# T

## 1NC

#### Restrictions on production must mandate a decrease in the quantity produced

Anell 89 Lars is the Chairman of the WTO panel adopted at the Forty-Fifth Session of Contracting Parties on December 5, 1989. Other panel members: Mr. Hugh Bartlett and Mrs. Carmen Luz Guarda. “Canada – Import Restrictions on Ice Cream and Yoghurt,” http://www.wto.org/english/tratop\_e/dispu\_e/88icecrm.pdf

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

#### Vote negative:

#### Including regulations is a limits disaster---undermines preparedness for all debates

Doub 76 William is a principal in the law firm of Doub and Muntzing. Previously he was a partner in LeBoeuf, Lamb, Leiby, and MacRae. He was a member of the U.S. Atomic Energy Commission (1971-1974). He served as a member of the Executive Advisory Committee to the Federal Power Commission (1968-1971) and was appointed by the President to the President’s Air Quality Advisory Board. He is a past chairman of the U.S. National Committee of the World Energy Conference. “Energy Regulation: A Quagmire for Energy Policy,” http://www.annualreviews.org/doi/abs/10.1146/annurev.eg.01.110176.003435

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

#### And precision---only direct prohibition is a restriction---key to predictability

Sinha 6 S.B. Sinha is a former judge of the Supreme Court of India. “Union Of India & Ors vs M/S. Asian Food Industries,” Nov 7, http://webcache.googleusercontent.com/search?q=cache:http://www.indiankanoon.org/doc/437310/

We may, however, notice that this Court in State of U.P. and Others v. M/s. Hindustan Aluminium Corpn. and others [AIR 1979 SC 1459] stated the law thus: "It appears that a distinction between regulation and restriction or prohibition has always been drawn, ever since Municipal Corporation of the City of Toronto v. Virgo. Regulation promotes the freedom or the facility which is required to be regulated in the interest of all concerned, whereas prohibition obstructs or shuts off, or denies it to those to whom it is applied. The Oxford English Dictionary does not define regulate to include prohibition so that if it had been the intention to prohibit the supply, distribution, consumption or use of energy, the legislature would not have contented itself with the use of the word regulating without using the word prohibiting or some such word, to bring out that effect."

## 1NR

#### Including energy regulations adds five million research hours

Tugwell 88 Franklin Tugwell joined The Asia Foundation's Board of Trustees in 2010. Dr. Tugwell has served as the President and CEO of Winrock International since 1999. Previously, Dr. Tugwell was the executive director of the Heinz Endowments of Pittsburgh, the founder and president of the Environment Enterprises Assistance Fund, and as a senior consultant for International Projects and Programs at PG&E Enterprises. He served as a deputy assistant administrator at USAID (1980-1981) and as a senior analyst for the energy program at the U.S. Office of Technology Assessment (1979-1980). Dr. Tugwell was also a professor at Pomona College and an adjunct distinguished professor at the Heinz School of Carnegie Mellon University. Additionally, he serves on the Advisory Board and International Committee of the American Council on Renewable Energy and on the Joint Board of Councilors of the China-U.S. Center for Sustainable Development. He also serves on the Board of Eucord (European Cooperative for International Development). Dr. Tugwell received a PhD in political science from Columbia University. “The Energy Crisis and the American Political Economy,” ISBN 0-8047-1500-9

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

#### Including energy regs is too big---it’s torture for the neg

Edwards 80 Opinion in BAYOU BOUILLON CORP. v. ATLANTIC RICHFIELD CO. Court of Appeal of Louisiana, First Circuit. May 5

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

#### That destroys education---too much to comprehend

Stafford 83 G. William is an Associate at Ross, Marsh and Foster. Review of “Federal Regulation of Energy” by William F. Fox, Jr, http://felj.org/elj/Energy%20Journals/Vol6\_No2\_1985\_Book\_Review2.pdf

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

#### Prefer our Anell evidence---he defines ‘restriction on production’---they don’t---key to predictability

Haneman 59 J.A.D. is a justice of the Superior Court of New Jersey, Appellate Division. “Russell S. Bertrand et al. v. Donald T. Jones et al.,” 58 NJ Super. 273; 156 A.2d 161; 1959 N.J. Super, Lexis

HN4 In ascertaining the meaning of the word "restrictions" as here employed, it must be considered in context with the entire clause in which it appears. It is to be noted that the exception concerns restrictions "which have been complied with." Plainly, this connotes a representation of compliance by the vendor with any restrictions upon the permitted uses of the subject property. The conclusion that "restrictions" refer solely to a limitation of the manner in which the vendor may [\*\*\*14] use his own lands is strengthened by the further provision found in said clause that the conveyance is "subject to the effect, [\*\*167] if any, of municipal zoning laws." Municipal zoning laws affect the use of property.¶ HN5 A familiar maxim to aid in the construction of contracts is noscitur a sociis. Simply stated, this means that a word is known from its associates. Words of general and specific import take color from each other when associated together, and thus the word of general significance is modified by its associates of restricted sense. 3 Corbin on Contracts, § 552, p. 110; cf. Ford Motor Co. v. New Jersey Department of Labor and Industry, 5 N.J. 494 (1950). The [\*284] word "restrictions," therefore, should be construed as being used in the same limited fashion as "zoning."

#### Topicality is necessary to debate – we have to limit the meaning of words so we can have effective communication

Garth Kemerling, professor of philosophy at Newberry College, 1997 online: http://www.philosophypages.com/lg/e05.htm

We've seen that sloppy or misleading use of ordinary language can seriously limit our ability to create and communicate correct reasoning. As philosopher [John Locke](http://www.philosophypages.com/ph/lock.htm) pointed out three centuries ago, the achievement of human knowledge is often hampered by the use of words without fixed signification. Needless controversy is sometimes produced and perpetuated by an unacknowledged ambiguity in the application of key terms. We can distinguish disputes of three sorts: Genuine disputes involve disagreement about whether or not some specific proposition is true. Since the people engaged in a genuine dispute agree on the meaning of the words by means of which they convey their respective positions, each of them can propose and assess logical arguments that might eventually lead to a resolution of their differences. Merely [verbal disputes](http://www.philosophypages.com/dy/v.htm#verbal), on the other hand, arise entirely from ambiguities in the language used to express the positions of the disputants. A verbal dispute disappears entirely once the people involved arrive at an agreement on the meaning of their terms, since doing so reveals their underlying agreement in belief. Apparently verbal but really genuine disputes can also occur, of course. In cases of this sort, the resolution of every ambiguity only reveals an underlying genuine dispute. Once that's been discovered, it can be addressed fruitfully by appropriate methods of reasoning. We can save a lot of time, sharpen our reasoning abilities, and communicate with each other more effectively if we watch for disagreements about the meaning of words and try to resolve them whenever we can. Kinds of Definition The most common way of preventing or eliminating differences in the use of languages is by agreeing on the [definition](http://www.philosophypages.com/dy/d2.htm#def) of our terms. Since these explicit accounts of the meaning of a word or phrase can be offered in distinct contexts and employed in the service of different goals, it's useful to distinguish definitions of several kinds: A [lexical definition](http://www.philosophypages.com/dy/l5.htm#lexi) simply reports the way in which a term is already used within a language community. The goal here is to inform someone else of the accepted meaning of the term, so the definition is more or less correct depending upon the accuracy with which it captures that usage. In these pages, my definitions of technical terms of logic are lexical because they are intended to inform you about the way in which these terms are actually employed within the discipline of logic. At the other extreme, a [stipulative definition](http://www.philosophypages.com/dy/s9.htm#stip) freely assigns meaning to a completely new term, creating a usage that had never previously existed. Since the goal in this case is to propose the adoption of shared use of a novel term, there are no existing standards against which to compare it, and the definition is always correct (though it might fail to win acceptance if it turns out to be inapt or useless). If I now decree that we will henceforth refer to Presidential speeches delivered in French as "glorsherfs," I have made a (probably pointless) stipulative definition. Combining these two techniques is often an effective way to reduce the [vagueness](http://www.philosophypages.com/dy/v.htm#vag) of a word or phrase. These [precising definitions](http://www.philosophypages.com/dy/p7.htm#prec) begin with the lexical definition of a term but then propose to sharpen it by stipulating more narrow limits on its use. Here, the lexical part must be correct and the stipulative portion should appropriately reduce the troublesome vagueness. If the USPS announces that "proper notification of a change of address" means that an official form containing the relevant information must be received by the local post office no later than four days prior to the effective date of the change, it has offered a (possibly useful) precising definition.

#### Mills doesn’t have any method for determining truth – can’t make decisions based on his claims

Cormier 7

Race and Epistemologies of Ignorance

Ed. Shannon Sullivan, Nancy Tuana

Associate Professor, Stony Brook Ph.D. Harvard University, 1992 M.A. University of Houston, 1982 B.A. University of Houston, 1982 Harriman Hall 237 Stony Brook University Stony Brook, NY 11794-3750 Tel: (631) 632-7572 Harvey.Cormier@stonybrook.edu Areas of Interest Kantian ethics; Nietzschean arguments against morality; pragmatic ethics; animal rights; justifications for affirmative action; realistic, idealistic, and pragmatic theories of truth; concepts of knowledge and objectivity connected with these; pragmatism versus neo-pragmatism; philosophy and literature, Nelson Goodman's and Arthur Danto's philosophies of art, Marx-influenced theories of art and culture; ancient skepticism and stoicism; "Black philosophy" and arguments for the reality of "race" and against individualism; Cornel West's "prophetic pragmatism"; Peter Singer's comparisons of racism with "speciesism" Harvey Cormier's dissertation was on the work of the psychologist and pragmatist philosopher William James. His work since then has taken on diverse subject matters such as Cornel West's Marx-influenced criticisms of James; Nietzsche on freedom and selfhood; the idea that Henry James the novelist was a pragmatist like his brother William; and the film 2001: A Space Odyssey considered as a work of modernist art. Cormier's book, The Truth Is What Works: William James, Pragmatism, and the Seed of Death (Rowman and Littlefield, 2000), attributes to James the "Forrest Gump theory of truth," or the simple but profound idea that truth, like stupidity, is as it does or tends to do. Cormier thinks that this Darwinian "functionalist" approach to epistemology is the best one, and he is interested in the bearing of this idea on questions concerning psychology, evolution, human identity, and morality

However, it is worth emphasizing that, in Mills's view, simply being nonwhite will not make a person conscious of this reality any more than being white will make a person unconscious of it. True, white "renegades" will be unable to refuse the Contract entirely and see things entirely from the nonwhite point of view, since "mere skin color will automatically continue to privilege them" (Mills 1997, 107). But, in general, race will not work straightforwardly as a lens that will cither obscure or show us the true reality. Hence, while the same metaproblem that confronts Orwell and Marx may not trouble Mills, Mills will still have to deal with a variant of it. Maybe it will not be hard for a given black person to explain how she and certain other black people have avoided false race consciousness and the white man's epistemological traps; maybe it will be easy for her to see how other blacks got turned into Toms, Oreos, and incognegroes by ideological indoctrination. But there will linger for her, as she explains her knowledge in terms of "reality," the problem of explaining how she can tell which black people are the victims of ideology and which arc not. Indeed, this may be the most epistemologically compelling issue connected to Mills's problem. Racial Contract theory suggests that certain blacks, especially educated blacks in the West, will be hard-pressed not to play their own supporting role in the ideology of white domination, this even despite experiencing disadvantages every day under white supremacy. How have some of them—I guess I should say "some of us"— Something like this is really the fundamental epistemological problem at the bottom of the other mctaproblems. If I and someone else can be confronted with the same reality but come up with two different theories of what is going on right in front of us, then how can I be sure that mine is the theory free of "ideology"? And in this context, it is especially striking that the blacks insisting on the reality of race and racial differences are the ones claiming to have evaded indoctrination. Should they really be so confident of having escaped the intellectual domination of the racists? Maybe this question will seem like just the kind of thing that only either a white ideologue or a miscducated black would ask. Willingness to waste time on such an abstract debate about relations between theories and reality may seem "symptomatic rather than diagnostic" of the realworld race problem, as Mills says of one possible position in this debate, postmodernist irony concerning meaning and truth (Mills 1997, 129). After all, the real causes and effects of both deception and racism are right there in front of us, obvious to any observer, or at least any observer of color ... but then, that's just the issue, isn't it? To suppose that reality answers this question is to beg the question, taking for granted what has to be proven. This is the general problem of appeals to ideology, screens of thought behind which reality hides. It is not necessarily an insoluble problem, even if we use only the means Mills uses to solve the (non"mcta") problem of why Westerners can't see the world in front of them. One might in fact have to argue in a circle, but it would not necessarily be a xricious circle; a big enough circle that took enough concrete details about power relations into account could imaginably explain not only our blindness to the obvious but also our blindness to our obvious blindness to the obvious. Still, I think that there is a better way of dealing with the metaproblcm than starting to look for appearances that screen off appearances, the ulterior motives that hide the ulterior motives, and the ideology that hides the ideology. Instead we can dispense with talk of ideology altogether. Orwell's, Marx's, and Mills's problems, which together amount to the problem of how we know so litde though we experience so much, and Plato's problem, the problem of how we know so much though we experience so litde, are two sides of the same coin—a coin that once was valuable but now is not really worth that much. I think of the "postmodern" philosophical view known as pragmatism as preeminendy an effort to dissolve Plato's problem rather than solve it, to show that our human capacity for infinite knowledge of laws and rules needs to be questioned more than it needs to be explained; and I think that once Plato's problem loses its grip on our imagination, Orwell's problem begins to lose its grip too. We human beings do have remarkable capacities for cooperation, mutual understanding, and the making and sharing of intellectual tools, but the pragmatist thinks that we can understand those capacities without reference to any ostensible ability to look past the world of our little experiences and struggles. And once we accept this anti-Platonist point and get out of the habit of trying to look past our life of making up and sharing ideas, we will be less impressed by Chomsky's, Orwell's, Marx's, and Mills's idea that our intellectual life may amount to a big lie that stops us from noticing reality. Of course, that will not entail that our current understanding of the political world, or of anything else, is all just fine; and it certainly will not entail that there is no need for big changes in the way the races, classes, and genders are related politically. But the grounds for criticism of that understanding and of the world will have to change to healthier and more (small r) realistic grounds, grounds that have more to do with what human beings want out of life than with what there just is in the world of "obvious fact."

