests are at stake. Yet implementing this "pivot but hedge" strategy successfully depends largely on how much Congress cuts from the Pentagon's budget, something that still remains undecided at the start of a divisive presidential election year.

The 2011 Budget Control Act, signed as part of last summer's negotiations over raising the U.S. debt ceiling, contains spending caps that will reduce the Department of Defense's base budget (excluding ongoing war costs in Afghanistan) by at least $487 billion over 10 years, according to Pentagon estimates. This represents a decline of about 8 percent compared to current spending levels. Administration officials have repeatedly described these cuts as painful but manageable. Indeed, Defense Secretary Leon Panetta stated Thursday that these cuts require difficult choices but ultimately involve "acceptable risk."

Yet deeper cuts are an entirely different story. Administration officials are extremely concerned about the Budget Control Act's automatic spending reduction process known as sequestration, which was triggered in November by the failure of the deficit reduction "super committee." According to the Congressional Budget Office, this process would roughly double the cuts to the Pentagon's base budget, resulting in nearly $900 billion in total reductions. Current law requires these cuts to take effect in January 2013 unless Congress enacts new legislation that supersedes it.

The new guidance says little about what cuts the Department of Defense will make when it releases its fiscal year 2013 budget request next month. But the Pentagon has made clear that its new guidance and budget request assume it will absorb only $487 billion in cuts over the next 10 years. Defense officials have acknowledged that the new guidance cannot be executed if sequestration takes place. When announcing the new strategy, for instance, Panetta warned that sequestration "would force us to shed missions, commitments, and capabilities necessary to protect core U.S. national security interests."

Sequestration would likely require the United States to abandon its longstanding global engagement strategy and to incur far greater risk in future military operations. If sequestration occurs, the Pentagon will likely repeat past mistakes by reducing capabilities such as ground forces that provide a hedge against unexpected threats. A pivot to the Asia-Pacific might remain an executable option under these conditions, but the U.S. ability to hedge against threats elsewhere -- particularly in the volatile Middle East -- would be diminished. This is a recipe for high risk in an uncertain and dangerous world.

The Pentagon's new strategic guidance presents a realistic way to maintain America's status as a global superpower in the context of shrinking defense dollars. But **further cuts**, especially at the level required by sequestration, **would make this "pivot but hedge" strategy impossible to implement** **and** would **raise serious questions about whether the U**nited **S**tates **can continue to play the central role on the global stage**.

#### Middle East goes nuclear

James A. **Russell,** Senior Lecturer, National Security Affairs, Naval Postgraduate School, **‘9** (Spring) “Strategic Stability Reconsidered: Prospects for Escalation and Nuclear War in the Middle East” IFRI, Proliferation Papers, #26, http://www.ifri.org/downloads/PP26\_Russell\_2009.pdf

Strategic stability in the region is thus undermined by various factors: (1) asymmetric interests in the bargaining framework that can introduce unpredictable behavior from actors; (2) the presence of non-state actors that introduce unpredictability into relationships between the antagonists; (3) incompatible assumptions about the structure of the deterrent relationship that makes the bargaining framework strategically unstable; (4) perceptions by Israel and the United States that its window of opportunity for military action is closing, which could prompt a preventive attack; (5) the prospect that Iran’s response to pre-emptive attacks could involve unconventional weapons, which could prompt escalation by Israel and/or the United States; (6) the lack of a communications framework to build trust and cooperation among framework participants. These systemic weaknesses in the coercive bargaining framework all suggest that escalation by any the parties could happen either on purpose or as a result of miscalculation or the pressures of wartime circumstance. Given these factors, it is disturbingly easy to imagine scenarios under which a conflict could quickly escalate in which the regional antagonists would consider the use of chemical, biological, or nuclear weapons. It would be a mistake to believe the nuclear taboo can somehow magically keep nuclear weapons from being used in the context of an unstable strategic framework. Systemic asymmetries between actors in fact suggest a certain increase in the probability of war – a war in which escalation could happen quickly and from a variety of participants. Once such a war starts, events would likely develop a momentum all their own and decision-making would consequently be shaped in unpredictable ways. The international community must take this possibility seriously, and muster every tool at its disposal to prevent such an outcome, which would be an unprecedented disaster for the peoples of the region, with substantial risk for the

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#### The United States Federal Government should offer substantial competitive power purchase agreements for electricity from space-based solar power for military installations in the United States.

#### Counterplan leads to rapid commercial development

**NSSO 7** (National Security Space Office, Report to the Director, “Space-Based Solar Power As an Opportunity for Strategic Security; Phase 0 Architecture Feasibility Study” October 10, 2007, http://www.nss.org/settlement/ssp/library/final-sbsp-interim-assessment-release-01.pdf)

FINDING:The SBSP Study Group found that industry has stated that the #1 driver and requirement for generating industry interest and investment in developing the initial operational SBSP systems is acquiring an anchor tenant customer, or customers, that are willing to sign contracts for high‐value SBSP services. Industry is particularly interested in the possibility that the DoD might be willing to pay for SBSP services delivered to the warfighter in forward bases in amounts of 5‐50 MWe continuous, at a price of $1 or more per kilowatt‐hour.  o Recommendation:  The SBSP Study Group recommends that the DoD should immediately conduct a requirements analysis of underlying long‐term DoD demand for secure, reliable, and mobile energy delivery to the war‐fighter, what the DoD might be willing to pay for a SBSP service delivered to the warfighter and under what terms and conditions, and evaluate the appropriateness and effectiveness of various approaches to signing up as an anchor tenant customer of a commercially‐delivered service, such as the NextView acquisition approach pioneered by the National GeoSpatial‐imaging Agency. FINDING: The SBSP Study Group found that even with the DoD as an anchor tenant customer at a price of $1‐2 per kilowatt hour for 5‐50 megawatts continuous power for the warfighter, when considering the risks of implementing a new unproven space technology and other major business risks, the business case for SBSP still does not appear to close in 2007 with current capabilities (primarily launch costs). This study did not have the resources to adequately assess the economic viability of SBSP given current or projected capabilities, and this must be part of any future agenda to further develop this concept. Past investigations of the SBSP concept have indicated that the costs are dominated by costs of installation, which depend on the cost of launch (dollars per kilogram) and assembly and on how light the components can be made (kilograms per kilowatt). Existing launch infrastructure cannot close the business case, and any assessment made based upon new launch vehicles and formats are speculative. Greater clarity and resolution is required to set proper targets for technology development and private capital engagement. Ideally SBSP would want to be cost‐competitive with other baseload suppliers in developing markets which cannot afford to spend a huge portion of their GDP on energy (4c/kWh), and these requirements are extremely stringent, but other niche export markets may provide more relaxed criteria (35c/kWh), and some customers, such as DoD, appear to be spending more than $1/kWh in forward deployed locations. It would be helpful to develop a series of curves which examine technology targets for various markets, in addition to the sensitivities and opportunities for development. Some work by the European Space Agency (ESA) has suggested that in an “apples‐to‐apples” comparison, SBSP may already be competitive with large‐scale  terrestrial solar baseload power. A great range of opinions were expressed during the study regarding the near‐term profitability.  It is instructive to note that that there are American companies that have or are actively marketed SBSP at home and abroad, while another group feels the technology is sufficiently mature to create a dedicated public‐private partnership based upon the COMSAT model and has authored draft legislation to that effect. • The business case is much more likely to close in the near future if the U.S. Government agrees to: o Sign up as an anchor tenant customer, and o Make appropriate technology investment and risk‐reduction efforts by the U.S. Government, and o Provide appropriate financial incentives to the SBSP industry that are similar to the significant incentives that Federal and State Governments are providing for private industry investments in other clean and renewable power sources. • The business case may close in the near future with appropriate technology investment and risk‐reduction efforts by the U.S. Government, and with appropriate financial incentives to industry. Federal and State Governments are providing significant financial incentives for private industry investments in other clean and renewable power sources. o Recommendation: The SBSP Study Group recommends that in order to reduce risk and to promote development of SBSP, the U.S. Government should increase and acceler

ate its investments in the development and demonstration of key component, subsystem, and system level technologies that will be required for the creation of operational and scalable SBSP systems. Finding: The SBSP Study Group found that a small amount of entry capital by the US Government is likely to catalyze substantially more investment by the private sector. This opinion was expressed many times over from energy and aerospace companies alike. Indeed, there is anecdotal evidence that even the activity of this intermim study has already provoked significant by at least three major aerospace companies. Should the United States put some dollars in for a study or demonstration, it is likely to catalyze significant amounts of internal research and development. Study leaders likewise heard that the DoD could have a catalytic role by sponsoring prizes or signaling its willingness to become the anchor customer for the product.

#### Solves islanding

**NSSO, 7** (National Security Space Office, Report to the Director, “Space-Based Solar Power As an Opportunity for Strategic Security; Phase 0 Architecture Feasibility Study” October 10, 2007, <http://www.nss.org/settlement/ssp/library/final-sbsp-interim-assessment-release-01.pdf>)

For the DoD specifically, beamed energy from space in quantities greater than 5 MWe has the potential to be a disruptive game changer on the battlefield. SBSP and its enabling wireless power transmission technology could facilitate extremely flexible “energy on demand” for combat units and installations across an entire theater, while significantly reducing dependence on vulnerable over‐land fuel deliveries. SBSP could also enable entirely new force structures and capabilities such as ultra long‐endurance airborne or terrestrial surveillance or combat systems to include the individual soldier himself. More routinely, SBSP could provide the ability to deliver rapid and sustainable humanitarian energy to a disaster area or to a local population undergoing nation‐building activities. **SBSP could also facilitate base “islanding”** such that each installation has the ability to operate independent of vulnerable ground‐ based energy delivery infrastructures. In addition to helping American and Allied defense establishments remain relevant over the entire 21st Century through more secure supply lines, perhaps the greatest military benefit of SBSP is to lessen the chances of conflict due to energy scarcity by providing access to a strategically security energy supply.

#### Basing strategy involves local community dialogue now—the plan reverses this and causes backlash that undermines effectiveness

**Boccuti, Faul and Gray, 12**

Amanda Boccuti, GIS Support Analyst, Marstel-Day, LLC, providing analysis and GIS support for U.S. Marine Corps projects. Lauren Faul, Specializing in Strategic Communications Analyst, Marstel-Day, LLC, Her primary responsibilities entail the development of engagement plans for the U.S. Marine Corps which will provide them a framework to sustain the missions through community outreach and engagement. She has previously worked as a Communications Director on Capitol Hill and Congressional Liaison for the Marine Corps. Lauren Gray, Environmental Issues Researcher, Marstel-Day, LLC, offering research and analysis of environmental issues for encroachment control plans and communications, outreach and engagement strategies for the U.S. Marine Corps. Her primary focus areas include climate change effects and energy development, 5/21/12, http://engagingcities.com/article/establishing-creative-strategies-effective-engagement-between-military-installations-communi

Throughout the Nation’s history, military installations and ranges were historically established in undeveloped areas, except for those forts located to defend cities. Local communities developed near the installations for safety and economic reasons resulting in the installation being the up-to-that-point rural community’s primary economic engine. Routine communication between the installations and local communities were minimal because the installation was self-supporting and not subject to local laws and regulations. Communications were primarily social. Starting in the post-World War II era and accelerating as the 20th Century came to a close, installation-adjacent communities increased in both density and size – becoming less rural, more suburban or urban, and more economically diverse.¶ ¶ Military missions continue to evolve, incorporating new weapon platforms and training over larger areas and at all hours of the day and night. These changes in both surrounding communities and the installation missions have often lead to competing interests with respect to the economy, natural resource management, and land use. Military installations and local communities must, therefore, focus communication efforts on building partnerships to find mutually acceptable paths forward for resolving their competing interests. Developing collaborative relationships is imperative to turning otherwise conflicting interests into opportunities for mutually beneficial solutions. The nature of those interactions is defined by issue type, installation and community rapport, and available communication channels.¶ ¶ The four military services (i.e., Army, Navy, Marine Corps and Air Force) have service-specific community engagement programs to develop partnerships; all four, however, conduct information sharing through the Public Affairs Office (PAO), which handles media and public relations. Three of the services – the Navy, Marine Corps, and Air Force – have established encroachment management policies that outline service responsibilities to establish, maintain, and sustain community relationships in order to reduce encroachment effects. This responsibility is usually assigned to a Community Plans and Liaison Office (CPLO) or an equivalent community planner. The CPLO and PAO work with their installation Commander to act as the military’s voice and point of engagement in the community through consistent messaging, establishing an installation presence in community forums, and planning community-engagement events and processes.¶ ¶ Though Department of Defense (DoD) mechanisms exist to develop community partnerships, mediating the different interests and priorities among military installations and their surrounding communities is a complex, nuanced process usually exercised by the services, through their installation leadership. Siting of renewable energy projects, environmental stewardship responsibilities, noise from training events, and other policy- and planning-related matters invoke difficult questions, such as: how can an installation and its surrounding communities concurrently pursue goals and development in a way that lead to mutual gain, obtaining threshold requirements and fair compromise? Finding interest nexuses and fostering an open, strong relationship in which those nexuses can be explored is key.

#### Locating SMRs on bases destroys solvency--either reactors could only be on non-essential bases, or locating reactors on mission-critical facilities jacks effectiveness

Marcus King et al 11, Associate Director of Research, Associate Research Professor of International Affairs, Elliot School of International Affairs, The George Washington University, et al., March 2011, “Feasibility of Nuclear Power on U.S. Military Installations,” http://www.cna.org/sites/default/files/research/Nuclear%20Power%20on%20Military%20Installations%20D0023932%20A5.pdf

The effect of nuclear power plants on operations, training, and ¶ readiness

The key factor that DoD must consider in the siting of nuclear reactors is the potential impact on training and readiness. All reactors regulated by the NRC have designated exclusion areas. The exclusion¶ area is the area surrounding the reactor, in which the reactor licensee¶ has the authority to determine all activities, including exclusion or¶ removal of personnel and property from the area. The existence of¶ an exclusion area would not necessarily prohibit military training.¶ According to the NRC definition,¶ This area may be traversed by a highway, railroad, or waterway, provided these are not so close to the facility as to interfere with normal operations of the facility and provided¶ appropriate and effective arrangements are made to control¶ traffic on the highway, railroad, or waterway, in case of¶ emergency, to protect the public health and safety [48].

Furthermore,¶ Activities unrelated to operation of the reactor may be permitted in an exclusion area under appropriate limitations,¶ provided that no significant hazards to the public health¶ and safety will result [48].

Another factor to consider is that the exclusion area for SMRs are¶ likely to be smaller than those established for large reactors. ¶ DoD must also consider the potential effect of military training on¶ reactor operations. Reactors must be designed to the criteria that no¶ accidents at nearby military facilities may threaten nuclear plant¶ safety [48]. NRC regulations note that accidents at nearby military¶ facilities such as munitions storage areas and ordinance test ranges¶ may threaten safety. Flight training is another area of concern. The¶ NRC stipulates that nuclear plant developers should identify airports¶ within 16 km, and the risks of potential incidents must be taken into¶ consideration [48]. Hybrid concepts that include industrial facilities¶ associated with nuclear reactors raise additional safety concerns.¶ Another factor is whether a nuclear accident would affect critical¶ DoD missions. It is important that DoD consider only those sites that¶ support missions that are not so critical to national security so that if¶ an interruption caused by a nuclear incident, or an evacuation order,¶ would create lasting damage to national security.

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#### Counterplan: the Strategic Environmental R&D Program and the Environmental Security Technology Certification Program should support research and development for small modular reactors.

#### The counterplan conducts R&D through DOD programs without procurement. Solves the entire aff without increasing incentives

**Marqusee 2012** – Executive Director of the Strategic Environmental Research and Development Program and the Environmental Security Technology Certification Program at the DOD (March, Jeffrey, Energy Innovation at the Department of Defense: Assessing the Opportunities, White Paper, “Military installations and energy technology innovation”, http://bipartisanpolicy.org/sites/default/files/Energy%20Innovation%20at%20DoD.pdf, WEA) \*note a typo, this dude’s last name is actually spelled Marqusee…

DoD and Environmental Technology: A Successful Innovation Model

The impediments that new facilities energy technologies ¶ face today are very similar to those that confronted new ¶ environmental technologies in the mid-to-late 1990s—¶ namely, a highly distributed and risk-averse market in which ¶ technologies were judged primarily on their perceived ¶ costs, often in the absence of reliable data on actual costs. ¶ To overcome those challenges, DoD created two programs: ¶ the Strategic Environmental R&D Program (SERDP), which ¶ supports the development of technology to meet DoD’s highpriority environmental requirements; and the Environmental ¶ Security Technology Certification Program, which supports the ¶ demonstration and validation of environmental technologies—¶ including, but not limited to, technologies developed with ¶ SERDP funding.

SERDP and ESTCP have amassed a very successful track ¶ record in the last fifteen years of advancing environmental ¶ science and engineering, and also transitioning technologies ¶ across DoD. For example, they have transformed how DoD ¶ remediates its contaminated groundwater sites. Technologies ¶ developed and demonstrated by SERDP and ESTCP are now ¶ used across DoD, and have become the standard of practice ¶ across the country for Superfund sites. As discussed below, ¶ DoD’s efforts to foster innovation in facilities energy are limited ¶ to demonstration and validation because (in contrast to the ¶ environmental area) there is ample support for science and ¶ engineering in industry and the DOE. In other words, DoD’s ¶ facilities energy effort replicates ESTCP but not SERDP. However, ¶ because the two programs are so closely intertwined, it is useful ¶ to look at them together.

