# Cornell v. MoState – round 1 NEG

## 1NC

### electricity prices DA

#### Electricity prices are dropping and will stay low

Dallas Burtraw, one of the nation’s foremost experts on environmental regulation in the electricity sector, and studies electricity restructuring, competition, and economic deregulation, “Falling Emissions and Falling Prices: Expectations for the Domestic Natural Gas Boom,” Common Resources, August 21, 2012, <http://common-resources.org/2012/falling-emissions-and-falling-prices-expectations-for-the-domestic-natural-gas-boom/>, accessed 10-25-2012.

Moreover, the boom in domestic natural gas production could have even more immediate affects for U.S. electricity consumers. The increased supply of gas is expected to lower natural gas prices and retail electricity prices over the next 20 years, according to a [new RFF Issue Brief](http://www.rff.org/Publications/Pages/PublicationDetails.aspx?PublicationID=22019). These price decreases are expected to be even larger if demand for electricity continues on a slow-growth trajectory brought on by the economic downturn and the increased use of energy efficiency. For example, RFF analysis found that delivered natural gas prices would have been almost 35% higher in 2020 if natural gas supply projections had matched the lower estimates released by the U.S. Energy Information Administration (EIA) in 2009. Instead, with an increased gas supply, consumers can expect to pay $4.9 per MMBtu for delivered natural gas in 2020 instead of $6.6 per MMBtu. These trends are even more exaggerated if demand for electricity were to increase to levels projected by the EIA just three years ago, in 2009.This decrease in natural gas prices is expected to translate into a decrease in retail electricity prices for most electricity customers in most years out to 2020. Compared to the world with the lower gas supply projections, average national electricity prices are expected to be almost 6% lower, falling from 9.25 cents to 8.75 cents per kilowatt-hour in 2020. Residential, commercial, and industrial customers are all expected to see a price decrease, with the largest price changes occurring in parts of the country that have competitive electricity markets. All of these prices decreases translate into real savings for most electricity customers. The savings are largest for commercial customers, who stand to save $33.9 Billion (real $2009) under the new gas supply projections in 2020. Residential customers also stand to save big, with estimates of $25.8 Billion (real $2009) in savings projected for 2020.

#### Increasing wind production jacks up electricity prices by nearly 50%.

Bryce 11 (Robert, Senior Fellow @ Manhattan Institute, "The High Cost of Wind Energy as a Carbon-Dioxide Reduction Method," http://www.manhattan-institute.org/html/ib\_11.htm)

The Global Wind Energy Council (GWEC), an industry group, maintains that reducing the amount of carbon dioxide going into the atmosphere “is the most important environmental benefit from wind power generation.”[27] For its part, the American Wind Energy Association (AWEA), a national trade association, says “there is no need to wait for a new climate solution. Wind power is one of only a few near-term options to reduce emissions.”[28] In its 2008 report, the NREL claimed that if the United States were to derive 20 percent of its electricity from wind, it “could avoid approximately 825 million metric tons of carbon dioxide in the electric sector in 2030.”[29] How does that 825 million tons of carbon dioxide compare with global emissions? In 2010, global carbon-dioxide emissions totaled 33.1 billion tons.[30] Thus, if the United States were somehow able to instantly increase its wind-generated electricity to 20 percent of total consumption, doing so might reduce global emissions by about 2.5 percent. But it is unlikely that global emissions will be the same in 2030 as they were in 2010. By 2030, the International Energy Agency (IEA) expects global emissions will total about 40.2 billion tons.[31] Thus, the 825 million tons that NREL claims might be reduced by achieving the “20 by ‘30” goal will result in a global reduction of just 2 percent.[32] Therefore, to justify a total investment of $850 billion in wind, U.S. policymakers would have to agree that reducing carbon dioxide in the year 2030 is worth spending $1,030 per ton. Of course, that amount would not be spent all at once. Instead it would be allocated over the coming 19 years and would be, in effect, a carbon tax set at $54 per ton. However, the actual cost may be somewhat lower. In its 2008 report, NREL claimed that only 305,000 megawatts of wind capacity would be needed to meet the “20 by ‘30” goal. Recall that the United States has built about 40,000 megawatts of wind capacity at a cost of about $68 billion. Thus, building an additional 265,000 megawatts of wind capacity (again, at $2.43 million per megawatt) at a cost of $644 billion, would lead to a total cost of $712 billion, thereby implying that cutting one ton of carbon dioxide by 2030 would cost about $863. Spread over the next 19 years, the cost would be the equivalent of a carbon levy set at $45 per ton. Achieving the “20 by ‘30” goal will have a significant impact on electricity rates. In 2007, Steven Hayward and Kenneth Green of the American Enterprise Institute (AEI) estimated that a $15 carbon tax would likely increase the cost of coal-fired generation by about $0.0163 per kilowatt-hour. Therefore, we can assume that a carbon levy of $54-per-ton could increase electricity rates in coal-reliant regions by about $0.058 per kilowatt-hour. That’s a major increase given that the average price of electricity for residential consumers in the United States is currently $0.12 per kilowatt-hour.[33] Put another way, if the United States were to achieve the “20 by ‘30” goal, U.S. residential electricity prices in coal-dependent regions could increase by about 48 percent over current levels. If we use the lower range of wind costs outlined by NREL in its 2008 report, and assume that reducing a ton of carbon by 2030 will cost $45 per year, the increase in electricity costs in coal-dependent areas will amount to about $0.049 per kilowatt-hour. That would result in an increase of 40 percent over current levels for residential customers in those regions. These higher electricity costs will likely accelerate the pace of electric rate increases now underway around the country. Since 2004, the average cost of residential electricity has gone from $0.0895 per kilowatt-hour to $0.1218 per kilowatt-hour, an increase of 36 percent.[34] Wind energy is not a cost-effective method of reducing carbon-dioxide emissions. Any effort—whether at the state level or the federal level—to dramatically increase the use of wind energy will result in a new tax on electricity consumers. If the United States were to achieve the “20 by ‘30” goal, the effective carbon tax of $45 to $54 per ton would far exceed any such tax regime currently in place. Further, if the stated goal were met by 2030, the likely reduction in carbon dioxide emissions would amount to just 2 percent of the expected global total.

#### Low electricity prices are key to a strong steel industry – reshoring

Phil Gramm, former U.S. senator, a senior partner of US Policy Metrics and a visiting scholar at the American Enterprise Institute, “Wind-generated electricity dumps high costs on ratepayers and taxpayers,” December 26, 2012, <http://www.beaufortobserver.net/Articles-NEWS-and-COMMENTARY-c-2012-12-26-264519.112112-Windgenerated-electricity-dumps-high-costs-on-ratepayers-and-taxpayers.html>, accessed 1-2-2013.

Declining costs for electricity will give America a comparative advantage in industrial jobs that entail high levels of energy use, such as aluminum, glass, iron and steel, cement and petrochemical production. It also means, however, that wind-power subsidies will become even more costly and disruptive. As Dieter Helm notes in his important new book, "The Carbon Crunch," wind subsidies make "new gas investment much more risky and . . . gas contracting difficult, since how much gas the power station buys as its fuel depends on factors outside its control: the wind speed." It is increasingly difficult to make a case that taxpayers should continue to subsidize wind-generated electricity. The end of the subsidy will not induce owners of existing windmills to shut them down, since so much of the cost is fixed in the original construction project and so little of their costs are entailed in operating the windmill once it is constructed. Under current law, billions of dollars in subsidies will continue to be paid out over the next decade on existing projects even if the subsidies for projects built in the future expire. If unimpeded, the expanded use of cheap natural gas to generate electricity will raise living standards and attract millions of new industrial jobs back to our shores. A vote to stop wind subsidies from being extended is, therefore, a vote for cheaper, more reliable power, higher living standards, reindustrialization and fiscal sanity.

#### The steel industry is key to power projection

William R. Hawkins Apr 2001. A campaign of strategic necessity Sea Power,

http://findarticles.com/p/articles/mi\_qa3738/is\_200104/ai\_n8939648/pg\_1?tag=artBody;col1

The United States can neither protect its shores nor project its power overseas without a powerful Navy; but it cannot build and sustain a powerful Navy unless the country also possesses a robust maritime industrial infrastructure. Yet, American shipyards have not only suffered from policy neglect, they have now come under attack by America's trading partners. Although American diplomats have attempted to shield the industry from such attacks, it is not clear that this effort will be successful without a strong, mobilized base of domestic political support to stiffen Congress and the executive branch when they are challenged by foreign governments. Shipbuilding is a basic heavy industry, with strong ties to the steel, computer, and electronics sectors and with a highly skilled work force. It represents a large and specialized capitalintensive physical establishment that, once lost, could not be reconstituted quickly. Most major industrial countries use subsidies to maintain their shipbuilding capacity. Major trading nations often build their own commercial fleets so that they may earn money not only from trade but also from its associated transportation. This was true of England in its heyday. Japan embarked on a similar program in the 1960s, and China is doing so today. A Minuscule Manifestation In their survey of the various factors crucial to The Great Powers and Global Struggle, 1490-1990, William R. Thompson and Karen Rasler, found that, "Historically, one state, the world power, has emerged from periods of intense conflict in a position of naval and commercial-industrial preeminence. Naval power has served as one of the principal manifestations of global reach capability. It has been, and continues to be, critical for projecting military force, for protecting commercial sea-lanes, and for denying extra-- continental maneuverability to opponents."

#### U.S. power projection key to solve multiple conflicts

Robert Kagan is a contributing editor to The Weekly Standard and a senior fellow in foreign policy at the Brookings Institution. JAN 24, 2011, VOL. 16, NO. 18 The Weekly Standard “The Price of Power” http://www.weeklystandard.com/articles/price-power\_533696.html?nopager=1

Today the international situation is also one of high risk. • The terrorists who would like to kill Americans on U.S. soil constantly search for safe havens from which to plan and carry out their attacks. American military actions in Afghanistan, Pakistan, Iraq, Yemen, and elsewhere make it harder for them to strike and are a large part of the reason why for almost a decade there has been no repetition of September 11. To the degree that we limit our ability to deny them safe haven, we increase the chances they will succeed. • American forces deployed in East Asia and the Western Pacific have for decades prevented the outbreak of major war, provided stability, and kept open international trading routes, making possible an unprecedented era of growth and prosperity for Asians and Americans alike. Now the United States faces a new challenge and potential threat from a rising China which seeks eventually to push the U.S. military’s area of operations back to Hawaii and exercise hegemony over the world’s most rapidly growing economies. Meanwhile, a nuclear-armed North Korea threatens war with South Korea and fires ballistic missiles over Japan that will someday be capable of reaching the west coast of the United States. Democratic nations in the region, worried that the United States may be losing influence, turn to Washington for reassurance that the U.S. security guarantee remains firm. If the United States cannot provide that assurance because it is cutting back its military capabilities, they will have to choose between accepting Chinese dominance and striking out on their own, possibly by building nuclear weapons. • In the Middle East, Iran seeks to build its own nuclear arsenal, supports armed radical Islamic groups in Lebanon and Palestine, and has linked up with anti-American dictatorships in the Western Hemisphere. The prospects of new instability in the region grow every day as a decrepit regime in Egypt clings to power, crushes all moderate opposition, and drives the Muslim Brotherhood into the streets. A nuclear-armed Pakistan seems to be ever on the brink of collapse into anarchy and radicalism. Turkey, once an ally, now seems bent on an increasingly anti-American Islamist course. The prospect of war between Hezbollah and Israel grows, and with it the possibility of war between Israel and Syria and possibly Iran. There, too, nations in the region increasingly look to Washington for reassurance, and if they decide the United States cannot be relied upon they will have to decide whether to succumb to Iranian influence or build their own nuclear weapons to resist it. In the 1990s, after the Soviet Union had collapsed and the biggest problem in the world seemed to be ethnic conflict in the Balkans, it was at least plausible to talk about cutting back on American military capabilities. In the present, increasingly dangerous international environment, in which terrorism and great power rivalry vie as the greatest threat to American security and interests, cutting military capacities is simply reckless. Would we increase the risk of strategic failure in an already risky world, despite the near irrelevance of the defense budget to American fiscal health, just so we could tell American voters that their military had suffered its “fair share” of the pain? The nature of the risk becomes plain when one considers the nature of the cuts that would have to be made to have even a marginal effect on the U.S. fiscal crisis. Many are under the illusion, for instance, that if the United States simply withdrew from Iraq and Afghanistan and didn’t intervene anywhere else for a while, this would have a significant impact on future deficits. But, in fact, projections of future massive deficits already assume the winding down of these interventions. Withdrawal from the two wars would scarcely make a dent in the fiscal crisis. Nor can meaningful reductions be achieved by cutting back on waste at the Pentagon—which Secretary of Defense Gates has already begun to do and which has also been factored into deficit projections. If the United States withdrew from Iran and Afghanistan tomorrow, cut all the waste Gates can find, and even eliminated a few weapons programs—all this together would still not produce a 10 percent decrease in overall defense spending. In fact, the only way to get significant savings from the defense budget—and by “significant,” we are still talking about a tiny fraction of the cuts needed to bring down future deficits—is to cut force structure: fewer troops on the ground; fewer airplanes in the skies; fewer ships in the water; fewer soldiers, pilots, and sailors to feed and clothe and provide benefits for. To cut the size of the force, however, requires reducing or eliminating the missions those forces have been performing. Of course, there are any number of think tank experts who insist U.S. forces can be cut by a quarter or third or even by half and still perform those missions. But this is snake oil. Over the past two decades, the force has already been cut by a third. Yet no administration has reduced the missions that the larger force structures of the past were designed to meet. To fulfill existing security commitments, to remain the “world’s power balancer of choice,” as Leslie Gelb puts it, to act as “the only regional balancer against China in Asia, Russia in eastern Europe, and Iran in the Middle East” requires at least the current force structure, and almost certainly more than current force levels. Those who recommend doing the same with less are only proposing a policy of insufficiency, where the United States makes commitments it cannot meet except at high risk of failure. The only way to find substantial savings in the defense budget, therefore, is to change American strategy fundamentally. The Simpson-Bowles commission suggests as much, by calling for a reexamination of America’s “21st century role,” although it doesn’t begin to define what that new role might be. Others have. For decades “realist” analysts have called for a strategy of “offshore balancing.” Instead of the United States providing security in East Asia and the Persian Gulf, it would withdraw its forces from Japan, South Korea, and the Middle East and let the nations in those regions balance one another. If the balance broke down and war erupted, the United States would then intervene militarily until balance was restored. In the Middle East and Persian Gulf, for instance, Christopher Layne has long proposed “passing the mantle of regional stabilizer” to a consortium of “Russia, China, Iran, and India.” In East Asia offshore balancing would mean letting China, Japan, South Korea, Australia, and others manage their own problems, without U.S. involvement—again, until the balance broke down and war erupted, at which point the United States would provide assistance to restore the balance and then, if necessary, intervene with its own forces to restore peace and stability. Before examining whether this would be a wise strategy, it is important to understand that this really is the only genuine alternative to the one the United States has pursued for the past 65 years. To their credit, Layne and others who support the concept of offshore balancing have eschewed halfway measures and airy assurances that we can do more with less, which are likely recipes for disaster. They recognize that either the United States is actively involved in providing security and stability in regions beyond the Western Hemisphere, which means maintaining a robust presence in those regions, or it is not. Layne and others are frank in calling for an end to the global security strategy developed in the aftermath of World War II, perpetuated through the Cold War, and continued by four successive post-Cold War administrations. At the same time, it is not surprising that none of those administrations embraced offshore balancing as a strategy. The idea of relying on Russia, China, and Iran to jointly “stabilize” the Middle East and Persian Gulf will not strike many as an attractive proposition. Nor is U.S. withdrawal from East Asia and the Pacific likely to have a stabilizing effect on that region. The prospects of a war on the Korean Peninsula would increase. Japan and other nations in the region would face the choice of succumbing to Chinese hegemony or taking unilateral steps for self-defense, which in Japan’s case would mean the rapid creation of a formidable nuclear arsenal. Layne and other offshore balancing enthusiasts, like John Mearsheimer, point to two notable occasions when the United States allegedly practiced this strategy. One was the Iran-Iraq war, where the United States supported Iraq for years against Iran in the hope that the two would balance and weaken each other. The other was American policy in the 1920s and 1930s, when the United States allowed the great European powers to balance one another, occasionally providing economic aid, or military aid, as in the Lend-Lease program of assistance to Great Britain once war broke out. Whether this was really American strategy in that era is open for debate—most would argue the United States in this era was trying to stay out of war not as part of a considered strategic judgment but as an end in itself. Even if the United States had been pursuing offshore balancing in the first decades of the 20th century, however, would we really call that strategy a success? The United States wound up intervening with millions of troops, first in Europe, and then in Asia and Europe simultaneously, in the two most dreadful wars in human history. It was with the memory of those two wars in mind, and in the belief that American strategy in those interwar years had been mistaken, that American statesmen during and after World War II determined on the new global strategy that the United States has pursued ever since. Under Franklin Roosevelt, and then under the leadership of Harry Truman and Dean Acheson, American leaders determined that the safest course was to build “situations of strength” (Acheson’s phrase) in strategic locations around the world, to build a “preponderance of power,” and to create an international system with American power at its center. They left substantial numbers of troops in East Asia and in Europe and built a globe-girdling system of naval and air bases to enable the rapid projection of force to strategically important parts of the world. They did not do this on a lark or out of a yearning for global dominion. They simply rejected the offshore balancing strategy, and they did so because they believed it had led to great, destructive wars in the past and would likely do so again. They believed their new global strategy was more likely to deter major war and therefore be less destructive and less expensive in the long run. Subsequent administrations, from both parties and with often differing perspectives on the proper course in many areas of foreign policy, have all agreed on this core strategic approach. From the beginning this strategy was assailed as too ambitious and too expensive. At the dawn of the Cold War, Walter Lippmann railed against Truman’s containment strategy as suffering from an unsustainable gap between ends and means that would bankrupt the United States and exhaust its power. Decades later, in the waning years of the Cold War, Paul Kennedy warned of “imperial overstretch,” arguing that American decline was inevitable “if the trends in national indebtedness, low productivity increases, [etc.]” were allowed to continue at the same time as “massive American commitments of men, money and materials are made in different parts of the globe.” Today, we are once again being told that this global strategy needs to give way to a more restrained and modest approach, even though the indebtedness crisis that we face in coming years is not caused by the present, largely successful global strategy. Of course it is precisely the success of that strategy that is taken for granted. The enormous benefits that this strategy has provided, including the financial benefits, somehow never appear on the ledger. They should. We might begin by asking about the global security order that the United States has sustained since Word War II—the prevention of major war, the support of an open trading system, and promotion of the liberal principles of free markets and free government. How much is that order worth? What would be the cost of its collapse or transformation into another type of order? Whatever the nature of the current economic difficulties, the past six decades have seen a greater increase in global prosperity than any time in human history. Hundreds of millions have been lifted out of poverty. Once-backward nations have become economic dynamos. And the American economy, though suffering ups and downs throughout this period, has on the whole benefited immensely from this international order. One price of this success has been maintaining a sufficient military capacity to provide the essential security underpinnings of this order. But has the price not been worth it? In the first half of the 20th century, the United States found itself engaged in two world wars. In the second half, this global American strategy helped produce a peaceful end to the great-power struggle of the Cold War and then 20 more years of great-power peace. Looked at coldly, simply in terms of dollars and cents, the benefits of that strategy far outweigh the costs. The danger, as always, is that we don’t even realize the benefits our strategic choices have provided. Many assume that the world has simply become more peaceful, that great-power conflict has become impossible, that nations have learned that military force has little utility, that economic power is what counts. This belief in progress and the perfectibility of humankind and the institutions of international order is always alluring to Americans and Europeans and other children of the Enlightenment. It was the prevalent belief in the decade before World War I, in the first years after World War II, and in those heady days after the Cold War when people spoke of the “end of history.” It is always tempting to believe that the international order the United States built and sustained with its power can exist in the absence of that power, or at least with much less of it. This is the hidden assumption of those who call for a change in American strategy: that the United States can stop playing its role and yet all the benefits that came from that role will keep pouring in. This is a great if recurring illusion, the idea that you can pull a leg out from under a table and the table will not fall over.