#### Duffy votes neg – wants rules

Duffy 83 [Bernard, Rhetoric PhD – Pitt, Communication Prof – Cal Poly, “The Ethics of Argumentation in Intercollegiate Debate: A Conservative Appraisal,” National Forensics Journal, Spring, pp 65-71, accessed at <http://www.nationalforensics.org/journal/vol1no1-6.pdf>]

But in this case, why talk about the ethics of debate at all? If the term only means observing the rules of the game, it is not particularly significant. Debate should be a thoroughly ethical enterprise. It should educate students in ethics, as well as requiring them to follow the rules.

# Case

## 1NC

#### The nuclear siting regulatory process is highly consultative and incorporates public comments and opinion

NRC 5 --- U.S. Nuclear Regulatory Commission, “Backgrounder on Nuclear Power Plant Licensing Process,” July 2005, <http://www.nrc.gov/reading-rm/doc-collections/fact-sheets/licensing-process-bg.html>

The Nuclear Regulatory Commission (NRC) is responsible for licensing and regulating the operation of commercial nuclear power plants in the United States. Currently operating nuclear power plants have been licensed under a two-step process described in Title 10 of the Code of Federal Regulations (10 CFR) under Part 50. This process requires both a construction permit and an operating license.¶ In an effort to improve regulatory efficiency and add greater predictability to the process, in 1989 the NRC established alternative licensing processes in 10 CFR Part 52 that included a combined license. This process, although not used to date, combines a construction permit and an operating license with conditions for plant operation.¶ Other licensing alternatives under Part 52 include Early Site Permits that allow an applicant to obtain approval for a reactor site without specifying the design of the reactor(s) that could be built there, and certified standard plant designs which can be used as pre-approved designs.¶ In either process (10 CFR Part 50 or Part 52), before a nuclear power plant can be built and operated, approval must be obtained from the NRC. In both licensing processes the NRC maintains oversight of the construction and operation of a facility throughout its lifetime to assure compliance with the Commission's regulations for the protection of public health and safety, the common defense and security, and the environment.¶ Two-Step Licensing Process (10 CFR Part 50)¶ All nuclear power plant applications must undergo a safety review, an environmental review and antitrust review by the NRC.¶ In order to construct or operate a nuclear power plant, an applicant must submit a Safety Analysis Report. This document contains the design information and criteria for the proposed reactor and comprehensive data on the proposed site. It also discusses various hypothetical accident situations and the safety features of the plant that prevent accidents or, if accidents should occur, lessen their effects. In addition, the application must contain a comprehensive assessment of the environmental impact of the proposed plant. A prospective licensee also must submit information for antitrust reviews of the proposed plant.¶ When an application to construct a nuclear plant is received, the NRC staff determines whether it contains sufficient information to satisfy Commission requirements for a detailed review. If the application is accepted, the NRC holds a public meeting near the proposed site to familiarize the public with the safety and environmental aspects of the proposed application, including the planned location and type of plant, the regulatory process, and the provisions for public participation in the licensing process. Numerous public meetings of this type are held during the course of the reactor licensing process.¶ All documents and correspondence related to the application are placed in the agency document management system, ADAMS, and in the NRC Public Document Room located in Rockville, Maryland. The NRC issues a press release to media near the proposed plant announcing receipt of the application and sends copies of the announcement to Federal, State, and local officials. In addition, a notice of receipt of the application is published in the Federal Register.¶ The NRC staff then reviews the application to determine whether the plant design meets all applicable regulations (10 CFR Parts 20, 50, 73, and 100). The review includes, in part:¶ characteristics of the site, including surrounding population, seismology, meteorology, geology and hydrology;¶ design of the nuclear plant;¶ anticipated response of the plant to hypothetical accidents;¶ plant operations including the applicant's technical qualifications to operate the plant;¶ discharges from the plant into the environment (i.e., radiological effluents); and¶ emergency plans.¶ When the NRC completes its review, it prepares a Safety Evaluation Report summarizing the anticipated effect of the proposed facility on public health and safety.¶ The Advisory Committee on Reactor Safeguards (ACRS), an independent group that provides advice on reactor safety to the five-member Commission, reviews each application to construct or operate a nuclear power plant. The ACRS review begins early in the licensing process, and a series of meetings with the applicant and the NRC staff are held at appropriate times in the review process. When the ACRS has completed its review, it submits the results in a report to the Commission via a letter to the Chairman of the NRC.¶ An environmental review is performed by the NRC staff in accordance with the National Environmental Policy Act to evaluate the potential environmental impacts and benefits of the proposed plant. After completing this review, the NRC issues a Draft Environmental Impact Statement for comment by the appropriate Federal, State, and local agencies as well as by the public. Afterwards, the agency issues a Final Environmental Impact Statement that addresses all comments received.¶ The Atomic Energy Act requires that a public hearing be held before a construction permit is issued for a nuclear power plant. The public hearing is conducted by a three-member Atomic Safety and Licensing Board. The board is composed of one lawyer, who acts as chairperson, and two technically qualified persons. Members of the public may submit written or oral statements to the licensing board to be entered into the hearing record or they may petition to intervene as full parties in the hearing.

#### An Executive Order to promote environmental justice in federal agency decisions already exists – and was recently broadened and strengthened by Obama

Louis A. Zeller 11, Blue Ridge Environmental Defense League, 10-31-11, [http://cybercemetery.unt.edu/archive/brc/20120621043822/http://brc.gov/sites/default/files/comments/attachments/111031\_comments\_on\_draft\_report\_to\_doe\_lz\_0.pdf](http://cybercemetery.unt.edu/archive/brc/20120621043822/http:/brc.gov/sites/default/files/comments/attachments/111031_comments_on_draft_report_to_doe_lz_0.pdf)

The Blue Ribbon Commission must not overlook important issues of environmental¶ justice with respect to both President Clinton’s Executive Order No. 12898: “Federal¶ Actions to Address Environmental Justice in Minority Populations and Low-income¶ populations” and President Obama’s August 4, 2011 Memorandum of Understanding “To¶ declare the continued importance of identifying and addressing environmental justice¶ considerations in agency programs, policies, and activities as provided in President¶ Clinton’s Executive Order 12898, including as to agencies not already covered by the¶ Order.”1¶ As you know, Executive Order 12898 states: To the greatest extent practicable and¶ permitted by law, and consistent with the principles set forth in the report on the National¶ Performance Review, each Federal agency shall make achieving environmental justice¶ part of its mission by identifying and addressing, as appropriate, disproportionately high¶ and adverse human health or environmental effects of its programs, policies, and¶ activities on minority populations and low-income populations in the United States.2¶ Further, the August 4th Memorandum of Understanding advances federal agency¶ responsibilities first outlined in Executive Order 12898. The Executive Order makes¶ environmental justice integral to the mission of each agency. The MOU broadens the¶ reach of the Interagency Working Group on Environmental Justice and strengthens¶environmental justice efforts under the National Environmental Policy Act and Title VI¶of the Civil Rights Act of 1964. At present, the White House Council on Environmental¶ Quality, the General Services Administration, the Small Business Administration and¶ thirteen cabinet departments3 have signed the MOU, including the Department of Energy.¶ As it was founded by the Secretary of Energy and operates under the authority of the¶ DOE, the Blue Ribbon Commission cannot avoid its specific responsibility to address the¶ adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.

#### Nuclear regulatory decisions empirically take environmental justice concerns into account

NIRS - Nuclear Information and Resource Service – No Date, http://www.nirs.org/ejustice/ejustice.htm

Nuclear waste dumps, toxic incinerators, atomic reactors and other such facilities typically are located where there is cheap land, cheap facilities, and little organized opposition. Too often, this has been in minority and poor communities that have felt powerless to oppose corporate giants.¶ In February 1994, President Clinton issued an Executive Order requiring federal agencies **to consider environmental justice** issues when issuing permits for new polluting facilities. Although as an independent agency the Nuclear Regulatory Commission was exempt from that order, then-Chairman Ivan Selin committed the NRC to implement the order. One result was a finding that the proposed Louisiana Energy Services uranium enrichment plant for Homer, Louisiana, violated environmental justice principles, and it became the first license applicant before the NRC ever to be denied a license.

#### No such thing as environmental racism --- the movement cherry-picks studies but ignores broader scientific conclusions

Christopher H. Foreman 98, Jr., Nonresident Senior Fellow, Governance Studies – Brookings Institution, The Clash of Purposes: Environmental Justice and Risk Assessment, 3-20-98, http://www.brookings.edu/research/articles/1998/03/20environment-foreman