Environmental technologies developed and demonstrated by ¶ SERDP and ESTCP are deployed on almost every DoD weapons ¶ system platform, are used in almost every DoD cleanup, and are ¶ part of the management of most installations across the services. ¶ These innovative technologies do not lead to new acquisition ¶ systems (although they are contained in many), nor are they ¶ adopted by initiating a new procurement program. They are ¶ typically transitioned through the commercial sector and bought ¶ back as services for environmental management; or they become ¶ part of new standards, specifications, or installation management ¶ procedures; or they are included through upgrades to existing ¶ systems during depot-level maintenance. As with energy, ¶ environmental issues are ubiquitous; it is assumed they can be ¶ managed (or worked around) rather than addressed through ¶ technological innovation; and decisions to deploy technologies ¶ are driven heavily by cost considerations and regulations. Yet ¶ improvements in environmental performance have significantly ¶ reduced DoD’s costs and improved its mission performance, ¶ while allowing DoD to meet its environmental goals. Similar ¶ results are expected if DoD improves its energy performance.¶ SERDP’s and ESTCP’s effectiveness derives partly from ¶ structural factors (i.e., how the programs are organized), and ¶ partly from their approach to the problems and the linking ¶ of research and development investments to real world ¶ demonstrations. Officially, SERDP and ESTCP programs are ¶ structured as shown in figure 3.6.

This flow chart shows the classic one-way linear progression ¶ from basic research to implementation. Its roots date back to ¶ Vannevar Bush’s classic paper, Science, The Endless Frontier, which ¶ influenced the structure and funding process for many federal ¶ R&D programs. Many have noted that this model neither fits the ¶ way research and development actually occurs, nor necessarily ¶ supports a robust innovation system.¶ 84¶ Although the above is¶ the official structure for the program, it does not reflect how ¶ innovation is supported and fostered within SERDP and ESTCP. ¶ Structurally, SERDP and ESCTP have some unique elements, ¶ some of which were planned and some of which came ¶ about through circumstance rather than design. Having two ¶ programs—SERDP for the science and technology phase, and ¶ ESTCP for demonstration—under the same leadership has been ¶ important. The two programs are integrated in their goals and ¶ objectives but independent in their funding processes. Each ¶ program conducts independent reviews of proposals, but the ¶ reviews of active projects are conducted jointly, and findings are ¶ reported to a single director.

SERDP also has a unique authority in funding research and ¶ development. Although it is classified by DoD as a 6.3 program ¶ (which is typically associated with advanced development), it ¶ has statutory authority to address the full spectrum of science ¶ and technology development, from basic through applied and ¶ advanced development. This flexibility allows SERDP to avoid the ¶ artificial distinction between “basic” and “applied” research and ¶ development; SERDP does not subdivide the two activities. For ¶ the issues that SERDP and ESTCP address, fundamental science ¶ can and should be applied science. Even in the early stages of ¶ research, it is advantageous to be mindful of the likely “in-thefield” applications of the work and the technical and economic ¶ requirements, and structure a “basic” research project to address ¶ those “applied” concerns from the beginning. SERDP funds basic ¶ science, but in a way that ensures that key questions that relate ¶ to real DoD needs are addressed.

#### It’s competitive—R&D to make technology viable is not topical—interpreting the CP to include the aff is illegitimate

**Painuly**, UNEP Collaborating Centre on Energy and Environment @ Risø National Laboratory, **‘1**

(J.P., “Barriers to renewable energy penetration; a framework for analysis,” Renewable Energy Vol. 24, Issue 1, p. 73–89)

5. Measures to overcome barriers

It may not be possible to achieve technical potential but research and development can reduce the gap between techno-economic potential and technical potential. In most of the cases, the aim is to achieve or move closer to techno-economic potential.

Imperfections and distortions in the market coupled with unfavourable financial, institutional and regulatory environments imply that governmental intervention is not only desirable but also a must to promote RETs. The role of governments in technology transfer has been outlined in the IPCC special report on technology transfer [15], which is relevant for renewables too. The role includes generic actions to remove barriers, building human and institutional capacity, setting up research and development infrastructure, creating an enabling environment for investment, and providing information and mechanisms to promote RETs.

Policy approaches to achieve the techno-economic potential can either remove the barriers or create conditions where the market is forced to act, ignoring the barriers. The former normally works at the micro level addressing the barriers directly, and the latter mostly at macro level addressing the barriers indirectly. For example, setting up information centres, establishing codes and standards etc. address the barriers directly, whereas increasing energy prices through pollution taxation addresses the barriers indirectly.

The measures required to promote RETs thus follow from (a) identification of barriers through administration of questionnaires/interview of the stakeholders, and (b) feedback from stakeholders on the measures to overcome the barriers, obtained by extending the questionnaire/interview to include questions related to the possible measures. Finally, policy actions need to be designed and implemented to operationalise the measures identified to overcome the barriers. Some of the policy actions taken by various governments and implicit barrier removal measures in these are discussed below. Measures taken by IEA countries have been discussed in IEA [16] and [17]. Several possibilities may exist and the one that best suits a country should be chosen. Several of these measures have been explored by the Global Environment Facility (GEF) through support to RET projects in different countries (see [2] for details).

5.1. Energy sector liberalisation

This is a broad term encompassing several policy measures such as restructuring of the energy sector, opening up to introduce competition and removing other controls. Some examples of the specific policies are; creating separate entities for generation and distribution in the electricity sector, allowing private sector entry and diluting or removing controls on energy pricing, fuel use, fuel import, and capacity expansion etc. Institutional measures such as setting up independent regulatory bodies may be needed for success of these policy actions. The basic purpose of liberalisation is to increase efficiency of the energy sector through facilitating market competition. The initial impact of such measures may be unfavourable to RETs due to increased competitiveness. However, in the long term a liberalised energy market may provide a better environment for the healthy growth of RETs.

5.2. Guaranteed markets

Since renewable energy is not able to compete in the energy market with existing barriers, energy suppliers may be required by law to include a part of the energy from renewables in their supply mix. Examples of such measures are the Non-Fossil Fuel Obligation (NFFO) law in the UK, Electricity Feed Law (EFL) in Germany, and Renewable Portfolio Standard (RPS) in the US. The NFFO guarantees pre-determined electricity prices for competitively selected renewable energy projects. It promotes reduced cost of RETs due to competitive process for project selection. Any extra cost to the electricity companies is reimbursed by a small charge to all electricity consumers. Five NFFO orders have been issued since the law was passed in 1989. The costs of generating electricity under NFFO contracts have been halved; NFFO-5 contracts were at an average of 2.71 p/kWh compared with the average pool selling price of 2.60 p/kWh in 1998 [18]. NFFO has now been succeeded by the New & Renewable Energy Policy. EFL required electricity network operators to buy all the electricity from renewables at premium prices. In April 1998, the EFL was changed slightly and now utilities are not required to accept more than 5% of their total electricity from renewable sources. In February 2000, the EFL was replaced by the Renewable Energy Law, which provides a guaranteed price for electricity from renewables [19]. RPS requires each retail supplier of electricity to provide a specified percentage of renewable energy in its electricity supply portfolio. The obligations have been made tradable through renewable energy credits (RECs) with a view to introducing flexibility and reducing costs. A variation of these mechanisms is two-way metering, which is under consideration in some EU countries. In this, distributed electricity generation (generally at household level) can be used to meet own demand and surplus electricity can be fed back to the grid, allowing the household meter to run backwards. The buyback rate is thus 100% of the utility price [16]. Although these measures may improve economic efficiency of RETs, the impact in the short run is an increased cost of electricity.

5.3. Economic/financial incentives

Several governments provide capital subsidies for installation of renewable energy systems. However the capital subsidies need to have a defined phase out time frame to ensure efficiency improvements in RETs. For example, capital subsidies for wind energy in Denmark were phased out in 10 years time. Tax exemption, credit facilities and third party financing mechanisms are other measures in some IEA countries [16]. Incentive-based renewable energy programmes are in operation in several developing countries. The World Bank's renewable energy programmes in Indonesia (solar home system project), Sri Lanka, Laos etc. are incentive-based programmes. The ESMAP programme in Africa, sponsored by UNDP, World Bank and other donors is another example of use of financial incentives to promote renewable energy. Several developing countries such as India, China etc. have their own incentive-based renewable energy programmes. Developing countries such as Uganda, Zimbabwe etc. have also provided micro-credits to consumers through revolving funds.

5.4. Government investments

In countries where governments are major players in the energy sector, they have made national plans and strategies for promotion of RETs. Governments have also made investments through specialised agencies created for RET development.

5.5. Information and awareness campaigns

Several countries have initiated informative programmes to promote renewable energy. The stakeholders can be educated and supplied with the necessary tools to evaluate the RETs and design implementation. The campaigns are both general in nature as well as targetting specific RET product promotion.

5.6. Standards and regulations

Deregulation of the electricity industry to allow renewable energy producers access to the grid has been carried out in several countries. Regulatory measures to provide a guaranteed market for renewable energy have been taken, and standards formulated to boost confidence in RET products.

5.7. Institutional measures

Specialised agencies to plan and promote RETs have been created in several countries. Regulatory agencies have also been set up in response to the need for liberalisation of the energy sector. Other measures include promotion of energy service companies (ESCOs) that address several barriers such as lack of up-front financing, credit facilities, and technical knowledge.

5.8. Research and development

Since high cost is a major barrier to RET penetration, R&D programmes have been set up to make it more competitive. Long-term RET technology costs can be reduced through research.

5.9. Facilitating measures

Several facilitating measures have been taken by governments. These include financing for feasibility studies, planning and fixing targets for renewable energy contribution, resource assessment for RETs at national and regional levels, siting of renewable energy systems, technology demonstrations etc. Skill development through training in various aspects of RETs (such as technical, regulatory, managerial, financial skills etc.) has been arranged by some governments and also facilitated through GEF projects.

#### The plan puts is too much to soon—we should let R&D refine SMRs so they can achieve market parity. Guaranteeing purchases in the interim jeopardize development and links to politics and tradeoff

**O’Keefe 12**

William O'Keefe, George C. Marshall Institute CEO, 5/22/12, DOD’s ‘Clean Energy’ Is a Trojan Horse , energy.nationaljournal.com/2012/05/powering-our-military-whats-th.php

The purpose of the military is to defend the United States and our interests by deterring aggression and applying military force when needed. **It** is not to shape industrial policy. As we’ve learned from history, energy is essential for military success, independent of whether it is so called “clean energy” or traditional energy, which continues to get cleaner with time.

There are three reasons for the Department of Defense (DOD) to be interested in biofuels—to reduce costs, improve efficiency, and reduce vulnerability. These are legitimate goals and should be pursued through a well thought out and rational Research-and-Development (R&D) program. But it’s not appropriate to use military needs to push a clean energy agenda that has failed in the civilian sector. Packaging the issue as a national security rationale is a Trojan Horse that hides another attempt to promote a specific energy industrial policy. Over the past four decades such initiatives have demonstrated a record of failure and waste.

As part of the military’s push for green initiatives, both the Navy and Air Force have set goals to obtain up to 50 percent of their fuel needs from alternative sources. The underlying rationale is to reduce US dependence on foreign oil. But the Rand Corporation, the preeminent military think tank in the nation, recently conducted a study, Alternative Fuels for Military Applications; it concludes, "The use of alternative fuels offers the armed services no direct military benefit." It also concludes that biofuels made from plant waste or animal fats could supply no more than 25,000 barrels daily. That’s a drop in the bucket considering the military is the nation’s largest fuel consumer.

Additionally, there is no evidence that commercial technology will likely to be available in the near future to produce large quantities of biofuels at lower costs than conventional fuels. The flipside of that argument is that the cost of conventional fuels is uncertain because of dependence on imports from unstable sources. While that is true, it misses the point. For example, our reliance on imports from the Persian Gulf is declining and could be less if we expanded our own domestic production. **Until alternatives that are cost competitive can be developed**, DOD should look at alternative ways to reduce price volatility, just as large commercial users do.

The second reason for pursuing alternative fuels is related to the first. Greater efficiency reduces costs by reducing the amount of fuel used. The military has been pursuing this goal for some time, as has the private sector. DOD total energy consumption declined by more than 60% between 1985 and 2006, according to Science 2.0. Improvements will continue because of continued investments in new technologies, especially in the private sector, which has market-driven incentives to reduce the cost of fuel consumption.

Finally, there is the argument that somehow replacing conventional fuels with bio-fuels will reduce supply chain vulnerability and save lives. Rand also addressed this issue from both the perspective on naval and ground based forces. It concluded that there is no evidence that a floating bio-fuels plant “would be less expensive than using either Navy oilers or commercial tankers to deliver finished fuel products.” It also dismissed the concept of small scale production units that would be co-located with tactical units. It concluded, “any concepts that require delivery of a carbon containing feedstock appear to place a logistical and operational burden on forward-based tactical units that would be well beyond that associated with the delivery of finished fuels.”

Future military needs are met by a robust R&D program carried out by the services and the Defense Advanced Research Projects Agency (DARPA). Letting that agency and the services invest in future technologies to meet their specific service needs and maintain our military strength without political meddling is in the nation’s best interest. Advances in military technology that has civilian applications eventually enters the market place. Take for example the DARPA’s research into improved military communication that eventually developed into internet technology that revolutionized how we communicate and obtain and use information. If DOD pursues research focused on lower costs, greater efficiency, and more secure fuel supplies, the civilian economy will eventually benefit.

At a time when the military if faced with substantial budget cuts, allocating scarce resources to pursue so called “clean energy” objectives is worse than wasteful. It borders on a dereliction of duty.

### Solvency

#### There's a reason we don’t use SMRs—reject their authors

Szondy, ‘12

[David, Gizmag, 2-16, “Feature: Small modular nuclear reactors - the future of energy?” http://www.gizmag.com/small-modular-nuclear-reactors/20860/]

As impressive as many of these reactors sound, most of them are still in one stage or another of development or approval. It is a long way from there to flipping a switch and watching the lights go on. Most of these designs have roots that go back over half a century.¶ In the 1950s, Admiral Hyman Rickover, the architect of the US nuclear fleet, pointed out that the small research reactors, the precursors of SMRs, had a lot of advantages. They were simple, small, cheap, lightweight, easy to build, very flexible in design and needed very little development. On the other hand, practical reactors must be built on schedule, need a huge amount of development spent on "apparently trivial matters", are expensive, large, heavy and complicated. In other words, there's a large gap between what is promised by a technology in the design phase and what it ends up as once it's built.¶ So it is with the current stable of SMRs. Many hold great promise, but they have yet to prove themselves. Also, they raise many questions. Will an SMR need fewer people to run it? What are its safety parameters? Will they fulfill current regulations? Will the regulations need to be changed to suit the nature of SMRs? Will evacuation zones, insurance coverage or security standards need to be altered? What about regulations regarding earthquakes?