### reg-neg CP

#### TEXT: Congressional rulemaking bodies should facilitate regulatory negotiations with relevant parties over the following proposal: The United States federal government should remove restrictions on the development of wind and solar energy projects on indigenous lands in the United States. By indigenous lands, we mean the land set aside by the United States federal government for people it refers to as “Native Americans” or “American Indians.” The negotiated policy will then be implemented.

#### CP Competes: Does not result in the 1AC, open process

Gary Endelman, Senior Associate at Fong & Associates, “Go as Far as You Can: How Negotiated Rulemaking in Immigration Benefits America: Part 2 of 2,” Immigration Daily, July 1, 2003, <http://www.ilw.com/articles/2003,0718-endelman.shtm#bio>, accessed 10-5-2012.

Those who believe, as I do, that immigration is good for America have their principles right. Our challenge is to translate these principles into practice. If America is to move beyond paralysis and create a national immigration policy that works for all of us, we who most champion immigration must engage in the down and dirty work of building true alternatives to traditional rulemaking. Right now, there is such a balance of will between competing factions, the forces for and against positive change are so evenly balanced, that only a third way with absolute clarity of vision can chart a path forward towards sustainable compromise. Negotiated rulemaking is that third way. Absent this, precisely because any meaningful progress seems so remote, ideological combatants shrink back from assuming the very real risks that progress demands.

#### Reg negs are key to creating the best alternative energy policies

Alana Knaster is the Deputy Director of the Monterey County Resource Management Agency. Prior to joining the staff of Monterey County, she was the President of the Mediation Institute, a national non-profit firm that specialized in the mediation of complex, multi-party public policy disputes. Ms. Knaster has mediated dozens of environmental disputes over issues relating to sustainable resource management, pollution reduction, land use, and endangered species. She has been on the faculty of the Straus Institute, Pepperdine University School of Law, since 1989. Ms. Knaster is also the former Mayor of the City of Hidden Hills, California, “Resolving Conflicts Over Climate Change Solutions: Making the Case for Mediation,” PEPPERDINE DISPUTE RESOLUTION LAW JOURNAL, 2010, <http://law.pepperdine.edu/dispute-resolution-law-journal/issues/volume-ten/Knaster%20Article.pdf>, accessed 9-11-2012.

Unanticipated impacts of “green” solutions. Conference participants discussed the recent emerging opposition to large scale alternative energy projects. In these cases, the major challenge is not balancing economic issues against environmental protection, but it is weighing the benefits of a strategy for reducing green house gases against the unanticipated impacts of that strategy. This raised questions as to whether the life cycle benefits of biofuels or wind technology are actually cleaner than traditional technology. For example, an analysis of the benefits of utilizing an alternative fuel must factor in both the emissions from production of the fuel and emissions from its use in vehicles. The net benefit as contrasted with conventional fuel may not be as considerable as assumed. The battle lines have already been drawn over the siting of solar and wind projects that would significantly reduce GHGs, but which may impact habitat or kill birds. 106 The recent court decision regarding the route for the high speed rail project suggests that setting criteria for evaluating these projects and balancing competing interests will be difficult. 107 It is appearing less likely that a project can be approved in a timely manner and without causing significant environmental impacts. Reaching consensus. Given the challenges outlined above, many community leaders are questioning whether consensus, defined as unanimity, is achievable, and at what price? At the Pepperdine conference, panelists expressed concerns regarding the difficulty of gaining assent from the five percent of the groups or individuals with extreme positions on either end of the spectrum. They questioned whether it was cost effective and whether trying to gain approval from the outliers would result in a watering down of the benefits of what was being negotiated. Others questioned whether consensus was actually attainable. Certainly, the challenges of designing the negotiations table, economic downturn, eroding imperative to address climate change, the environmental resource balancing act, and resistance to change make the goals of collaborative consensus-building more difficult. 2. Opportunities Deadlines and legislative mandates. Public policy negotiations have benefited from clear deadlines and policy guidelines. These establish the BATNA for any negotiations process. Assuming that the reduction targets and dates do not slip, the regulatory deadlines of AB 32 and SB 375 in California and, at a later date, regulatory deadlines that may be imposed in federal legislation to implement climate change agreements provide critical motivation for stakeholder groups to collaborate. 108 Global race to manufacture clean technology. Although China exceeds the United States in the generation of GHGs, the Chinese government has adopted policies and incentives that now make China the leader in technology development for solar and wind energy. 109 China has set ambitious goals for the use of renewable energy and will be striving to meet its own accelerating energy demand as well as dominate energy exports. 110 This green gamesmanship has the potential to spur American industrial interest in competing for a market share. President Barack Obama, in his State of the Union Address on January 27, 2010, expressed concerns that the United States was falling behind China. 111 With an ever increasing national debt and eroding market share in technology, this is an opportunity that could propel American ingenuity to successfully compete. Energy is likely to be the biggest opportunity for research and development since the chip industry wave of innovation. It is potentially a trillion dollar market in the United States. Solar and wind energy markets are projected to reach $250 billion in the next ten years. 112 The potential gains from this market are a key factor in maintaining an alliance between business interests and environmental advocates. As noted in the introduction to this article, the relationships among vested stakeholders are changing. This presents both an opportunity and a challenge. The success of China in meeting the global market challenge suggests that all levels of government will need to forge a consensus on regulations and incentives addressing both the economic and the environmental side of the equation.

#### Empowering communities in processes generally assigned to the government is key to solving violence

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

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

### politics

#### Obama is in perfect position on the debt ceiling

Klein 1-2 [Ezra Klein 1-2-2013 Washington Post “Calm down, liberals. The White House won” http://www.washingtonpost.com/blogs/wonkblog/wp/2013/01/02/calm-down-liberals-the-white-house-got-a-good-deal-on-the-fiscal-cliff/]

Fourth, I don’t think the White House has a shred of credibility when they say they won’t negotiate over the debt ceiling. They may not call what they’re about to do negotiating over the debt ceiling, but that’ll be what they’re doing. That said, I’m quite convinced that they don’t intend to be held hostage over the debt ceiling. As a former constitutional law professor, the president sees himself as a steward of the executive branch and is deeply hostile to setting the precedent that congressional minorities can hold presidents hostage through the debt ceiling. At some point in the coming talks, Boehner or McConnell or both are going to realize that the White House really, seriously will not accept a bargain in which what they “got” was an increase in the debt limit, and so they’re going to have to decide at that point whether to crash the global economy. Fifth, the constellation of economic interest groups that converge on Washington understands the debt ceiling better than they did in 2011, are becoming more and more tired of congress’s tendency to negotiate by threatening to trigger economic catastrophes, and is getting better at knowing who to blame. It’s not a meaningless sign that John Engler, the former Republican Governor of Michigan who now leads the Business Roundtable, called for a five-year solution to the debt ceiling. It’s worth keeping this in perspective: All it means is that the White House can potentially demand a perfectly reasonable compromise of one dollar in revenue-generating tax reform for every dollar in spending cuts. When you add in the fiscal cliff deal, and the 2011 Budget Control Act, that’ll still mean that the total deficit reduction enacted over the last few years tilts heavily towards spending, particularly once you account for reduced war costs. But that is, arguably, another reason that the White House isn’t in such a bad position here: They’ve set up a definition of success that will sound reasonable to most people — a dollar in tax reform for a dollar in spending cuts — while the Republicans have a very unreasonable sounding definition, in which they get huge cuts to Medicare or they force the United States into default. So while it’s possible that the White House will crumble, rendering itself impotent in negotiations going forward, and while it’s possible that the we’ll breach the debt ceiling, both possibilities seem less likely than Republicans agreeing to a deal that pairs revenue-generating tax reform with spending cuts.

#### Renewable energy legislation is unpopular

Cardwell 2012 [Diane Cardwell January 26, 2012 New York Times “Energy Tax Breaks Proposed, Despite Waning Support for Subsidies” http://www.nytimes.com/2012/01/27/business/energy-environment/clean-energy-projects-face-waning-subsidies.html?pagewanted=all]

But the lobbying by the wind and solar industries comes at a time when there is little enthusiasm for alternative-energy subsidies in Washington.Overall concerns about the deficit are making lawmakers more skeptical about any new tax breaks for business in general. And taxpayer losses of more than half a billion dollars on Solyndra, a bankrupt maker of solar modules that defaulted on a federal loan, has tarnished the image of renewable power in particular.

#### Obama PC is key - failure collapses the global economy

Maass 1-2 [Harold Maass 1-2-2013 The Week “The looming debt-ceiling fight: Worse than the fiscal cliff?” http://theweek.com/article/index/238312/the-looming-debt-ceiling-fight-worse-than-the-fiscal-cliff]

Since the agreement heading for Obama's desk doesn't raise the debt ceiling, which we've already hit, says Zachary A. Goldfarb at The Washington Post, it leaves "the Treasury to use what it calls 'extraordinary measures' as long as it can to pay the government's bills." When the bean counters run out of tricks, we could face a "catastrophic default" if Congress doesn't act fast.¶ In many ways, the threat of default in two months is a more serious risk than the Jan. 1 fiscal cliff deadline. If Congress does not increase the debt ceiling, the government will quickly run out of ways to pay the nation's bills and make interest payments on the nation’s outstanding debt. Any failure by the government to meet its financial obligations could be seen as a default, shaking world financial markets, given the special role that U.S. government bonds play in the global economy.¶ Obama is still smarting from the 2011 debt-ceiling dispute, says Neil Munro at The Daily Caller. In that fight, "the GOP eventually pressured him to accept spending curbs in exchange for an increase to the debt limit up to $16.4 trillion." Obama has been complaining about that defeat ever since, and he's vowing not to let it happen again. But the GOP-led House is adamant about using "its authority over the nation's debt ceiling to pressure Obama to shrink future spending."