But when you clear away all the smoke blown over risk and racism in recent years, there turns out to be remarkably little good evidence demonstrating that low-income and minority citizens regularly bear a disproportionate share of society's environmental risk, much less that they develop pollution-related illnesses more often than other citizens. Perhaps more interestingly, a close examination of environmental justice activism makes abundantly clear that, despite persistent rhetoric to the contrary, the movement is actually not terribly risk-driven after all. And anyone hoping for the day when EPA and state environmental authorities have a reliable analytic handle on disproportionate risk borne by environmental justice constituencies should receive fair warning: don't hold your breath.¶ To be sure, we are more likely to find certain environmental risks in closer proximity to poor people than to wealthier ones. An EPA task force on environmental equity, created in July 1990 by administrator William Reilly in the wake of activist prodding, determined that one problem—lead exposure—stood out in the data as a particular threat among low-income black youngsters. There probably are other industrial substances having a greater cumulative adverse impact on minorities than on whites—toxic residue ingested via low-income and subsistence fisheries is often mentioned—but any resulting disproportionate disease incidence has thus far **eluded science**.¶ The lens of environmental justice can blind one to the big picture. Lots of low-income and minority folks live and work in cities. Anyone who does is almost certainly breathing dirtier air than anyone who doesn't. And no one disputes that a fair amount of what migrates into urban airsheds would ideally not be there, especially the ozone that, as a significant respiratory irritant, EPA aims to reduce further. Ozone can help trigger asthma attacks, and African Americans suffer disproportionately from asthma. But these observations hardly add up to a compelling rationale for racialized clean air politics and policies.¶ By the same token, New Jersey is renowned for having more hazardous waste than any other state. Would anyone claim that the size of that state's minority population in any way explains this? One might pose the same question about the notorious Hanford nuclear waste site in Washington state, or even the infamous (and vastly overblown) Love Canal and Times Beach episodes of years ago. Recent and careful studies do not bear out the claim of regular or systematic ethnic bias either in facility siting or in cleanup decision making. Though activists have a hard time accepting it, racism simply doesn't appear to be a significant factor in our national environmental decision making.¶Anyone who has closely watched the environmental justice movement over the years has heard two phrases repeated with an almost mantra-like regularity. One is "cancer alley." The other is "multiple, cumulative and synergistic risk." In movement lore, "Cancer Alley" endures as perhaps the clearest example of environmental harm disproportionately borne by communities of color. Trouble is, careful research refutes the allegation. On the other hand, the cry of "multiple, cumulative and synergistic risk" bundles a partly disingenuous plea for more research along with an intuitively appealing presumption that minority and low-income communities face substantial environmental risks that remain unrecognized and unassessed. But the plea is disingenuous because activists have no intention whatsoever of using risk assessment, however careful, to guide their advocacy priorities.¶ "Cancer Alley" refers to the roughly 85-mile industrial corridor stretching from Baton Rouge, Louisiana to New Orleans, said to be home to a quarter of the nation's petrochemical production. Some residents have been convinced for years that living in the area carries with it significant additional cancer risk. In 1993 testimony before a House Judiciary subcommittee Pat Bryant, representative of the Gulf Coast Tenants Association, proclaimed:¶ "'Cancer Alley' . . .remains one of the most poisoned areas anyplace. One hundred and thirty-eight petro-chemical facilities have made home in large plantations, most of the time as close as possible to African-American communities. .¶ "Despite denials of the petro-chemical industry financed studies, we know that cancer incidence in this corridor is higher than the national average. Cancer is so commonplace in ?Cancer Alley' that almost every family is touched.¶ " . . .This area has become a zone of national sacrifice. This is genocide at its finest, and it is a national disgrace."¶ Actually it is not surprising that black Louisianans have been seeing a lot of cancer since everyone else is too. American Enterprise Institute resident fellow Michael Fumento observes that "one fourth of us will contract cancer and one fifth of us will die of it. Indeed, as the population ages and fewer and fewer people die of other causes, more and more will die of cancer."¶ But have black Louisianans been seeing more cancer than other Americans? In 1990 the respective cancer incidence rates among blacks and whites nationally stood at 423 and 393 per 100,000. Differences in behavior and health care access are clearly part of the explanation. In the 1970s some studies suggested an association between lung cancer incidence and the percentage of a population employed in or near certain industries or in urban areas. But these studies often failed to take smoking into account, and the association has not withstood scrutiny in the Louisiana case. The current scientific consensus is that behavioral (and some occupational) factors have been associated with cancer incidence in Louisiana but that there is no overall "cancer epidemic" in that state or in the so-called "Cancer Alley." Indeed, blacks in south Louisiana appeared to have fewer cases of cancer than the national average during the 1983-87 period covered by the most careful study yet, published in the April 1996 issue of the Journal of the Louisiana State Medical Society. Although cancer incidence among blacks may have been low, mortality rates were indeed excessive when compared with the nation as a whole, perhaps indicating that poor health care was a factor in the cancer burden among area residents.¶ But the mythical "Cancer Alley" endures in movement rhetoric, and it is not hard to understand why. A connection between petrochemical plants—or, for that matter, between any source of fearsome, unwanted "goop"—and disease has powerful intuitive appeal for citizens even though science may identify no causal linkage. As Howard Margolis of the University of Chicago argues in Dealing with Risk, a divergence between expert and citizen perception of risk remains one of the more treacherous fault lines in environmental politics, precisely because of the profound grip that intuition wields over citizen perceptions. And since one cannot prove a negative—that is, prove beyond all doubt that factories and dumpsites could never cause cancer—uncertainty prevails.¶ That uncertainty also provides powerful leverage for mobilizing citizens, and for holding the Establishment's feet to the fire. In the end, this is the real game that environmental justice activists are playing. These activists (especially those more or less full-time advocates who champion a broad agenda transcending specific site-level grievances) are best perceived as social justice proponents who happen to specialize in environmental themes. Employing such themes, they try to win a larger voice, and more resources, for disadvantaged communities, broadly defined. Their specific targets are many and varied, their overarching motivation strongly egalitarian. On behalf of their redistributive ends, they wish to arouse and unify citizens in order to make and enforce demands on business and government. The environmental justice movement is, of necessity, highly opportunistic and improvisational. Because the movement's main thrust is toward the "empowerment" of a diverse citizen constituency, **scientific findings that blunt or conflict with that goal are a decided inconvenience**, and are therefore either **ignored or ridiculed**.¶ Formal analysis, including risk assessment, is thus largely irrelevant to the underlying objectives and gratifications that stir activist and community enthusiasm under the environmental justice rubric. Sympathetic accounts of the movement's rise often highlight studies published in 1983 by the General Accounting Office and in 1987 by the United Church of Christ/Commission for Racial Justice. These studies (especially the latter, entitled "Toxic Wastes and Race in the United States") purported to show that commercial hazardous waste facilities were more likely to be found near minority communities.¶ What is most important to grasp about these studies is not just that they are crude and woefully misleading—though they are—but rather that they were always mere instruments of the movement rather than its cause. Although more refined risk analyses may have some uses in the environmental justice context, it would be naive to imagine that their conclusions will matter much to communities unless bonded to a gratifying practical politics anchored within those communities. And analytic conclusions cannot achieve this effect unless they demonstrate what activists want shown, that minority and low-income people are disproportionately victimized.¶ The environmental justice perspective is powerful not because it speaks honestly to technical questions of harm or risk—it often does not—but because it appears to promise something larger, more uplifting, more viscerally engaging than mere careful calculation can offer. It effectively speaks to the fear and anger among local communities feeling overwhelmed by forces beyond their control, and outraged by what they perceive to be assaults on their collective quality of life.¶ In this context, "multiple, cumulative and synergistic risk" represents a piece of technical rhetoric but not authentic commitment to a technical perspective. Activists have no intention of allowing toxicologists, epidemiologists and their various intellectual kin to define the premises of their movement. Indeed, like grassroots antitoxics advocacy generally, environmental justice largely reflects a challenge to technocracy, and to technical ways of thinking, not an embrace of them. Such language is believed to be the price of admission to the policy process, but it most certainly is not what the ticket buyers are really all about.

#### We have a moral obligation to advocate nuclear---any alternative results in extinction due to warming

Baker 12—Executive Director of PopAtomic Studios, the Nuclear Literacy Project (7/25/12, Suzy, Climate Change and Nuclear Energy: We Need to Talk, ansnuclearcafe.org/2012/07/25/climate-change-and-nuclear-energy-we-need-to-talk/)

Ocean Acidification¶ While I was making artistic monuments to single celled organisms in the ceramics studio, new research was emerging about ocean acidification affecting these beautiful and integral pieces of our ecosystem. As the ocean absorbs excess carbon from humans burning fossil fuels, the pH of the ocean is rapidly changing. This means that our ancient oxygen-making pals cannot properly do their job. As their ocean home becomes inhospitable, they are dying off in droves. This not only impacts the ocean’s ability to naturally sequester man made carbon emissions; it also negatively impacts the entire food chain, since they are the primary food source for other multi-cellular ocean creatures, some of which we enjoy eating.¶ Oh, and did I mention that these little phytoplankton are also responsible for creating the ozone layer that protects all life on the planet from cosmic radiation, and they churn out 70-80% of the oxygen we breathe? These creatures are much more than just a pretty floating form.¶ Ocean acidification is the issue that brought me to supporting nuclear energy. Ocean acidification is an often-overlooked aspect of climate change that is potentially more threatening than the heat, the super storms, the fires, the drought, the crop losses, and all of the other trends that we are seeing now, which climate scientists have been warning us about for decades.¶ Climate Change and Nuclear Energy: Like Oil and Water?¶ It didn’t take long for me to find out that in the nuclear industry, climate change is not something we all agree on. Discussing climate change as a concern is often polarizing, and brings up intrinsic conflicts of interest in the larger energy sector (the companies who design/build/run the nuclear plants also happen to design/build/run the fossil fuel plants). I’ve been advised by people who deeply care about me, and the success of my organization, not to bring up climate at all, and to be extremely careful not to base my support of nuclear on climate issues. I’ve also been specifically advised not to make the argument that nuclear energy is the only solution to climate change.¶ When you are the new kid, it is usually best not to make waves if you can help it. So, for the most part, I have heeded that advice and held my tongue, despite myself.¶ However, as I watch the news (and my wilting vegetable garden) and see the magnitude of human suffering that is directly related to increasingly severe weather events, I cannot keep silent. Climate change is why I am here supporting nuclear energy, so what am I doing not talking about it?¶ The CEO of Exxon Mobile recently made clear that despite his company’s acknowledgement of the irrefutable evidence of climate change, and the huge ecological and human cost, he has no intentions of slowing our fossil fuel consumption. In fact, he goes as far to say that getting fossil fuels to developing nations will save millions of lives. While I agree that we need stronger, better energy infrastructure for our world’s poorest nations, I wholly disagree that fossils are the right fit for the job.¶ Fossil fuel usage could be cast as a human rights issue only to the extent that access to reliable and affordable electricity determines what one’s standard of living is. At the same time, fossil fuel usage is the single largest threat to our planet and every species on it. Disregarding the impacts that fossil fuel use poses, merely to protect and increase financial profits, is unethical, and cloaking fossil fuel use as a human rights issue is immoral.¶ Although we are all entitled to our own opinions and beliefs, the idea that climate change and ocean acidification are even up for debate is not reasonable. Just think: The CEO of the largest fossil fuel company in America freely speaks out about climate change, while nuclear energy advocates are pressured to stay silent on the subject.¶ Silence is No Longer an Option¶ I am someone who avoids conflict, who seeks consensus in my personal and professional lives, and so I have followed the advice of well-meaning mentors and stayed silent in hopes of preserving a false peace within my pro-nuclear circles, including my family and friends. But my keeping silent is now over— starting here and starting now—because this is too big and too important to stay silent. I am not alone in believing this, and the nuclear industry does itself no favors by tacitly excluding the growing movement of people who are passionate about the need to use nuclear energy to address climate change.¶ And nuclear power is the only realistic solution. It would be great if there were also other viable solutions that could be easily and quickly embraced; however, the numbers just don’t work out. Renewables and conservation may have done more good if we had utilized them on a large scale 40 years ago, when we were warned that our ecosystem was showing signs of damage from fossils fuels…but at this point it’s really too late for them. And burning more fossil fuels right now, when we have the technologies and know-how to create a carbon-free energy economy, would be the height of foolishness.¶ In the meantime, there is real human suffering, and we here in the developed world are directly causing it. Our poorest brothers and sisters cannot escape the heat. They cannot import food when their crops fail. They cannot buy bottled water when there is a drought. They cannot “engineer a solution” any more than my childhood friends the phytoplankton can.¶ ¶ Energy Choices as an Ethical Obligation¶ We have an ethical obligation to stop killing people with our energy consumption. That statement may sound oversimplified, but let’s be honest—we know that fossil fuels kill approximately 1.3 million people each year through respiratory diseases and cancers, and the death toll for climate change related events rises every day. Yet, we do nothing but dither about climate change politics. Where is the outrage?¶ The fossil fuel industry has been successful at presenting a united front and maintaining consistent strategic communications. In contrast, the safety record and clean energy contributions of nuclear are always overshadowed by politics favoring fossil fuel use. If anything, nuclear advocates should be particularly sensitive that the very same politics are happening with climate science.¶ We should be championing nuclear energy as a science-based solution, instead of enforcing a meek code of silence. People from outside the nuclear industry, like Gwyneth Cravens, Barry Brooks and Tom Blees, have pointed out these relationships, yet the nuclear industry has yet to internalize and accept these realities.¶ How can we expect people to listen to science and not politics when it comes to nuclear energy, but not climate change?¶ Disagreeing with a policy does not change the facts. You can disagree with policy to limit carbon emissions, but that doesn’t change the fact that our fossil fuel consumption is changing the PH of our oceans. Many people disagree with the use of nuclear energy, but that doesn’t change the fact that nuclear is our largest source of carbon free electricity and the safest source of electricity per kilowatt hour.¶ Nuclear Must Lead by Example¶ If we want the public to overcome the cognitive dissonance between science and policy when it comes to nuclear energy, we need to lead by example and overcome our own cognitive dissonance when it comes to climate change — even if it means risking our own interests as members of the larger energy industry. We are not going to run out of fossil fuels any time soon, so the decision to move to carbon-free energy—to move to nuclear energy—must be made willingly, and based on ethical principles, not the limits of our natural resources.¶ As green groups wait endlessly for renewable technologies to have some kind of breakthrough, and nuclear supporters stay mum on climate change, we continue using fossil fuels. Our collective inaction is allowing the destruction of our planet’s ecosystem, the dying of our oceans, and the suffering of the poorest members of our own species. The climate conversation has become so convoluted by politics and greed that many smart, compassionate people have “thrown in the towel.” We should be more concerned than ever at our lack of a comprehensive global response.¶ I strongly believe that there’s still time to reclaim the dialogue about climate change based on ocean acidification evidence, and to use nuclear technologies to improve the long-term outcome for our planet and our species. The first step is acknowledging the complicated and unique role of the nuclear industry in this conflict, and the conflicts of interest that are impeding open communication. The second step is to realize that the climate change community is a potential ally, and that openly addressing the subject of climate change in our communications is in the best interest of the nuclear community. The third step is choosing to do the right thing, not just the polite thing, and reclaim our legitimate role in the energy community as the “top dog” of carbon-free electricity, instead of quietly watching natural gas become “the new coal.”¶ Climate change is not going away—it is getting worse—and each one of us in the nuclear community has an ethical obligation to speak up and to do something about it. I am speaking up for the oceans, for the cyano-bacteria and diatoms and our shared mitochondrial RNA that still fills me with wonder at the beauty of this world. Please join me if you can, to speak up for what you love—and if you cannot, please understand that we all remain nuclear advocates, and that the nuclear community is much stronger with the no-longer-silent climate change harbingers in it.