#### NRC is assessing SMRS with industry and public participation, but letting their demanding review process finish first is key to solvency

Heft, ‘11

[Gordon, Black & Veatch, “Small Modular Reactors Make Headway In Many Countries: Design Certification Starts Soon,” Issue No. 1, http://solutions.bv.com/small-modular-reactors-make-headway-in-many-countries/]

Small Modular Reactors (SMRs), those nuclear power plants that have the capability of being mass produced, hauled by rail and dropped in the ground, at first glance sound like something from the futuristic pages of Popular Science magazine. But look out – the first proposals head for design certification as early as next year. Already, the U.S. Nuclear Regulatory Commission (NRC) is holding discussions with various designers on what are called topical reports. It is a “meet and discussion” time that allows the subjects addressed in the topical reports (e.g., security, passive safety systems) to get an early review by the NRC and to see what kinds of questions or concerns the NRC raises. Call it an early-stage vetting opportunity. “SMRs have many advantages, including the passive cooling systems that have simplicity and safety,” said Larry Drbal, Chief Engineer, Nuclear for Black & Veatch. “It is really an interesting, exciting concept.” The notion of using nuclear power in a very small manner is certainly not new, considering several countries have naval fleets that are nuclear powered. But using SMRs to generate electrical power in small quantities – 10 megawatts to 300 MW – is definitely new and ground-breaking, Drbal said. Currently, there are four small reactors operating in a remote area of Siberia and a floating barge equipped with two small reactors under construction in Russia, with operation expected in 2013 near the city of Viluchinsk. Drbal sees SMRs as gaining much traction in the next few years. Although the design certification documents (DCDs) may take five years for NRC review, he said that utilities could also submit COLAs (combined construction and operating license applications) to the NRC in parallel with the DCD. By the time the DCD receives NRC approval, the COLA approval could soon follow, and construction could quickly begin. “One developer is saying they expect to have their first SMR operating commercially by 2020,” Drbal noted. Advantages to SMRs Drbal has no problem reeling off a laundry list of advantages he sees to this new way of viewing nuclear power. “All components can be built in-country and then hauled by truck, rail or barge to the site. These modules can be mass produced, which gains factory-like efficiencies. Since they are modular, they can be built to match the load growth of a given region, and when you need additional power, you add another module, just like what we do with combined cycle units.” Drbal says SMRs will likely be used in remote locations, where it is difficult to generate power and erect transmission lines. Because the generation size is so much smaller than a full-sized nuclear plant, the load output would be more compatible with the electric grid size. The designs also promise longer fuel cycles, and when it does come time to refuel, it may be a matter of pulling out one module and dropping in a new one for some SMR designs. Financially, SMRs come with a much smaller price tag. While owners are probably looking upwards at $1 billion, Drbal estimates, that is still dwarfed by the $8 billion price that comes with the full-sized brethren. With the smaller size also comes a smaller staff, partially reduced security needs, less operating maintenance, decreased financial risk, and perhaps even less emergency planning. The designs also are “passive,” meaning less safety-related pumps, motors, piping and other apparatus. International Interest in SMRs Many countries are looking at developing SMRs – China, South Korea, Argentina, Russia, the U.S., South Africa and France, just to name a few. The International Atomic Energy Association projects that 1,000 such reactors could be in commercial operation in the next 30 years – reaching isolated areas and small cities. There are a variety of different designs being offered by the global nuclear community, ranging from scaled-down PWRs (pressurized water reactors) to liquid metal-cooled (e.g., sodium) fast reactors to high-temperature gas-cooled reactors. “The NRC is first looking at the PWR designs, since that is what they are used to examining,” Drbal noted. “We expect the first two design certification applications to go before the NRC for review beginning in 2012.” The review process is meticulous but is continually ongoing during the five-year period, although SMR developers believe the NRC review time will be less because their designs are smaller, passive and simpler. There are many SMR generic licensing issues that will require resolution, including emergency planning, passive safety systems, staffing, physical security, financial issues, decommissioning and many more. These issues are being addressed with the NRC by the industry, technical societies, the government and other organizations. “The NRC will do a very detailed analysis. They will question everything – all assumptions, all calculations,” Drbal said. “They will ask for documentation, data and proof on literally hundreds of items. And after you answer those questions, they’ll ask more. They will also do their own analyses. Then there is a public comment period, which will generate more questions and discussions. It just takes time.” The fact that all of this technology is new – and in some cases, unproven – makes it even more time-consuming. There are few existing prototypes to gather data from, and no commercial operations to point to as examples. Still, Drbal says he has no doubt that SMR designs will be moving forward quickly in the upcoming years.

#### Plan puts the cart before the horse – SMR designs aren’t complete and guaranteeing a market destroys the review process

**Rosner, 11** – director of the Energy Policy Institute at Chicago. He was the director of Argonne National Laboratory (Robert, “Small Modular Reactors – Key to Future Nuclear Power Generation in the U.S.” November, <http://epic.uchicago.edu/sites/epic.uchicago.edu/files/uploads/SMRWhite_Paper_Dec.14.2011copy.pdf>)

x The current state of the licensing framework for SMRs is less mature than that in place for GW-LWRs at the time of initiation of the NP2010 program. At that time, the NRC licensing process was fully developed on paper, and the objective of the program was to demonstrate the process through the development of lead COL applications. As a consequence, there remain considerable uncertainties regarding the economic impact of the licensing process, especially in regard to the next three points.

x Additional licensing issues may arise as SMR design and license applications are further developed. Although the ANS, NEI, and NRC efforts have developed systematic inventories of SMR licensing issues, SMR engineering design efforts are at a very early stage, and new issues may arise. The precise level of engineering design is “business proprietary.” Based on informal discussions with SMR industry representatives, the study team believes that current SMR designs are very preliminary in their evolution (i.e., less than 20% complete). By comparison, engineering design for GW-scale Gen III+ reactors was estimated to be about 30% complete at the time of submission of design certification applications to the NRC. Even at this level, NP2010 participants advised the study team that the review process for NRC design certification would have been more efficient if additional engineering had been completed prior to submission of DC applications to the NRC.

#### Accelerating SMR construction it during the review process leads to catastrophic accidents

Wang, 12

[Ucilia, Forbes, 1-20, “Feds To Finance Small Nuclear Reactor Designs,” http://www.forbes.com/sites/uciliawang/2012/01/20/feds-to-finance-small-nuclear-reactor-designs/]

The U.S. Department of Energy on Friday announced a plan to support the design of so-called “small modular nuclear reactors” and popularize their use for power generation. The plan is to fund two reactor designs that will become available for licensing and production by 2022. The department is first asking for advice from the power industry on crafting the details of this project, and it hasn’t said how much it would dole out. But whoever wins the contracts to design the reactors will have to pony up money as well. Small reactors are generally about one-third the size of existing nuclear reactors, and a power plant with small reactors promises to be cheaper to build and easier to obtain permits more quickly than a full-size nuclear power plant, proponents say. Utilities should have more flexibility in modifying the size of a power plant with small reactors – if they need more power, then they can add more reactors over time. Nuclear reactors have historically been designed to be 1-gigawatt or more each because such scale helps to drive down the manufacturing and installation costs. Small reactors can be economical, too, advocates say, because they can be shipped more easily and cheaply around the world. “We think (small, modular nuclear) solves a lot of issues in terms of investments and electricity infrastructure,” Chu said at a press conference a year ago. “And it’s a way for the United States to regain its leadership in nuclear.” Several startups and major power equipment makers are working on small modular nuclear reactors. They include TerraPower, which is backed by Bill Gates and recently received funding from Indian conglomerate Reliance Industries. TerraPower also has been talking to the governments of China, India and Russia, basically countries where nuclear power won’t likely receive the kind of intense opposition that you’ll find in the United States, Germany or Japan. Other venture capital-funded startups include NuScale Power and Hyperion Power Generation (see a list from GigaOm). These companies aren’t just working on shrinking the size of the reactors. They also are investigating the use of different fuels and ways to reduce nuclear waste, for example. Following the energy department’s announcement Friday morning, Westinghouse Electric Co. issued a statement to say it intends to apply for the funding. Westinghouse already is in the nuclear reactor design business. It received approval from the Nuclear Regulatory Commission for a large, 1,154-megawatt nuclear reactor called AP1000 last month. The energy department funded part of the project to design AP1000. Just because small nuclear reactors promise many economic and environmental benefits (they don’t produce dirty air like coal or natural gas power plants do) doesn’t mean they can be developed and made more quickly or cheaply, however. Technology companies also will have to prove that their small nuclear reactors can be just as safe if not safer than the conventional, large-scale nuclear reactors today. The Fukushima nuclear power plant disaster in Japan has shown that a misstep in designing and operating a nuclear plant can have a far greater and more devastating impact than a mistake in running other types of power plants. That means nuclear power companies — and the government — will have to do a lot more to prove that nuclear power should remain an important part of the country’s energy mix.

#### Extinction

Lendman, ‘11

[Stephen, Research Associate -- Center for Research on Globalization, 3-13, “Nuclear Meltdown in Japan,” http://www.thepeoplesvoice.org/TPV3/Voices.php/2011/03/13/nuclear-meltdown-in-japan]

For years, Helen Caldicott warned it's coming. In her 1978 book, "Nuclear Madness," she said: "As a physician, I contend that nuclear technology threatens life on our planet with extinction. If present trends continue, the air we breathe, the food we eat, and the water we drink will soon be contaminated with enough radioactive pollutants to pose a potential health hazard far greater than any plague humanity has ever experienced." More below on the inevitable dangers from commercial nuclear power proliferation, besides added military ones. On March 11, New York Times writer Martin Fackler headlined, "Powerful Quake and Tsunami Devastate Northern Japan," saying: "The 8.9-magnitude earthquake (Japan's strongest ever) set off a devastating tsunami that sent walls of water (six meters high) washing over coastal cities in the north." According to Japan's Meteorological Survey, it was 9.0. The Sendai port city and other areas experienced heavy damage. "Thousands of homes were destroyed, many roads were impassable, trains and buses (stopped) running, and power and cellphones remained down. On Saturday morning, the JR rail company" reported three trains missing. Many passengers are unaccounted for. Striking at 2:46PM Tokyo time, it caused vast destruction, shook city skyscrapers, buckled highways, ignited fires, terrified millions, annihilated areas near Sendai, possibly killed thousands, and caused a nuclear meltdown, its potential catastrophic effects far exceeding quake and tsunami devastation, almost minor by comparison under a worst case scenario. On March 12, Times writer Matthew Wald headlined, "Explosion Seen at Damaged Japan Nuclear Plant," saying: "Japanese officials (ordered evacuations) for people living near two nuclear power plants whose cooling systems broke down," releasing radioactive material, perhaps in far greater amounts than reported. NHK television and Jiji said the 40-year old Fukushima plant's outer structure housing the reactor "appeared to have blown off, which could suggest the containment building had already been breached." Japan's nuclear regulating agency said radioactive levels inside were 1,000 times above normal. Reuters said the 1995 Kobe quake caused $100 billion in damage, up to then the most costly ever natural disaster. This time, from quake and tsunami damage alone, that figure will be dwarfed. Moreover, under a worst case core meltdown, all bets are off as the entire region and beyond will be threatened with permanent contamination, making the most affected areas unsafe to live in. On March 12, Stratfor Global Intelligence issued a "Red Alert: Nuclear Meltdown at Quake-Damaged Japanese Plant," saying: Fukushima Daiichi "nuclear power plant in Okuma, Japan, appears to have caused a reactor meltdown." Stratfor downplayed its seriousness, adding that such an event "does not necessarily mean a nuclear disaster," that already may have happened - the ultimate nightmare short of nuclear winter. According to Stratfor, "(A)s long as the reactor core, which is specifically designed to contain high levels of heat, pressure and radiation, remains intact, the melted fuel can be dealt with. If the (core's) breached but the containment facility built around (it) remains intact, the melted fuel can be....entombed within specialized concrete" as at Chernobyl in 1986. In fact, that disaster killed nearly one million people worldwide from nuclear radiation exposure. In their book titled, "Chernobyl: Consequences of the Catastrophe for People and the Environment," Alexey Yablokov, Vassily Nesterenko and Alexey Nesterenko said: "For the past 23 years, it has been clear that there is a danger greater than nuclear weapons concealed within nuclear power. Emissions from this one reactor exceeded a hundred-fold the radioactive contamination of the bombs dropped on Hiroshima and Nagasaki." "No citizen of any country can be assured that he or she can be protected from radioactive contamination. One nuclear reactor can pollute half the globe. Chernobyl fallout covers the entire Northern Hemisphere." Stratfor explained that if Fukushima's floor cracked, "it is highly likely that the melting fuel will burn through (its) containment system and enter the ground. This has never happened before," at least not reported. If now occurring, "containment goes from being merely dangerous, time consuming and expensive to nearly impossible," making the quake, aftershocks, and tsunamis seem mild by comparison. Potentially, millions of lives will be jeopardized. Japanese officials said Fukushima's reactor container wasn't breached. Stratfor and others said it was, making the potential calamity far worse than reported. Japan's Nuclear and Industrial Safety Agency (NISA) said the explosion at Fukushima's Saiichi No. 1 facility could only have been caused by a core meltdown. In fact, 3 or more reactors are affected or at risk. Events are fluid and developing, but remain very serious. The possibility of an extreme catastrophe can't be discounted. Moreover, independent nuclear safety analyst John Large told Al Jazeera that by venting radioactive steam from the inner reactor to the outer dome, a reaction may have occurred, causing the explosion. "When I look at the size of the explosion," he said, "it is my opinion that there could be a very large leak (because) fuel continues to generate heat." Already, Fukushima way exceeds Three Mile Island that experienced a partial core meltdown in Unit 2. Finally it was brought under control, but coverup and denial concealed full details until much later. According to anti-nuclear activist Harvey Wasserman, Japan's quake fallout may cause nuclear disaster, saying: "This is a very serious situation. If the cooling system fails (apparently it has at two or more plants), the super-heated radioactive fuel rods will melt, and (if so) you could conceivably have an explosion," that, in fact, occurred. As a result, massive radiation releases may follow, impacting the entire region. "It could be, literally, an apocalyptic event. The reactor could blow." If so, Russia, China, Korea and most parts of Western Asia will be affected. Many thousands will die, potentially millions under a worse case scenario, including far outside East Asia. Moreover, at least five reactors are at risk. Already, a 20-mile wide radius was evacuated. What happened in Japan can occur anywhere. Yet Obama's proposed budget includes $36 billion for new reactors, a shocking disregard for global safety. Calling Fukushima an "apocalyptic event," Wasserman said "(t)hese nuclear plants have to be shut," let alone budget billions for new ones. It's unthinkable, he said. If a similar disaster struck California, nuclear fallout would affect all America, Canada, Mexico, Central America, and parts of South America. Nuclear Power: A Technology from Hell Nuclear expert Helen Caldicott agrees, telling this writer by phone that a potential regional catastrophe is unfolding. Over 30 years ago, she warned of its inevitability. Her 2006 book titled, "Nuclear Power is Not the Answer" explained that contrary to government and industry propaganda, even during normal operations, nuclear power generation causes significant discharges of greenhouse gas emissions, as well as hundreds of thousands of curies of deadly radioactive gases and other radioactive elements into the environment every year. Moreover, nuclear plants are atom bomb factories. A 1000 megawatt reactor produces 500 pounds of plutonium annually. Only 10 are needed for a bomb able to devastate a large city, besides causing permanent radiation contamination. Nuclear Power not Cleaner and Greener Just the opposite, in fact. Although a nuclear power plant releases no carbon dioxide (CO2), the primary greenhouse gas, a vast infrastructure is required. Called the nuclear fuel cycle, it uses large amounts of fossil fuels. Each cycle stage exacerbates the problem, starting with the enormous cost of mining and milling uranium, needing fossil fuel to do it. How then to dispose of mill tailings, produced in the extraction process. It requires great amounts of greenhouse emitting fuels to remediate. Moreover, other nuclear cycle steps also use fossil fuels, including converting uranium to hexafluoride gas prior to enrichment, the enrichment process itself, and conversion of enriched uranium hexafluoride gas to fuel pellets. In addition, nuclear power plant construction, dismantling and cleanup at the end of their useful life require large amounts of energy. There's more, including contaminated cooling water, nuclear waste, its handling, transportation and disposal/storage, problems so far unresolved. Moreover, nuclear power costs and risks are so enormous that the industry couldn't exist without billions of government subsidized funding annually. The Unaddressed Human Toll from Normal Operations Affected are uranium miners, industry workers, and potentially everyone living close to nuclear reactors that routinely emit harmful radioactive releases daily, harming human health over time, causing illness and early death. The link between radiation exposure and disease is irrefutable, depending only on the amount of cumulative exposure over time, Caldicott saying: "If a regulatory gene is biochemically altered by radiation exposure, the cell will begin to incubate cancer, during a 'latent period of carcinogenesis,' lasting from two to sixty years." In fact, a single gene mutation can prove fatal. No amount of radiation exposure is safe. Moreover, when combined with about 80,000 commonly used toxic chemicals and contaminated GMO foods and ingredients, it causes 80% of known cancers, putting everyone at risk everywhere. Further, the combined effects of allowable radiation exposure, uranium mining, milling operations, enrichment, and fuel fabrication can be devastating to those exposed. Besides the insoluble waste storage/disposal problem, nuclear accidents happen and catastrophic ones are inevitable. Inevitable Meltdowns Caldicott and other experts agree they're certain in one or more of the hundreds of reactors operating globally, many years after their scheduled shutdown dates unsafely. Combined with human error, imprudently minimizing operating costs, internal sabotage, or the effects of a high-magnitude quake and/or tsunami, an eventual catastrophe is certain. Aging plants alone, like Japan's Fukushima facility, pose unacceptable risks based on their record of near-misses and meltdowns, resulting from human error, old equipment, shoddy maintenance, and poor regulatory oversight. However, under optimum operating conditions, all nuclear plants are unsafe. Like any machine or facility, they're vulnerable to breakdowns, that if serious enough can cause enormous, possibly catastrophic, harm. Add nuclear war to the mix, also potentially inevitable according to some experts, by accident or intent, including Steven Starr saying: "Only a single failure of nuclear deterrence is required to start a nuclear war," the consequences of which "would be profound, potentially killing "tens of millions of people, and caus(ing) long-term, catastrophic disruptions of the global climate and massive destruction of Earth's protective ozone layer. The result would be a global nuclear famine that could kill up to one billion people." Worse still is nuclear winter, the ultimate nightmare, able to end all life if it happens. It's nuclear proliferation's unacceptable risk, a clear and present danger as long as nuclear weapons and commercial dependency exist. In 1946, Enstein knew it, saying: "Our world faces a crisis as yet unperceived by those possessing the power to make great decisions for good and evil. The unleashed power of the atom has changed everything save our modes of thinking, and thus we drift toward unparalleled catastrophe." He envisioned two choices - abolish all forms of nuclear power or face extinction. No one listened. The Doomsday Clock keeps ticking.