#### Economic decline causes nuclear conflict

Mathew J. Burrows (counselor in the National Intelligence Council (NIC), PhD in European History from Cambridge University) and Jennifer Harris (a member of the NIC’s Long Range Analysis Unit) April 2009 “Revisiting the Future: Geopolitical Effects of the Financial Crisis” http://www.twq.com/09april/docs/09apr\_Burrows.pdf

Of course, the report encompasses more than economics and indeed believes the future is likely to be the result of a number of intersecting and interlocking forces. With so many possible permutations of outcomes, each with ample 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.

### capitalism

#### Production misdefines the problem – profit explains their impacts & guts solvency

Chien 74 Chang Chien, @ the Peking Review, “Behind the So-Called “Energy Crisis”, March 15th, 1974, http://www.marxists.org/subject/china/peking-review/1974/PR1974-11a.htm

THE major capitalist countries are going through a serious “energy crisis.” The oil supply shortage has caused production and living conditions to be affected by a “petroleum shock.” Prices are soaring in step with oil prices and stocks are falling in the face of bleak economic prospects. International political and economic relations also have been influenced by the “energy crisis.” The situation is being widely discussed. Some bourgeois newspapers and journals abroad blamed the “energy crisis” on an “exhaustion of energy resources” while others absurdly reproached the Arab people with using oil as a weapon. These assertions which evade the heart of the matter or shift the responsibility on to other people are simply designed to create confusion and mislead people. What is it really all about? The current “energy crisis” takes mainly the form of an insufficient supply of oil. While on the surface it may be a question of natural resources, in reality this is absolutely not so. The world’s energy resources, including those of the main capitalist countries, are plentiful. Furthermore, with the development of production and the steady rise of human knowledge, people are discovering and will continue to discover new sources of energy. In essence, the “energy crisis” gripping the capitalist world is a reflection of the crisis of the capitalist system, an outcome of the sharpening contradictions within the capitalist-imperialisi system, and a result of the monopoly capitalists’ ruthless exploitation and nefarious plunder of the people at home and abroad; today, it is also a direct result of unbridled foreign expansion and rivalry for world hegemony by the two superpowers, U.S. imperialism and Soviet revisionism. Under the capitalist system, “production of surplus-value is the absolute law of this mode of production” (Marx, Capital). The nature of the monopoly capitalist class is to seek fabulous monopoly profits. In exploiting energy resources, the capitalists do not consider the rational use of natural resources but only seek maximum profits. The decrease and increase of the various energy resources often depend on the amount of profit they give. Once the main source of energy, coal was known as the “food of industry.” Today, though there we still very rich deposits of coal, the industry in general has declined in the leading capitalist countries. Even in the United States, which has the biggest reserves, coal accounts for only one-fifth of its energy production. The reason is that as it is much more profitable to exploit oil than to mine coal, the capitalists have, therefore, preferred to set coal aside. Although, oil c also be extracted from oil shale and oil sand, they have not been exploited proprely, because the capitalists are not interested; they find that extracting oil from shale and sand is less profitable than direct oil exploitation and therefore cannot satisfy their ravenous appetites. Capitalism means waste. In the capitalist world, large quantities of petroleum are wasted because of anarchy in production and general wastefulness in life. A large amount of precious oil has been freely abandoned underground because indiscriminate drilling destroyed oil-bearing formations, or because pressures were lowered so much by drawing oil recklessly that it no longer could be made to flow out, etc. It is estimated that the present rate of oil recovery is only 35 per cent in the United States. In other words, for every ton of oil obtained, two tons are abandoned. As to lavish waste in consumption, this is even more shocking. Nowadays, electricity for non-productive use in the capitalist countries takes up one-third to one-half their total electric power output. The U.S. press admits that half the energy consumption in the United States is wasted. Wild arms expansion and war preparations by imperialism and social-imperialism and their wars of aggression are bottomless pits in consuming and squandering oil. This is the basic reason why the “energy crisis” has hit the so-called developed capitalist countries when the world’s energy resources have never been so rich and varied as they are today. As some Americans say, the blame lies not with Mother Nature but with Uncle Sam. Imperialism means aggression and plunder. In view of the economic and strategic importance of oil and also because it is more profitable to grab oil abroad than to exploit it at home, the monopoly capitalists often leave domestic oil unexploited and swarm to plunder the oil of the Third World countries. They have a special interest in the Middle East which has rich oil deposits and occupies an important strategic position politically and geographically. Two-thirds of the world’s proven oil reserves are in the Middle East. Cost of exploitation there is very low as the oil beds are fairly shallow, the rate of success in well drilling is high, output is big and labour is cheap. For example, in Kuwait the cost of extracting one ton of oil is only one-twentieth of that in the United States. Middle East oil has become a golden stream yielding fabulous profits for foreign monopoly capitalists. The Middle East has long been a centre of contention among the imperialist countries. Since World War II, the United States has replaced Britain as the biggest plunderer of Middle East oil resources. At present, U.S. monopoly capitalists control more than half the Middle East’s oil production. Direct U.S. private investments in Middle East oil amounted to 1,800 million dollars by the end of 1972 whereas U.S. profits from the investments was 2,400 million dollars that year alone. The profit rate was as high as 130 per cent, or 10 times the average for all overseas U.S. investments. The temporary and false prosperity of the imperialist countries in postwar years is built on the natural resources and the blood and sweat of the people of the Third World.

#### Extinction

Meszaros, prof Philosophy & Political Theory, 95

Istvan Meszaros, 1995, Professor at University of Sussex, England, “Beyond Capital: Toward a Theory of Transition”

With regard to its innermost determination the capital system is expansion oriented and accumulation-driven. Such a determination constitutes both a formerly unimaginable dynamism and a fateful deficiency. In this sense, as a system of social metabolic control capital is quite irresistible for as long as it can successfully extract and accumulate surplus-labour-whether in directly economic or in primarily political form- in the course of the given society’s expandoed reproduction. Once, however, this dynamic process of expansion and accumulation gets stuck (for whatever reason) the consequences must be quite devastating. For even under the ‘normality’ of relatively limited cyclic disturbances and blockages the destruction that goes with the ensuing socioeconomic and political crises can be enormous, as the annals of the twentieth century reveal it, including two world wars (not to mention numerous smaller conflagrations). It is therefore not too difficult to imagine the implications of a systemic, truly structural crisis; i.e. one that affects the global capital system not simply under one if its aspects-the financial/monetary one, for instance-but in all its fundamental dimensions, questioning its viability altogether as a social reproductive system. Under the conditions of capital's structural crisis its destructive constituents come to the fore with a vengeance, activating the spectre of total uncontrollability in a form that foreshadows self-destruction both for this unique social reproductive system itself and for humanity in general. As we shall see in Chapter 3, capital was near amenable to proper and durable control or rational self-restraint.

#### Reject on ethics

Zizek and Daly 2k4 (Slavoj and Glyn, Conversations with Zizek page 14-16)

For Zizek it is imperative that we cut through this Gordian knot of postmodern protocol and recognize that our ethico-political responsibility is to confront the constitutive violence of today’s global capitalism and its obscene naturalization / anonymization of the millions who are subjugated by it , neo-liberal ideology attempts to naturalize capitalism by presenting its outcomes of winning and losing as if they were simply a matter of chance and sound judgment in a neutral market place. Capitalism does indeed create a space for a certain diversity, at least for the central capitalist regions, but it is neither neutral nor ideal and its price in terms of social exclusion is exorbitant. That is to say, the human cost in terms of inherent global poverty and degraded ‘life-chances’ cannot be calculated within the existing economic rationale and, in consequence, social exclusion remains mystified and nameless (viz. the patronizing reference to the ‘developing world’).

#### Alt: withdraw completely from the ideology of capitalism

Johnston, interdisciplinary research fellow in psychoanalysis at Emory University, 2004 Adrian, Psychoanalysis, Culture & Society, December v9 i3 p259 page infotrac

Perhaps the absence of a detailed political roadmap in Zizek's recent writings isn't a major shortcoming. Maybe, at least for the time being, the most important task is simply the negativity of the critical struggle, the effort to cure an intellectual constipation resulting from capitalist ideology and thereby to truly open up the space for imagining authentic alternatives to the prevailing state of the situation. Another definition of materialism offered by Zizek is that it amounts to accepting the internal inherence of what fantasmatically appears as an external deadlock or hindrance (Zizek, 2001d, pp 22-23) (with fantasy itself being defined as the false externalization of something within the subject, namely, the illusory projection of an inner obstacle, Zizek, 2000a, p 16). From this perspective, seeing through ideological fantasies by learning how to think again outside the confines of current restrictions has, in and of itself, the potential to operate as a form of real revolutionary practice (rather than remaining merely an instance of negative/critical intellectual reflection). Why is this the case? Recalling the analysis of commodity fetishism, the social efficacy of money as the universal medium of exchange (and the entire political economy grounded upon it) ultimately relies upon nothing more than a kind of "magic," that is, the belief in money's social efficacy by those using it in the processes of exchange. Since the value of currency is, at bottom, reducible to the belief that it has the value attributed to it (and that everyone believes that everyone else believes this as well), derailing capitalism by destroying its essential financial substance is, in a certain respect, as easy as dissolving the mere belief in this substance's powers. The "external" obstacle of the capitalist system exists exclusively on the condition that subjects, whether consciously or unconsciously, "internally" believe in it--capitalism's life-blood, money, is simply a fetishistic crystallization of a belief in others' belief in the socio-performative force emanating from this same material. And yet, this point of capitalism's frail vulnerability is simultaneously the source of its enormous strength: its vampiric symbiosis with individual human desire, and the fact that the late-capitalist cynic's fetishism enables the disavowal of his/her de facto belief in capitalism, makes it highly unlikely that people can simply be persuaded to stop believing and start thinking (especially since, as Zizek claims, many of these people are convinced that they already have ceased believing

#### Alt solves the root cause; plan’s incrementalism gets rolled back

http://site.www.umb.edu/faculty/salzman\_g/Strategy/GettingFree/ A Sketch of An Association of Democratic, Autonomous Neighborhoods And How to Create It And Other Essays Plus An Annotated Bibliography in English for the Libertarian Left By Jared James 2002

10. Single-issue campaigns. We cannot destroy capitalism with single-issue campaigns. Yet the great bulk of the energies of radicals is spent on these campaigns. There are dozens of them: campaigns to preserve the forests, keep rent control, stop whaling, stop animal experiments, defend abortion rights, stop toxic dumping, stop the killing of baby seals, stop nuclear testing, stop smoking, stop pornography, stop drug testing, stop drugs, stop the war on drugs, stop police brutality, stop union busting, stop red-lining, stop the death penalty, stop racism, stop sexism, stop child abuse, stop the re-emerging slave trade, stop the bombing of Yugoslavia, stop the logging of redwoods, stop the spread of advertising, stop the patenting of genes, stop the trapping and killing of animals for furs, stop irradiated meat, stop genetically modified foods, stop human cloning, stop the death squads in Colombia, stop the World Bank and the World Trade Organization, stop the extermination of species, stop corporations from buying politicians, stop high stakes educational testing, stop the bovine growth hormone from being used on milk cows, stop micro radio from being banned, stop global warming, stop the militarization of space, stop the killing of the oceans, and on and on. What we are doing is spending our lives trying to fix up a system which generates evils far faster than we can ever eradicate them. Although some of these campaigns use direct action (e.g., spikes in the trees to stop the chain saws or Greenpeace boats in front of the whaling ships to block the harpoons), for the most part the campaigns are directed at passing legislation in Congress to correct the problem. Unfortunately, reforms that are won in one decade, after endless agitation, can be easily wiped off the books the following decade, after the protesters have gone home, or after a new administration comes to power. These struggles all have value and are needed. Could anyone think that the campaigns against global warming, or to free Leonard Peltier, or to aid the East Timorese ought to be abandoned? Single issue campaigns keep us aware of what's wrong, and sometimes even win. But in and of themselves, they cannot destroy capitalism, and thus cannot really fix things. It is utopian to believe that we can reform capitalism. Most of these evils can only be eradicated for good if we destroy capitalism itself and create a new civilization. We cannot afford to aim for anything less. Our very survival is at stake. There is one single-issue campaign I can wholehearted endorse: the total and permanent eradication of capitalism.

#### Reject the method of the 1AC

James Marsh, 1995 (Critique, Action, and Liberation, p. 333-335)

To the extent, therefore, that science and technology dominate in the twentieth century as not only the highest forms of reason but the only forms of reason, they shove other, more profound, more reflective, more fundamental forms of reason to the side and . In science and technology capitalism has found the forms of rationality most appropriate for itself, perfectly manifesting it, mirroring it, and justifying it. In such an absurd, inverted, topsy-turvy world, fidelity to the life of reason demands critique, resistance, and revolutionary transcendence. One has to pierce the veil of such a world, see through it as absurd rather than accepting it as normal and sane. The prevailing rationality is profoundly irrational.'2 A rationality, however, that confines itself to understanding the facts and accepting the facts as normal cannot pierce the veil. Indeed, piercing the veil becomes irrational according to such a definition of reason.

### self determination

#### Human life is inherently valuable.

Melinda Penner, 2005, Director of Operations – STR, Stand To Reason,“ End of Life Ethics: A Primer”, Stand to Reason, http://www.str.org/site/News2?page=NewsArticle&id=5223

Intrinsic value is very different. Things with intrinsic value are valued for their own sake. They don’t have to achieve any other goal to be valuable. They are goods in themselves. Beauty, pleasure, and virtue are likely examples. Family and friendship are examples. Something that’s intrinsically valuable might also be instrumentally valuable, but even if it loses its instrumental value, its intrinsic value remains. Intrinsic value is what people mean when they use the phrase "the sanctity of life." Now when someone argues that someone doesn’t have "quality of life" they are arguing that life is only valuable as long as it obtains something else with quality, and when it can’t accomplish this, it’s not worth anything anymore. It's only instrumentally valuable. The problem with this view is that it is entirely subjective and changeable with regards to what might give value to life. Value becomes a completely personal matter, and, as we all know, our personal interests change over time. There is no grounding for objective human value and human rights if it’s not intrinsic value. Our legal system is built on the notion that humans have intrinsic value. The Declaration of Independence: "We hold these truths to be self-evident, that all men are created equal, that each person is endowed by his Creator with certain unalienable rights...." If human beings only have instrumental value, then slavery can be justified because there is nothing objectively valuable that requires our respect. There is nothing other than intrinsic value that can ground the unalienable equal rights we recognize because there is nothing about all human beings that is universal and equal. Intrinsic human value is what binds our social contract of rights. So if human life is intrinsically valuable, then it remains valuable even when our capacities are limited. Human life is valuable even with tremendous limitations. Human life remains valuable because its value is not derived from being able to talk, or walk, or feed yourself, or even reason at a certain level. Human beings don’t have value only in virtue of states of being (e.g., happiness) they can experience. The "quality of life" view is a poison pill because once we swallow it, we’re led down a logical slippery slope. The exact same principle can be used to take the life of human beings in all kinds of limited conditions because I wouldn't want to live that way. Would you want to live the life of a baby with Down’s Syndrome? No? Then kill her. Would you want to live the life of an infant with cerebral palsy? No? Then kill him. Would you want to live the life of a baby born with a cleft lip? No? Then kill her. (In fact, they did.) Once we accept this principle, it justifies killing every infant born with a condition that we deem a life we don’t want to live. There’s no reason not to kill every handicapped person who can’t speak for himself — because I wouldn’t want to live that way. This, in fact, is what has happened in Holland with the Groningen Protocol. Dutch doctors euthanize severely ill newborns and their society has accepted it.