#### Waste storage systems are safe and effective

Ritch 99 (John, former US ambassador to the United Nations Organisation in Vienna, June 1999. Australian Financial Review 26/3/99, IAEA Bulletin 41.2; “Nuclear Green”)

THE FACT THAT modern reactors are immensely safe shifts attention to the question of nuclear waste. The myth is that, regardless of reactor safety, the resulting waste is an insoluble problem–a permanent and accumulating environmental hazard. The reality is that, of all energy forms capable of meeting the world’s expanding needs, nuclear power yields the least and most easily managed waste. The challenge of climate protection arises precisely because it is fossil fuel consumption, not nuclear power, which presents an insoluble waste problem. The problem has two aspects: the huge volume of waste products, primarily gases and particulates; and the method of disposal, which is dispersion into the atmosphere. Neither seems subject to amelioration through technology. In contrast, nuclear waste is small in volume and subject to sound management. Most nuclear waste consists of relatively short-lived, low and intermediate level waste –annually, some 800 tonnes from an average reactor. Such waste can be handled safely through standard techniques of controlled burial or storage in near-surface facilities. Half of such waste comes from industrial and medical activities rather than from power production. High level waste consists of spent fuel or the liquid waste which remains after spent fuel is reprocessed to recover uranium or plutonium for further use. The annual global volume of spent fuel from all reactors is 12,000 tonnes. This amount–tiny in comparison to the billions of tonnes of greenhouse gases and many thousands of tonnes of toxic pollutants being discharged annually–can be stored above or below ground. Moreover, the volume decreases considerably if the fuel is reprocessed. The 30 tonnes of spent fuel coming from the average reactor yield a volume of liquid waste of only 10 cubic metres per year. Even with twice today’s number of reactors, the annual global volume of liquid waste, if spent fuel were reprocessed, would be only 9,000 cubic metres–the space occupied by a 2-metre high structure built on a soccer field. Liquid waste from reprocessing can be vitrified into a glass which is chemically stable and subject to a variety of remarkably safe storage techniques. Indeed, the use of those techniques in long-term storage is now more a political than a technical question.

#### Nuclear power causes no environmental damage

Fred Bosselman 7 - Professor of Law Emeritus, Chicago-Kent College of Law “THE NEW POWER GENERATION: ENVIRONMENTAL LAW AND ELECTRICITY INNOVATION: COLLOQUIUM ARTICLE: THE ECOLOGICAL ADVANTAGES OF NUCLEAR POWER,” 15 N.Y.U. Envtl. L.J. 1

Like coal, nuclear power is made from a mineral substance that comes from a mine, is transported to the power plant and removed from the plant when its usefulness has ended. The uranium used in nuclear power plants, however, has only a small fraction of the ecological impact of coal at any stage of its cycle, both in total effect and per unit of power produced. The nuclear industry claims that: Nuclear energy has perhaps the lowest impact on the environment - including air, land, water, and wildlife - of any energy source, because it does not emit harmful gases, isolates its waste from the environment, and requires less area to [\*38] produce the same amount of electricity as other sources. [193](http://www.lexis.com/research/retrieve?_m=4a9f74e9d68358dde5b1da7c76fcc08d&docnum=49&_fmtstr=FULL&_startdoc=1&wchp=dGLbVlz-zSkAB&_md5=b940f69f179ebb657dc94d1baf8c0fbd#n193) The evidence supports these claims, as will be shown below. [194](http://www.lexis.com/research/retrieve?_m=4a9f74e9d68358dde5b1da7c76fcc08d&docnum=49&_fmtstr=FULL&_startdoc=1&wchp=dGLbVlz-zSkAB&_md5=b940f69f179ebb657dc94d1baf8c0fbd#n194) Moreover, the risk of a serious accident or terrorist attack on the next generation of nuclear plants will be slight. [195](http://www.lexis.com/research/retrieve?_m=4a9f74e9d68358dde5b1da7c76fcc08d&docnum=49&_fmtstr=FULL&_startdoc=1&wchp=dGLbVlz-zSkAB&_md5=b940f69f179ebb657dc94d1baf8c0fbd#n195)

#### Whiteness isn’t a monolithic root cause---they shut off productive debate over solutions – means the plan fails

Shelby 7 – Tommie Shelby, Professor of African and African American Studies and of Philosophy at Harvard, 2007, We Who Are Dark: The Philosophical Foundations of Black Solidarity

Others might challenge the distinction between ideological and structural causes of black disadvantage, on the grounds that we are rarely, if ever, able to so neatly separate these factors, an epistemic situation that is only made worse by the fact that these causes interact in complex ways with behavioral factors. These distinctions, while perhaps straightforward in the abstract, are difficult to employ in practice. For example, it would be difficult, if not impossible, for the members of a poor black community to determine with any accuracy whether their impoverished condition is due primarily to institutional racism, the impact of past racial injustice, the increasing technological basis of the economy, shrinking state budgets, the vicissitudes of world trade, the ascendancy of conservative ideology, poorly funded schools, lack of personal initiative, a violent drug trade that deters business investment, some combination of these factors, or some other explanation altogether. Moreover, it is notoriously difficult to determine when the formulation of putatively race-neutral policies has been motivated by racism or when such policies are unfairly applied by racially biased public officials.¶ There are very real empirical difficulties in determining the specific causal significance of the factors that create and perpetuate black disadvantage; nonetheless, it is clear that these factors exist and that justice will demand different practical remedies according to each factor's relative impact on blacks' life chances. We must acknowledge that our social world is complicated and not immediately transparent to common sense, and thus that systematic empirical inquiry, historical studies, and rigorous social analysis are required to reveal its systemic structure and sociocultural dynamics. There is, moreover, no mechanical or infallible procedure for determining which analyses are the soundest ones. In addition, given the inevitable bias that attends social inquiry, legislators and those they represent cannot simply defer to social-scientific experts. We must instead rely on open public debate—among politicians, scholars, policy makers, intellectuals, and ordinary citizens—with the aim of garnering rationally motivated and informed consensus. And even if our practical decision procedures rest on critical deliberative discourse and thus live up to our highest democratic ideals, some trial and error through actual practice is unavoidable.¶ These difficulties and complications notwithstanding, a general recognition of the distinctions among the ideological and structural causes of black disadvantage could help blacks refocus their political energies and self-help strategies. Attention to these distinctions might help expose the superficiality of theories that seek to reduce all the social obstacles that blacks face to contemporary forms of racism or white supremacy. A more penetrating, subtle, and empirically grounded analysis is needed to comprehend the causes of racial inequality and black disadvantage. Indeed, these distinctions highlight the necessity to probe deeper to find the causes of contemporary forms of racism, as some racial conflict may be a symptom of broader problems or recent social developments (such as immigration policy or reduced federal funding for higher education).

## 1NR

#### Federal guidelines mean nuclear plants must be located in low-population zones

AP 11, 6-27, “AP: Populations around U.S. nuclear plants soar”, http://www.usatoday.com/news/nation/2011-06-27-Nuclear-plants-population-evacuation\_n.htm

In 1998, federal guidelines said **low-population areas were "generally preferred" because they limit exposure to radiation accidents**. This was viewed as part of the NRC's philosophy of multiple layers of accident safeguards. **NRC regulations continue to require "low population zones" around prospective nuclear sites.**

#### Most nuclear plants are built along affluent beachfront property – the need the water for cooling

Dedman 11 Bill Dedman, reporter for MSNBC, “Nuclear neighbors: Population rises near US reactors”, April 4, 2011, http://www.msnbc.msn.com/id/42555888/ns/us\_news-life/t/nuclear-neighbors-population-rises-near-us-reactors/#.UGB7wI1lSAo

Why would the population rise sharply near nuclear power plants, even in lower-growth states outside the Sun Belt? One reason could be normal population expansion, with previously unoccupied areas being filled in. Another reason: Nuclear reactors use water for cooling, from lakes, rivers or oceans, so **the reactors are typically built on waterfront property**. Is the sun rising or setting over the ocean any less beautiful if you can also see a cooling tower?¶ On a recent spring evening, two boys were shooting hoops in the driveway of a **beachfront house** on Millstone Beach in Waterford, a Connecticut town on Long Island Sound midway between New York City and Boston. The neat houses look out on glorious sunrises.¶ And if you turn your head to the right, the orange-and-white-striped tower of the Millstone Power Station reaches high above the white sand. The estimated population within 10 miles of Millstone grew 30 percent in the past decade, to 123,482. The population within 50 miles grew to 3 million, an increase of 10 percent, much faster than the state's general growth rate of 4.9 percent.¶ The father of one of the boys, Paul Van der Putten, 49, bought his home in 2003 for $378,000. It has increased roughly 75 percent in value since. He said he isn't worried about the nuclear plant, which is about six-tenths of a mile away, the length of 10 football fields. It has two

# CP

## 1NC

#### The United States Federal Government should adopt a classification policy relating to nuclear energy production that information relating to environmental, safety and health issues should be classified only when national security requirements clearly outweigh the public's need to know.

#### The Department of Energy should implement the document management recommendations of the 1997 Openness Advisory Panel.

#### The CP solves the case --- de-classifies the majority of weapons-related information – only maintains classification in instances where proliferators or terrorists could benefit

Al Narath 96, Chairman - Fundamental Classification Policy Review and former Director of Sandia National Laboratory, Department of Energy Fundamental Classification Policy Review, February 1, 1996, <https://www.osti.gov/opennet/forms.jsp?formurl=document/fcprrpt/fcprrpta.html>

The previously discussed DOE Openness Initiative is only one manifestation of policy changes since the end of the Cold War. Defense focus has shifted toward a world where regional powers may attempt to gain local hegemony through aggression or intimidation. These threats cannot, for the most part, be adequately addressed by the United States or any other single nation state [Note 7]. In general, the changes in national security policy provide a greater opportunity to emphasize our commitment to open Government [Note 8]. However, a critical priority of the U.S. is to stem the proliferation of weapons of mass destruction and their missile delivery systems [Note 9]. It is largely within this arena of sometimes competing national priorities -- international cooperation, openness in government and nonproliferation -- that a new DOE classification policy must be formulated.¶ The Review sought to identify and evaluate fundamental changes that could bring the DOE classification system more closely into line with national policy. A premium was placed on expressing policy and principles so that both practitioners of classification and the public at large can understand which information must be protected and which can be made available to the public. In contrast to the current principle of balancing four aims, the Review recommends eleven general and another ten area-specific principles aimed primarily at defining what DOE classification must and must not do.¶ General Principles ¶ Public trust can best be held by providing complete and accurate information in a timely manner and ensuring that only information requiring protection is classified [Note 10].¶ Classification must be based on explainable judgments of identifiable risk to national security and no other reason [Note 11].¶ Information relating to environmental, safety and health issues should be classified only when national security requirements clearly outweigh the public's need to know.¶Classification must never be used to conceal or delay the discovery of violations of law, inefficiency, or errors; to prevent embarrassment; or to restrain competition.¶ Classification policy must be unambiguously related to national policy and enunciated in a manner understandable by the public.¶ Classification guidance must be traceable to classification policy and must provide a clear, unambiguous understanding of what information must be classified.¶ Classification policy and guidance must be reviewed periodically to ensure harmony with national policy and to identify information that can be declassified.¶ Classification policy and practices must honor U.S. international commitments contained in treaties and other agreements and not inhibit authorized cooperation with other countries.¶ Unauthorized disclosure does not necessarily provide a basis for declassification.¶ Information or technology considered obsolete by U.S. standards may still be classified due to its usefulness to terrorists and proliferators.¶Open communication of fundamental science does not preclude classification of implementing technology.¶ Nuclear Weapons - Specific Principles ¶ DOE classification is primarily focused on stemming the flow of information that could materially advance the objectives of nuclear proliferators, terrorists or saboteurs; assist in significantly improving a nuclear weapon capability; or expose a significant vulnerability or defect in U.S. weapons.¶ Classification is a major element in assuring that a U.S. nuclear weapon cannot be used in an unauthorized manner.¶ Classification may delay, but cannot prevent, acquisition of a first-generation nuclear weapon; it can significantly increase the cost and the time to develop more advanced capabilities.¶Information confirming the technical merits of various approaches to nuclear weapon development, detailed nuclear weapon design information, performance data gained from nuclear tests, and information on how test data are used to validate models and data bases must be closely guarded.¶ Basic scientific information, not revealing details of weapon design or fissile material production, should not be classified unless there is a compelling reason to believe that disclosure would significantly assist in gaining or enhancing a nuclear capability.