### Warming

#### There is absolutely no chance the aff solves warming

Squassoni, ‘8

[Sharon, Senior Associate, Nonproliferation Program -- Carnegie Endowment for International Peace, 3-12, “The Realities of Nuclear Expansion” Congressional Testimony: House Select Committee for Energy Independence and Global Warming, Washington, DC]

In 2004, Princeton scientists Stephen Pacala and Robert Socolow published a “wedge analysis” for stabilizing global climate change.3 Since fossil fuels currently emit seven billion tons of carbon/year and are projected to double that level through 2050 in the business-as-usual scenario, Pacala and Socolow considered what technologies and/or approaches might help stabilize those emissions at current levels (about 375 ppm). Seven wedges of reduced emissions (a cumulative effect of 25 billion tons through 2050, or one billion tons of carbon/year reduction at the end of that period) were postulated. One “wedge” would ultimately achieve a reduction of one billion tons per year (or 25 billion cumulative tons) by 2050. For nuclear energy to “solve” just one-seventh of the problem – lowering emissions by one billion tons per year – an additional 700 GWe of capacity would have to be built, assuming the reactors replaced 700 GWe of modern coal-electric plants.4 Because virtually all operating reactors will have to be retired in that time, this means building approximately 1070 reactors in 42 years, or about 25 reactors per year. Current global reactor capacity is 373 GWe or 439 reactors worldwide. In short, one “nuclear wedge” would require almost tripling current capacity. Mapping A “Realistic Growth” Scenario Nuclear Expansion5 The attached maps (see slide 1) depict estimates of reactor capacity growth for 2030 and 2050, according to three scenarios. The first is a “realistic growth” scenario, based on the U.S. Energy Information Administration figures for 2030.6 The second is what states have planned for 2030, or a “wildly optimistic” scenario. The third is roughly based on the high-end projections for 2050 done by MIT in their 2003 study entitled “The Future of Nuclear Power.” This 1500 GWe scenario lies between the Pacala-Socolow wedge and the Stern Review on the Economics of Climate Change estimates that nuclear energy could reduce carbon emissions between two billion and six billion tons/year (or 1800 GWe – 4500 GWe).7 A few caveats with respect to projecting nuclear energy expansion are necessary. Nuclear energy is undoubtedly safer and more efficient now than when it began fifty years ago, but it still faces four fundamental challenges: waste, cost, proliferation, and safety. It is an inherently risky business. Most industry executives will admit that it will only take one significant accident to plunge the “renaissance” back into the nuclear Dark Ages. Because of this, estimates are highly uncertain. For example, the U.S. Energy Information Administration does not use its computer model to estimate nuclear energy growth because, among other things, key variables such as public attitudes and government policy are difficult to quantify and project. That said, estimates tend to extrapolate electricity consumption and demand from gross domestic product (GDP) growth, make assumptions about nuclear energy’s share of electricity production, and then estimate nuclear reactor capacity. The United States, France, and Japan constitute more than half of total world nuclear reactor capacity (see slide 1). Yet half of the 34 reactors now under construction are in Asia.8 Under any scenario, nuclear power is expected to grow most in Asia, because of high Chinese and Indian growth and electricity demand. Under the realistic growth scenario, the U.S. Energy Information Administration estimates 2030 reactor capacity at 481 GWe. The International Energy Agency (IEA) envisions greater potential for expansion, projecting a range from 414 to 679 GWe in 2030, but the higher number would require significant policy support. With electricity consumption expected to double by 2030, nuclear energy will have a difficult time just keeping its market share – currently 16 percent of global production.9 According to the Intergovernmental Panel on Climate Change, with no change in energy policies, “the energy mix supplied to run the global economy in the 2025-2030 time-frame will essentially remain unchanged with about 80% of the energy supply based on fossil fuels.”10 Coal now provides 59% of electricity production, followed by hydroelectric power at 39% and oil and gas together provide 25%. Renewables are just 1-2% of total electricity production. Moreover, regions that have coal tend to use it, particularly for electricity generation, which increases greenhouse gas emissions. The IPCC has noted that “in recent years, intensified coal use has been observed for a variety of reasons in developing Asian countries, the USA and some European countries. In a number of countries, the changing relative prices of coal to natural gas have changed the dispatch order in power generation in favor of coal.” Many fear that states such as China and India – both of which are not subject to Kyoto Protocol targets because they are developing states – will meet their increased demand with cheap coal. Without further policy changes, according to the International Energy Agency, the share of nuclear energy could drop to 10% of global electricity production. “Wildly Optimistic” Growth Scenario Although some states, such as Germany and Sweden, plan to phase out nuclear power, the trend line is moving in the opposite direction. This growth scenario does not contain projections based on electricity demand, but instead takes at face value what states have projected for themselves. The result is a total of 700 GWe global capacity (see slide 2) – two-thirds of what one nuclear wedge to affect global climate change would require. The reason these estimates are wildly optimistic is that over 20 nations have announced intentions to install nuclear reactors. Several of these – Turkey, Egypt, and Philippines – had planned for nuclear power in the past, but abandoned such plans for various reasons. Some of these new nuclear plans are more credible than others and can be differentiated into those that have approved or funded construction, those that have clear proposals but without formal commitments, and those that are exploring nuclear energy (see slide 3). In the Middle East, these include Iran, Israel, Jordan and Yemen, with potential interest expressed by Syria, Kuwait, and the Gulf Cooperation Council states of Saudi Arabia, Oman, United Arab Emirates, Qatar, and Bahrain. In Europe, Belarus, Turkey and Azerbaijan have announced plans, as well as Kazakhstan. In Asia, Bangladesh, Thailand, Vietnam, Malaysia, and Indonesia have announced plans, and the Philippines has also expressed interest. Venezuela has also declared it will develop nuclear power. In Africa, Morocco, Tunisia, Libya, Egypt, and Nigeria have announced plans to develop nuclear power, and Algeria and Ghana have expressed interest.11 More than half of all those states are in the Middle East. Although this could result in reduced carbon emissions, because Middle Eastern states use more oil for electricity production (34%) than elsewhere, this is not where the real electricity demand is coming from. “Climate Change” Growth Scenario A rough approximation of where reactor capacity would expand in a climate change scenario is based on the high scenario of the 2003 MIT Study, “The Future of Nuclear Power.” For 1500 GW capacity, MIT estimated that 54 countries (an additional 23) would have commercial nuclear power programs. This essentially means a five-fold increase in the numbers of reactors worldwide and an annual build rate of 35 per year. In the event that smaller-sized reactors are deployed in developing countries – which makes eminent sense – the numbers could be much higher.12 If nuclear energy were assumed to be able to contribute a reduction of between two and six billion tons of carbon per year as outlined in the Stern Report, the resulting reactor capacity would range between 1800 GWe and 4500 GWe – increases ranging from six to ten times the current capacity.13 This would require building between 42 and 107 reactors per year through 2050. Impact on Uranium Enrichment Such increases in reactor capacity would certainly have repercussions for the front and back ends of the fuel cycle. Almost 90 percent of current operating reactors use lowenriched uranium (LEU). Presently, eleven countries have commercial uranium enrichment capacity and produce between 40 and 50 million SWU. A capacity of 1070 GWe – the one “wedge” scenario – could mean tripling enrichment capacity, requiring anywhere from 11 to 22 additional enrichment plants.14 A capacity of 1500 GWe would require quadrupling enrichment capacity (see slide 4).15 Further, if Stern Report nuclear expansion levels are achieved, enrichment capacity would have to increase ten-fold. In assessing where new uranium enrichment capacity might develop, the MIT study assumed that 18 states would have 10 GWe reactor capacity – the point at which domestic uranium enrichment becomes competitive with LEU sold on the international market – and thus might enrich uranium. (See slide 4 for a more modest approach, with nine additional countries enriching uranium).16 Impact on Spent Fuel Reprocessing A key question is whether an expansion of nuclear reactors would result in an expansion of spent fuel reprocessing. This is not necessarily the case, because decisions about whether to store fuel or reprocess it depend on several factors: existing storage capacities; fuel cycle approaches (once-through, one recycle, fast reactors) and new technologies; and cost. A shift to fast reactors that can burn or breed plutonium implies an increase in recycling, whether this is traditional reprocessing that separates out plutonium, or options under consideration now that would not separate out the plutonium. France and Japan now commercially reprocess their spent fuel and recycle the plutonium once in mixed oxide-fuelled reactors. Russia also reprocesses a small percentage of its spent fuel. A troubling development in the last two years from a nonproliferation perspective has been the U.S. embrace of recycling spent fuel under the Global Nuclear Energy Partnership, after a policy of 30 years of not encouraging the use of plutonium in the civil nuclear fuel cycle. Whether or not the United States ultimately reprocesses or recycles fuel, other states are now more likely to view reprocessing as necessary for an advanced fuel cycle. Constraints on Nuclear Expansion17 There are significant questions about whether nuclear expansion that could affect global climate change is even possible. In the United States, as the chief operating officer of Exelon recently told an industry conference, constraints include: the lack of any recent U.S. nuclear construction experience; the atrophy of U.S. nuclear manufacturing infrastructure; production bottlenecks created by an increase in worldwide demand; and an aging labor force.

#### 5% reduction at best—other options are always better

Green, ‘6

[Jim, national nuclear campaigner with Friends of the Earth, has an honours degree in public health and a PhD in science and technology studies for his doctoral thesis on the Lucas Heights research reactor debates, energyscience.org.au, “Nuclear power and climate change,” November, <http://www.energyscience.org.au/FS03%20Nucl%20Power%20Clmt%20Chng.pdf>]

It is widely accepted that anthropogenic greenhouse gas emissions must be sharply reduced to avert climate change. However, nuclear power is at best a very partial, problematic and unnecessary response to climate change: • A doubling of nuclear power would reduce global greenhouse emissions by about 5%. A much larger nuclear expansion program would pose enormous proliferation and security risks, and it would run up against the problem of limited known conventional uranium reserves. • The serious hazards of civil nuclear programs - the repeatedly demonstrated contribution of civil nuclear programs to weapons proliferation, intractable waste management problems, and the risk of serious accidents. • The availability of a plethora of clean energy options - renewable energy sources plus energy efficiency - which, combined, can meet energy demand and sharply reduce greenhouse emissions. (See for example the reports produced by the Clean Energy Future Group).1 This information paper addresses the first of those arguments - the limitations of nuclear power as a climate change abatement strategy. A limited response Nuclear power is used almost exclusively for electricity generation. (A very small number of reactors are used for heat co-generation and desalination.) Electricity is responsible for less than one third of global greenhouse gas emissions. According to the Uranium Institute, the figure is “about 30%”.2 That fact alone puts pay to the simplistic view that nuclear power alone can ‘solve’ climate change. According to a senior energy analyst with the International Atomic Energy Agency, Alan McDonald: “Saying that nuclear power can solve global warming by itself is way over the top”.3 Ian Hore-Lacy from the Uranium Information Centre (UIC) claims that a doubling of nuclear power would reduce greenhouse emissions in the power sector by 25%.4 That figure is reduced to a 7.5% reduction if considering the impact on overall emissions rather than just the power sector. The figure needs to be further reduced because the UIC makes no allowance for the considerable time that would be required to double nuclear output. Electricity generation is projected to increase over the coming decades so the contribution of a fixed additional input of nuclear power has a relatively smaller impact. Overall, it is highly unlikely that a doubling of global nuclear power would reduce emissions by more than 5%.

#### No extinction – empirically denied

**Carter 11–** Robert, PhD, Adjuct Research Fellow, James Cook University, Craig Idso, PhD, Chairman at the Center for the Study of Carbon Dioxide and Global Change, Fred Singer, PhD, President of the Science and Environmental Policy Project, Susan Crockford, evolutionary biologist with a specialty in skeletal taxonomy , paleozoology and vertebrate evolution, Joseph D’Aleo, 30 years of experience in professional meteorology, former college professor of Meteorology at Lyndon State College, Indur Goklany, independent scholar, author, and co-editor of the Electronic Journal of Sustainable Development, Sherwood Idso, President of the Center for the Study of Carbon Dioxide and Global Change, Research Physicist with the US Department of Agriculture, Adjunct Professor in the Departments of Geology, Botany, and Microbiology at Arizona State University, Bachelor of Physics, Master of Science, and Doctor of Philosophy, all from the University of Minnesota, Madhav Khandekar, former research scientist from Environment Canada and is an expert reviewer for the IPCC 2007 Climate Change Panel, Anthony Lupo, Department Chair and Professor of Atmospheric Science at the University of Missouri, Willie Soon, astrophysicist at the Solar and Stellar Physics Division of the Harvard-Smithsonian Center for Astrophysics, Mitch Taylor (Canada) (March 8th, “[Surviving](file:///C:\Users\Marc\Desktop\Surviving) the Unpreceented Climate Change of the IPCC” <http://www.nipccreport.org/articles/2011/mar/8mar2011a5.html>) Jacome

On the other hand, they indicate that some biologists and climatologists have pointed out that "many of the predicted increases in climate have happened before, in terms of both magnitude and rate of change (e.g. Royer, 2008; Zachos *et al*., 2008), and yet biotic communities have remained remarkably resilient (Mayle and Power, 2008) and in some cases thrived (Svenning and Condit, 2008)." But they report that those who mention these things are often "placed in the 'climate-change denier' category," although the purpose for pointing out these facts is simply to present "a sound scientific basis for understanding biotic responses to the magnitudes and rates of climate change predicted for the future through using the vast data resource that we can exploit in fossil records." Going on to do just that, Willis *et al*. focus on "intervals in time in the fossil record when atmospheric CO2 concentrations increased up to 1200 ppm, temperatures in mid- to high-latitudes increased by greater than 4°C within 60 years, and sea levels rose by up to 3 m higher than present," describing studies of past biotic responses that indicate "the scale and impact of the magnitude and rate of such climate changes on biodiversity." And what emerges from those studies, as they describe it, "is evidence for rapid community turnover, migrations, development of novel ecosystems and thresholds from one stable ecosystem state to another." And, most importantly in this regard, they report "there is very little evidence for broad-scale extinctions due to a warming world." In concluding, the Norwegian, Swedish and UK researchers say that "based on such evidence we urge some caution in assuming broad-scale extinctions of species will occur due solely to climate changes of the magnitude and rate predicted for the next century," reiterating that "the fossil record indicates remarkable biotic resilience to wide amplitude fluctuations in climate.

#### Warming’s irreversible

**Solomon et al ‘10** Susan Solomon et. Al, Chemical Sciences Division, Earth System Research Laboratory, National Oceanic and Atmospheric Administration, Ph.D. in Climotology University of California, Berkeley, Nobel Peace Prize Winner, Chairman of the IPCC, Gian-Kasper Plattner, Deputy Head, Director of Science, Technical Support Unit Working Group I, Intergovernmental Panel on Climate Change Affiliated Scientist, Climate and Environmental Physics, Physics Institute, University of Bern, Switzerland, John S. Daniel, research scientist at the National Oceanic and Atmospheric Administration (NOAA), Ph.D. in physics from the University of Michigan, Ann Arbor, Todd J. Sanford, Cooperative Institute for Research in Environmental Science, University of Colorado Daniel M. Murphy, Chemical Sciences Division, Earth System Research Laboratory, National Oceanic and Atmospheric Administration, Boulder Gian-Kasper Plattner, Deputy Head, Director of Science, Technical Support Unit Working Group I, Intergovernmental Panel on Climate Change, Affiliated Scientist, Climate and Environmental Physics, Physics Institute, University of Bern, Switzerland Reto Knutti, Institute for Atmospheric and Climate Science, Eidgenössiche Technische Hochschule Zurich and Pierre Friedlingstein, Chair, Mathematical Modelling of Climate Systems, member of the Science Steering Committee of the Analysis Integration and Modeling of the Earth System (AIMES) programme of IGBP and of the Global Carbon Project (GCP) of the Earth System Science Partnership (ESSP) (Proceedings of the National Academy of the Sciences of the United States of America, "Persistence of climate changes due to a range of greenhouse gases", October 26, 2010 Vol 107.43: 18354-18359)