#### Ignoring the question of action because of ontology causes lack of action.

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

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

#### Existence is a prerequisite to ontological questioning.

Paul Wapner, Winter 2003, assoc. prof. and dir. of the Global Environmental Policy Program @ American Univ., “Leftist criticism of,” <http://www.dissentmagazine.org/article/?article=539>

THE THIRD response to eco-criticism would require critics to acknowledge the ways in which they themselves silence nature and then to respect the sheer otherness of the nonhuman world. Postmodernism prides itself on criticizing the urge toward mastery that characterizes modernity. But isn't mastery exactly what postmodernism is exerting as it captures the nonhuman world within its own conceptual domain? Doesn't postmodern cultural criticism deepen the modernist urge toward mastery by eliminating the ontological weight of the nonhuman world? What else could it mean to assert that there is no such thing as nature? I have already suggested the postmodernist response: yes, recognizing the social construction of "nature" does deny the self-expression of the nonhuman world, but how would we know what such self-expression means? Indeed, nature doesn't speak; rather, some person always speaks on nature's behalf, and whatever that person says is, as we all know, a social construction. All attempts to listen to nature are social constructions-except one. Even the most radical postmodernist must acknowledge the distinction between physical existence and non-existence. As I have said, postmodernists accept that there is a physical substratum to the phenomenal world even if they argue about the different meanings we ascribe to it. This acknowledgment of physical existence is crucial. We can't ascribe meaning to that which doesn't appear. What doesn't exist can manifest no character. Put differently, yes, the postmodernist should rightly worry about interpreting nature's expressions. And all of us should be wary of those who claim to speak on nature's behalf (including environmentalists who do that). But we need not doubt the simple idea that a prerequisite of expression is existence. This in turn suggests that preserving the nonhuman world-in all its diverse embodiments-must be seen by eco-critics as a fundamental good. Eco-critics must be supporters, in some fashion, of environmental preservation.

#### How we know something doesn’t influence material reality.

Alexander Wendt, 2000, Professor of International Security and PolSci, Ohio State, On the Via Media, Review of International Studies 26

In the book I argue that, compared to ontology-talk, the value of epistemology talk for a discipline like IR is considerably less than something as imposing as the third ‘Great Debate’ might suggest. What matters more is what there is, not how we can know it, since we clearly do know things, and the ‘how’ of this knowledge will necessarily vary with the many different kinds of questions we ask in our field, and the varied tools at our disposal for answering them.

#### Overemphasis on method destroys effectiveness of the discipline.

Alexander Wendt, 2002, Professor of International Security and PolSci, Ohio State, Handbook of IR, p. 68

It should be stressed that in advocating a pragmatic view we are not endorsing method-driven social science. Too much research in international relations chooses problems or things to be explained with a view to whether the analysis will provide support for one or another methodological ‘ism’. But the point of IR scholarship should be to answer questions about international politics that are of great normative concern, not to validate methods. Methods are means, not ends in themselves. As a matter of personal scholarly choice it may be reasonable to stick with one method and see how far it takes us. But since we do not know how far that is, if the goal of the discipline is insight into world politics then it makes little sense to rule out one or the other approach on a priori grounds. In that case a method indeed becomes a tacit ontology, which may lead to neglect of whatever problems it is poorly suited to address. Being conscious about these choices is why it is important to distinguish between the ontological, empirical and pragmatic levels of the rationalist-constructivist debate. We favor the pragmatic approach on heuristic grounds, but we certainly believe a conversation should continue on all three levels.

#### The AFF’s emphasis on self-determination assigns blame to Native peoples, eradicates Native language, culture, and politics, and is co-opted – self-domination is better

Joshua Fershee, Associate, Davis Polk & Wardwell, New York, NY. J.D. 2003, Tulane Law School; B.A. 1995, Michigan State University. Editor in Chief, Tulane Law Review, Volume 77 (2002-03), Associate Dean for Academic Affairs and Research Associate Professor of Law , at University of North Dakota, “FROM SELF-DETERMINATION TO SELFDOMINATION: NATIVE AMERICANS, WESTERN CULTURE, AND THE PROMISE OF CONSTITUTIONAL-BASED REFORM,” VALPARAISO UNIVERSITY LAW REVIEW, VOL. 39, Number 1, Fall 2004, <http://scholar.valpo.edu/cgi/viewcontent.cgi?article=1231&context=vulr>, accessed 10-13-2012.

The “Indian Problem” or “Aboriginal Problem” is a deeply ingrained part of American culture. 1 It is worth noting what should be obvious: “Indian Problem” is itself a loaded phrase. Written from a Canadian perspective, this reality is aptly explained as follows: Identifying [the problem] as an Aboriginal problem ¶ inevitably places the onus on Aboriginal people to desist ¶ from “troublesome behaviour.” It is an assimilationist ¶ approach, the kind that has been attempted repeatedly ¶ in the past, seeking to eradicate Aboriginal language, ¶ culture and political institutions from the face of Canada ¶ and to absorb Aboriginal people into the body politic—so that there are no discernible Aboriginal people and ¶ thus, no Aboriginal problem.¶ 2¶ ¶ It appears that the problem is such a part of our culture that we are ¶ as reluctant as we are unable to see it solved. The U.S. government recognized that there was a problem from the earliest moments of the country’s founding. The issue continued through the Civil War, where Native Americans were recognized as requiring specific delineation in the drafting of the Fourteenth Amendment. 3 Additionally, since 1824, the United States has had an agency dedicated specifically to dealing with Native American issues—the Bureau of Indian Affairs (“BIA”). Furthermore, Native Americans are owed millions of dollars, but the money sits, somewhere, doing nothing to promote the welfare of its rightful owners. Native Americans today continue to be among the poorest, most unhealthy, and least educated people in the United States. 4 They are probably the least respected as well. Despite repeated pleas for change, Native Americans still see ¶ purported names, symbols, and images of their cultures co-opted for the ¶ profit and exploitation of the white majority.¶ 5 Chief Wahoo, 6 the Washington Redskins, and the Jeep Grand Cherokee provide just a few examples. The American public has seen fit to provide little, if any, disincentive to cease the exploitation of Native Americans. By comparison, consider the same issues as they relate to AfricanAmericans. Race issues continue to be a major problem in the United States, but significant strides have been made in the past forty years. It is easy for some to forget that less than four decades ago it was legal to refuse public accommodations to a person because of his skin color. 7 Before the Civil Rights Act of 1964, it was legal, and common practice, to restrict access to restaurants, jobs, and medical care. 8 This progress does not indicate the completion of the task, but merely a step in the right direction. “Equality” is still far from the norm, but real changes have been made for minorities in the United States, especially AfricanAmericans. These changes have not just been legal, but also cultural. As it should be, it is no longer acceptable (and there are consequences) for a professional sports executive to say publicly that African-Americans are not Major League managers because they are inherently unable to do the job. 9 Implying that things would have been better in America had a racist regime taken control of the White House cost a U.S. Senator his job as Senate Majority Leader. 10 And “putting on blackface,” once a common practice for actors and comedians, 11 is almost completely taboo, even, apparently, with the blessing of an AfricanAmerican. 12 But when Native Americans request a change,¶ 13¶ there is little public outcry. Chief Wahoo is probably the most racist caricature ¶ still used as a major promotional image. The functional equivalent to “Sambo” for African-Americans, the image is still often claimed somehow to honor Indians. 14 The Washington Redskins continue to be called the Redskins, though it is painfully obvious how absurd and offensive a similar team called the “Darkies” or the “Blackskins” would be. 15 The most distressing part of all of this is that many people seem to ¶ understand that these things are offensive, yet their use continues. 16 In seeking to address the legal and cultural issues facing Native Americans, there are several sources from which to draw potential solutions. There is much to be learned from the experiences of other countries that have dealt with, and are dealing with, similar issues. This Article will consider three separate experiences and attempt to synthesize their teachings for application in the United States. The second Part of the Article will provide a synopsis of the problems and issues facing Native Americans. 17 Part III of this Article will consider Canada, which has already made some reforms and policy shifts with respect to indigenous peoples. 18 This Part will provide an overview of the recommendations of Canada’s Royal Commission on Aboriginal People. 19 More specifically, it will review six “conditions for successful constitutional reform” and will argue that these conditions apply equally to any similar U.S. initiative. 20 Part IV of the Article will look to Scotland, which recently made reforms to deal with historical multiethnic governance problems. 21 Though not specifically dealing with indigenous peoples, the Scottish experience provides some interesting options for consideration. Australia will be the focus of Part V; Australia has been considering a redrafting of its constitution for some time. 22 One of the major issues, though, has been how to address ¶ the rights of and obligations to the aboriginal tribes. Finally, Part VI will attempt to combine that which has been learned from past U.S. policies with the experiences of Canada, Scotland, and Australia to propose a change in the legal landscape as it applies to Native Americans. 23 Such a change will require a change in the collective legislative and judicial mindset. To have even a chance to resolve some of the current issues ¶ facing Native Americans, proposed solutions should be based on a ¶ concept of self-domination, instead of self-determination. Selfdomination is a concept designed to override and move beyond the SelfDetermination Era, an era that has failed in its most fundamental, if wellmeaning, goals.

#### View their scholarly evidence with skepticism – overlooks Native beliefs about principles like self-determination – their authors have not come to grips with their academic limitations

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Native American legal history is often divided into “eras,” which ¶ underscore the government’s Indian policy of the time. The primary ¶ eras are the Removal Era, the Reservation Era, the Allotment and ¶ Assimilation Era, the Reorganization Era, the Termination Era, and the Self-Determination Era.¶ 25 Traditional scholars of Indian Law often analyze these eras as “good” or “bad” periods when describing the evolution of Native American legal rights. 26 Professor Robert A. Williams, Jr., argues that this view of Native American legal history is ¶ lacking because “there are never any Indians in the story of Indian rights ¶ [that] traditional scholars tell.”¶ 27 Professor Williams calls this “the White ¶ Man’s Indian Law,” which he says is problematic because it teaches that ¶ Indian struggles that ultimately led to United States Supreme Court ¶ decisions or congressional legislation were fought only by non-Indians. 28 He is undoubtedly correct when looking at the historical implications of how Indian Law has evolved. However, the traditional scholarly view of Indian Law still provides a helpful starting point from which to analyze the issues facing Native Americans today because the problem was largely created by the white majority and, at least to some degree, must be solved within the framework still controlled by the same.

#### The self-determination tactic has failed since 1961 – too many alt causes, self-determination cannot be associated with government action

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The current era, Self-Determination, has been in place since 1961. 46 The concept behind self-determination has been described as comprising a collection of norms that “include rights to cultural integrity, use of lands and natural resources, social welfare and development, selfgovernment, and freedom from discrimination.” 47 While this era is more ¶ “pro-Indian” than others, especially the Termination or Relocation Eras, ¶ case law and government practices indicate limited movement toward ¶ any true policy of self-determination. In fact, “[t]he Supreme Court has ¶ become more hostile to Native American interests in its resolution of ¶ issues of tribal self-determination, highlighting the dearth of secure ¶ footholds in judicial doctrine for Native American law.” 48 The current judicial doctrines that courts apply in cases where tribal sovereignty is at issue do not take the Native American perspective into account. 49 Indicative of policy failures in this area is the current state of affairs related to the individual Indian money trust accounts (“IIM trust” or “trust”). The U.S. government, through the BIA, owes Native Americans ¶ millions of dollars that it is holding as the guardian of the trust.¶ 50¶ The ¶ trust has been managed so poorly that millions of dollars are missing. 51 To force a better accounting, a number of Native Americans filed class action lawsuits against the United States. 52 The failures of the U.S. government have been shown throughout these cases. The government has proven completely ineffective even under the watch of the courts. Secretary of the Interior Bruce Babbitt was even held in contempt for his role in the continued inadequacy. 53 These repeated failures make clear ¶ the need for a new plan and a new way of thinking if Native Americans ¶ are to have the tools to reverse the centuries-long cycle of poverty and ¶ despair.

#### Even if they win the act of being self-determined is good, the language of determination dooms the concept to failure

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In order to move forward, the time is right for a new approach to ¶ Native American policy, using new, if largely symbolic, language that ¶ embodies this policy shift and the dawn of a new era. The new era ¶ would be called Self-Domination to highlight the need for Native ¶ Americans to control their future. Domination, defined as the “exercise of preponderant, governing, or controlling influence,”142is more ¶ appropriate than “determination” in describing what should be the ¶ policy goals of the courts and legislatures. In many ways, any “new era” would be a largely semantic change, at least short of any new legislation or constitutional amendment. But often a change in language can be a ¶ precursor to new legislation and judicial doctrines that will lead to real ¶ change for those affected. At this point, it may be that a change in ¶ language is the first realistic step in the process of improving the ¶ autonomy of Native Americans.

#### The self-determination era has continuously failed and congressional changes cannot overcome judiciary hurdles

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Furthermore, a new era is necessary because of the gross ¶ ineffectiveness of the Self-Determination Era. This ineffectiveness, ¶ coupled with neglect and mismanagement by the government, is largely ¶ tied to a lack of sufficient Native American control over Native American affairs.¶ 143¶ Current policy gives Native Americans insufficient ¶ control, effectively limiting their ability to find lasting solutions. B. Judicial Doctrine Next, current judicial doctrine can promote a judicial change in ¶ attitude toward Native Americans. This change in attitude should lead ¶ the courts to revisit some of the definitions and descriptions from cases ¶ in which decisions were made on highly biased and dubious grounds. For instance, Congress’s plenary power has been reduced somewhat ¶ over time¶ 144 through the courts’ application of the trust doctrine. 145 At times, the trust doctrine has led to interpretations of treaties and statutes in ways favorable to Native Americans. 146 “However, the modern Court relies less on the canons [of construction] and sometimes interprets old statutes and treaties according to perceptions of contemporaneous (and racist) government officials.” 147 Furthermore, interpretations of old treaties and statutes using “contemporaneous views” invariably mean the views of the white-male majority of the time period, not of all the parties involved. 148 For Native Americans, treaties were sacred, fulfilling “a divine command for all the peoples of the world to unite as one.” 149 For the “Indians of the Classical Era,” treaties were often about life and death, and they regarded treaties as such. The goals of these Native Americans included the following: ensuring a “lasting peace after the shedding of blood, quelling the desire for revenge, being assured that a military ally would respond quickly to a call for help,” and finding trustworthy trading partners. 150 If courts are going to use the views of the original era to interpret old treaties, the entire picture must be considered. Treaties are inherently two party documents; to look only at the judges or the generals or the Congress of the time leaves half of the story untold. Native Americans deserve the benefit of their bargain.