#### Environment, health, and safety information is already declassified --- the problem is the accessibility of the information, not its secretive nature

OAP 97 --- Openness Advisory Panel, Secretary of Energy Advisory Board, “Responsible Openness: An Imperative for the Department of Energy,” US DOE, 8-25-97, <https://www.osti.gov/opennet/forms.jsp?formurl=document/fcprrpt/fcprrpta.html#ZZ21>

OAP Members include: Dr. Richard A. Meserve, Chairman Partner, Covington & Burling, Washington, D.C.; Mr. David H. Albright President, Institute for Science and International Security, Washington, D.C.; Dr. Allen Lee Sessoms President, Queens College, The City University of New York, Flushing, New York; and others

Even if all of the information in DOE�s possession were declassified immediately, **openness would still not be achieved**. For example, much of the justification for the Openness Initiative came from public interest in the environmental consequences of �activities in the Department�s weapons complex and in the studies on health effects from radiation exposures. Virtually all information bearing on environment, health, and safety is now unclassified. But, the simple fact that the information is unclassified does not necessarily mean that it is accessible. Unclassified information that is buried in a file is effectively unavailable to the public (or the Department). Moreover, many of the documents embodying such information may also contain classified material and therefore have not yet been publicly released. Ultimate achievement of openness thus requires identification of relevant materials in the huge collection of documents under the Department�s �control� and the public release of appropriate documents (or the information they contain). Increasing openness thus presents a difficult document-examination, document-control, and communication problem.¶ Historically poor record keeping in the Department of Energy and�its predecessors, compounded by decentralized, contractor-managed and production-driven operations, has led to a situation in which the Department literally does not know in many cases what records it has or where to find them. This is exacerbated by the policies of secrecy entrenched in the Cold War environment. This combination of factors means that **even when records are not specifically classified, the Department often lacks effective and credible mechanisms to make them accessible**. Moreover, the Department should put in place **procedures to assure accessibility to information that is now being generated or that is created in the future**. Approaches to this problem are discussed in Chapter 2.

#### The CP makes declassified information more accessible to the public

OAP 97 --- Openness Advisory Panel, Secretary of Energy Advisory Board, “Responsible Openness: An Imperative for the Department of Energy,” US DOE, 8-25-97, <https://www.osti.gov/opennet/forms.jsp?formurl=document/fcprrpt/fcprrpta.html#ZZ21>

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The concept of �openness� embraces far more than classification and declassification. It also includes public accessibility to unclassified information and documents. Accessibility requires, in turn, that DOE know where the information can be found � that is, that it develop some degree of �intellectual control� over its own records. Indeed, it has been said that poor records management is a more effective way to keep information out of the hands of the public than classification.¶ Unfortunately, the Department of Energy has neither ready access to the documents under its control nor an adequate inventory of those documents. As noted above, according to its own 1995 estimate, the Department is the steward of approximately 2.7 million cubic feet (roughly 6.75 billion pages) of documents in many forms (from laboratory notebooks to policy memoranda) of which it has, at best, incomplete knowledge. Thus, means to address records accessibility overlap with classification issues, but extend far beyond classification.¶ Inventorying DOE Records¶ DOE estimates that more than 90 percent of its records have been inventoried. This means that the records have been described adequately to develop a records disposition schedule (the legal authority by which federal records may be destroyed, transferred, or otherwise alienated from agency custody). An inventory is conducted at the series level � that is, a level at which records are kept together because they relate to a specific activity, function, or subject. In making an inventory, one goes into an office, notes descriptive information on file drawers or file folders, does a quick survey to ensure the consistency of that descriptive information to the drawer or folder contents, notes the range of dates for the records, and calculates volume. Only general information, sufficient to develop a records disposition schedule, is collected in a records inventory. An inventory does not provide an itemized index of specific documents and thus does not enable one to find a specific document quickly. Drawing an analogy to a grocery store inventory, such an inventory could reveal that the store has 10,000 cans of soup, but would not tell you where to find a specific can of Campbell�s soup.¶ Source: Data from the DOE Office of Records Management and the Office of Declassification.¶ The current situation � a vast, poorly understood accumulation of classified and unclassified documents under little or no control � is not merely an offense against good recordkeeping practices. It can have serious legal and financial consequences for the Department (see �The Price of Neglect� opposite [below]).¶ This situation has made it difficult and costly for the Department to meet its obligations in litigation, in responding to Freedom of Information Act (FOIA) requests, in preparing congressional testimony, and in satisfying other demands for historical information. It has also led to embarrassment and needless lawsuits and even the threat of judicial sanctions to punish DOE for lack of responsiveness, and incomplete responses, to requests for information. Indeed, DOE�s inability to access its own documents means that the Department has limited memory of its own past actions, which can frustrate its capacity to achieve its current missions in an efficient fashion. Moreover, the inability to locate relevant documents also feeds the public�s suspicions that something sinister is being hidden from them.¶ At a more immediate level, the lack of control of historical records� makes it arduous and time-consuming for the Department to retrieve information from its own files. For example, the collection of information concerning human radiation experiments was difficult because of poor record management practices, not because of classification (most of the relevant documents were not classified). If the Department hopes to respond more quickly to demands for information in the future, steps must be taken in advance to gain better intellectual control of its records.¶ The Department must improve its document control systems. Through the Openness Initiative, DOE has committed to providing the public with records and information and, over the last several years, DOE has taken many steps to facilitate such public access. However, much remains to be done. Until DOE has better control of its records, it cannot fully realize its openness goals. In�implementing the Information Technology Management Reform Act of 1996, 11 DOE should ensure that the Chief Information Officer has the authority and resources to improve document-control and records-management practices across all elements of the Department. The Chief Information Officer should be given the authority and resources to address both paper and electronic records, as discussed below.¶ The Price of Neglect¶ In a still-unresolved lawsuit alleging damages caused by releases of radioactive materials from DOE�s Rocky Flats facility, the Department�s lack of control of documents led to a contempt order against DOE for failure to comply with a stipulated agreement to produce documents requested by the plaintiffs.¶ When DOE attempted to comply with a document production schedule, it made several unpleasant discoveries. In December 1995, DOE estimated that the plaintiffs� request for documents related to materials unaccounted for (MUF) would require declassification review of 11,000 pages. In January 1996, the estimate was increased to 400,000 to 500,000 pages, and in February to 670,000 pages. At about the same time, the Rocky Flats contractor located 1,500 reels of microfilm containing documents.¶ All of this led the plaintiffs to charge that the Department had been making statements about the extent of information in its possession that it knew, or should have known, to be false.¶ When DOE recognized the true magnitude of the declassification task, it realized that it could not comply with the declassification plan and procedures it had previously accepted in a 1994 stipulated order, and could not meet the court-ordered deadline for completing the declassification review, despite a doubling of the declassification staff from 14 to 28. Because of the great suspicion that was created, the plaintiffs were unwilling to accept DOE�s assertions that the MUF documents contained so much highly sensitive information that, when they were reviewed and the classified portions redacted, little useful information would remain.¶ DOE was forced to divert substantial Headquarters and field resources to a large-scale review of documents. Ultimately, the plaintiffs agreed that the effort was largely a waste of resources because of the low relevance of the small amount of information that could be declassified. Millions of dollars were wasted and DOE�s credibility was damaged. And, since the case is not yet closed, the possibility of further embarrassment exists.¶ To make progress in this area, the Department must look both backward, to gain better control of the legacy of documents that already exist, and forward, to ensure that the problems of the past are not repeated in the future. To improve access, the Department must continue its efforts to develop �finding aids� to make searches easier, while at the same time experimenting with the use of modern computer technology to simplify and speed up the process. To avoid problems in the future, the Department must quickly take steps to gain control of the proliferation of electronic documents. Initial steps in each area are discussed below.¶ Continue Developing and¶ Disseminating �Finding Aids�¶ As noted in Chapter 1, in a time of highly constrained resources, declassification efforts should be guided by demand. For a demand-driven approach to be effective and efficient, the demand should be informed by knowledge about what documents exist, the general subject(s) they cover, and where they are located. �Finding aids� � guides that provide pointers that can help researchers locate documents of possible interest � can play an important role in a demand-driven approach.12¶ Availability of good finding aids has the potential to reduce substantially the cost of searches for documents. A report on the impacts of the Openness Initiative on one field office noted that while a search for a known document with a known title costs only around $200, a search in response to a broad request for all information concerning a general topic could come to nearly $14,000. 13 Aids that enable someone seeking a document to increase the specificity of his or her request can reduce the costs of a response.¶ There are several steps the Department could take to continue to�develop and disseminate finding aids to the huge inventory of documents in its possession:¶ Learn from past targeted document reviews. A first step in improving the record-management process is to review the targeted document review efforts that have been undertaken to�date for guidance as to how to proceed in the future. For example, several independent health studies have involved a careful survey of records in order to reconstruct radiological and toxicological doses to the workers or the population surrounding a particular site (�dose reconstruction� surveys). Also important are the human radiation experiments effort, and the recent court-ordered document review at Rocky Flats. These projects should be reviewed for their lessons about how best to gain intellectual control over large quantities of poorly characterized and managed documents.¶ DOE should compile a centralized directory of all currently available �finding aids� for its records. �Finding aids� for surveyed records have generally been prepared as part of various past document reviews. However, these finding aids focus on cataloging only the records of interest to the particular study and were not intended to be comprehensive in scope. They are also not available in a central DOE repository, are not standardized, and are often in an electronic form that is not �user friendly.� Nonetheless, they shed partial light for the first time on portions of DOE records. The Department has spent substantial resources in developing these finding aids, and the full value should be derived from that expenditure by making the finding aids widely available.¶ In response to a recommendation by the Presidential Advisory Committee on Human Radiation Experiments, the DOE Office of Human Radiation Experiments (OHRE) has already undertaken a project aimed at making finding aids to inactive records in DOE custody available to the public. In this project, OHRE has collected lists of folder titles for record series of potential interest from across the DOE, added brief introductions that provide background and context for the series, and placed the listings and introductions in public reading rooms. This information will soon be added to the OHRE site on the World Wide Web. This effort should be continued and expanded to include all currently available finding aids that exist for the Department�s records. The information should be placed directly in OpenNet and should extend beyond health- and safety-related topics. The Panel strongly encourages DOE field sites to cooperate with OHRE (which has been renamed the Office of Research, Records, Data and Access) in this effort.¶ Develop a uniform format and content standard for new finding aids. DOE should ensure that there is a uniform set of criteria governing preparation of finding aids so as to maximize the value of future document review efforts. There should be a standardized format, a clear set of categories of information that might be contained in a document, and a common list of key-words. This effort should be coordinated with efforts to develop a new electronic records management system, so that these new finding aids are fully compatible with new records that are subsequently created. Creation of a standardized and broadly applicable format for such finding aids would help ensure that whenever any body of documents is reviewed and cataloged for any specific purpose (such as a dose-reconstruction project), the resulting finding aid will be of use to the full range of potentially interested stakeholders, rather than only those interested in the information that is the immediate object of the effort. This would require a small incremental effort at the time of the review, but could yield a disproportionate benefit in terms of the increased intellectual control of and accessibility to DOE records.¶ Experiment with preparation of finding aids for important topical areas. DOE has recently completed a major effort to gain control over a large body of documents concerning human radiation experiments, and has compiled and published an extensive finding aid for those documents. The DOE OHRE, which performed that task, has proposed using a similar approach to compile finding aids for other topical areas of interest. We support that proposal. While OHRE recommends that the evolution of radiation protection standards should be the first topic addressed, we suggest consideration as well of a topic that is not directly health-related, such as nuclear-weapons research and development or fissile-material production, in order to respond to the interests of the large community concerned about weapons and nonproliferation policy.¶ Use the ongoing Large-Scale Review to develop finding aids to both declassified and still-classified documents. In June 1994, the Department initiated a Large-Scale Review of classified records for declassification as part of a Department-wide systematic declassification review program. When Executive Order 12958 was issued in 1995, the Large-Scale Review was redirected from documents containing Restricted Data to focus instead on the order�s requirement to review and declassify documents containing National Security Information. In August 1996, the Large-Scale Review was redirected again to reemphasize RD and FRD documents, as well as NSI documents, with priority assigned this time to environmental, safety, and health-related documents having the highest potential for declassification.¶ The review yields only pass/fail decisions: there will be no effort to redact classified documents so that the unclassified portions are made public. Nonetheless, the review offers an opportunity to create finding aids to classified documents that can be valuable in later declassification efforts by enhancing the specificity and focus of subsequent requests for classification reviews. The National Academy of Sciences committee cited experience during the dose-reconstruction project at Hanford that showed that even a simple list of titles of a classified document was a substantial help in focusing the search for information.¶ DOE is already acting to place index information about declassified documents on OpenNet, and to forward the declassified documents for placement into public reading rooms. To facilitate demand-driven declassification, existing and new finding aids to still-classified documents should be disseminated through OpenNet, DOE reading rooms, and other means.¶ Seek To Enhance Efficiency¶ Through Use of Technology¶ As discussed in Chapter 1, existing and emerging technologies hold the promise of a much more efficient records management, cataloging, and location system. If documents are converted into electronic format in this way, it may also be possible to use �artificial intelligence� to facilitate the review of documents for declassification.¶ Test the effectiveness of electronic document management systems. There are currently a number of technologies available and/or being developed, both in the private sector and within DOE, for scanning paper documents, saving them as electronic images and as text files (through optical character recognition, or OCR), and allowing rapid searches of the full text of the documents for words or phrases of interest to the researcher.14 Such a system would not replace the paper documents with electronic ones, since the originals (or hard copies) may continue to be required for legal purposes and for use by those who do not have access to, or are not comfortable with, computer technology. Instead, the electronic copies, combined with a full text search capability, would serve as an extremely fast and high-powered finding aid that could allow rapid identification and location of documents containing information that has been requested. If this approach proves to be feasible and cost-effective on a large scale, it could eliminate the need for the manually developed finding aids discussed above. The Department should seek proposals from the laboratories and the private sector for a document management system tailored to the Department�s needs, and fund one or more pilot tests.¶ Pursue the use of artificial intelligence to assist declassification reviews. Once a document has been converted to electronic format through scanning and OCR, existing or emerging technology might allow computer evaluation to determine, on a preliminary basis, whether it should be classified. The promise is great enough that the technology should be pursued, perhaps initially simply as a means of sorting the collection into documents that are highly likely to contain classified information and those that are promising candidates for declassification. However, some level of human review is likely to be required for final declassification decisions for the foreseeable future, at least until it can be convincingly demonstrated that automatic declassification review methods do not have a higher error rate than human reviews.¶ Bring DOE�s Electronic Records Into¶ the Document Management System¶ The preceding discussion has focused on gaining better control of records that were generated in the past. However, DOE must also address the challenge of ensuring that records yet to come will be better managed from the outset, so that past problems are not repeated. But a fundamental change is occurring that makes the future challenge quite different from the challenge presented by the past documents. The tacit assumption has been that records management is carried out in the domain of paper � pages, files, boxes, repositories, and warehouses. The records problem is almost invariably stated, for instance, in terms of millions or even billions of pages. But the future may differ in a fundamental way: most documents generated today are prepared on increasingly sophisticated word processors and stored in electronic form. In�some cases � notably e-mail and some databases � no paper is generated at all.¶ The shift to electronic media has fundamental implications for records management. While the paper-based domain had been essentially static for years, the new age of electronic information technology is advancing at a prodigious pace. The amazing technological advances in hardware are being matched by increasingly sophisticated software. Indeed, it is not unreasonable to suppose that the advance of hardware and software will continue apace or even accelerate, and will develop in ways that are difficult to predict today.¶ As a consequence, electronic media may be far more �perishable� than the paper they replace. Who remembers the eight-track tapes in the seventies, the Beta videotapes of the eighties, or the punch tapes and punch cards of early computers? The computer revolution thus presents a challenge for those who seek to safeguard information generated in soon-to-be-archaic formats. We have no ready answer to this problem, but for the foreseeable future, electronic document management systems must at the least be designed with sufficient flexibility so as to adapt to this constant change.¶ Report of the Committee on Records of Government¶ In 1985, the Committee on Records of Government, a blue-ribbon panel created by the American Council of Learned Societies, the Council on Library Resources, and the Social Science Research Council, released a report on government records. Among its principal conclusions were:¶ The danger of losing historically valuable records is greatly increased by the changeover to electronic recordkeeping. Under current procedure, records created on tapes or disks are erased or lost before anyone exercises judgement about their possible value. In addition, given the rapidity of technological change, even information recognized as valuable can be lost because the equipment and skills necessary to retrieve it become obsolete or unavailable.¶ They also noted that:¶ By the mid 1970s, when computer tapes for the 1960 census came to the attention of archivists, there remained only two machines capable of reading them. One was already in the Smithsonian. The other was in Japan!¶ Because of erasure of electronic records, future historians may know less about the Reagan Administration�s 1985 arms control initiatives than about those of 1972 which led to SALT I or, for that matter, those of 1921 which led to the Washington Naval treaties.¶ Source: Report of the Committee on the Records of Government, Washington, DC (March 1985).¶ Even without the problems posed by rapid technological advance, the electronic revolution may make the future research into the foundations for policy more difficult. In the electronic domain, there may be little or no �paper trail� to facilitate interpretation. For example, the use of a word processor enables a document to evolve without necessarily leaving a record of changes. Comments by reviewers are incorporated electronically into a new draft, the earlier draft is effectively erased, and there is no record of the �debate� that went into the final product. Often it is this debate, captured in the past in the working documents leading up to the final version, that evokes the interest of the historian, or which turns out to be germane to legal and congressional proceedings. With the shift to electronic media, the whole process by�which decisions were reached, and the diversity of the views that went into them, are in danger of being lost forever. Persons 20 years from now faced with examining remaining records for historical or litigation purposes may have no insight as to how decisions, critical and mundane alike, were reached.¶ The implications of these dramatic changes have yet to draw policymakers� attention to the need to control the generation, storage, and retrieval of information in the future in a way that is fundamentally different from the familiar paper regime. We are entering uncharted territory, seemingly preoccupied with gazing into the rear-view mirror at the past, rather than through the windshield into the future. The Federal Government as a whole � not just the Department of Energy � appears unprepared for the new challenge. A Justice Department attorney recently was quoted as saying that �[w]hen it comes to preserving computer records in an electronic format, the vast majority of government agencies simply are not equipped to do that.�15¶ The Panel believes that to ensure openness in the future, the challenge presented by electronic records must be addressed urgently on a Department-wide, if not a Government-wide, basis. There is an awareness of the problem in interagency circles, and some agencies are seeking to achieve standardization in the management of electronic records. Nonetheless, the problem is so pressing that DOE may not be able to afford to await development of a Government-wide consensus on uniform standards for the generation, storage, archiving, and retrieval of electronic information. While experience suggests that uniform standards may be difficult to attain, a failure to address this problem now will allow today�s confusion to develop into tomorrow�s chaos.¶ The Department possesses a unique resource to apply to the problem unavailable to any other agency of government: the national laboratories, with their high level of computational proficiency, may be well suited to taking an active role in addressing the integrity of future recordkeeping in the face of continuing technological change. Indeed, this capability might enable DOE to take the lead in this challenging task.