Carbon dioxide, methane, nitrous oxide, and other greenhouse gases increased over the course of the 20th century due to human activities. The human-caused increases in these gases are the primary forcing that accounts for much of the global warming of the past fifty years, with carbon dioxide being the most important single radiative forcing agent (1). Recent studies have shown that the human-caused warming linked to carbon dioxide is nearly irreversible for more than 1,000 y, even if emissions of the gas were to cease entirely (2–5). The importance of the ocean in taking up heat and slowing the response of the climate system to radiative forcing changes has been noted in many studies (e.g., refs. 6 and 7). The key role of the ocean’s thermal lag has also been highlighted by recent approaches to proposed metrics for comparing the warming of different greenhouse gases (8, 9). Among the observations attesting to the importance of these effects are those showing that climate changes caused by transient volcanic aerosol loading persist for more than 5 y (7, 10), and a portion can be expected to last more than a century in the ocean (11–13); clearly these signals persist far longer than the radiative forcing decay timescale of about 12–18 mo for the volcanic aerosol (14, 15). Thus the observed climate response to volcanic events suggests that some persistence of climate change should be expected even for quite short-lived radiative forcing perturbations. It follows that the climate changes induced by short-lived anthropogenic greenhouse gases such as methane or hydrofluorocarbons (HFCs) may not decrease in concert with decreases in concentration if the anthropogenic emissions of those gases were to be eliminated. In this paper, our primary goal is to show how different processes and timescales contribute to determining how long the climate changes due to various greenhouse gases could be expected to remain if anthropogenic emissions were to cease. Advances in modeling have led to improved AtmosphereOcean General Circulation Models (AOGCMs) as well as to Earth Models of Intermediate Complexity (EMICs). Although a detailed representation of the climate system changes on regional scales can only be provided by AOGCMs, the simpler EMICs have been shown to be useful, particularly to examine phenomena on a global average basis. In this work, we use the Bern 2.5CC EMIC (see Materials and Methods and SI Text), which has been extensively intercompared to other EMICs and to complex AOGCMs (3, 4). It should be noted that, although the Bern 2.5CC EMIC includes a representation of the surface and deep ocean, it does not include processes such as ice sheet losses or changes in the Earth’s albedo linked to evolution of vegetation. However, it is noteworthy that this EMIC, although parameterized and simplified, includes 14 levels in the ocean; further, its global ocean heat uptake and climate sensitivity are near the mean of available complex models, and its computed timescales for uptake of tracers into the ocean have been shown to compare well to observations (16). A recent study (17) explored the response of one AOGCM to a sudden stop of all forcing, and the Bern 2.5CC EMIC shows broad similarities in computed warming to that study (see Fig. S1), although there are also differences in detail. The climate sensitivity (which characterizes the long-term absolute warming response to a doubling of atmospheric carbon dioxide concentrations) is 3 °C for the model used here. Our results should be considered illustrative and exploratory rather than fully quantitative given the limitations of the EMIC and the uncertainties in climate sensitivity. Results One Illustrative Scenario to 2050. In the absence of mitigation policy, concentrations of the three major greenhouse gases, carbon dioxide, methane, and nitrous oxide can be expected to increase in this century. If emissions were to cease, anthropogenic CO2 would be removed from the atmosphere by a series of processes operating at different timescales (18). Over timescales of decades, both the land and upper ocean are important sinks. Over centuries to millennia, deep oceanic processes become dominant and are controlled by relatively well-understood physics and chemistry that provide broad consistency across models (see, for example, Fig. S2 showing how the removal of a pulse of carbon compares across a range of models). About 20% of the emitted anthropogenic carbon **remains in the atmosphere for** many **thousands of years** (with a range across models including the Bern 2.5CC model being about 19 4% at year 1000 after a pulse emission; see ref. 19), until much slower weathering processes affect the carbonate balance in the ocean (e.g., ref. 18). Models with stronger carbon/climate feedbacks than the one considered here could display larger and more persistent warmings due to both CO2 and non-CO2 greenhouse gases, through reduced land and ocean uptake of carbon in a warmer world. Here our focus is not on the strength of carbon/climate feedbacks that can lead to differences in the carbon concentration decay, but rather on the factors that control the climate response to a given decay. The removal processes of other anthropogenic gases including methane and nitrous oxide are much more simply described by exponential decay constants of about 10 and 114 y, respectively (1), due mainly to known chemical reactions in the atmosphere. In this illustrative study, we do not include the feedback of changes in methane upon its own lifetime (20). We also do not account for potential interactions between CO2 and other gases, such as the production of carbon dioxide from methane oxidation (21), or changes to the carbon cycle through, e.g., methane/ozone chemistry (22). Fig. 1 shows the computed future global warming contributions for carbon dioxide, methane, and nitrous oxide for a midrange scenario (23) of projected future anthropogenic emissions of these gases to 2050. Radiative forcings for all three of these gases, and their spectral overlaps, are represented in this work using the expressions assessed in ref. 24. In 2050, the anthropogenic emissions are stopped entirely for illustration purposes. The figure shows nearly irreversible warming for at least 1,000 y due to the imposed carbon dioxide increases, as in previous work. **All published studies to date**, which use multiple EMICs and one AOGCM, show largely irreversible warming due to future carbon dioxide increases (to within about 0.5 °C) on a timescale of at least 1,000 y (3–5, 25, 26). Fig. 1 shows that the calculated future warmings due to anthropogenic CH4 and N2O also persist notably longer than the lifetimes of these gases. The figure illustrates that emissions of key non-CO2 greenhouse gases such as CH4 or N2O could lead to warming that both temporarily exceeds a given stabilization target (e.g., 2 °C as proposed by the G8 group of nations and in the Copenhagen goals) and remains present longer than the gas lifetimes even if emissions were to cease. A number of recent studies have underscored the important point that reductions of non-CO2 greenhouse gas emissions are an approach that can indeed reverse some past climate changes (e.g., ref. 27). Understanding how quickly such reversal could happen and why is an important policy and science question. Fig. 1 implies that the use of policy measures to reduce emissions of short-lived gases will be less effective as a rapid climate mitigation strategy than would be thought if based only upon the gas lifetime. Fig. 2 illustrates the factors influencing the warming contributions of each gas for the test case in Fig. 1 in more detail, by showing normalized values (relative to one at their peaks) of the warming along with the radiative forcings and concentrations of CO2 , N2O, and CH4 . For example, about two-thirds of the calculated warming due to N2O is still present 114 y (one atmospheric lifetime) after emissions are halted, despite the fact that its excess concentration and associated radiative forcing at that time has dropped to about one-third of the peak value.

### Afghanistan

#### Forward bases use petroleum because there’s no grid

**Sarewitz and Thernstrom 2012** – \*Co-Director, Consortium for Science, Policy and Outcomes, Arizona State University, \*\*Senior Climate Policy Advisor, Clean Air Task Force (March, Daniel and Samuel, “Energy Innovation at the Department of Defense: Assessing the Opportunities”, http://bipartisanpolicy.org/sites/default/files/Energy%20Innovation%20at%20DoD.pdf)

Alternative Fuels

Liquid fuels are indispensable for the U.S. military. Nuclear ¶ reactors power submarines and aircraft carriers; otherwise ¶ the Navy’s ships run on petroleum. So do all types of aircraft, ¶ trucks, and combat vehicles. Military installations buy electrical ¶ power, when they can, from local utilities, but diesel generators ¶ provide essential backup—and are the main power source at ¶ forward bases that lack grid connections. Direct consumption ¶ of petroleum accounted for more than three-quarters of DoD’s ¶ energy use in fiscal 2010, costing $13.4 billion.¶ 11

Even so, given adequate forward planning, DoD has little ¶ reason to fear constraints on supply of petroleum-based fuels ¶ for several decades, perhaps many. A tightening international ¶ oil market, resulting in continuing price increases, would pose ¶ greater difficulties for other segments of the U.S. economy and ¶ society, and for other countries. DoD’s expenditures on fuel may ¶ seem large, but should be viewed in the context of other routine ¶ expenditures. Even for the Air Force, the principal consumer with ¶ its fleet of nearly 6,000 planes, fuel accounts for only around ¶ one-fifth of operations and maintenance costs.¶ 12

#### Can’t forward deploy SMRs—too many risks

**Smith 2011** (2/16, Terrence, CSIS, “An Idea I Can Do Without: “Small Nuclear Reactors for Military Installations””, http://csis.org/blog/idea-i-can-do-without-small-nuclear-reactors-military-installations, WEA)

The proposed solution: small nuclear reactors that (in many of the proposed plans) are “self-contained and highly mobile.” This would allow the military to use them in forward bases and pack ‘em up and move ‘em out when we are done. But in an era where the U.S. is engaged in global fights with our bases often placed in unfriendly neighborhoods, the idea of driving around nuclear reactors and material (particularly through areas that have “ a fragile civilian electrical grid”) hardly seems like the idea of the century to me.¶ The report counters that “some” designs promise to be “virtually impervious to accidents” and have design characteristics that “might” allow them to be proliferation-resistant. The plans that use low-enriched uranium, sealed reactor cores, ect., do make them a safer option that some current designs of larger nuclear reactors, but, again, if we are going to be trucking these things around the world, when it comes to nuclear material a “might” doesn’t sit well with me.

#### Squo solves grid

**Aimone, 9/12**/12 - Director Business Enterprise Integration Office of the Deputy Under Secretary of Defense (Installations and Environment) (Michael, Congressional Testimony, <http://homeland.house.gov/sites/homeland.house.gov/files/Testimony%20-%20Aimone.pdf>)

DoD’s facility energy strategy is also focused heavily on grid security in the name of mission assurance. Although the Department’s fixed installations traditionally served largely as a platform for training and deployment of forces, in recent years they have begun to provide direct support for combat operations, such as unmanned aerial vehicles (UAVs) flown in Afghanistan from fixed installations here in the United States. Our fixed installations also serve as staging platforms for humanitarian and homeland defense missions. These installations are largely dependent on a commercial power grid that is vulnerable to disruption due to aging infrastructure, weather-related events, and potential kinetic, cyber attack. In 2008, the Defense 2 Science Board warned that DoD’s reliance on a fragile power grid to deliver electricity to its bases places critical missions at risk. 1

Standby Power Generation

Currently, DoD ensures that it can continue mission critical activities on base largely through its fleet of on-site power generation equipment. This equipment is connected to essential mission systems and automatically operates in the event of a commercial grid outage. In addition, each installation has standby generators in storage for repositioning as required. Facility power production specialists ensure that the generators are primed and ready to work, and that they are maintained and fueled during an emergency. With careful maintenance these generators can bridge the gap for even a lengthy outage. As further back up to this installed equipment, DoD maintains a strategic stockpile of electrical power generators and support equipment that is kept in operational readiness. For example, during Hurricane Katrina, the Air Force transported more than 2 megawatts of specialized diesel generators from Florida, where they were stored, to Keesler Air Force Base in Mississippi, to support base recovery.

Next Generation Microgrids

Although the Department will continue to maintain its fleet of on-site and mobile backup generators, we are moving aggressively to adopt next generation microgrids. Advanced microgrids, combined with on-site energy generation (e.g., solar or geothermal) and energy storage, offer a more robust and cost effective approach to ensuring installation energy security than the current solution (backup generators). Although microgrid systems are in use today, they are relatively unsophisticated, with limited ability to integrate renewable and other distributed energy sources, little or no energy storage capability, uncontrolled load demands, and “dumb” distribution that is subject to excessive energy losses. By contrast, we envision advanced (or “smart”) microgrids as local power networks that can utilize distributed energy, manage local energy supply and demand, and operate seamlessly both in parallel to the grid and in “island” mode. Advanced microgrids are a “triple play” for DoD’s installations: First, they will facilitate the incorporation of renewable and other on-site energy generation. Second, they will reduce installation energy costs on a day-to-day basis by allowing for load balancing and demand response—i.e., the ability to curtail load or increase on-site generation in response to a request from the grid operator. Third, and most importantly, the combination of on-site energy and storage, together with the microgrid’s ability to manage local energy supply and demand, will allow an installation to shed non-essential loads and maintain mission-critical loads if and when the grid goes down.

DoD’s Installation Energy Test Bed, run out of the Department’s Installations and Environment office, is funding ten demonstrations of microgrid and storage technologies to evaluate the benefits and risks of alternative approaches and configurations. The Test Bed is working with multiple vendors so as to allow DoD to capture the benefits of competition. Demonstrations are underway at Twentynine Palms, CA (General Electric’s advanced microgrid system); Fort Bliss, TX (Lockheed Martin); Joint Base McGuire-Dix-Lakehurst, NJ (United Technologies); Fort Sill, OK (Eaton); and several other installations.

## 2nc

### incomprehensible coughing and flu noises

### cp

#### Timerame matters vote neg on presumption

Dylan Ryan 11, Masters in Mechanical Engineering, expertise in energy, sustainability, Computer Aided Engineering, renewables technology; Ph.D. in solar energy systems, 2011, “Part 10 – Small modular reactors and mass production options,” <http://daryanenergyblog.wordpress.com/ca/part-10-smallreactors-mass-prod/>

So there are a host of practical factors in favour smaller reactors. But what’s the down side? Firstly, economies of scale. With a small reactor, we have all the excess baggage that comes with each power station, all the fixed costs and a much smaller pay-off. As I noted earlier, even thought many smaller reactors are a lot safer than large LWR’s (even a small LWR is somewhat safer!) you would still need to put them under a containment dome. It’s this process of concrete pouring that is often a bottle neck in nuclear reactor construction. We could get around the problem by clustering reactors together, i.e putting 2 or 4 reactors not only on the same site but under the same containment dome. The one downside here is that if one reactor has a problem, it will likely spread to its neighbours. How much of a showstopper this fact is depends on which type of reactors we are discussing.

Also, in the shorter term small reactors would be slower to build, especially many of those we’ve been discussing, given that they are often made out of non-standard materials. Only a few facilities in the world could build them as the entire nuclear manufacturing industry is currently geared towards large LWR’s. Turning that juggernaut around would take decades. So by opting for small reactors while we’d get safer more flexible reactors, we be paying for it, as these reactors would be slower to build (initially anyway) and probably more expensive too.

### 2nc at: perm do cp

#### Prefer our evidence—it uses a transparent, predictable standard for its classifications and numerical methodology

**Nicholson and Stepp 2012** – \*Clean Energy Research Assistant at ITIF, \*\* M.S. in Science, Technology, and Public Policy from the Rochester Institute of Technology, Senior Analyst in climate change and energy policy, former fellow at the Breakthrough Institute (October, Megan and Matthew, The Information Technology & Innovation Foundation, “Lean, Mean, and Clean II: Assessing DOD Investments in Clean Energy Innovation”, http://www2.itif.org/2012-lean-mean-clean-dod-energy.pdf, WEA)

To track DOD investments in energy innovation, this report uses the federal budget ¶ tracking methodology developed by the Energy Innovation Tracker (EIT). The EIT is a ¶ transparent and publicly accessible database of federal investments in energy innovation ¶ that tracks annual appropriations across all agencies and energy technologies. The ¶ investment data used in this analysis—including project names, investment numbers, ¶ programs, and descriptions—have been directly derived from the DOD’s public budget ¶ documents. Outside reports and analysis used for gathering further information on DOD ¶ projects are cited accordingly.

#### Allowing this perm would destroy competition for every counterplan

EIA, Energy Information Administration, Office of Energy Markets and End Use, U.S. DOE, ‘92

(“Federal Energy Subsidies: Direct and Indirect Interventions in Energy Markets,” <ftp://tonto.eia.doe.gov/service/emeu9202.pdf>)

In some sense, most Federal policies have the potential to affect energy markets. Policies supporting economic stability or economic growth have energy market consequences; so also do Government policies supporting highway development or affordable housing. The interaction between any of these policies and energy market outcomes may be worthy of study. However, energy impacts of such policies would be incidental to their primary purpose and are not examined here. Instead, this report focuses on Government actions whose prima facie purpose is to affect energy market outcomes, whether through financial incentives, regulation, public enterprise, or research and development.

### 2nc solves the aff

#### Solves tech transfer within the DOD post-development

**Marqusee 2012** – Executive Director of the Strategic Environmental Research and Development Program and the Environmental Security Technology Certification Program at the DOD (March, Jeffrey, Energy Innovation at the Department of Defense: Assessing the Opportunities, White Paper, “Military installations and energy technology innovation”, http://bipartisanpolicy.org/sites/default/files/Energy%20Innovation%20at%20DoD.pdf, WEA) \*note a typo, this dude’s last name is actually spelled Marqusee…

A more realistic flow diagram for SERDP and ESTCP¶ investments is shown in figure 3.7. Science and technology¶ investments are tightly linked between fundamental research¶ and advanced development. Information is fed back from¶ demonstrations, both to contribute to innovations and to¶ support advances in fundamental science and engineering.¶ The way SERDP and ESTCP are organized also fosters¶ cross-pollination of perspectives and expertise, and works to¶ create communities across DoD. When research proposals¶ are evaluated, DoD not only considers their scientific merit¶ (as determined by peer review); it also evaluates them¶ with representatives from the services who have direct¶ field experience. Having engineers and managers with this¶ experience sit on research committees to review proposals¶ is invaluable. It also creates a community within DoD, across¶ different branches, for the issues being addressed, which helps¶ support technology transfer. Technology transfer is not viewed¶ as an activity to be done after a technology demonstration; it is¶ integral to the research and demonstration process.

ESTCP demonstrations are conducted to answer the technical,¶ economic, and operational issues of all the communities that¶ have a role in future implementations. For a new weapons¶ system, testing and evaluation is a standard and straightforward¶ part of the acquisition process. In the environmental (and¶ installation energy) area, implementation is highly distributed,¶ technologies are procured through multiple mechanisms and¶ pathways, and there is often no single acquisitions authority;¶ demonstrations of these technologies are more complex, and¶ are rarely done with this level of rigor outside of ESTCP. Its role¶ is not to serve as a centralized mandatory gatekeeper that¶ all innovative technologies must get past, but rather to be¶ the instrument to accelerate innovation despite the barriers¶ discussed above. Technologies are tested and evaluated to assess¶ their current performance and costs, to meet the needs of all¶ stakeholders involved in future implementations, and to feed¶ information back to the R&D community either to facilitate more¶ rapid development of the next iteration of a given technology or¶ to stimulate future fundamental research.

The lessons learned by ESTCP in successfully fostering and¶ transitioning innovative environmental technologies are being¶ applied now to installation energy technologies. One key¶ function of the program is that it centralizes the risk of innovative¶ technologies so as to foster innovation across the DoD enterprise.¶ It also works to leverage the existing engineering and support¶ organizations of the services in the selection and execution of the¶ demonstrations. Technology transfer is best done not by creating¶ new organizational structures devoted to that mission, but¶ rather by informing and relying upon the existing management¶ structures of the services. This requires attention to development¶ of the soft tools (guidance documents, training material, draft¶ procurement documents, etc.) of DoD’s management system¶ that are essential to widespread deployment of technologies.¶ It is also important to maintain transparency and openness¶ throughout the testing process, including where demonstration¶ results are concerned. In an arena in which decisions will be¶ made by the thousands, DoD’s traditional approach of limiting¶ access to information will hinder the successful widespread¶ adoption of new technologies.