## 2NC

### reg-neg CP

#### Regulatory negotiations access all of these impacts better because they are a bottom-up approach:

CNA, Center for Negotiation Analysis, not-for-profit research institute established in 1993 devoted to studying, training, and providingg practical advisory support concerning negotiations, mediation, and other forms of conflict resolution at the national, regional and international levels, “Regulatory Negotiations,” February 1, 2004, <http://www.negotiations.org/reg-neg1.htm>, accessed 9-12-2012.

The traditional process of regulatory development is typically top-down. Government initiates, formulates and proposes the rules. In centralized or closed systems, regulations are imposed; in more open systems, businesses, groups or individuals may comment on the proposals in public hearings, but with little possibility of making major structural and functional modifications to the regulations. This process, while well-intentioned, often leaves stakeholders feeling far removed from the process and disempowered. They may feel that they have minimal voice in designing the regulations, standards and provisions that must be obeyed, and, as a result, compliance may be low and enforcement costs high -- a double-edged sword. Stakeholder reactions to top-down regulatory development can have negative implications. If penalties are increased to discourage noncompliance, businesses may migrate into a "shadow economy," thereby fueling corruption, reducing tax revenues and evading the regulatory regime altogether. In some societies, lengthy and costly litigation in the courts is sometimes pursued by civil society groups to modify or eliminate imposed regulations. Antagonistic and adversarial relations between regulatory agencies and the regulated parties may ensue, resulting in delay or outright disregard for the regulation’s intent. The lack of effective and frank dialogue between the regulators and the regulated is usually blamed for these negative consequences. There is an alternative approach to the traditional process of regulatory formulation and implementation – negotiated rulemaking or regulatory negotiation (reg-neg). Negotiated rulemaking brings together affected stakeholder groups -- businesses, organizations, and citizens -- with the relevant government agency and a neutral mediator or facilitator to build a consensus on the features of a new regulation before it is proposed officially by the agency. Regulatory provisions are developed as a bottom-up participatory process of negotiation. Negotiated rulemaking is a fully collaborative process, in which all interested groups are convened in an "Advisory Committee." Key issues and concerns are identified, the interests of all sides are compared and contrasted, negotiations take place, and hopefully, agreements based on consensus are developed. In the United States, negotiated rulemaking became an officially recommended approach to develop new regulations by federal government agencies in 1990 when the Negotiated Rulemaking Act (5 U.S.C. 561-570) was passed by Congress. A September 1993 Executive Order from the White House requires all federal agencies to consider applying negotiated rulemaking strategies in future regulatory actions. However, the approach has been used informally by government agencies since the 1970s. The Department of Labor, the Environmental Protection Agency (EPA), and the Department of the Interior, are its principal proponents. By far, the EPA has been the most frequent user of negotiated rulemaking. Over 50 federal negotiated rulemaking cases have been documented between 1982 and 1995; many more applications have been conducted in the United States at the state level . Examples of environmental regulations developed using negotiated rulemaking in the United States include: Penalties for businesses for noncompliance with the Clean Air Act Exceptions for licensing pesticides Performance standards for wood burning stoves Controls on volatile organic chemical equipment leaks Standards for transporting hazardous wastes Standards for chemicals used in manufacturing wood furniture. The experience with negotiated rulemaking in the United States has produced several benefits: While negotiated rulemaking takes more time and effort upfront than traditional modes of developing regulations, all the stakeholders, including government agencies, are more satisfied with the results. Participants find that with a negotiated process, the resulting regulations tend not to be challenged in court. (In contrast, about 80 percent of all EPA regulations have been challenged in court and about 30 percent have been changed as a result.) Less time, money and effort are expended on enforcing the regulations. Final regulations are technically more accurate and clear to everyone. Final regulations can be implemented earlier and with a higher compliance rate.¶ More cooperative relationships are established between the agency and the regulated parties.

#### Faster, more creative, better for the environment – cooperation

EPA, “Policy on Alternative Dispute Resolution,” Federal Register, December 18, 2000, <http://www.pubklaw.com/hi/65fr81858.html>, accessed 9-10-2012.

The U.S. Environmental Protection Agency (EPA or the Agency) strongly supports the use of alternative dispute resolution (ADR) to deal with disputes and potential conflicts. ADR refers to voluntary ¶ techniques for preventing and resolving conflict with the help of ¶ neutral third parties. Experience within this Agency and elsewhere shows that ADR techniques for preventing and resolving conflicts can ¶ have many benefits including:¶ Faster resolution of issues;¶ More creative, satisfying and enduring solutions;¶ Reduced transaction costs;¶ Fostering a culture of respect and trust among EPA, its ¶ stakeholders, and its employees;¶ Improved working relationships; [[Page 81859]]¶ Increased likelihood of compliance with environmental laws ¶ and regulation;¶ Broader stakeholder support for agency programs; and¶ Better environmental outcomes.¶ ADR techniques can be effective in both internal Agency disagreements and external conflicts. ADR allows the Agency to have a more productive work environment and to work better with State, Tribal, and local governments, the regulated community, environmental and public health organizations, and the public. This policy is intended to ¶ be flexible enough to respond to the full range of disputes EPA faces, ¶ and to achieve these objectives: Promote understanding of ADR techniques; Encourage routine consideration of ADR approaches to anticipate, prevent, and resolve disputes; Increase the use of ADR in EPA business; Highlight the importance of addressing confidentiality concerns in ADR processes; Promote systematic evaluation and reporting on ADR at EPA; and Further the Agency's overall mission through ADR program development. What does EPA mean by the term ``ADR'? EPA adopts the definition of ADR in the Administrative Dispute Resolution Act of 1996 (ADRA): ``any procedure that is used to resolve issues in controversy, including but not limited to, conciliation, facilitation, mediation, fact finding, minitrials, arbitration, and use of ombuds, or any combination thereof.'' 5 U.S.C. 571(3). All these techniques involve a neutral third party. Depending on the circumstances of a particular dispute, neutrals may be Agency employees or may come from outside EPA. Typically, all aspects of ADR are voluntary, including the decision to participate, the type of process used, and the content of any final agreement. In what types of situations does EPA encourage the use of ADR? EPA encourages the use of ADR techniques to prevent and resolve ¶ disputes with external parties in many contexts, including ¶ adjudications, rulemaking, policy development, administrative and civil ¶ judicial enforcement actions, permit issuance, protests of contract ¶ awards, administration of contracts and grants, stakeholder ¶ involvement, negotiations, and litigation. In addition, EPA encourages the use of ADR techniques to prevent and resolve internal disputes such as workplace grievances and equal employment opportunity complaints, and to improve labor-management partnerships. While ADR may be appropriate in any of these contexts, the decision to use an ADR technique in a particular matter must reflect an assessment of the specific parties, issues, and other factors. Considerations relevant to the appropriateness of ADR for any particular matter include, at a minimum, the guidelines in section 572 of the ADRA and any applicable Agency guidance on particular ADR techniques or ADR use in specific types of disputes. ADR program staff at EPA headquarters and in the Regions can help the parties assess whether and which form of ADR should be used in a particular matter.

#### Better policy – information sharing

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Negotiation should hardly be viewed as a panacea for the various difficulties that typically confront the policymaker. Used in the right context, however, negotiation can be a useful tool in the establishment, implementation, and enforcement of environmental and occupational safety and health policy. Negotiation can facilitate a better understanding of issues, concerns, facts, and positions among adversaries. It can also promote the sharing of relevant information, and can provide an opportunity for creative problem-solving. Whether negotiation will be better than other, generally more adversarial mechanisms as a means of fostering improved environmental, health, and safety outcomes, or of stimulating meaningful technological change, will depend on the situation in which it is used. In general, negotiation would appear to work best a means of securing these goals in situations in which the necessary regulatory signals for improvement and innovation are already in place. This is one of the reasons that EPA's use of negotiated compliance, as embodied in its SEP policy, has been as successful as it has been. To the firm that is the target of the enforcement action, the "stakes" are clear: so long as it believes it faces higher costs (in the form of a larger fine and/or higher transaction costs) if it does not identify and execute a SEP that is acceptable to EPA, the firm has a meaningful incentive to participate in good faith in the SEP process. And, because the agency has structured the program to allow maximum credit for pollution prevention projects, pollution prevention can become the focus, and the goal, of the negotiations. The pollution prevention results of the SEP program have been relatively modest - mostly diffusion and, sometimes, incremental innovation - but this is in keeping with the relatively modest nature of the financial incentives typically involved, and with the relatively short time period within which the SEP typically must be identified and completed. Especially because negotiation is the traditional means of resolving enforcement disputes, even outside of the SEP process, negotiation appears to work well here. One would also expect negotiation to work well in those negotiated implementation situations that have a clear, formal focus on technological change, such as the innovation waiver opportunities created by certain environmental statutes. The chief signal to innovate - the new regulatory standard - is already in place (or clearly on the horizon) before negotiation over the waiver or variance begins, and the statutes typically provide an extended period of time for the firm to develop and test the proposed innovation. Thus, so long as the new standard is stringent enough to command the firm's attention, firms should have a meaningful incentive to negotiate time to pursue an innovative compliance alternative.

#### Reg neg empowers communities to make decisions

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EPCRA and other Federal programs and laws aid the ﬁght for environmental justice. EPCRA allows for a more equal playing ﬁeld through equal access to information about toxic releases and company storage of hazardous materials. Also, Title VI, as well as President Clinton's Executive Order on environmental justice are helping communities speak for themselves. Allowing communities access to information makes their ability to effectively participate in meetings and¶ negotiations a reality.¶ Effective public participation is an asset to a project because both the community and the facility build trust, and both¶ sides feel that they beneﬁt from the project. In agency proceedings, public participation is necessary for the agency to get a full grasp of the community ideals and interests of community groups as to effectively discuss options on potential sites, potential clean--up, and redevelopment activities. n188 Public participation is an essential element to resolving¶ environmental justice disputes in the future. "The engine that drives environmental justice is empowered communities, not enlightened ofﬁcials." n189 An essential aspect of public participation is that communities view their participation as meaningful and making a difference. n190 If communities do not view their comments as meaningful, citizens will resist even the most worthwhile project for¶ the community. n191 Community impact statements, community working groups, local ordinances, and good neighbor agreements can enhance public participation, as well as provide an assurance that groups will reﬂect the communities they are representing. The use of public participation by communities of color and low income communities can improve by¶ implementing some of these new methods and continuing to provide the advantages of current legislation and processes.

#### This turns the AFF…ignoring the personal role in these legislative changes creates a new kind of colonialism in which human awareness is controlled by what the government thinks is important

Peter Hershock (East-West Center) 1999 “Changing the way society changes”, Journal of Buddhist Ethics, 6, 154

I have argued at some length (Hershock, 1999) that evaluating technologies on the basis of the tools they generate commits us to taking individual users and not the dramatic patterns of our lived interdependence as the primary locus of evaluation. In doing so, we effectively exclude from consideration precisely that domain in which the values informing our technological bias have the most direct bearing on the quality of our personal and communal conduct -- the movement of our shared narration. This has led to a stubborn and at times even righteous blindness regarding our slippage into a new era of colonization -- a colonization, not of lands or cultural spheres, but of consciousness as such. Indeed, the disposition to ignore the critical space of interdependence has been so thoroughly prevalent that the conditions of possibility for this new form of colonialism are widely championed -- in both the "developed" and the "developing" world -- as essential to establishing and safeguarding our individual and collective dignity, a crucial component of our growing equality and autonomy. By using the same information technologies employed by those individuals and institutions perpetrating and perpetuating the inequitable distribution of power and wealth, social activists may have enjoyed the opportunity to "beat them at their own game." However, they have also insured that everyone remains on the same playing field, playing the same game. Social activist successes have in this way blinded us to our deepening submission to technologies of control and the consequent depletion of precisely those attentive resources needed to meaningfully accord with our changing circumstances and contribute to them as needed. The costs of such blindness are practically limitless. The more "successful" a technology is, the more indispensable it becomes. That is, all technologies are liable to crossing thresholds beyond which they generate more new problems than they solve. Because technologies arise as patterns of value-driven conduct, they function as ambient amplifiers of our individual and cultural karma -- our experience-conditioning, intentional activity. In crossing the threshold of their utility, technologies create the karmic equivalent of a gravitational black hole, funneling all available attention-energy into themselves. For the dominant technological lineage correlated with the rise of liberal democracy and the imperative for social activism, this has meant an intensification of our karma for both controlling and being controlled. The more successfully we extend the limits of control, the more we extend the range of what can and must be controlled. In capsule form: the better we get at getting what we want, the better we get at wanting; but the better we get at wanting, the better we get at getting what we want, though we won't want what we get. This karmic circularity is pernicious, and the attention-energy invested in it to date has already brought about an epidemic depletion of precisely those resources needed for realizing dramatically satisfying -- and not merely factually sufficient -- solutions to our troubles, both personal and communal. The methodological irony of social activism is that it does not free us from dependence, but rather sustains its very possibility

. This is not as paradoxical as it might sound. Insuring our independence by means of restructuring the institutions that mediate our contact with one another renders us dependent on those institutions -- on the structure, and hence the technologies, of our mediation. In consequence, our freedom comes to be increasingly dependent on the rationalization and regulation of our relationships with one another -- the realization of secure and yet generic co-existence. Just as the technology-driven transformation of societies in the industrial and post-industrial eras has involved an ever more detailed refinement of class divisions and labor categories, social activism advances through an ever more varied identification of populations in need of guaranteed freedoms. In valorizing both autonomy and equality, social activism denies our dramatic interdependence and tacitly endorses not-seeing (avidyĀ) or not-attending to the full set of conditions sponsoring our present situation. Although unique and deeply local patterns of injustice may be important in building a legal case, the work of social activism is not to encourage our liberating intimacy with such patterns. Rather, it consists of constructing legal mechanisms for exerting reformative control over institutional structures and the processes by means of which (generically) given individuals play or are forced to play particular roles therein. Unfortunately, as generic 'women', 'children', 'workers', or 'minorities', the beneficiaries of social activism are effectively cut off from precisely those aspects of their circumstances, relationships, and self-understanding which provide them with the resources necessary for locally realizing meaningful -- and not merely factual -- alternatives to the patterns of injustice in which they find themselves embedded. Among the products of social activism are thus virtual communities

of individuals having no immediate and dramatically responsive relationship with one another -- individuals who have relinquished or been deprived of intimate connection with the causes and conditions of both their troubles and those troubles' meaningful resolution. With no intended disregard of the passion many activists bring to their work, social activism has aimed at globally re-engineering our political, economic and societal environments in much the same way that our dominant technological lineage has been committed to re-making our world -- progressively

"humanizing" and "rationalizing" the abundantly capricious natural circumstances into which we human beings have found ourselves "thrown." This shared strategic genealogy is particularly disturbing, suggesting that -- like all technologies oriented toward control -- social activism is liable to rendering itself indispensable. If the history of social activism is inseparable from the rise and spread of influential technologies and subject to similar accelerating and retarding conditions, so is its future. Social Activist Strategy: Legally Leveraging Institutional Change While it has become common practice to decry the excessive legalism of contemporary societies, the ramifications of strategic collusion between social activism and the way we have technically and legally tooled our factual co-existence have remained largely unattended. In part, this is because the legal bias of social activism has appeared so incontestably "practical." Legislation allows for directly restructuring power relations and negotiating justice at the "highest" possible levels. The legislative process has also become the dominant technology for mediating divergent claims about the facts of our (often troubled) co-existence and for preserving "fair" definitions of 'being right' and 'being wronged'.