## 2NC

### Impacts

#### Prolif causes extinction

Kroenig 12 Matthew, Assistant Professor of Government, Georgetown University and Stanton Nuclear Security Fellow, Council on Foreign Relations, “The History of Proliferation Optimism: Does It Have A Future?” Prepared for the Nonproliferation Policy Education Center, May 26, 2012, <http://www.npolicy.org/article.php?aid=1182&tid=30>

Nuclear War. The greatest threat posed by the spread of nuclear weapons is nuclear war. The more states in possession of nuclear weapons, the greater the probability that somewhere, someday, there is a catastrophic nuclear war. A nuclear exchange between the two superpowers during the Cold War could have arguably resulted in human extinction and a nuclear exchange between states with smaller nuclear arsenals, such as India and Pakistan, could still result in millions of deaths and casualties, billions of dollars of economic devastation, environmental degradation, and a parade of other horrors.¶ To date, nuclear weapons have only been used in warfare once. In 1945, the United States used one nuclear weapon each on Hiroshima and Nagasaki, bringing World War II to a close. Many analysts point to sixty-five-plus-year tradition of nuclear non-use as evidence that nuclear weapons are unusable, but it would be naïve to think that nuclear weapons will never be used again. After all, analysts in the 1990s argued that worldwide economic downturns like the great depression were a thing of the past, only to be surprised by the dot-com bubble bursting in the later 1990s and the Great Recession of the late Naughts.[53] This author, for one, would be surprised if nuclear weapons are not used in my lifetime.¶ Before reaching a state of MAD, new nuclear states go through a transition period in which they lack a secure-second strike capability. In this context, one or both states might believe that it has an incentive to use nuclear weapons first. For example, if Iran acquires nuclear weapons neither Iran, nor its nuclear-armed rival, Israel, will have a secure, second-strike capability. Even though it is believed to have a large arsenal, given its small size and lack of strategic depth, Israel might not be confident that it could absorb a nuclear strike and respond with a devastating counterstrike. Similarly, Iran might eventually be able to build a large and survivable nuclear arsenal, but, when it first crosses the nuclear threshold, Tehran will have a small and vulnerable nuclear force.¶ In these pre-MAD situations, there are at least three ways that nuclear war could occur. First, the state with the nuclear advantage might believe it has a splendid first strike capability. In a crisis, Israel might, therefore, decide to launch a preemptive nuclear strike to disarm Iran’s nuclear capabilities and eliminate the threat of nuclear war against Israel. Indeed, this incentive might be further increased by Israel’s aggressive strategic culture that emphasizes preemptive action. Second, the state with a small and vulnerable nuclear arsenal, in this case Iran, might feel use ‘em or loose ‘em pressures. That is, if Tehran believes that Israel might launch a preemptive strike, Iran might decide to strike first rather than risk having its entire nuclear arsenal destroyed. Third, as Thomas Schelling has argued, nuclear war could result due to the reciprocal fear of surprise attack.[54] If there are advantages to striking first, one state might start a nuclear war in the belief that war is inevitable and that it would be better to go first than to go second. In a future Israeli-Iranian crisis, for example, Israel and Iran might both prefer to avoid a nuclear war, but decide to strike first rather than suffer a devastating first attack from an opponent. ¶ Even in a world of MAD, there is a risk of nuclear war. Rational deterrence theory assumes nuclear-armed states are governed by rational leaders that would not intentionally launch a suicidal nuclear war. This assumption appears to have applied to past and current nuclear powers, but there is no guarantee that it will continue to hold in the future. For example, Iran’s theocratic government, despite its inflammatory rhetoric, has followed a fairly pragmatic foreign policy since 1979, but it contains leaders who genuinely hold millenarian religious worldviews who could one day ascend to power and have their finger on the nuclear trigger. We cannot rule out the possibility that, as nuclear weapons continue to spread, one leader will choose to launch a nuclear war, knowing full well that it could result in self-destruction.¶ One does not need to resort to irrationality, however, to imagine a nuclear war under MAD. Nuclear weapons may deter leaders from intentionally launching full-scale wars, but they do not mean the end of international politics. As was discussed above, nuclear-armed states still have conflicts of interest and leaders still seek to coerce nuclear-armed adversaries. This leads to the credibility problem that is at the heart of modern deterrence theory: how can you threaten to launch a suicidal nuclear war? Deterrence theorists have devised at least two answers to this question. First, as stated above, leaders can choose to launch a **limited nuclear war**.[55] This strategy might be especially attractive to states in a position of conventional military inferiority that might have an incentive to escalate a crisis quickly. During the Cold War, the United States was willing to use nuclear weapons first to stop a Soviet invasion of Western Europe given NATO’s conventional inferiority in continental Europe. As Russia’s conventional military power has deteriorated since the end of the Cold War, Moscow has come to rely more heavily on nuclear use in its strategic doctrine. Indeed, Russian strategy calls for the use of nuclear weapons early in a conflict (something that most Western strategists would consider to be escalatory) as a way to de-escalate a crisis. Similarly, Pakistan’s military plans for nuclear use in the event of an invasion from conventionally stronger India. And finally, Chinese generals openly talk about the possibility of nuclear use against a U.S. superpower in a possible East Asia contingency.¶ Second, as was also discussed above leaders can make a “threat that leaves something to chance.”[56] They can initiate a nuclear crisis. By playing these risky games of nuclear brinkmanship, states can increases the risk of nuclear war in an attempt to force a less resolved adversary to back down. Historical crises have not resulted in nuclear war, but many of them, including the 1962 Cuban Missile Crisis, have come close. And scholars have documented historical incidents when accidents could have led to war.[57] When we think about future nuclear crisis dyads, such as India and Pakistan and Iran and Israel, there are fewer sources of stability that existed during the Cold War, meaning that there is a very real risk that a future Middle East crisis could result in a devastating nuclear exchange.