#### Empirically proven—leads to eventual adoption—no reason why immediate subsidies are key

**Hayward et al 10**

Steven Hayward, AEI Resident Scholar, Mark Muro, Brookings Institute Metropolitan Policy Program, Ted Nordhaus and Michael Shellenberger, Breakthrough institute cofounders, October 2010, Post-Partisan Power, thebreakthrough.org/blog/Post-Partisan Power.pdf

In addition to fostering stronger linkages between government-funded research centers and private sector investors, entrepreneurs, and customers, the **DOD can work to** more **closely connect research efforts and** the growing **energy innovation** **needs of the U.S. military**.

This close relationship between research efforts and DOD procurement and technology needs was central to the successful history of the Defense Advanced Research Projects Agency (DARPA), famous for inventing the Internet, GPS, and countless other technologies that have both improved the fighting capabilities of the U.S. military and launched many spin-off technologies American consumers and businesses now take for granted. DARPA program managers had a keen awareness of the technologies and innovations that could improve military capabilities and funded breakthrough innovations aligned with those needs. Once innovations matured into potentially useful technologies, the DOD was there as an early customer for these products, allowing entrepreneurial firms to secure market demand, scale-up production, and continue to improve their products.

Congress made the right move in creating and funding an Advanced Research Projects Agency for Energy (ARPA-E) program modeled after the historic success of DARPA. ARPA-E resides within the DOE, however, which is not set up to be a major user of energy technologies. By contrast, DOD has both the opportunity and the urgent need to use many of these technologies.64 The DOD can and should play a greater role in administering ARPA-E and making sure that breakthrough energy discoveries become real- world technologies that can strengthen American energy security, enhance the capabilities of the U.S. military, and spin off to broader commercial use.

**Aff card: SMRs on domestic bases spill over to bases abroad**

**Galloway 10** Brigadier General Gerald E, Former Dean of the Academic Board, US Military Academy and Dean of the Faculty and Academic Programs, Industrial College of the Armed Forces, "On the Need for Creative Energy Solutions", Summer, www.cna.org/sites/default/files/research/WEB%2007%2027%2010%20MAB%20Powering%20America%27s%20Economy.pdf

Based on the progress made in technology, and on the findings of a study he chaired for the National Academies, General Galloway believes it may be time for the Army to revisit the initiative and consider paradigm shifting technologies like small, modular nuclear reactors. “In 1999, our report on logistics for the future Army recommended looking once again into small nuclear plants. It found that now there are additional benefits, like producing hydrogen for fuel cells. Today, small nuclear reactors are being marketed in the U.S. It’s probably time to think more about this,” General Galloway says. “No one’s envisioned bringing them out in combat zones, but they could provide energy in theater at large staging areas.”¶ General Galloway sees a special role for DOD in demonstrating these reactors in the United States. “The challenge at many military facilities is that they’re tied to the grid. We’ve seen the grid go down. At the same time, energy demands are rising. Putting a small reactor on a military installation not only provides a reliable and sustainable power source and a test bed to define its long term utility, but also places the plant in a secure location. Within the United States, it’s hard to find a more physically secure place than a military installation,” says General Galloway. “If the tests go well on bases in the U**nited** S**tates**, these small reactors could be used to support overseas military operations or disaster recovery activities.”

### 2nc smr turns overview

#### Even a small risk turns case and justifies voting neg

**Koplow**, United Nations Environment Programme's Working Group on Economic Instruments, MBA – Harvard, and Vancko, project manager – nuclear/climate @ UCS, **‘11**

(Doug and Ellen, “Nuclear Power: Still Not Viable without Subsidies,” Union of Concerned Scientists, February)

Second, a single negative event can wipe out decades of gains. Although the risk of nuclear acci­dents in the United States is considered quite low, it is not zero.6 Plausible accident scenarios generate catastrophic damages, with corresponding levels of financial loss. This characteristic creates a large dis­connect between private interests (which highlight an absence of catastrophic damages thus far) and public interests (which must consider the damage that would be caused in the case of even a moder­ate accident, as well as the inadequacy of financial assurance mechanisms or insurance-related price signals to address the challenge).

Unlike car accidents, where one event generally has no impact on the perceived risk to unrelated drivers or auto companies, risks in the nuclear sector are systemic. An accident anywhere in the world will cause politicians and plant neighbors everywhere to reassess the risks they face and ques­tion whether the oversight and financial assurance are sufficient. Generally, the cost implications of such inquiries will be negative for reactor owners.

All of these factors, in combination with a poor track record of financial performance on new plant construction, have led investors in nuclear power to demand much higher rates of return, to shift the risks to other parties, or to steer clear of the nuclear power sector entirely.7 These risks are real, and if they were visibly integrated into the nuclear cost structure, the resulting price signals would guide energy investment toward technologies that have more predictable and lower risk profiles.

#### Safety vulnerabilities turn every advantage

**Baker, 6-22-12**

[Matthew, American Security Project, “Do Small Modular Reactors Present a Serious Option for the Military’s Energy Needs?” <http://americansecurityproject.org/blog/2012/do-small-modular-reactors-present-a-serious-option-for-the-militarys-energy-needs/>]

The speakers at the DESC briefing suggested a surge is needed in SMR production to combat a major vulnerability in America’s national security: possible attacks to the power grid. Such attacks could cause blackouts for over a year according to Congressman Bartlett, leading to blackouts never before experienced in the United States. In such an event the U.S. military would still need to function 24/7. Current predictions made by the DESC suggest that up to 90% of the US military’s energy needs could be supplied by SMRs.¶ Congressman Bartlett also pointed out that current military bases such as Guam – which is fueled by the transport of diesel – are extremely vulnerable should the energy transport system be disrupted. Fuel supplies are even more unstable in Afghanistan, where one out of every twenty-four convoys results in a casualty. According to Congressman Bartlett, SMRs could make such bases energy self-sufficient.¶ Unfortunately all the hype surrounding SMRs seems to have made the proponents of SMR technology oblivious to some of its huge flaws.¶ Firstly like large reactors, one of the biggest qualms that the public has to nuclear is problems associated with nuclear waste. A more decentralized production of nuclear waste inevitably resulting from an increase in SMRs production was not even discussed. The danger of transporting gas into some military bases in the Middle East is already extremely volatile; dangers of an attack on the transit of nuclear waste would be devastating.¶ Secondly, SMRs pose many of the same problems that regular nuclear facilities face, sometimes to a larger degree. Because SMRs are smaller than conventional reactors and can be installed underground, they can be more difficult to access should an emergency occur. There are also reports that because the upfront costs of nuclear reactors go up as surface area per kilowatt of capacity decreases, SMRs will in fact be more expensive than conventional reactors.¶ Thirdly, some supporters of SMR technology seem to have a skewed opinion of public perception toward nuclear energy. Commissioner of the U.S. Nuclear Regulatory Commission, William C. Ostendorff, didn’t seem to think that the recent Fukushima disaster would have any impact on the development on SMRs. Opinion polls suggest Americans are more likely to think that the costs of nuclear outweigh its benefits since the Fukushima disaster. For SMRs to be the philosopher’s stone of the military’s energy needs the public needs to be on board.¶ The DESC’s briefing did illustrate the hype that the nuclear community has surrounding SMRs, highlighting some pressing issues surrounding the military’s energy vulnerability. But proponents of SMRs need to be more realistic about the flaws associated with SMRs and realize that the negative impacts of nuclear technology are more costly than its benefits.

### at: nrc doesn’t solve safety

#### NRC has the best evaluation standards anywhere

Alexander, ‘11

[Lamar, US Senator, “AN EXAMINATION OF THE SAFETY AND ECONOMICS OF LIGHT WATER SMALL MODULAR REACTORS: HEARING before a SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS UNITED STATES SENATE ONE HUNDRED TWELFTH CONGRESS FIRST SESSION, SPECIAL HEARING, JULY 14, 2011--WASHINGTON DC,” http://www.gpo.gov/fdsys/pkg/CHRG-112shrg72251/html/CHRG-112shrg72251.htm]

As the chairman said, we're talking about a 5-year, $452 million program that will end up with two SMRs operating by 2020. And, as she said, we're talking about LW SMRs. We know how to build and operate LW SMRs. The NRC knows what they are. All 104 of our big, commercial reactors are LW SMRs, and these are smaller versions of those. I believe we need to move ahead with this program of research and development as quickly as possible if we want to get to the 2020 timeline. The goal should be are these designed to be safe? Can exporting our technology that is safe around the world make the world safer, keeping nuclear materials out of the hands of people who shouldn't have them? And, third, is this a useful way to promote clean electricity in a country that uses nearly 25 percent of all electricity in the world? Talking about safety first, it's a subject we take very seriously. I believe we have the best regime of making reactors safe in the world. We certainly have the best record. No deaths ever, either at our Navy reactors or at our commercial reactors. No one was even hurt at Three Mile Island, our big nuclear accident. No one was hurt at that. No other form of energy has that record. So the NRC's review of the design and licensing will help us know whether they themselves are safe and the places they will be located are safe, and I'm very interested in that result.

#### NRC oversight is on top of it

Lyons, ‘11

[Peter B., Assistant Secretary for Nuclear Energy -- DOE, “AN EXAMINATION OF THE SAFETY AND ECONOMICS OF LIGHT WATER SMALL MODULAR REACTORS: HEARING before a SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS UNITED STATES SENATE ONE HUNDRED TWELFTH CONGRESS FIRST SESSION, SPECIAL HEARING, JULY 14, 2011--WASHINGTON DC,” http://www.gpo.gov/fdsys/pkg/CHRG-112shrg72251/html/CHRG-112shrg72251.htm]

Concerns have also been raised about the potential proximity of multiple SMR modules and the potential that any concern with one module might affect the safety of other modules. These modules are being designed such that their safety systems are completely independent, but, again, the NRC will address any potential common failure mode as the licensing process progresses.

### 2nc pacing links

#### Incentivizing production demand prior to the completion of engineering designs causes cost overruns that turn the case

**Rosner, 11** – director of the Energy Policy Institute at Chicago. He was the director of Argonne National Laboratory (Robert, “Small Modular Reactors – Key to Future Nuclear Power Generation in the U.S.” November, <http://epic.uchicago.edu/sites/epic.uchicago.edu/files/uploads/SMRWhite_Paper_Dec.14.2011copy.pdf>)

The key pacing element is the rate at which SMR engineering design is completed and ready to move to construction. While DC documentation is an important milestone from the perspective of licensing, the completion of the engineering design is the critical milestone to attract customers and move to construction. Here, the term “detailed design and engineering” (DD&E) is used in a broad context (see Key Definitions section), since there are no sharp boundaries between what constitutes a design certification package that forms the basis for NRC regulatory approvals and the detailed engineering package that forms the basis for construction bid packages. The SMR vendors have indicated that the pace of the engineering design (or DD&E) process was funding constrained. DOE can accelerate this effort and provide a measure of assurance to the SMR market through a cost-shared program

Accelerating SMR DD&E efforts will provide a higher confidence factor to prospective customers on the cost, performance, and schedule parameters of SMRs. One of the principal factors contributing to cost growth in the initial round of nuclear builds was the tendency of utilities and their vendors to initiate construction before detailed engineering was completed. 75 The lessons from this experience were unfortunately not accounted for in the AREVA Olkiluoto 3 project. 76 The DOE Loan Guarantee Program Office is now working to ensure that substantial completion of detailed engineering will be a prerequisite (or condition precedent) for initiation of construction of any new GW-scale LWR project supported with a DOE Title XVII loan guarantee.

## 1nr

### 1nr link uniqueness

#### No grants now our links are about SMRS

Jeffrey Tomich 12, energy and environment reporter for the St. Louis Post-Dispatch, 4/25/12, “Small nuclear reactors generate hype, questions about cost,” http://www.stltoday.com/business/local/small-nuclear-reactors-generate-hype-questions-about-cost/article\_39757dba-8e5c-11e1-9883-001a4bcf6878.html#ixzz1tTlcQ1Jt

The Obama administration, which is pushing for development of low-carbon energy technologies, sees potential, too. And the president wants the United States to take the lead in developing the industry.

Last month, Obama proposed $452 million to help speed up development of small modular reactors. The funding availability would come on top of $8 billion in loan guarantees for the Vogtle twin-reactor nuclear project in Georgia.

The federal funding, which has yet to be appropriated by Congress, would support engineering, design certification and licensing of up to two plant designs that have the potential to be licensed and in commercial operation in a decade.

#### The administration hasn’t announced the recipients of the DOE grants or begun handing them out precisely because of the link to politics

Gabriel Nelson 9-24, E&E Reporter, and Hannah Northey, 9/24/12, “DOE funding for small reactors languishes as parties clash on debt,” http://www.eenews.net/public/Greenwire/2012/09/24/3

DOE received four bids before the May 21 deadline from veteran reactor designers Westinghouse Electric Co. and Babcock & Wilcox Co., as well as relative newcomers Holtec International Inc. and NuScale Power LLC. Now the summer has ended with no announcement from DOE, even though the agency said it would name the winners two months ago.

As the self-imposed deadline passed, companies started hearing murmurs that a decision could come in September, or perhaps at the end of the year. To observers within the industry, it seems that election-year calculations may have sidelined the contest.

"The rumors are a'flying," said Paul Genoa, director of policy development at the Nuclear Energy Institute, in an interview last week. "All we can imagine is that this is now caught up in politics, and the campaign has to decide whether these things are good for them to announce, and how."

Small modular reactors do not seem to be lacking in political support. The nuclear lobby has historically courted both Democrats and Republicans and still sees itself as being in a strong position with key appropriators on both sides of the aisle.

Likewise, top energy officials in the Obama administration have hailed the promise of the new reactors, and they haven't shown any signs of a change of heart. DOE spokeswoman Jen Stutsman said last week that the department is still reviewing applications, but she did not say when a decision will be made.

"This is an important multiyear research and development effort, and we want to make sure we take the time during the review process to get the decision right," she wrote in an email.

That the grants haven't been given out during a taut campaign season, even as President Obama announces agency actions ranging from trade cases to creating new national monuments to make the case for his re-election, may be a sign that the reactors are ensnared in a broader feud over energy spending.

Grant recipients would develop reactor designs with an eye toward eventually turning those into pilot projects -- and the loan guarantees that these first-of-a-kind nuclear plants are using today to get financing would be blocked under the "No More Solyndras" bill that passed the House last week (Greenwire, Sept. 14).

### A2 Barnett

**uniquely likely to cause extinction**

**Mootry 2008,** [Primus, B.A. Northern Illinois University “Americans likely to face more difficult times” - The Herald Bulletin, 10/8/2008 http://www.theheraldbulletin.com/columns/local\_story\_282184703.html?keyword=secondarystory]

These are difficult times. The direct and indirect costs associated with the war on Iraq have nearly wrecked our economy. The recent $700 billion bailout, bank failures, and the failure of many small and large businesses across the nation will take years — perhaps decades — to surmount. Along with these rampant business failures, we have seen unemployment rates skyrocket, record numbers of home foreclosures, an explosion of uninsured Americans, and other economic woes that together have politicians now openly willing to mention the "D" word: Depression. These are difficult days. We have seen our international reputation sink to all time lows. We have seen great natural disasters such as hurricanes Ike and Katrina leaving hundreds of thousands of citizens stripped of all they own or permanently dislocated. In all my years, I have never seen a time such as this. To make matters worse, we are witnessing a resurgence of animosities between the United States and Russia, as well as the rapid growth of India and China. As to the growth of these two huge countries, the problem for us is that they are demanding more and more oil — millions of barrels more each week — and there is not much we can say or do about it. In the meantime, if America does not get the oil it needs, our entire economy will grind to a halt. In short, the challenges we face are complex and enormous. Incidentally, one of the factors that makes this time unlike any other in history is the potential for worldwide nuclear conflict. **There has never been a time in** the long **history** of ~~man~~ **when**, through his own technologies — and his arrogance — ~~he~~ can destroy the planet. Given the tensions around the world, **a mere spark could lead to global conflagration.**[This evidence has been gender paraphrased].

**Short term fiscal shock outweighs**

Victoria Craig (writer for Fox Business) September 24, 2012 “Fiscal Pitfalls Hinge on Gridlocked Congress” http://www.foxbusiness.com/government/2012/09/20/fiscal-pitfalls-hinge-on-gridlocked-congress/

A fix for the national economy is not as simple as just passing a budget, or reducing government spending. And the risk is potential to seriously destabilize an economy that is already at a tipping point. If more than one credit ratings service decides to downgrade its outlook on the U.S., it not only spells trouble for lawmakers, but financial markets as well. In its report, Moody’s warns what follows multiple downgrades would be a very different scene than when S&P took action. That’s because money-markets funds and other investment tools hold only the highest quality bonds. But the report adds, “Even without any action by the ratings agencies, a failure to make progress toward fiscal sustainability would signal that policymakers will not act until the budget is out of control and the nation is in a serious financial crisis.” Holtz Eakin takes that one step further, describing what the bigger picture would look like in the absence of some kind of Congressional action. “It would be an unambiguously bad event in the financial markets,” Holtz-Eakin said. “We’ve seen turbulence in the past and Main Street’s unimmune. We’d have bad equity market performance, bond yields would go up, credit channels would be depressed. It would send us into another recession.” Still, no matter how you slice it, it seems the future of the economy all comes down to politics.