#### It is this displacement of our personal ethical commitments that allows for genocidal violence to take place. The allowance of political institutions to determine what is and is not ethical action or is the root of all atrocities

Zupancic Ethics of the Real: Kant and Lacan, March 2000, p. 96-7

“Another problem still remains, however: the question of the possibility of (performing) an ethical act. Is it at all possible for a human subject to accomplish an (ethical) act - or, more precisely, is it possible that something like an Act actually occurs in (empirical) reality? Or does it exists only in a series of failures which only some supreme Being can see as a whole, as an Act? If we are to break. out of the `logic of fantasy', framed by the postulates of immortality and God (the point of view of the Supreme Being), we have to assert that Acts do in fact occur in reality. In other words, we have to `attack' Kant on his exclusion of the `highest good' and the `highest (or diabolical) evil' as impossible for human agents. But does this not mean that we thereby give in to another fantasy, and simply substitute one fantasy for another? Would this kind of claim not imply that we have to `phenomenalize' the Law, abolish the internal division or alienation of human will, and assert the existence of devilish and/or angelic beings? This point was in fact made by Joan Copjec,16 who defends Kant against critics who reproach him for - as she puts it - `lack of intellectual nerve,' for not having enough courage to admit the possibility of diabolical evil. The attempt to think diabolical evil (as a real possibility) turns out, according to this argument, to be another attempt to deny the will's self-alienation, and to make of the will a pure, positive force. This amounts to a voluntarist reading of Kant's philosophy, combined with the romantic notion of the possibility of a refusal of the Law. We do not contest the validity of this argument per se. But the problem is that it leaves us with an image of Kantian ethics which is not very far from what we might call an `ethics of tragic resignation': a man is only a man; he is finite, divided in himself - and therein lies his uniqueness, his tragic glory. A man is not God, and he should not try to act like God, because if he does, he will inevitably cause evil. The problem with this stance is that it fails to recognize the real source of evil (in the common sense of the word). Let us take the example which is most frequently used, the Holocaust: what made it possible for the Nazis to torture and kill millions of Jews was not simply that they thought they were gods, and could therefore decide who would live and who would die, but the fact that they saw themselves as instruments of God (or some other Idea), who had already decided who could live and who must die. Indeed, what is most dangerous is not an insignificant bureaucrat who thinks he is God but, rather, the God who pretends to be an insignificant bureaucrat. One could even say that, for the subject, the most difficult thing is to accept that, in a certain sense, she is `God', that she has a choice. Hence the right answer to the religious promise of immortality is not the pathos of the finite; the basis of ethics cannot be an imperative which commands us to endorse our finitude and renounce our `higher', `impossible' aspirations but, rather, an imperative which invites us to recognize as our own the `infinite' which can occur as something that is `essentially a by-product' of our actions.

#### Process focus is good for policy making – guarantees support

Philip J. Harter, professor of law at University of Missouri, “Collaboration: The Future of Governance,” Journal of Dispute Resolution, 2009, Lexis.

So much of the discussion of collaborative governance is at a high level of abstraction or philosophy. Before one can be serious about it, however, one needs to understand or at least examine a bit of plumbing: the details are important. Ironically, even those who are ardent supporters of collaboration often overlook the essential details. n41 But, as was urged early on, some important fixed points-nodes in the system-need to be addressed. Thus, before we can fully appreciate collaborative governance, we need to examine a bit of just how it is done. Federal agencies are authorized to use alternative means of dispute resolution to resolve issues in controversy that relate to an administrative program. n42 The Negotiated Rulemaking Act (Act) makes this general authority explicit with respect to developing regulations via consensus among the interests that would be significantly affected by the rule. n43 The Act then sets out the procedures to be followed in negotiating a consensus on a proposed rule. n44 While the Act only addresses negotiating rules, n45 the same process can be used to develop other forms of policy. What follows is an elaboration on that process. A. Purpose In a negotiated rulemaking, representatives of the interests that will be significantly affected by the rule negotiate a consensus-an actual agreement-on a proposed rule or policy. The agency typically agrees to use the agreement as the basis for a Notice of Proposed Rulemaking (NPRM), and the private parties agree to support that proposal. The agency will also frequently express its intent to issue a final rule based on the notice and hence on the agreement. n46

#### Process and implementation focus are uniquely key to energy policy

Sean NolonAssociate Professor of LawandDispute Resolution Program DirectorVermont Law School, “Negotiating the Wind:A Framework to Engage Citizens in Siting Wind Turbines,” Vermont Law School, November 10, 2011, <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1898814>, accessed 10-5-2012.

Despite demonstrated need and available technology, the promise of wind energy has yet to live up to its potential. As a¶ society, we see the benefits of renewable sources of energy but¶ struggle to implement our vision through siting of new facilities. In some instances, this gap results from opposition caused by applicants’¶ and regulators’ emphasis (read: overemphasis) on the substance¶ rather than the process of decision-making. Applicants¶ often enter an approval process expecting that doling out concessions¶ will adequately address citizen opposition. The resulting opposition¶ is often as much a product of what was proposed as how it¶ was proposed.210 Attending to procedural needs as well as substantive needs can offer some solace to weary and suspicious citizens and provide the substrate on which a satisfactory solution can be reached. What this commitment to the minimal level of citizen involvement¶ fails to acknowledge is that citizens are also looking for assurances¶ that regulations will be effective and that applicants can be¶ trusted. Citizens want to be assured that their vision of the community will be protected. Applicants and regulators who fail to make those assurances through the robust involvement of citizens will continue to struggle when siting wind turbines, or any renewable energy facility. They will find that the general societal support enjoyed by renewable resources may not translate to site-specific support. Pairing substantive mitigation (such as setbacks, buried¶ wires, property loss compensation) with procedural mitigations¶ that encourage more citizen involvement (such as participatory planning, reg-neg, and siting negotiation) has been used to bridge¶ this divide between general support and local opposition. For the purposes of siting wind turbines, collaborative approaches should¶ be the centerpiece of any governmental policy aimed at improving wind turbine siting.

#### Can’t do both – reg negs are an alternative to notice-and-comment – perm undercuts potential of reg neg

Sara Pirk, J.D., University of Oregon School of Law, 2002, Environmental and Natural Resources Law Certiﬁcate; B.A., University of Minnesota, Twin Cities, International Relations (Environmental Policy focus) and Political Science, 1999, “Expanding Public Participation in Environmental Justice: Methods, Legislation, Litigation and Beyond,” University of Oregon Journal of Environmental Law and Litigation, Spring 2002, <http://www.temple.edu/lawschool/iilpp/EnvironmentalRoundtableResearchDocs/Pirk%20-%20Expanding.pdf>, accessed 9-10-2012.

Regulatory negotiation is an alternative to notice and comment participation and was developed to form dialogue among¶ regulators, regulated parties, and interested parties. n33 It is used in rule--making and is considered an efﬁcient wayto form rules with which everyone can live. n34 Regulatory negotiation is also considered a good method of public¶ participation because it produces better results. Through negotiation over rules in a small forum, the groups involved aremore likely to cooperate and problem--solve rather than take sides and defend their positions. n35Regulatory negotiation gives parties involved in following and enacting rules, as well as interest groups, a chance to¶ directly participate in formulating rules that they will have to follow. n36 This differs from notice and comment public¶ participation where only the enacting agency makes the rules and then announces them to other parties who never had the¶ chance to inﬂuence the decision making process when it counted. By having all the parties work together on the rules,working relationships are formed that can be beneﬁcial in the future. The parties, including agencies such as the EPA, are¶ more satisﬁed because they have a direct role in rule—making.

#### Resolved is a firm decision

The New Oxford American Dictionary 2005 "resolution n” , second edition. Ed. Erin McKean. Oxford University Press, 2005. Oxford Reference Online. Oxford University Press. http://www.oxfordreference.com/views/ENTRY.html?subview=Main&entry=t183.e65284

a firm decision to do or not to do something: she kept her resolution not to see Anne any more a New Year's resolution

#### Should guarantees an action that occurs immediately.

<http://www.catholicculture.org/commentary/otr.cfm?id=3113> unfit for priestly service Novus744 - Oct. 06, 2005

Actually, AbrahamT, most people don't even know what the word "should" means. It is, in actuality, the present tense of the word "shall". It denotes obligation. Meaning that if it says that someone SHOULD do something, it means that he has the OBLIGATION to do it.

#### Increase is a mandate

HEFC, “Memorandum from the Higher Education Funding Council for England (DCH 137),” Parliament, Higher Education Funding Council, September 2004, <http://www.publications.parliament.uk/pa/jt200304/jtselect/jtchar/167/167we98.htm>, accessed 10-5-2012.

The Draft Bill creates an obligation on the principal regulator to do all that it "reasonably can to meet the compliance objective in relation to the charity".[45] The Draft Bill defines the compliance objective as "to increase compliance by the charity trustees with their legal obligations in exercising control and management of the administration of the charity".[46] 9.2 Although the word "increase" is used in relation to the functions of a number of statutory bodies,[47] such examples demonstrate that "increase" is used in relation to considerations to be taken into account in the exercise of a function, rather than an objective in itself.9.3 HEFCE is concerned that an obligation on principal regulators to "increase" compliance per se is unworkable, in so far as it does not adequately define the limits or nature of the statutory duty. Indeed, the obligation could be considered to be ever-increasing.

## 1NR

### case

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

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

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

### electricity prices DA

#### There are an infinite number of motivations for aggression – only hegemony controls high-risk decision-making that turns aggression into war.

John Moore 4 chaired law prof, UVA. Frm first Chairman of the Board of the US Institute of Peace and as the Counselor on Int Law to the Dept. of State, Beyond the Democratic Peace, 44 Va. J. Int'l L. 341, Lexis

If major interstate war is predominantly a product of a synergy between a potential nondemocratic aggressor and an absence of effective deterrence, what is the role of the many traditional "causes" of war? Past, and many contemporary, theories of war have focused on the role of specific disputes between nations, ethnic and religious differences, arms races, poverty and social injustice, competition for resources, incidents and accidents, greed, fear, perceptions of "honor," and many other factors. Such factors may well play a role in motivating aggression or generating fear and manipulating public opinion. The reality, however, is that while some of these factors may have more potential to contribute to war than others, there may well be an infinite set of motivating factors, or human wants, motivating aggression. It is not the independent existence of such motivating factors for war but rather the circumstances permitting or encouraging high-risk decisions leading to war that is the key to more effectively controlling armed conflict. And the same may also be true of democide. The early focus in the Rwanda slaughter on "ethnic conflict," as though Hutus and Tutsis had begun to slaughter each other through spontaneous combustion, distracted our attention from the reality that a nondemocratic Hutu regime had carefully planned and orchestrated a genocide against Rwandan Tutsis as well as its Hutu opponents. 158 Certainly if we were able to press a button and end poverty, racism, religious intolerance, injustice, and endless disputes, we would want to do so. Indeed, democratic governments must remain committed to policies that will produce a better world by all measures of human progress. The broader achievement of democracy and the rule of law will itself assist in this progress. No one, however, has yet been able to demonstrate the kind of robust correlation with any of these "traditional" causes of war that is reflected in the "democratic peace." Further, given the difficulties in overcoming many of these social problems, an approach to war exclusively dependent on their solution may doom us to war for generations to come. [\*394] A useful framework for thinking about the war puzzle is provided in the Kenneth Waltz classic Man, the State and War, 159 first published in 1954 for the Institute of War and Peace Studies, in which he notes that previous thinkers about the causes of war have tended to assign responsibility at one of the three levels of individual psychology, the nature of the state, or the nature of the international system. This tripartite level of analysis has subsequently been widely copied in the study of international relations. We might summarize my analysis in this classical construct by suggesting that the most critical variables are the second and third levels, or "images," of analysis. Government structures, at the second level, seem to play a central role in levels of aggressiveness in high-risk behavior leading to major war. In this, the "democratic peace" is an essential insight. The third level of analysis, the international system, or totality of external incentives influencing the decision to go to war, is also critical when government structures do not restrain such high-risk behavior on their own. Indeed, nondemocratic systems may not only fail to constrain inappropriate aggressive behavior, they may even massively enable it by placing the resources of the state at the disposal of a ruthless regime elite. It is not that the first level of analysis, the individual, is unimportant - I have already argued that it is important in elite perceptions about the permissibility and feasibility of force and resultant necessary levels of deterrence. It is, instead, that the second level of analysis, government structures, may be a powerful proxy for settings bringing to power those who are disposed to aggressive military adventures and in creating incentive structures predisposed to high-risk behavior. We might also want to keep open the possibility that a war/peace model focused on democracy and deterrence might be further usefully refined by adding psychological profiles of particular leaders as we assess the likelihood of aggression and levels of necessary deterrence. Nondemocracies' leaders can have different perceptions of the necessity or usefulness of force and, as Marcus Aurelius should remind us, not all absolute leaders are Caligulas or Neros. Further, the history of ancient Egypt reminds us that not all Pharaohs were disposed to make war on their neighbors. Despite the importance of individual leaders, however, the key to war avoidance is understanding that major international war is critically an interaction, or synergy, of certain characteristics at levels two and three - specifically an absence of [\*395] democracy and an absence of effective deterrence. Yet another way to conceptualize the importance of democracy and deterrence in war avoidance is to note that each in its own way internalizes the costs to decision elites of engaging in high-risk aggressive behavior. Democracy internalizes these costs in a variety of ways including displeasure of the electorate at having war imposed upon it by its own government. And deterrence either prevents achievement of the objective altogether or imposes punishing costs making the gamble not worth the risk. 160 III. Testing the Hypothesis Hypotheses, or paradigms, are useful if they reflect the real world better than previously held paradigms. In the complex world of foreign affairs and the war puzzle, perfection is unlikely. No general construct will fit all cases even in the restricted category of "major interstate war;" there are simply too many variables. We should insist, however, on testing against the real world and on results that suggest enhanced usefulness over other constructs. In testing the hypothesis, we can test it for consistency with major wars. That is, in looking, for example, at the principal interstate wars in the twentieth century, did they present both a nondemocratic aggressor and an absence of effective deterrence? 161 And although it, by itself, does not prove causation, we might also want to test the hypothesis against settings of potential wars that did not occur. That is, in non-war settings, was there an absence of at least one element of the synergy? We might also ask questions about the effect of changes on the international system in either element of the synergy. That is, what, in general, happens when a totalitarian state makes a transition to stable democracy or vice versa? And what, in general, happens when levels of deterrence are dramatically increased or decreased?