#### And terrorism causes extinction

Hellman 8[Martin E. Hellman, emeritus prof of engineering @ Stanford, “Risk Analysis of Nuclear Deterrence” SPRING 2008 THE BENT OF TAU BETA PI, http://www.nuclearrisk.org/paper.pdf]

The threat of nuclear terrorism looms much larger in the public’s mind than the threat of a full-scale nuclear war, yet this article focuses primarily on the latter. An explanation is therefore in order before proceeding. A terrorist attack involving a nuclear weapon would be a catastrophe of immense proportions: “A 10-kiloton bomb detonated at Grand Central Station on a typical work day would likely kill some half a million people, and inflict over a trillion dollars in direct economic damage. America and its way of life would be changed forever.” [Bunn 2003, pages viii-ix]. The likelihood of such an attack is also significant. Former Secretary of Defense William Perry has estimated the chance of a nuclear terrorist incident within the next decade to be roughly 50 percent [Bunn 2007, page 15]. David Albright, a former weapons inspector in Iraq, estimates those odds at less than one percent, but notes, “We would never accept a situation where the chance of a major nuclear accident like Chernobyl would be anywhere near 1% .... A nuclear terrorism attack is a low-probability event, but we can’t live in a world where it’s anything but extremely low-probability.” [Hegland 2005]. In a survey of 85 national security experts, Senator Richard Lugar found a median estimate of 20 percent for the “probability of an attack involving a nuclear explosion occurring somewhere in the world in the next 10 years,” with 79 percent of the respondents believing “it more likely to be carried out by terrorists” than by a government [Lugar 2005, pp. 14-15]. I support increased efforts to reduce the threat of nuclear terrorism, but that is not inconsistent with the approach of this article. Because terrorism is one of the potential trigger mechanisms for a full-scale nuclear war, the risk analyses proposed herein will include estimating the risk of nuclear terrorism as one component of the overall risk. If that risk, the overall risk, or both are found to be unacceptable, then the proposed remedies would be directed to reduce which- ever risk(s) warrant attention. Similar remarks apply to a number of other threats (e.g., nuclear war between the U.S. and China over Taiwan). his article would be incomplete if it only dealt with the threat of nuclear terrorism and neglected the threat of full- scale nuclear war. If both risks are unacceptable, an effort to reduce only the terrorist component would leave humanity in great peril. In fact, society’s almost total neglect of the threat of full-scale nuclear war makes studying that risk all the more important. The cosT of World War iii The danger associated with nuclear deterrence depends on both the cost of a failure and the failure rate.3 This section explores the cost of a failure of nuclear deterrence, and the next section is concerned with the failure rate. While other definitions are possible, this article defines a failure of deterrence to mean a full-scale exchange of all nuclear weapons available to the U.S. and Russia, an event that will be termed World War III. Approximately 20 million people died as a result of the first World War. World War II’s fatalities were double or triple that number—chaos prevented a more precise deter- mination. In both cases humanity recovered, and the world today bears few scars that attest to the horror of those two wars. Many people therefore implicitly believe that a third World War would be horrible but survivable, an extrapola- tion of the effects of the first two global wars. In that view, World War III, while horrible, is something that humanity may just have to face and from which it will then have to recover. In contrast, some of those most qualified to assess the situation hold a very different view. In a 1961 speech to a joint session of the Philippine Con- gress, General Douglas MacArthur, stated, “Global war has become a Frankenstein to destroy both sides. … If you lose, you are annihilated. If you win, you stand only to lose. No longer does it possess even the chance of the winner of a duel. It contains now only the germs of double suicide.” Former Secretary of Defense Robert McNamara ex- pressed a similar view: “If deterrence fails and conflict develops, the present U.S. and NATO strategy carries with it a high risk that Western civilization will be destroyed” [McNamara 1986, page 6]. More recently, George Shultz, William Perry, Henry Kissinger, and Sam Nunn4 echoed those concerns when they quoted President Reagan’s belief that nuclear weapons were “totally irrational, totally inhu- mane, good for nothing but killing, possibly destructive of life on earth and civilization.” [Shultz 2007] Official studies, while couched in less emotional terms, still convey the horrendous toll that World War III would exact: “The resulting deaths would be far beyond any precedent. Executive branch calculations show a range of U.S. deaths from 35 to 77 percent (i.e., 79-160 million dead) … a change in targeting could kill somewhere between 20 million and 30 million additional people on each side .... These calculations reflect only deaths during the first 30 days. Additional millions would be injured, and many would eventually die from lack of adequate medical care … millions of people might starve or freeze during the follow- ing winter, but it is not possible to estimate how many. … further millions … might eventually die of latent radiation effects.” [OTA 1979, page 8] This OTA report also noted the possibility of serious ecological damage [OTA 1979, page 9], a concern that as- sumed a new potentiality when the TTAPS report [TTAPS 1983] proposed that the ash and dust from so many nearly simultaneous nuclear explosions and their resultant fire- storms could usher in a nuclear winter that might erase homo sapiens from the face of the earth, much as many scientists now believe the K-T Extinction that wiped out the dinosaurs resulted from an impact winter caused by ash and dust from a large asteroid or comet striking Earth. The TTAPS report produced a heated debate, and there is still no scientific consensus on whether a nuclear winter would follow a full-scale nuclear war. Recent work [Robock 2007, Toon 2007] suggests that even a limited nuclear exchange or one between newer nuclear-weapon states, such as India and Pakistan, could have devastating long-lasting climatic consequences due to the large volumes of smoke that would be generated by fires in modern megacities. While it is uncertain how destructive World War III would be, prudence dictates that we apply the same engi- neering conservatism that saved the Golden Gate Bridge from collapsing on its 50th anniversary and assume that preventing World War III is a necessity—not an option.

#### Extinction risks outweigh your impacts

Nick Bostrom, PhD and Professor at Oxford University, March, 2002

[Journal of Evolution and Technology, vol 9] <http://www.nickbostrom.com/existential/risks.html>

It’s dangerous to be alive and risks are everywhere. Luckily, not all risks are equally serious. For present purposes we can use three dimensions to describe the magnitude of a risk: scope, intensity, and probability. By “scope” I mean the size of the group of people that are at risk. By “intensity” I mean how badly each individual in the group would be affected. And by “probability” I mean the best current subjective estimate of the probability of the adverse outcome.[[1]](http://www.nickbostrom.com/existential/risks.html" \l "_ftn1#_ftn1" \o ") 1.1         A typology of risk We can distinguish six qualitatively distinct types of risks based on their scope and intensity (figure 1). The third dimension, probability, can be superimposed on the two dimensions plotted in the figure. Other things equal, a risk is more serious if it has a substantial probability and if our actions can make that probability significantly greater or smaller.   “Personal”, “local”, or “global” refer to the size of the population that is directly affected; a global risk is one that affects the whole of humankind (and our successors). “Endurable” vs. “terminal” indicates how intensely the target population would be affected. An endurable risk may cause great destruction, but one can either recover from the damage or find ways of coping with the fallout. In contrast, a terminal risk is one where the targets are either annihilated or irreversibly crippled in ways that radically reduce their potential to live the sort of life they aspire to. In the case of personal risks, for instance, a terminal outcome could for example be death, permanent severe brain injury, or a lifetime prison sentence. An example of a local terminal risk would be genocide leading to the annihilation of a people (this happened to several Indian nations). Permanent enslavement is another example. 1.2         Existential risks In this paper we shall discuss risks of the sixth category, the one marked with an X. This is the category of global, terminal risks. I shall call these existential risks. Existential risks are distinct from global endurable risks. Examples of the latter kind include: threats to the biodiversity of Earth’s ecosphere, moderate global warming, global economic recessions (even major ones), and possibly stifling cultural or religious eras such as the “dark ages”, even if they encompass the whole global community, provided they are transitory (though see the section on “Shrieks” below). To say that a particular global risk is endurable is evidently not to say that it is acceptable or not very serious. A world war fought with conventional weapons or a Nazi-style Reich lasting for a decade would be extremely horrible events even though they would fall under the rubric of endurable global risks since humanity could eventually recover. (On the other hand, they could be a local terminal risk for many individuals and for persecuted ethnic groups.)

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

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

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

#### Our nuclear war impacts outweigh their value to life claims – even if individual life is rendered meaningless, that can’t be true for all of humanity

Hannah Arendt, former visiting scholar at UC Berkeley, Columbia, and Northwestern and former professor at U Chicago, Yale, Wesleyan and Princeton, 1954 “Europe and the Atom Bomb” The Commonweal 60:578-580 \*gender modified

Ultimately, this argument rests on the conviction that it is better to be dead than to be a slave. It is based on a political philosophy that, since the ancients, has considered courage to be the political virtue par excellence, the one virtue without which political freedom is wholly impossible. Originally, the time-honored conviction that courage is the highest political virtue was based on a pre-Christian philosophy which deemed that life is not the most sacred good and that there are conditions on which it is not worth having. For the ancients such conditions existed whenever the individual man was utterly delivered to the necessities of preserving sheer animal life, and therefore was judged incapable of freedom. This could happen in the case of slavery, say, or in the case of incurable illness; in both instances, suicide was considered to be the appropriate solution demanded by courage as well as by human dignity. With the victory of Christianity in the Western World and especially of the originally Hebrew conviction of the sacredness of life as such, this code of individual morality as it had been known throughout the ancient world lost its absolute validity. Wars could be justified on religious grounds, but not on the ground of secular political freedom as such. By the same token wholesale slaughter, so well known in the ancient world, might happen, but it could no longer be justified. By and large, Western civilization was agreed that, in the words of Kant, nothing should happen during a war that would make a future peace impossible. This agree­ment is no longer universal. With the appearance of atomic weapons, both the Hebrew-Christian limitation on violence and the an­cient appeal to courage have for all practical purposes become meaningless, and with them, the whole political and moral vocabulary in which we are accustomed to discuss these matters. Limitations can be applied in reality only to foreseeable developments; they cannot reckon with that "surprise technique" which Raymond Aron recently analyzed as the central event of the first World War, and which, as long as we are caught in the process of progressing technicalization, will inev­itably produce new "miracle" weapons. Under existing circumstances, as a matter of fact, nothing is more probable than these "miracles." In fact, of course, even our present potentialities for destruction have already far outstripped the matter-of­course limitations of previous wars. And this situation has placed in jeopardy the very value of courage itself. The fundamental human condition of courage is that [hu]man[ity] is not immortal, that he sacrifices a life that one day will be taken from him in any case. No human courage would be conceivable if the condition of in­dividual life were the same as that of the species. Greece's immortal gods had to leave this one virtue, courage, to mortal men; all other human virtues could appear in divine shape, could be deified and wor­shipped as divine gifts. Courage alone is denied to the immortals; because of the everlasting presence of their existence, the stakes are never high enough. If life were not normally taken from mortal man one day anyhow, he could never risk it. The stakes would be too high, the courage required would be literally inhuman, and life would not only appear to be the highest good, it would become the central human concern, overruling all other considerations. CLOSELY connected with this fact is another limitation of human courage—the conviction that posterity will understand, remember and respect the individual mortal's sacrifice. Man can be courageous only as long as he knows he is survived by those who are like him, that he fulfills a role in something more permanent than himself, "the enduring chronicle of mankind," as Faulkner once put it. Thus in antiquity, when wars were likely to end with the extermination or enslavement of whole peoples, the victor felt obliged to preserve for posterity the deeds and the greatness of the enemy. So Homer sang the praise of Hector, and Herodotus reported the history of the Persians. Courage, under the circumstances of modern war­fare, has lost much of its old meaning. By putting in jeopardy the survival of [hu]mankind and not only indi­vidual life or at the most the life of a whole people, modern warfare is about to transform the individual mortal [hu]man into a conscious member of the human race, of whose immortality he [or she] needs to be sure in order to be courageous at all and for whose survival he [or she] must care more than for anything else. Or, to put it another way, while there certainly are conditions under which individual life is not worth having, the same cannot be true for [hu]mankind. The moment a war can even conceivably threaten the continued existence of [hu]man[ity] on earth, the alternative between liberty and death has lost its old plausibility

#### Extinction outweighs ontology

Paul Wapner 3, associate professor and director of the Global Environmental Policy Program at American University, Winter 2003, Dissent, online: http://www.dissentmagazine.org/menutest/archives/2003/wi03/wapner.htm

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. Postmodernists reject the idea of a universal good. They rightly acknowledge the difficulty of identifying a common value given the multiple contexts of our value-producing activity. In fact, if there is one thing they vehemently scorn, it is the idea that there can be a value that stands above the individual contexts of human experience. Such a value would present itself as a metanarrative and, as Jean-François Lyotard has explained, postmodernism is characterized fundamentally by its "incredulity toward meta-narratives." Nonetheless, I can't see how postmodern critics can do otherwise than accept the value of preserving the nonhuman world. The nonhuman is the extreme "other"; it stands in contradistinction to humans as a species. In understanding the constructed quality of human experience and the dangers of reification, postmodernism inherently advances an ethic of respecting the "other." At the very least, respect must involve ensuring that the "other" actually continues to exist. In our day and age, this requires us to take responsibility for protecting the actuality of the nonhuman. Instead, however, we are running roughshod over the earth's diversity of plants, animals, and ecosystems. Postmodern critics should find this particularly disturbing. If they don't, they deny their own intellectual insights and compromise their fundamental moral commitment.