### A2 Eurozone

#### The impact is unique

Reuters 11/8 (Jason Lange, 11/8/12, WRAPUP 3-US trade deficit narrows, economy resists global chill, <http://www.reuters.com/article/2012/11/08/usa-economy-idUSL1E8M7GD420121108>, RBatra)

The U.S. trade deficit unexpectedly narrowed in September as exports rose sharply, suggesting global demand for U.S. goods was holding up despite a debt crisis in Europe.

Other data on Thursday showed a drop in new claims for jobless benefits last week, although a severe storm that battered the East Coast distorted the figures.

The trade gap shrank 5.1 percent to $41.55 billion, the smallest deficit since December 2010, the Commerce Department said. Economists had expected it to widen to $45.0 billion.

Exports jumped 3.1 percent, the biggest increase in more than a year. The export gain more than offset a 1.5 percent increase in imports that was centered on purchases of consumer goods.

The data was the latest positive sign for the U.S. economy, which has appeared to perk up as consumers spend more freely and home construction quickens.

"This was a very encouraging report as the improvement in both export and non-petroleum import activity suggest improving demand both domestically and globally," said Millan Mulraine, an economist at TD Securities in New York.

Chinese demand for U.S. products appeared to help exporters in September. China bought $8.8 billion in U.S. goods and services, up 0.3 percent from a month earlier, although those figures were not seasonally adjusted.

Exports to the European Union, where a debt crisis has pushed several countries into recession, were flat. The U.S. government does not seasonally adjust figures for countries and regions as it does for overall imports and exports.

The larger-than-anticipated decline in the trade gap suggested U.S. economic growth may have been faster in the third quarter than the 2.0 percent annual rate initially reported.

JPMorgan said it pointed to a 2.8 pe rcent growth rate. Analysts on Wall Street had previously increased their estimates for third-quarter growth following stronger-than-expected data on factory orders. The Commerce Department will release a revised GDP growth estimate on Nov. 29.

**No impact to Eurozone**

**New York Times, 11-11-11,** p. http://www.nytimes.com/2011/11/12/business/global/european-turmoil-could-slow-us-recovery.html?pagewanted=1

Because Europe’s troubles have been developing for more than two years, financial firms have had more time to prepare than they did for the 2008 crisis, when the collapse of Lehman Brothers almost caused credit markets to freeze. This preparation could prevent a repeat of the 2008 global crisis, even if the European troubles deepen.

**Doesn’t affect the US what our impacts are about**

**New York Times, 11-11-11,** p. http://www.nytimes.com/2011/11/12/business/global/european-turmoil-could-slow-us-recovery.html?pagewanted=1

United States financial institutions have tried to inoculate themselves by drastically cutting risk to the euro zone debt markets, partly in response to urging from policy makers. For instance, prime money-market funds — a common and higher-yielding alternative to bank deposits, and the site of a freeze in the financial markets in October 2008 — have reduced their exposure to euro zone banks by more than half since May, according to a JPMorgan analysis released this week. “Most prime fund managers are allowing existing euro zone exposures to run off,” the analysts wrote.

### A2 Deal Inevitable

#### Picking new fights independently derails it

Richard Cowan (writer for Reuters) October 22, 2012 “Some in Congress look to $55 billion fiscal cliff 'fallback'” http://www.reuters.com/article/2012/10/22/us-usa-congress-fiscalcliff-idUSBRE89L0YB20121022

Analysts are increasingly pointing to a status quo congressional election: one that keeps the House of Representatives under Republican control and the Senate under Democratic control. Even as Obama and Romney battle for votes in the last two weeks of their campaigns, some Republicans on Capitol Hill are speculating about a victory by the Democratic president. "If Obama wins, we're going to have to play the cards we're dealt and work out some negotiation with him," said one senior Republican aide who works on fiscal policy matters. Another Republican aide added that if Obama "squeaks out" a victory, the president "will have a choice to make: He can pick a fight, make the lame duck toxic and we can go over the fiscal cliff, or we can work to find common ground on the framework for a bigger tax and entitlement reform agreement" that could take at least a year to put together. At the same time, Democrats, who voice confidence in an Obama victory despite a late Romney surge, warn that they will stick to their demands that the wealthy share more of the burden of getting the U.S. fiscal house in order. "We really think we're going to have leverage and we will use it," the Senate Democratic aide said, pointing to a contentious lame duck session that might be in need of a "fallback."

### A2 Thumpers

**Fiscal cliff negotiations at the top of the agenda**

The **Edge Malaysia, 11-12-12**, p. Lexis

Does the election change anything at all in the US? There are already some signs of recovery with housing improving and [consumer](http://www.lexis.com/research/retrieve?cc=&pushme=1&tmpFBSel=all&totaldocs=&taggedDocs=&toggleValue=&numDocsChked=0&prefFBSel=0&delformat=XCITE&fpDocs=&fpNodeId=&fpCiteReq=&expNewLead=0&fpSetup=0&brand=ldc&dedupeOption=2&_m=c5c471a3d845cf0879e36ab13fa98081&docnum=1&_fmtstr=FULL&_startdoc=1&wchp=dGLzVzk-zSkAz&_md5=b2e764b754fb291feef448a8fff73cf5&focBudTerms=fiscal+cliff%21+w%2F25+top+of+the+docket+of+top+of+docket+of+top+of+agenda+or+top+of+the+agenda+and+date+aft+nov+9%2C+2012&focBudSel=all) confidence up. But we still have the fiscal cliff looming.  
Essentially, we have the same group of characters running the US economy that got us where we are today. I think the President will be in a tough spot with the fiscal cliff at the top of the agenda. It is probably going to take a number of months to negotiate all these items and come up with some kind of compromise. How all that plays out is going to be the key for the economy going forward.

#### Top priority—dominates agenda

Espo 11/8 David is a writer for the Associated Press. “AVERTING ‘FISCAL CLIFF’ MOVES TO TOP OF AGENDA,” 2012, http://webcache.googleusercontent.com/search?q=cache:6H1SIjsXWsoJ:www.utsandiego.com/news/2012/nov/08/tp-averting-fiscal-cliff-moves-to-top-of-agenda/+&cd=6&hl=en&ct=clnk&gl=us

AVERTING ‘FISCAL CLIFF’ MOVES TO TOP OF AGENDA¶ WASHINGTON — One day after a bruising, mixed-verdict election, President Barack Obama and Republican House Speaker John Boehner both pledged Wednesday to seek a compromise to avert looming spending cuts and tax increases that threaten to plunge the economy back into recession.¶ Added Senate Majority Leader Harry Reid, D-Nev.: “Of course” an agreement is possible.¶ While all three men spoke in general terms, Boehner stressed that Republicans would be willing to accept higher tax revenue under the right conditions as part of a more sweeping attempt to reduce deficits and restore the economy to full health.¶ While the impending “fiscal cliff” dominates the postelection agenda, the president and Republicans have other concerns, too.¶ Obama is looking ahead to top-level personnel changes in a second term, involving three powerful Cabinet portfolios at a minimum.¶ And Republicans are heading into a season of potentially painful reflection after losing the presidency in an economy that might have proved Obama’s political undoing. They also have fallen deeper into the Senate minority after the second election in a row in which they lost potentially winnable races by fielding candidates with views that voters evidently judged too extreme.

#### This assumes every thumper—even if other issues are taken up, the fiscal cliff will dominate discussions

Greenberg Taurig, LLP(Contributors to the National Law Review) November 8, 2012 “Election 2012: Overview of Presidential and Congressional Results” Lexis

With the elections over, members of Congress will return to Washington on November 13 for what could be a lame-duck session of Congress lasting roughly six weeks. It is expected that during this time legislators will turn to the nation’s fiscal issues, the most immediate of which are budget sequestration and expiring tax provisions, including the payroll tax cut, unemployment benefits, and the 2001 and 2003 Bush-era tax cuts. The United States will also hit its $16.4 trillion debt ceiling in the spring. Members of Congress will have to negotiate to raise the limit before then or risk defaulting on the nation’s debt. Given that the more immediate issues comprising the “fiscal cliff” are expected to dominate the lame-duck session, it is unlikely that legislators will tackle the debt-ceiling issue during this short time frame. It is more likely that members of Congress will negotiate the debt-ceiling issue in late February or early March, as the U.S. actually nears the deadline. Finally, since the continuing resolution that passed in September funds the government until March 2013, members of Congress will need to either extend or replace this measure at that time. Taken together, these issues make it clear that the country’s finances will dominate the legislative agenda both during the lame-duck and after the Administration and members Congress take office in 2013. Other issues that members of Congress may take up in the lame-duck session include:

Cybersecurity legislation

Data breach

Defense authorization

Electronic Communications and Privacy Act

European Union airline emissions

Farm bill reauthorization

Foreign Intelligence Surveillance Act reauthorization

Creation of a national infrastructure bank

Internet gambling

Medicare Sustainable Growth Rate

Miscellaneous Tariff Bill

Mortgage Forgiveness Debt Relief extension

Online sales tax

Permanent normalized trade relations with Russia

SAFER and FIRE grants

Water Resources Development Act

In the wake of Hurricane Sandy, legislators are also considering a $12 billion supplemental appropriations bill to fund cleanup and recovery efforts. H.R. 6581, introduced by Rep. Chaka Fattah (D-PA) on November 2, would direct funds to the Army Corps of Engineers Flood Control and Coastal Emergencies Account, Small Business Administration disaster loans, FEMA’s Disaster Relief Fund, and FEMA disaster assistance loans. Legislators may attach an omnibus spending bill or fiscal cliff legislation to this supplemental appropriations bill. Since the appropriations bill is not offset elsewhere in the budget, it will likely face opposition from deficit-hawks in Congress, particularly in the Republican-controlled House of Representatives.

### 2nc uniqueness

#### 1nc Atkins – yes compromise now, contingent on Obama’s political capital – arm twisting key to convince intransigent republicans- not obstructionistnow

#### There will be a resolution to the fiscal cliff standoff in the lame duck session

Bloomberg News, 11-11-12, p. http://www.businessweek.com/news/2012-11-11/lawmakers-in-both-parties-see-resolution-to-u-dot-s-dot-fiscal-cliff#p1

Top lawmakers in both political parties today predicted a resolution to the standoff on the U.S. fiscal cliff that threatens to yield $607 billion in tax increases and automatic spending cuts in January. They said details of a debt-cutting deal may come later.

Senate Budget Committee Chairman Kent Conrad, a North Dakota Democrat, said he thinks lawmakers can reach a “framework agreement” directing tax and spending panels in Congress to craft a broad deal next year that cuts soaring budget deficits. At the same time, he said, they could agree now to a smaller package of spending cuts and some tax-code changes before the year is over.

If the legislative panels don’t act, all sides would have to agree to a fallback plan that would be more acceptable than the automatic approach that is sparking economic uncertainty, Conrad said on “Fox News Sunday.”

“I absolutely believe there is room for agreement,” Conrad said.

Senator Bob Corker, a Tennessee Republican, said he agrees there is little chance of the automatic policies occurring, and said Republicans are open to some tax increases if Democrats would be willing to embrace a broad reform of the Medicare [health insurance](http://www.businessweek.com/news/2012-11-11/lawmakers-in-both-parties-see-resolution-to-u-dot-s-dot-fiscal-cliff) system for the elderly to yield big cost savings. Short of a broad-based deal, he said at the very least any extension of current policies shouldn’t be the type of several-months stop-gap that has marked the deadlocked fiscal policy debate.

“I hope we’ll at least go substantially down the road toward solving the problem,” said Corker, who also appeared on the “Fox News Sunday” show.

#### There is a basis for a deal in Congress to solve fiscal cliff

**Wall Street Journal, 11-11-12**, p. http://online.wsj.com/article/SB10001424127887324894104578113022312251756.html

The Senate Budget Committee chairman and a leading Senate Republican said Sunday they believed there was the basis for a deal in Congress to avoid the "fiscal cliff," but that key details remained unresolved.

Senate Budget Committee Chairman Kent Conrad (D., N.D.) said on Fox News Sunday there is "absolutely" the basis for a deal. But he also said Congress should have a "backstop" plan that would go into effect in case lawmakers don't reach a deal.

Last August, President Obama and Congress put the U.S. economy on course to go over a "fiscal cliff." With the 2012 presidential election decided, WSJ's David Wessel tells you everything you need to know about the "cliff" but were afraid to ask.

Sen. Bob Corker (R., Tenn.) said on the program he believed that a deal would be reached to avoid the barrage of tax increases and spending cuts set to begin Jan. 1. " I think there's the basis for the deal," Mr. Corker said. But he said the key would be including measures for "true entitlement reform," particularly on Medicare. "The key to solving this is Medicare reform," Mr. Corker said.

### 2nc pc key

#### PC key—only effective way to work with the GOP

Janie Lorber and Kate Ackley (writers for Roll Call) November 8, 2012 “Lobbyists Eager for Short-Term Fiscal Deal” http://www.rollcall.com/issues/58\_35/Lobbyists-Eager-for-Short-Term-Fiscal-Deal-218891-1.html?pos=olobh

“The stakes over the fiscal cliff discussion just got significantly higher,” said David French, chief lobbyist at the National Retail Federation. “If Washington was looking to guidance from the voters on the path ahead, voters weren’t exactly clear.” As the nation approaches its debt ceiling yet again, lawmakers have less than 20 legislative days to decide what to do about the simultaneous expiration of the Bush-era tax cuts and the Social Security payroll tax holiday, as well as the first round of sequestration cuts. Every interest group has a stake. Business advocates argue that the tax provisions set to expire on Dec. 31 will stifle the still sputtering economy. Defense lobbyists fear that the longer the Pentagon budget remains up in the air, the harder it will be for contractors to recover. And unions and other liberal groups worry that emboldened Senate Democrats may agree to cuts in Medicare as part of a last-minute compromise. Add to that pleas from lobbyists representing municipalities ravaged by Hurricane Sandy that are desperate for federal funds to speed disaster relief efforts. “Folks in the business community believe it’s time to unite our country because America’s competitiveness is at stake,” Jay Timmons, the president of the National Association of Manufacturers, said on a conference call Wednesday. “I don’t think there’s anything more urgent than dealing with our fiscal crisis.” For the past year, defense giants and, to a lesser degree, technology firms, have begged lawmakers to avoid billions of dollars in cuts associated with sequestration. Michael Herson, a Republican lobbyist with American Defense International, said he is optimistic that lawmakers will delay sequestration until the next Congress and said most defense lobbyists will adopt a wait-and-see approach for the lame-duck session. The U.S. Chamber of Commerce, which fielded its largest voter mobilization effort ever and spent millions in support of Republicans this cycle, also urged the parties to come together on comprehensive tax and entitlement reforms. But with many of the same faces returning to Washington, D.C., next year, lobbyists wondered whether the illusive “grand bargain” is little more than a pipe dream. “[It] hinges on how Obama plays it. If he and his team really bear down and work with GOPers — an element sadly lacking the last four years — they can make a lot of progress,” said Jack Howard, a Republican lobbyist at Wexler & Walker Public Policy Associates. “If, however, he takes a hands-off approach, then I don’t really see much of a path forward. He has to be the arm-twister, the head-knocker to move things forward.”

#### Star this card

Andrew Sprung (he is the CEO of Sprung PR and hold a PhD from the University of Rochestor) September 21, 2012 “Ezra Klein's unconvincing theory that Obama misunderstands (or misrepresents) "change," http://xpostfactoid.blogspot.com/2012/09/ezra-kleins-unconvincing-theory-that.html)

In my view, Klein is viewing this question too narrowly. Obama is well aware of the limitations of the bully pulpit, and he's got to know better than any person on the planet that presidential advocacy polarizes, entrenching the opposing party in implacable opposition to whatever the president proposes. Yet, in presenting a revamped theory of how the presidency works, he's not just feeding us a line of BS. And if Obama wins reelection, I believe that we will look back five or ten or twenty years from now and recognize that yes, Obama did change the way Washington works. Or at the very least, he kept the US on a sane policy course in a time of extreme polarization and thus gave (will have given...) the system space to self-correct, as it has in the past. Let's start with Klein's objection to Obama's characterization of how healthcare reform got done: The health-care process, which I reported on extensively, was a firmly “inside game” strategy. There were backroom deals with most every major interest group and every swing legislator.... By the time the law passed, many more Americans viewed it unfavorably than viewed it favorably — exactly the opposite of what you’d expect if health care had passed through an “outside game” strategy in which, as Obama put it, “the American people … put pressure on Congress to move these things forward.” And yet, health care passed. The inside game worked. All true, laddie. And yet, in claiming that the impetus for healthcare reform came from the outside, I don't think Obama is attempting to whitewash this long and messy process -- or is even referring to it. He is alluding to the marshaling or channeling of popular will that got him elected. The essence of Obama's primary election argument against Hillary Clinton was that he was better equipped to marshal the popular will for fundamental change -- with healthcare reform as the centerpiece -- than she was. I well remember the moment when that argument first impressed itself on me. It was in a debate in the immediate aftermath of the Iowa caucuses, on Jan. 5, 2008: Look, I think it's easier to be cynical and just say, "You know what, it can't be done because Washington's designed to resist change." But in fact there have been periods of time in our history where a president inspired the American people to do better, and I think we're in one of those moments right now. I think the American people are hungry for something different and can be mobilized around big changes -- not incremental changes, not small changes. I actually give Bill Clinton enormous credit for having balanced those budgets during those years. It did take political courage for him to do that. But we never built the majority and coalesced the American people around being able to get the other stuff done. And, you know, so the truth is actually words do inspire. Words do help people get involved. Words do help members of Congress get into power so that they can be part of a coalition to deliver health care reform, to deliver a bold energy policy. Don't discount that power, because when the American people are determined that something is going to happen, then it happens. And if they are disaffected and cynical and fearful and told that it can't be done, then it doesn't. I'm running for president because I want to tell them, yes, we can. And that's why I think they're responding in such large numbers.