#### SECOND – Probability - Robust statistics validate our impacts – prefer them over polemics.

Owen 11 John M. Owen Professor of Politics at University of Virginia PhD from Harvard "DON’T DISCOUNT HEGEMONY" Feb 11 www.cato-unbound.org/2011/02/11/john-owen/dont-discount-hegemony/

Andrew Mack and his colleagues at the Human Security Report Project are to be congratulated. Not only do they present a study with a striking conclusion, driven by data, free of theoretical or ideological bias, but they also do something quite unfashionable: they bear good news. Social scientists really are not supposed to do that. Our job is, if not to be Malthusians, then at least to point out disturbing trends, looming catastrophes, and the imbecility and mendacity of policy makers. And then it is to say why, if people listen to us, things will get better. We do this as if our careers depended upon it, and perhaps they do; for if all is going to be well, what need then for us? Our colleagues at Simon Fraser University are brave indeed. That may sound like a setup, but it is not. I shall challenge neither the data nor the general conclusion that violent conflict around the world has been decreasing in fits and starts since the Second World War. When it comes to violent conflict among and within countries, things have been getting better. (The trends have not been linear—Figure 1.1 actually shows that the frequency of interstate wars peaked in the 1980s—but the 65-year movement is clear.) Instead I shall accept that Mack et al. are correct on the macro-trends, and focus on their explanations they advance for these remarkable trends. With apologies to any readers of this forum who recoil from academic debates, this might get mildly theoretical and even more mildly methodological. Concerning international wars, one version of the “nuclear-peace” theory is not in fact laid to rest by the data. It is certainly true that nuclear-armed states have been involved in many wars. They have even been attacked (think of Israel), which falsifies the simple claim of “assured destruction”—that any nuclear country A will deter any kind of attack by any country B because B fears a retaliatory nuclear strike from A. But the most important “nuclear-peace” claim has been about mutually assured destruction, which obtains between two robustly nuclear-armed states. The claim is that (1) rational states having second-strike capabilities—enough deliverable nuclear weaponry to survive a nuclear first strike by an enemy—will have an overwhelming incentive not to attack one another; and (2) we can safely assume that nuclear-armed states are rational. It follows that states with a second-strike capability will not fight one another. Their colossal atomic arsenals neither kept the United States at peace with North Vietnam during the Cold War nor the Soviet Union at peace with Afghanistan. But the argument remains strong that those arsenals did help keep the United States and Soviet Union at peace with each other. Why non-nuclear states are not deterred from fighting nuclear states is an important and open question. But in a time when calls to ban the Bomb are being heard from more and more quarters, we must be clear about precisely what the broad trends toward peace can and cannot tell us. They may tell us nothing about why we have had no World War III, and little about the wisdom of banning the Bomb now. Regarding the downward trend in international war, Professor Mack is friendlier to more palatable theories such as the “democratic peace” (democracies do not fight one another, and the proportion of democracies has increased, hence less war); the interdependence or “commercial peace” (states with extensive economic ties find it irrational to fight one another, and interdependence has increased, hence less war); and the notion that people around the world are more anti-war than their forebears were. Concerning the downward trend in civil wars, he favors theories of economic growth (where commerce is enriching enough people, violence is less appealing—a logic similar to that of the “commercial peace” thesis that applies among nations) and the end of the Cold War (which end reduced superpower support for rival rebel factions in so many Third-World countries). These are all plausible mechanisms for peace. What is more, none of them excludes any other; all could be working toward the same end. That would be somewhat puzzling, however. Is the world just lucky these days? How is it that an array of peace-inducing factors happens to be working coincidentally in our time, when such a magical array was absent in the past? The answer may be that one or more of these mechanisms reinforces some of the others, or perhaps some of them are mutually reinforcing. Some scholars, for example, have been focusing on whether economic growth might support democracy and vice versa, and whether both might support international cooperation, including to end civil wars. We would still need to explain how this charmed circle of causes got started, however. And here let me raise another factor, perhaps even less appealing than the “nuclear peace” thesis, at least outside of the United States. That factor is what international relations scholars call hegemony—specifically American hegemony. A theory that many regard as discredited, but that refuses to go away, is called hegemonic stability theory. The theory emerged in the 1970s in the realm of international political economy. It asserts that for the global economy to remain open—for countries to keep barriers to trade and investment low—one powerful country must take the lead. Depending on the theorist we consult, “taking the lead” entails paying for global public goods (keeping the sea lanes open, providing liquidity to the international economy), coercion (threatening to raise trade barriers or withdraw military protection from countries that cheat on the rules), or both. The theory is skeptical that international cooperation in economic matters can emerge or endure absent a hegemon. The distastefulness of such claims is self-evident: they imply that it is good for everyone the world over if one country has more wealth and power than others. More precisely, they imply that it has been good for the world that the United States has been so predominant. There is no obvious reason why hegemonic stability theory could not apply to other areas of international cooperation, including in security affairs, human rights, international law, peacekeeping (UN or otherwise), and so on. What I want to suggest here—suggest, not test—is that American hegemony might just be a deep cause of the steady decline of political deaths in the world. How could that be? After all, the report states that United States is the third most war-prone country since 1945. Many of the deaths depicted in Figure 10.4 were in wars that involved the United States (the Vietnam War being the leading one). Notwithstanding politicians’ claims to the contrary, a candid look at U.S. foreign policy reveals that the country is as ruthlessly self-interested as any other great power in history. The answer is that U.S. hegemony might just be a deeper cause of the proximate causes outlined by Professor Mack. Consider economic growth and openness to foreign trade and investment, which (so say some theories) render violence irrational. American power and policies may be responsible for these in two related ways. First, at least since the 1940s Washington has prodded other countries to embrace the market capitalism that entails economic openness and produces sustainable economic growth. The United States promotes capitalism for selfish reasons, of course: its own domestic system depends upon growth, which in turn depends upon the efficiency gains from economic interaction with foreign countries, and the more the better. During the Cold War most of its allies accepted some degree of market-driven growth. Second, the U.S.-led western victory in the Cold War damaged the credibility of alternative paths to development—communism and import-substituting industrialization being the two leading ones—and left market capitalism the best model. The end of the Cold War also involved an end to the billions of rubles in Soviet material support for regimes that tried to make these alternative models work. (It also, as Professor Mack notes, eliminated the superpowers’ incentives to feed civil violence in the Third World.) What we call globalization is caused in part by the emergence of the United States as the global hegemon. The same case can be made, with somewhat more difficulty, concerning the spread of democracy. Washington has supported democracy only under certain conditions—the chief one being the absence of a popular anti-American movement in the target state—but those conditions have become much more widespread following the collapse of communism. Thus in the 1980s the Reagan administration—the most anti-communist government America ever had—began to dump America’s old dictator friends, starting in the Philippines. Today Islamists tend to be anti-American, and so the Obama administration is skittish about democracy in Egypt and other authoritarian Muslim countries. But general U.S. material and moral support for liberal democracy remains strong.

#### Power projection capability is key to dampen conflicts- solves miscalculation

Walt, Professor of International Relations at the Kennedy School of Government at Harvard University, ‘2 (Stephen, Spring, “American Primacy: Its Prospects and Pitfalls” Naval War College Review, Vol 55 Issue 2, p 9, Proquest)

A consequence of U.S. primacy is a decreased danger of great-power rivalry and a higher level of overall international tranquilitythe extent of American primacy is one of the main reasons why the risk of great-power war is as low as it isFor most of the past four centuries, relations among the major powers have been intensely competitive, often punctuated by major wars and occasionally by all-out struggles for hegemonyTodaythe dominant position of the USplaces significant limits on the possibility of great-power competitionbecause the USis currently so far ahead, other major powers are not inclined to challenge its dominant positionthe risk of war via miscalculation is reduced by the overwhelming gap between the United States and the other major powersMiscalculation is more likely to lead to war when the balance of power is fairly evenWhen the balance of power is heavily skewed, however, weaker states dare not trycontinued deployment of roughly two hundred thousand troops in Europe and in Asia provides a further barrier to conflict in each region. So long as U.S. troops are committed abroad, regional powers know that launching a war is likely to lead to a confrontation with the USThus, states within these regions do not worry as much about each other, because the U.S. presence effectively prevents regional conflicts from breaking outU.S. primacydampens the overall level of international insecurity.

#### They all escalate to nuclear war – US credibility controls the direction of all conflicts

David Bosco (a senior editor at Foreign Policy magazine) July 2006 “Forum: Keeping an eye peeled for World War III” http://www.post-gazette.com/pg/06211/709477-109.stm

The understanding that small but violent acts can spark global conflagration is etched into the world's consciousness. The reverberations from Princip's shots in the summer of 1914 ultimately took the lives of more than 10 million people, shattered four empires and dragged more than two dozen countries into war. This hot summer, as the world watches the violence in the Middle East, the awareness of peace's fragility is particularly acute. The bloodshed in Lebanon appears to be part of a broader upsurge in unrest. Iraq is suffering through one of its bloodiest months since the U.S.-led invasion in 2003. Taliban militants are burning schools and attacking villages in southern Afghanistan as the United States and NATO struggle to defend that country's fragile government. Nuclear-armed India is still cleaning up the wreckage from a large terrorist attack in which it suspects militants from rival Pakistan. The world is awash in weapons, North Korea and Iran are developing nuclear capabilities, and long-range missile technology is spreading like a virus. Some see the start of a global conflict. "We're in the early stages of what I would describe as the Third World War," former House Speaker Newt Gingrich said recently. Certain religious Web sites are abuzz with talk of Armageddon. There may be as much hyperbole as prophecy in the forecasts for world war. But it's not hard to conjure ways that today's hot spots could ignite. Consider the following scenarios: Targeting Iran: As Israeli troops seek out and destroy Hezbollah forces in southern Lebanon, intelligence officials spot a shipment of longer-range Iranian missiles heading for Lebanon. The Israeli government decides to strike the convoy and Iranian nuclear facilities simultaneously. After Iran has recovered from the shock, Revolutionary Guards surging across the border into Iraq, bent on striking Israel's American allies. Governments in Syria, Jordan, Egypt and Saudi Arabia face violent street protests demanding retribution against Israel -- and they eventually yield, triggering a major regional war. Missiles away: With the world's eyes on the Middle East, North Korea's Kim Jong Il decides to continue the fireworks show he began earlier this month. But this time his brinksmanship pushes events over the brink. A missile designed to fall into the sea near Japan goes astray and hits Tokyo, killing a dozen civilians. Incensed, the United States, Japan's treaty ally, bombs North Korean missile and nuclear sites. North Korean artillery batteries fire on Seoul, and South Korean and U.S. troops respond. Meanwhile, Chinese troops cross the border from the north to stem the flow of desperate refugees just as U.S. troops advance from the south. Suddenly, the world's superpower and the newest great power are nose to nose. Loose nukes: Al-Qaida has had Pakistani President Pervez Musharraf in its sights for years, and the organization finally gets its man. Pakistan descends into chaos as militants roam the streets and the army struggles to restore order. India decides to exploit the vacuum and punish the Kashmir-based militants it blames for the recent Mumbai railway bombings. Meanwhile, U.S. special operations forces sent to secure Pakistani nuclear facilities face off against an angry mob. The empire strikes back: Pressure for democratic reform erupts in autocratic Belarus. As protesters mass outside the parliament in Minsk, president Alexander Lukashenko requests Russian support. After protesters are beaten and killed, they appeal for help, and neighboring Poland -- a NATO member with bitter memories of Soviet repression -- launches a humanitarian mission to shelter the regime's opponents. Polish and Russian troops clash, and a confrontation with NATO looms. As in the run-up to other wars, there is today more than enough tinder lying around to spark a great power conflict. The question is how effective the major powers have become at managing regional conflicts and preventing them from escalating. After two world wars and the decades-long Cold War, what has the world learned about managing conflict? The end of the Cold War had the salutary effect of dialing down many regional conflicts. In the 1960s and 1970s, every crisis in the Middle East had the potential to draw in the superpowers in defense of their respective client states. The rest of the world was also part of the Cold War chessboard. Compare the almost invisible U.N. peacekeeping mission in Congo today to the deeply controversial mission there in the early 1960s. (The Soviets were convinced that the U.N. mission was supporting a U.S. puppet, and Russian diplomats stormed out of several Security Council meetings in protest.) From Angola to Afghanistan, nearly every Cold War conflict was a proxy war. Now, many local crises can be handed off to the humanitarians or simply ignored. But the end of the bipolar world has a downside. In the old days, the two competing superpowers sometimes reined in bellicose client states out of fear that regional conflicts would escalate. Which of the major powers today can claim to have such influence over Tehran or Pyongyang? Today's world has one great advantage: None of the leading powers appears determined to reorder international affairs as Germany was before both world wars and as Japan was in the years before World War II. True, China is a rapidly rising power -- an often destabilizing phenomenon in international relations -- but it appears inclined to focus on economic growth rather than military conquest (with the possible exception of Taiwan). Russia is resentful about its fall from superpower status, but it also seems reconciled to U.S. military dominance and more interested in tapping its massive oil and gas reserves than in rebuilding its decrepit military. Indeed, U.S. military superiority seems to be a key to global stability. Some theories of international relations predict that other major powers will eventually band together to challenge American might, but it's hard to find much evidence of such behavior. The United States, after all, invaded Iraq without U.N. approval and yet there was not even a hint that France, Russia or China would respond militarily. There is another factor working in favor of great-power caution: nuclear weapons. Europe's leaders on the eve of World War I can perhaps be forgiven for not understanding the carnage they were about to unleash. That generation grew up in a world of short wars that did limited damage. Leaders today should have no such illusions. The installation of emergency hot lines between national capitals was a recognition of the need for fast and clear communication in times of crisis. Diplomatic tools have advanced too. Sluggish though it may be, the U.N. Security Council regularly gathers the great powers' representatives in a room to hash out developing crises. So there is reason to hope that the major powers have little interest in playing with fire and the tools to stamp it out. But complacency is dangerous. The British economist Norman Angell once argued persuasively that deep economic links made conflict between the great powers obsolete. His book appeared in 1910 and was still in shops when Europe's armies poured across their borders in 1914.

#### Electricity prices are low for 2013.

Brian Dowling, “Electric Rates Drop Again, Though Delivery Costs Temper Total Savings,” CTnow, December 28, 2012, http://www.ctnow.com/news/connecticut/hc-2013-electricity-rates-drop-20121228,0,1992578.story, accessed 12-31-2012.

Tearing open their electricity bills for January 2013, residential consumers will find that the price of electricity fell for the fourth straight year. The average residential consumer, using 700 kilowatt hours per month, will save $53 with CL&P and $28 with UI in 2013. Connecticut Light & Power standard residential customers will pay 3.8 percent less than last year, or 16.218 cents per kilowatt hour, including distribution and generation costs. United Illuminating residential customers will drop 1.6 percent, to 21.179 cents per kilowatt hour. The lion's share of savings are from lower generation costs — down 3.9 percent for CL&P and 11.8 percent for UI. Lower fuel costs are driving the generation savings, said John Betkoski III, vice chairman of the state's Public Utilities Regulatory Authority. "For the generation portion we should keep going in this downward trend."