Cue the political science eye-roll. The American people were not "determined" that healthcare reform per se had to occur. You can't read the results of the 2008 wave election as a "mandate" for a specific policy. In the aftermath, the electoral tide went back out with a vengeance. But it's also true that in two years of campaigning Obama's words did inspire people, that the American people were hungry for change after Bush, that Obama made a broad and conceptually coherent case for moving the center of American politics back to the left with a renewed commitment to shared prosperity and investment in the common good, and that healthcare reform was at the center of that case. True too that the results of that election gave him enough of a majority to persist, even when relentless Republican misinformation and bad-faith negotiation and delay eroded public support. Obama also used the bully pulpit at crucial points, if not to rally public opinion, at least to re-commit wavering Democrats -- and also to convince the public, as he enduringly has, that he was more of a good faith negotiator, more willing to compromise, than the Republicans. Those pressure points were the September 2009 speech he gave to a joint session of Congress, and the remarkable eight-hour symposium he staged with the leadership of both parties in late February 2010 to showcase the extent to which the ACA incorporated past Republican proposals and met goals allegedly shared by both parties, as well as his own bend-over-backwards willingness to incorporate any Republican ideas that could reasonably be cast as advancing those goals. In a series of posts about Ronald Reagan, Brendhan Nyhan has demonstrated that presidential rhetoric generally does not sway public opinion. Savvy politicians channel public opinion; transformative ones seize an opportunity when their basic narrative of where the country needs to go aligns with a shift in public opinion, usually in response to recent setbacks or turmoil. Obama, like Reagan, effected major change in his first two years because he caught such a wave -- he amassed the political capital, and he spent it, and we got what he paid for. The force from outside -- a wave election -- empowered Obama to work change from inside in a system that reached a new peak of dysfunctionality. Klein's also objects to Obama's pitch for how to effect change going forward. In 2011, he notes, Obama highlighted the substantial change won from the messy inside game of legislating, touting the long list of legislative accomplishments of the 111th Congress. In election season, he has reverted to a keynote of his 2008 campaign: change comes from you, the electorate; it happens when ”the American people … put pressure on Congress to move these things forward.” Klein regards this as election season hooey: But while this theory of change might play better, it’s the precise theory of change that the last few years have shattered. Whatever you want to say about the inside game, it worked. Legislation passed. But after the midterm elections, it stopped working. And so the White House moved towards an outside game strategy, where ”the American people … put pressure on Congress to move these things forward.” Perhaps the most public example was Obama’s July 2011 speech, in which he said: I’m asking you all to make your voice heard. If you want a balanced approach to reducing the deficit, let your member of Congress know. If you believe we can solve this problem through compromise, send that message. So many Americans responded that Congress’s Web site crashed. But Obama didn’t get his “balanced approach,” which meant a deal including taxes. Klein goes on to recount that throughout the past year of confrontation with the GOP, pushing a jobs package that had broad popular support, Obama won only one minor victory, extension of the payroll tax cut. He then reverts to two political science tenets: presidential advocacy entrenches the opposition, and it can't move popular opinion. But I think he misreads Obama's pitch, strategy and record on several counts. First, he understates Obama's (and the Democrats') successes in the year of confrontation that has followed the debt ceiling debacle. He writes off the payroll tax cut and unemployment benefit extension as small beer. But this was actually a near-total victory in two stages against entrenched opposition, and it won Obama some vital back-door stimulus for the second year running in the wake of the GOP House takeover. It was followed by a similar GOP cave-in on maintaining low student loan interest rates -- and then again, by the collapse of the House GOP effort to renege on the Budget Control Act and impose still more spending cuts. Presidential rhetoric may not change the public mind. But when it's in sync with voter's propensities, it can deploy public opinion to bring pressure to bear on the opposition. Second, it's true that under threat of GOP debt ceiling extortion, Obama successfully marshaled public opinion in favor of his "balanced" approach to deficit reduction but wasn't able to use that pressure to move the GOP off their no-new-taxes intransigence. But that battle ain't over yet, and popular support for Obama's position is political capital that's still in the bank. In the upcoming fiscal cliff negotiations, Obama, if he wins reelection, will have the whip hand, given the expiration of the Bush tax cuts and Republican teeth-gnashing over the defense cuts in the sequester. Speaking of which, Obama's refusal to intervene in the supercommittee negotiations as Republicans stonewalled once again over any tax hikes banked him further capital in this upcoming fight. Republicans are screaming much louder than Democrats about the sequester, disastrous though the cuts may be on the domestic side. Third, it's rational for Obama to recast his bid for change in election season, because of course he's seeking further "change" from the outside, i.e., more Democrats elected to Congress. He's not going to win a mandate as in 2008, or, most likely, majorities in both houses of Congress. But he has to make the pitch for being granted renewed tools to advance his agenda. Finally, a key part of Obama's "you are the change" pitch in his convention speech was a frank call to play defense -- to protect the changes wrought in his first term and fend off the further capture of the electoral process and the nation's resources by the oligarchy the GOP represents: If you turn away now – if you buy into the cynicism that the change we fought for isn’t possible … well, change will not happen. If you give up on the idea that your voice can make a difference, then other voices will fill the void: lobbyists and special interests; the people with the $10 million checks who are trying to buy this election and those who are making it harder for you to vote; Washington politicians who want to decide who you can marry, or control health-care choices that women should make for themselves.

### A2 Cyber/Link Turns

#### SMR debates are polarizing

Carper and Schmid 11 Ross Carper (rosscarper@gmail.com), a writer based in Washington state, is the founding editor of the creative nonfiction project BeyondtheBracelet.com. Sonja Schmid (sschmid@vt.edu) is an assistant professor in Science and Technology Studies at Virginia Tech. “The Little Reactor That Could?” Issues in Science and Technology, http://www.issues.org/27.4/carper.html

Historically, nuclear energy has been entangled in one of the most polarizing debates in this country. Promoters and adversaries of nuclear power alike have accused the other side of oversimplification and exaggeration. For today’s industry, reassuring a wary public and nervous government regulators that small reactors are completely safe might not be the most promising strategy. People may not remember much history, but they usually do remember who let them down before. It would make more sense to admit that nuclear power is an inherently risky technology, with enormous benefits that might justify taking these risks. So instead of framing small reactors as qualitatively different and “passively safe,” why not address the risks involved head-on? This would require that the industry not only invite the public to ask questions, but also that they respond, even—or perhaps especially—when these questions cross preestablished boundaries. Relevant historical experience with small compact reactors in military submarines, for example, should not be off limits, just because information about them has traditionally been classified.

#### Passing new programs during the lame duck independently triggers the link

Miniter 12 Richard Miniter is an investigative journalist and author of three New York Times best-selling books. “Leading from Behind: The Reluctant President and the Advisors Who Decide for Him,” Google Books

After the historic defeat, Axelrod went on to teach a course called Campaign Strategy at Northwestern University in the Chicago suburbs. The day after the election, many White House staffers described their mood as "depressed." The loss of the U.S. House of Representatives and only a skinny remaining majority in the U.S. Senate meant that passing new programs would be very difficult. Would the next two years be an endless and enervating siege? Obama seemed strangely upbeat, '[he day after the midterm elections, the president convened a meeting with his senior Staff, While they saw clouds, he saw the sun through them. Democrats still ran both houses of Congress until January 3.2011. when the new session convened. To the surprise of some starters present, he enumerated an ambitious list of measures that he would like to see made law in the next sixty days; "a tax deal, extending unemployment benefits, ratification of New START treaty reducing nuclear arms, repeal of the Pentagon's Don't Ask/ Don't Tell policy preventing gays and lesbians from openly serving in the military, passage of the DREAM Act (which would grant citizenship to undocumented young adults who met certain requirements), and a children's nutrition bill advocated by Michelle Obama."" The list was unrealistic. It would have been a demanding agenda for Congress to accomplish over two years. let alone two months. Besides, using a "lame duck" Congress to pass major legislation had enormous political risks. It would be seen as an end-run around voters who had just elected a new majority with a new agenda. When President Carter had used a "lame duck' Congress to pass major bills (including the costly "Superfund" program) following the November 1980 elections in which he lost his reelection bid and Republicans won control of the Senate for the first time since I95-\*. the public was outraged. The outrage would be much bigger this time: Since 1980. the Internet, talk radio, and the Fox News Channel had emerged as powerful forums for channeling outrage. liven if Congress could actually adopt these controversial measures in a few short months, the political price of such a strategy would he high. Still, Obama continued to back Axelrod's analysis, which held that "independent voters wanted a leader who would make all the squabbling schoolchildren in Washington do their assignments."12 Who would do the "assigning"? The voters or the White House? Neither Obama nor Axel-rod seemed to wonder. If the federal government would finally pass a liberal wish list. Axelrod and Obama contended, voters would be happy. It was an unusual view. Independent voters in swing districts had actually voted down candidates who had supported the president's policies in the 2010 elections. Even in safely Democratic districts, independent voters had reduced their support of liberal lawmakers compared with 2008, exit polls showed. Few staffers were persuaded ch.it the president was right, although none dared to contradict him during that meeting. Passing Obama’s priorities during the Thanksgiving and Christmas holiday season had yet another obstacle. A massive White House staff reorganization was in progress. Rahm Emmanuel had stepped down as chief of staff in October 2010 and many other staffers were returning to Chicago or to academia. Without staff, it would be harder to rally the already reluctant Congress to act. Still, Obama was keen to proceed as planned. He was finally going to lead, but the timing and strategy were ill-considered. "Obama didn't care about the criticism that he was too insular," a White House aide said. "He didn't give a shit.\* Obama's proposals were dutifully sent to Capitol 1 lill. but most were essentially dead on arrival. Congress was exhausted and didn't want to take any more political risks.

#### The NRC is highly politicized and scrutinized by Congress

Energy and Commerce Committee 7/17 Energy and Commerce Committee of the U.S. House of Representatives. “NRC Commissioners Set to Testify Next Tuesday,” 2012, http://energycommerce.house.gov/press-release/nrc-commissioners-set-testify-next-tuesday

Since the start of the 112th Congress, the Energy and Commerce Committee has been actively conducting oversight of the NRC with a focus on how the actions of former NRC ChairmanGregory Jaczko politicized the Commission, undermining its ability to effectively execute its safety and licensing mission. Moving forward, the committee will continue its oversight efforts to determine any steps that need to be taken to restore the commission’s integrity and make sure history doesn't repeat itself.

### 2nc at: winners win

#### The plan derails the deal

Leiter and Stockton 11/10/2012

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Expect legislative stalemate on energy and environmental issues but increased regulatory activity Despite recent polls showing a close popular vote, President Obama won a decisive electoral vote victory, winning all of the battleground states. Election night also saw Senate Democrats increase their margin in the chamber as Democratic candidates defied expectations and eked out victories in largely Republican states like North Dakota, Montana, Indiana, and Missouri. Despite these gains for Democrats, Republicans maintained control of the House of Representatives, ensuring a divided Congress. Consequently, much of the partisan gridlock that has stalled legislation over the past year will continue. As the confetti from election night settles, the election does not present either party with a clear path to enacting its legislative agenda: indeed, the same players will be at the table as the Administration and Congress decide how to address a number of pressing fiscal and policy issues. The odds of substantive energy and environmental legislation in the next Congress is slim, but the Obama Administration—now freed from the restraints of re-election—is expected to utilize its executive powers and imprint its energy and environmental legacy through the regulatory process. Below is a more detailed look at the key energy and environmental issues to be addressed in the lame duck session of the 112th Congress and in the 113th Congress next year. With election over, federal agencies expected to move forward with regulations Federal agencies—chiefly the Environmental Protection Agency (EPA)—face a backlog of regulations that were put on hold in advance of the election. Just as the Administration has been slow-walking its regulatory agenda leading up to the election, we expect it will continue to do so post-election in an effort to not rock the boat too soon after the Election Day victory. For example, the Administration would be unlikely to quickly approve the Keystone XL pipeline (though an approval is expected), as that would offend environmentalists who rallied to the President’s re-election. Also, the Administration may hold back on some regulatory initiatives, as it still needs to compromise with Republicans on the fiscal cliff, and does not necessarily want to antagonize them in advance of those negotiations.

**Capital’s finite—they assume demand to leverage**

**Gerson, 12/17** (Michael, 12/17/10, Washington Post, “When it comes to politics, Obama's ego keeps getting in the way,” http://www.washingtonpost.com/wp-dyn/content/article/2010/12/16/AR2010121604039.html)

In some areas - such as education reform or the tax deal - Obama's governing practice is better than his political skills. But these skills matter precisely because **political capital is limited**. The early pursuit of ambitious health-care reform was a political mistake, as former chief of staff Rahm Emanuel internally argued. But every president has the right to spend his popularity on what he regards as matters of principle. Political risks, taken out of conviction with open eyes, are an admirable element of leadership.

Yet political errors made out of pique or poor planning undermine the possibility of achievement. Rather than being spent, popularity is squandered - something the Obama administration has often done.

**Wins only build long-term capital**

Purdum 10 [Todd, Columnist for Vanity Fair, “Obama Is Suffering Because of His Achievements, Not Despite Them,” 12-20 www.vanityfair.com/online/daily/2010/12/obama-is-suffering-because-of-his-achievements-not-despite-them.html]

With this weekend’s decisive Senate repeal of the military’s “Don’t Ask, Don’t Tell” policy for gay service members, can anyone seriously doubt Barack Obama’s patient willingness to play the long game? Or his remarkable success in doing so? In less than two years in office—often against the odds and the smart money’s predictions at any given moment—Obama has managed to achieve a landmark overhaul of the nation’s health insurance system; the most sweeping change in the financial regulatory system since the Great Depression; the stabilization of the domestic auto industry; and the repeal of a once well-intended policy that even the military itself had come to see as unnecessary and unfair. So why isn’t his political standing higher? Precisely because of the raft of legislative victories he’s achieved. Obama has pushed through large and complicated new government initiatives at a time of record-low public trust in government (and in institutions of any sort, for that matter), and he has suffered not because he hasn’t “done” anything but because he’s done so much—way, way too much in the eyes of his most conservative critics. With each victory, Obama’s opponents grow more frustrated, filling the airwaves and what passes for political discourse with fulminations about some supposed sin or another. Is it any wonder the guy is bleeding a bit? For his part, Obama resists the pugilistic impulse. To him, the merit of all these programs has been self-evident, and he has been the first to acknowledge that he has not always done all he could to explain them, sensibly and simply, to the American public. But Obama is nowhere near so politically maladroit as his frustrated liberal supporters—or implacable right-wing opponents—like to claim. He proved as much, if nothing else, with his embrace of the one policy choice he surely loathed: his agreement to extend the Bush-era income tax cuts for wealthy people who don’t need and don’t deserve them. That broke one of the president’s signature campaign promises and enraged the Democratic base and many members of his own party in Congress. But it was a cool-eyed reflection of political reality: The midterm election results guaranteed that negotiations would only get tougher next month, and a delay in resolving the issue would have forced tax increases for virtually everyone on January 1—creating nothing but uncertainty for taxpayers and accountants alike. Obama saw no point in trying to score political debating points in an argument he knew he had no chance of winning. Moreover, as The Washington Post’s conservative columnist Charles Krauthammer bitterly noted, Obama’s agreement to the tax deal amounted to a second economic stimulus measure—one that he could never otherwise have persuaded Congressional Republicans to support. Krauthammer denounced it as the “swindle of the year,” and suggested that only Democrats could possibly be self-defeating enough to reject it. In the end, of course, they did not. Obama knows better than most people that politics is the art of the possible (it’s no accident that he became the first black president after less than a single term in the Senate), and an endless cycle of two steps forward, one step back. So he just keeps putting one foot in front of the other, confident that he can get where he wants to go, eventually. The short-term results are often messy and confusing. Just months ago, gay rights advocates were distraught because Obama wasn’t pressing harder to repeal “Don’t Ask, Don’t Tell.” Now he is apparently paying a price for his victory because some Republican Senators who’d promised to support ratification of the START arms-reduction treaty—identified by Obama as a signal priority for this lame-duck session of Congress—are balking because Obama pressed ahead with repealing DADT against their wishes. There is a price for everything in politics, and Obama knows that, too.