#### Shale gas lowers the floor.

Denise Furey, “Shale Gas Keeps Region’s Electric Costs Down,” The Public Record, December 6, 2012, http://www.phillyrecord.com/2012/12/shale-gas-keeps-regions-electric-costs-down/, accessed 1-2-2013.

Shale gas has become a game-changer for electric companies in the Northeast. This is good news for Philadelphia. Most public-utility executives expect the industry to become increasingly reliant on natural gas as a fuel to generate power. Also, they expect consumers to continue to see modest electric prices at least in the near term owing to low natural-gas prices. This view resonated through the halls of the annual conference of the Edison Electric Institute, the trade group for US electric utility companies, held in Phoenix, Ariz. recently. Representatives of local electric utilities were there including Exelon Corp, the parent of PECO; PEPCO Holding, the parent of Atlantic City Electric; and PPL Corporation, the parent of PPL Electric Utilities. The overriding theme of conference was natural gas – in particular Marcellus and Utica Shale gas – put Pennsylvania in the spotlight. The conference this year was called “Game Changer” in reference to shale gas. In 2012 for the first time, natural gas surpassed coal as the primary fuel used in electric generation in the US, due in large part to its cheaper price. Natural gas is a cleaner-burning fuel than coal and on average emits 50% fewer greenhouse gases. The increase in the availability of natural gas is owing to the more-effective use of hydraulic fracturing in conjunction with horizontal drilling. Over the four-year period ending 2010, natural-gas production in the US rose by roughly 20% according to the US Energy Information Administration and most of the increase was due to shale-gas extraction. A combination of the weak economy and the abundance of shale gas had caused natural-gas prices to decline to around $2.50 per MMBTU (a “million British Thermal Units” or MMBTU is a standard measure of energy) range but has recently rebounded somewhat. EIA reported the electric-generation industry on average paid $3.52/MMBTU in September 2012 for the natural gas it used in electric generation. Note the price utilities pay for gas is a wholesale rate, much lower than your personal home-heating gas rate which includes distribution charges.

#### Even if electricity prices rise, it will be small and stable with the broader trend still being a decline in prices.

EIA, “Short-term energy outlook," September 11, 2011, http://www.eia.gov/forecasts/steo/report/electricity.cfm

EIA expects the nominal U.S. residential electricity price will rise by 1.0 percent during 2012 to an average of 11.91 cents per kilowatthour. During 2013, U.S. residential retail electricity prices increase 0.9 percent over the average 2012 price. When measured in real terms, the U.S. residential electricity price declines by an annual average of 0.8 percent in both 2012 and 2013.

#### Hidden costs cause a price increase.

Michael Bastasch, “Report: Wind generation costs twice as much as government estimates,” December 31, 2012, <http://dailycaller.com/2012/12/31/report-wind-generation-cost-twice-as-much-as-government-estimates/>, accessed 1-2-2013.

As lawmakers rush to hash out a deal to extend tax credits for wind energy generation, a new report shows that, once hidden costs are accounted for, the true cost of wind power generation is twice that of what previous government estimates have shown. “Once these hidden costs are included and subsidies are excluded, wind generation is not close to being competitive with conventional generation sources such as natural gas, coal or nuclear,” said George Taylor, lead author of the report and senior fellow in energy policy at American Tradition Institute, in a statement. For example, wind generation costs three times as much as natural gas-fired electricity and up to 50 percent more than government estimates for new nuclear and coal power generation. The Energy Information Administration reported in its most recent “levelized cost of electricity” that wind generation costs eight cents per kilowatt hour. However, this understates the true cost of wind generation because it leaves out indirect and infrastructure costs which are hard to measure and raise the true cost of generating wind power.

#### Intermittency means alternate fuels take up the slack.

Michael Bastasch, “Report: Wind generation costs twice as much as government estimates,” December 31, 2012, <http://dailycaller.com/2012/12/31/report-wind-generation-cost-twice-as-much-as-government-estimates/>, accessed 1-2-2013.

Most electricity cost estimates fail to take into account, the cost of keeping fossil fuel power plants online to balance out the variations in wind power generation, and the increased fuel consumption — per unit of output — which wind requires of power plants. Estimates also typically don’t include the additional long-distance transmission costs required by wind, as well as the electricity losses associated with it. “The costs that have been left out of previous reports are the costs of paying for the fossil-fired plants that must balance wind’s variations, the inefficiencies that wind imposes on those plants, and the cost of longer-distance transmission,” Taylor said. Taking these hidden costs into account, as well as two subsidies, the cost of wind generation doubles — from eight cents per kilowatt hour to 15 cents per kilowatt hour when added to natural gas generation. the cost is even higher — 19 cents per kilowatt hour — when added to coal generation. “Because wind is an intermittent source of electricity, it needs appropriate amounts of fossil-fueled capacity ready at all times to balance its large and rapid variations,” added Tom Tanton, co-author of the report and Director of Science & Technology Assessment at ATI, in a statement. “Those primary fossil plants then operate less efficiently than if they were running full-time without wind, meaning that any savings of gas and coal or any reductions in emissions are much less than simple calculations would indicate.”

#### And solar especially jacks up prices.

Maggie Koerth-Baker, “Shining Light on the Cost of Solar Energy,” National Geographic, November 5, 2010, <http://news.nationalgeographic.com/news/energy/2010/11/101105-cost-of-solar-energy/>, accessed 11-9-2012.

That said, there’s wide agreement that solar electricity is pricey. The U.S. DOE’s Energy Information Administration (EIA) estimates that it’s the most expensive form of electricity among current technologies for new electricity generation, about $396 per megawatthour for PV. That’s more than double EIA’s estimate of the total system levelized cost of wind, and almost four times the cost of conventional coal. And that analysis looks at large-scale solar, the kind usually owned by utility companies. Small installations on home rooftops are even more expensive, because they don’t take advantage of buying—or installing—in bulk. To be fair, over 20 years, a homeowner will earn back between 76 percent and 109 percent of the system’s cost in the form of lower electricity bills, because the fuel that powers solar energy is free, according to a 2009 report on financing solar installations in the residential sector by the U.S. DOE National Renewable Energy Laboratory . With such a broad range in the potential rate of return, it isn’t always easy to find a bank that will make that loan, says Ed Regan, assistant general manager of strategic planning at Gainesville Regional Utilities (GRU) in Gainesville, Florida. GRU helped Gainesville residents get around that problem by implementing a feed-in tariff, a system where a utility offers solar panel owners a 20-year contract to buy solar electricity, guaranteeing the owners will make a set profit on their decision to go solar. There are other alternative financing options—such as letting the utility or a third party buy and own the solar system, while the homeowner hosts it on the roof—but these options aren’t available everywhere. (Related: “Beating the White House to the Solar Punch”) (Related: “Renewable Energy: Ontario’s New Gold Rush”) It’s All in the Material So why is solar so expensive? Converting light into electricity with no moving parts is a profoundly different enterprise than turning a turbine to make power—the technology that is at work in coal, natural gas, nuclear, hydropower plants and, most visibly to the public, at wind farms. “Wind power is the same technology as it’s been for 1,000 years,” said Tom Meyer, a professor of chemistry at the University of North Carolina at Chapel Hill . “There’s nothing to invent. It just needs to be improved.” The makers of wind turbines have made huge cost reductions in recent decades with relatively small tweaks to an otherwise familiar system. That’s not yet true for solar, experts say. Most solar cells are made from silicon—the same semiconductor material that is at the heart of computers. The cells are expensive to produce because it takes a great deal of energy to purify the silicon. And, while the computer industry has made enormous strides in making cheaper silicon devices, those advancements don’t translate to the solar industry.

#### Connected to a grid.

Peter Meisen, 2007, President Global Energy Network Institute (GENI), “Renewable Energy on Tribal Lands,” <http://www.geni.org/globalenergy/research/renewable-energy-on-tribal-lands/Renewable-Energy-on-Tribal-Lands.pdf>

If a Tribe plans to export its electricity, there are several aspects of producing and selling energy that need to be addressed. Some of the most important factors in producing energy are the rules and regulations surrounding power transmission. Electricity is¶ transported by interconnected grids of transmission lines that can span across the country. These grids are operated by utilities which can be private or public companies, government or tribal organizations, or co-ops run by the people receiving the electricity. Within the grid, each utility controls the area under its jurisdiction and interacts with the utilities surrounding it. Utilities usually have a set of standards, such as standards for quality of electricity, standards for the equipment used, and rates that are charged for¶ energy that a Tribe would have to meet before connecting a power plant to the grid. Therefore, a Tribe planning to sell energy should carefully research the neighboring utilities’ standards for connecting to the gird.

#### FERC guarantees this.

Alyssa Moir, May 2010, is an attorney with Marten Law in Seattle, where she practices energy and environmental law, “TRIBAL TRANSMISSION: MOVING RENEWABLE ENERGY FROM THE RESERVATION TO THE GRID,” http://apps.americanbar.org/environ/committees/nativeamerican/newsletter/may10/NativeAmericanRes\_May10.pdf

In 2005, FERC finalized grid-interconnection rules for¶ wind power facilities larger than 20 megawatts, which accommodated the differences between intermittent power producers and traditional generating facilities. In addition to these and other efforts, on January 21, 2010, FERC issued a notice of inquiry seeking public comment on perceived barriers, solutions to removing those barriers in order to integrate into the existing grid, and expanding variable energy resources such as wind,¶ solar, or nonstorage hydro generation plants. The focus of FERC’s inquiry is how to best structure agreements and operational practices to address variability in the output from renewable sources. The end results of this inquiry will influence the interconnection agreements required for tribal (and nontribal) projects selling electricity to the grid, particularly with respect to requirements for data recording and forecasting, scheduling flexibility and scheduling incentives, market¶ participation and reliability commitments, and redispatch and curtailment practices .

#### Low electricity prices sustain U.S. manufacturing which is key to the chemical industry.

Perry 7/31/2012 (Mark, Prof of Economics @ Univ. of Michigan, "America's Energy Jackpot: Industrial Natural Gas Prices Fall to the Lowest Level in Recent History," http://mjperry.blogspot.com/2012/07/americas-energy-jackpot-industrial.html)

Building petrochemical plants could suddenly become attractive in the United States. Manufacturers will "reshore" production to take advantage of low natural gas and electricity prices. Energy costs will be lower for a long time, giving a competitive advantage to companies that invest in America, and also helping American consumers who get hit hard when energy prices spike. After years of bad economic news, the natural gas windfall is very good news. Let's make the most of it." The falling natural gas prices also make the predictions in this December 2011 study by PriceWaterhouseCoopers, "Shale gas: A renaissance in US manufacturing?"all the more likely: U.S. manufacturing companies (chemicals, metals and industrial) could employ approximately one million more workers by 2025 because of abundant, low-priced natural gas. Lower feedstock and energy cost could help U.S. manufacturers reduce natural gas expenses by as much as $11.6 billion annually through 2025. MP: As I have emphasized lately, America's ongoing shale-based energy revolution is one of the real bright spots in an otherwise somewhat gloomy economy, and provides one of the best reasons to be bullish about America's future. The shale revolution is creating thousands of well-paying, shovel-ready jobs in Texas, North Dakota and Ohio, and thousands of indirect jobs in industries that support the shale boom (sand, drilling equipment, transportation, infrastructure, steel pipe, restaurants, etc.). In addition, the abundant shale gas is driving down energy prices for industrial, commercial, residential and electricity-generating users, which frees up billions of dollars that can be spent on other goods and services throughout the economy, providing an energy-based stimulus to the economy. ¶ Cheap natural gas is also translating into cheaper electricity rates, as low-cost natural gas displaces coal. Further, cheap and abundant natural gas is sparking a manufacturing renaissance in energy-intensive industries like chemicals, fertilizers, and steel. And unlike renewable energies like solar and wind, the natural gas boom is happening without any taxpayer-funded grants, subsidies, credits and loans. Finally, we get an environmental bonus of lower CO2 emissions as natural gas replaces coal for electricity generation. Sure seems like a win, win, win, win situation to me.

#### Chemical industry key to solve disease mutation.

NRC 2002, [National Research Council Committee on Challenges for Chemical Sciences in the 21st century “National Security and Homeland Defense” -- P 28.]

Many drugs are produced by either chemical synthesis or biosynthetic processes. Recent advances in synthetic organic chemistry, catalysis, biotechnology, and combinatorial chemistry have made it possible to synthesize many chemicals that are not found in nature or have heretofore been difficult to produce. Current chemical drugs, such as antibiotics, used to combat infectious diseases are threatened by bacterial abilities to quickly mutate into a drug-resistant form. Concern also exists for purposefully genetically modified organisms used for terrorist attacks. Consequently, there is a need to constantly develop new chemical drugs for fighting infectious diseases caused by new biological agents. As we know more about human genomics, many new drugs, whether small-molecule chemicals or large proteins, can be developed to better target the diseases. Rapid production of small-molecule drugs will require the development of new organic reactions that maximally increase chemical complexity and that are highly selective. Advances in automation and miniaturization will be required to expedite discovery of synthesis sequences for large-scale drug preparation.

#### Mutations ensure extinction.

Victoria Yu, Dartmouth Journal, “Human Extinction: The Uncertainty of Our Fate”, 5-22-2009 http://dujs.dartmouth.edu/spring-2009/human-extinction-the-uncertainty-of-our-fate

A pandemic will kill off all humans. In the past, humans have indeed fallen victim to viruses. Perhaps the best-known case was the bubonic plague that killed up to one third of the European population in the mid-14th century (7). While vaccines have been developed for the plague and some other infectious diseases, new viral strains are constantly emerging — a process that maintains the possibility of a pandemic-facilitated human extinction. Some surveyed students mentioned AIDS as a potential pandemic-causing virus. It is true that scientists have been unable thus far to find a sustainable cure for AIDS, mainly due to HIV’s rapid and constant evolution. Specifically, two factors account for the virus’s abnormally high mutation rate: 1. HIV’s use of reverse transcriptase, which does not have a proof-reading mechanism, and 2. the lack of an error-correction mechanism in HIV DNA polymerase (8). Luckily, though, there are certain characteristics of HIV that make it a poor candidate for a large-scale global infection: HIV can lie dormant in the human body for years without manifesting itself, and AIDS itself does not kill directly, but rather through the weakening of the immune system. However, for more easily transmitted viruses such as influenza, the evolution of new strains could prove far more consequential. The simultaneous occurrence of antigenic drift (point mutations that lead to new strains) and antigenic shift (the inter-species transfer of disease) in the influenza virus could produce a new version of influenza for which scientists may not immediately find a cure. Since influenza can spread quickly, this lag time could potentially lead to a “global influenza pandemic,” according to the Centers for Disease Control and Prevention (9). The most recent scare of this variety came in 1918 when bird flu managed to kill over 50 million people around the world in what is sometimes referred to as the Spanish flu pandemic. Perhaps even more frightening is the fact that only 25 mutations were required to convert the original viral strain — which could only infect birds — into a human-viable strain (10).