### Music

#### Using music as a political strategy gets coopted by hegemonic forces and is a tool to placate the masses---the perm recognizes Black Music’s potential, but it also recognizes its limits which is key to stop academic self-congratulation

Gitlin 97—sociology, Columbia (Todd, The anti-political populism of cultural studies, Dissent; Spring, Vol. 44, Iss. 2; p 77, ProQuest)

From the late 1960s onward, as I have said, the insurgent energy was to be found in movements that aimed to politicize specific identities-racial minorities, women, gays. If the "collective behavior" school of once-conventional sociology had grouped movements in behalf of justice and democratic rights together with fads and fashions, cultural studies now set out to separate movements from fads, to take seriously the accounts of movement participants themselves, and thereby to restore the dignity of the movementsonly to end up, in the 1980s, linking movements with fads by finding equivalent dignity in both spheres, so that, for example, dressing like Madonna might be upgraded to an act of"resistance" equivalent to demonstrating in behalf of the right to abortion, and watching a talk show on family violence was positioned on the same plane. In this way, cultural studies extended the New Left symbiosis with popular culture. Eventually, the popular culture of marginal groups (punk, reggae, disco, feminist poetry, hip-hop) was promoted to a sort of counterstructure of feeling, and even, at the edges, a surrogate politics-a sphere of thought and sensibility thought to be insulated from the pressures of hegemonic discourse, of instrumental reason, of economic rationality, of class, gender, and sexual subordination. The other move in cultural studies was to claim that culture continued radical politics by other means. The idea was that cultural innovation was daily insinuating itself into the activity of ordinary people. Perhaps the millions had not actually been absorbed into the hegemonic sponge of mainstream popular culture. Perhaps they were freely dissenting. If "the revolution" had receded to the point of invisibility, it would be depressing to contemplate the victory of a hegemonic culture imposed by strong, virtually irresistible media. How much more reassuring to detect "resistance" saturating the pores of everyday life! In this spirit, there emerged a welter of studies purporting to discover not only the "active" participation of audiences in shaping the meaning of popular culture, but the "resistance" of those audiences to hegemonic frames of interpretation in a variety of forms-news broadcasts (Dave Morley, The `Nationwide ' Audience, 1980); romance fiction (Janice Radway, Reading the Romance, 1984); television fiction (Tamar Liebes and Elihu Katz, The Export of Meaning, 1990; Andrea Press, Women Watching Television, 1991); television in general (John Fiske, Television Culture, 1987); and many others. Thus, too, the feminist fascination with the fictions and talk shows of daytime "women's television"-in this view, the dismissal of these shows as "trivial," "banal," "soap opera," and so on, follows from the patriarchal premise that what takes place within the four walls of the home matters less than what takes place in a public sphere established (not coincidentally) for the convenience of men. Observing the immensity of the audiences for Oprah Winfrey and her legions of imitators, many in cultural studies upended the phenomenon by turning the definitions around. The largely female audiences for these shows would no longer be dismissed as distracted voyeurs, but praised as active participants in the exposure and therefore politicizing of crimes like incest, spousal abuse, and sexual molestation. These audiences would no longer be seen simply as confirming their "normality" with a safe, brief, wellbounded, vicarious acquaintanceship with deviance. They could be understood as an avant-garde social movement. Above all, in a word, cultural studies has veered into populism. Against the unabashed elitism of conventional literary and art studies, cultural studies affirms an unabashed populism in which all social activities matter, all can be understood, all contain cues to the social nature of human beings. The object of attention is certified as worthy of such not by being "the best that has been thought and said in the world" but by having been thought and said by or for "the people"-period. The popularity of popular culture is what makes it interesting-and not only as an object of study. It is the populism if not the taste of the analyst that has determined the object of attention in the first place. The sociological judgment that popular culture is important to people blurs into a critical judgment that popular culture must therefore be valuable. To use one of the buzzwords of "theory," there is a "slippage" from analysis to advocacy, defense, upward "positioning." **Cultural studies often claims to have overthrown hierarchy, but what it actually does is invert it.** What now certifies worthiness is the popularity of the object, not its formal qualities. If the people are on the right side, then what they like is good. This tendency in cultural studies-I think it remains the main line-lacks irony. One purports to stand four-square for the people against capitalism, and comes to echo the logic of capitalism. The consumer sovereignty touted by a capitalist society as the grandest possible means for judging merit finds a reverberation among its ostensible adversaries. Where the market flatters the individual, cultural studies flatters the group. What the group wants, buys, demands is ipso facto the voice of the people. Where once Marxists looked to factory organization as the prefiguration of "a new society in the shell of the old," today they tend to look to sovereign culture consumers. David Morley, one of the key researchers in cultural studies, and one of the most reflective, has himself deplored this tendency in recent audience studies. He maintains that to understand that "the commercial world succeeds in producing objects. . . which do connect with the lived desires of popular audiences" is "by no means necessarily to fall into the trap . . . of an uncritical celebration of popular culture." But it is not clear where to draw the line against the celebratory tendency when one is inhibited from doing so by a reluctance to criticize the cultural dispositions of the groups of which one approves. Unabashedly, the populism of cultural studies prides itself on being political. In the prevailing schools of cultural studies, to study culture is not so much to try to grasp cultural processes but to choose sides or, more subtly, to determine whether a particular cultural process belongs on the side of society's angels. An aura of hope surrounds the enterprise, the hope (even against hope) of an affirmative answer to the inevitable question: Will culture ride to the rescue of the cause of liberation? There is defiance, too, as much as hope. The discipline means to cultivate insubordination. On this view, marginalized groups in the populace continue to resist the hegemonic culture. By taking defiant popular culture seriously, one takes the defiers seriously and furthers their defiance. Cultural studies becomes "cult studs." It is charged with surveying the culture, assessing the hegemonic import of cultural practices and pinpointing their potentials for "resistance." Is this musical style or that literary form "feminist" or "authentically Latino"? The field of possibilities is frequently reduced to two: for or against the hegemonic. But the nature of that hegemony, in its turn, is usually defined tautologically: that culture is hegemonic that is promoted by "the ruling group" or "the hegemonic bloc," and by the same token, that culture is "resistant" that is affirmed by groups assumed (because of class position, gender, race, sexuality, ethnicity, and so on) to be "marginalized" or "resistant." The process of labeling is circular, since it has been predetermined whether a particular group is, in fact, hegemonic or resistant. The populism of cultural studies is fundamental to its allure, and to the political meaning its adherents find there, for cultural studies bespeaks an affirmation of popularity tout court. To say that popular culture is "worth attention" in the scholarly sense is, for cultural studies, to say something pointed: that the people who render it popular are not misguided when they do so, not fooled, not dominated, not distracted, not passive. If anything, the reverse: the premise is that popular culture is popular because and only because the people find in it channels of desire pleasure, initiative, freedom. It is this premise that gives cultural studies its aura of political engagement-or at least political consolation. To unearth reason and value, brilliance and energy in popular culture is to affirm that the people have not been defeated. The cultural student, singing their songs, analyzing their lyrics, at the same time sings their praises. However unfavorable the balance of political forces, people succeed in living lives of vigorous resistance! Are the communities of African-Americans or AfroCaribbeans suffering? Well, they have rap! (Leave aside the question of whether all of them want rap.) The right may have taken possession of 10 Downing Street, the White House, and Congress-and as a result of elections, embarrassingly enough!-but at least one is engage in cultural studies. Consolation: here is an explanation for the rise of academic cultural studies during precisely the years when the right has held political and economic power longer and more consistently than at any other time in more than a half century. Now, in effect, "the cultural is political," and more, it is regarded as central to the control of political and economic resources. The control of popular culture is held to have become decisive in the fate of contemporary societies-or at least it is the sphere in which opposition can find footing, find breathing space, rally the powerless, defy the grip of the dominant ideas, isolate the powers that be, and prepare for a "war of position" against their dwindling ramparts. On this view, to dwell on the centrality of popular culture is more than an academic's way of filling her hours; it is a useful certification of the people and their projects. To put it more neutrally, the political aura of cultural studies is supported by something like a "false consciousness" premise: the analytical assumption that what holds the ruling groups in power is their capacity to muffle, deform, paralyze, or destroy contrary tendencies of an emotional or ideological nature. By the same token, if there is to be a significant "opposition," it must first find a base in popular culture-and first also turns out to be second, third, and fourth, since popular culture is so much more accessible, so much more porous, so much more changeable than the economic and political order. With time, what began as compensation hardened-became institutionalized-into a tradition. Younger scholars gravitated to cultural studies because it was to them incontestable that culture was politics. To do cultural studies, especially in connection with identity politics, was the politics they knew. The contrast with the rest of the West is illuminating. In varying degrees, left-wing intellectuals in France, Italy, Scandinavia, Germany, Spain and elsewhere retain energizing attachments to Social Democratic, Green, and other left-wing parties. There, the association of culture with excellence and traditional elites remains strong. But in the Anglo-American world, including Australia, these conditions scarcely obtain. Here, in a discouraging time, popular **culture emerges as a consolation prize**. (The same happened in Latin America, with the decline of left-wing hopes.) The sting fades from the fragmentation of the organized left, the metastasis of murderous nationalism, the twilight of socialist dreams virtually everywhere. Class inequality may have soared, ruthless individualism may have intensified, the conditions of life for the poor may have worsened, racial tensions may have mounted, unions and social democratic parties may have weakened or reached an impasse, but never mind. Attend to popular culture, study it with sympathy, and one need not dwell on unpleasant realities. One need not be unduly vexed by electoral defeats. One need not be preoccupied by the ways in which the political culture's center of gravity has moved rightward-or rather, one can put this down to the iron grip of the established media institutions. One need not even be rigorous about what one opposes and what one proposes in its place. Is capitalism the trouble? Is it the particular form of capitalism practiced by multinational corporations in a deregulatory era? Is it patriarchy (and is that the proper term for a society that has seen an upheaval in relations between women and men in the course of a half-century)? Racism? Antidemocracy? Practitioners of cultural studies, like the rest of the academic left, are frequently elusive. Speaking cavalierly of "opposition" and "resistance" permits-rather, cultivates-a certain sloppiness of thinking, making it possible to remain "left" without having to face the most difficult questions of political selfdefinition. The situation of **cultural studies** conforms to the contours of our political moment. It confirms-and **reinforces**-the current **paralysis**: the incapacity of social movements and dissonant sensibilities to imagine effective forms of public engagement. It substitutes an obsession with popular culture for coherent economic-political thought or a connection with mobilizable populations outside the academy and across identity lines. One must underscore that this is not simply because of cultural studies' default. The default is an effect more than a cause. It has its reasons. The odds are indeed stacked against serious forward motion in conventional politics. Political power is not only beyond reach, but functional majorities disdain it, finding the government and all its works contemptible. Few of the central problems of contemporary civilization are seriously contested within the narrow band of conventional discourse. Unconventional politics, such as it is, is mostly fragmented and self-contained along lines of racial, gender, and sexual identities. One cannot say that cultural studies diverts energy from a vigorous politics that is already in force. Still, insofar as cultural studies makes claims for itself as an insurgent politics, the field is presumptuous and misleading. Its attempt to legitimize the ecstasies of the moment confirms the collective withdrawal from democratic hope. Seeking to find political energies in audiences who function as audiences, rather than in citizens functioning as citizens, the dominant current in cultural studies is pressed willy-nilly toward an uncritical celebration of technological progress. It offers no resistance to the primacy of visual and nonlinear culture over the literary and linear. To the contrary: it embraces technological innovation as soon as the latest developments prove popular. It embraces the sufficiency of markets; its main idea of the intellect's democratic commitment is to flatter the audience. Is there a chance of a modest redemption? Perhaps, if we imagine a harder headed, less wishful cultural studies, free of the burden of imagining itself to be a political practice. A chastened, realistic cultural studies would divest itself of political pretensions. It would not claim to be politics. It would not mistake the academy for the larger society. It would be less romantic about the world-and about itself. Rigorous practitioners of cultural studies should be more curious about the world that remains to be researched and changed. We would learn more about politics, economy, and society, and in the process, appreciate better what culture, and cultural study, do not accomplish. If we wish to do politics, let us organize groups, coalitions, demonstrations, lobbies, whatever; let us do politics. Let us not think that our academic work is already that.

### Ours not Old

#### This is what the aff is about

Dana A. Shea 6, Specialist in Science and Technology Policy Resources, Science, and Industry Division, “Balancing Scientific Publication and National Security Concerns: Issues for Congress,” CRS Report for Congress, 2-2-06,

http://www.fas.org/sgp/crs/secrecy/RL31695.pdf

Nuclear power is another area where information controls have been instituted. Private industry was permitted to explore applications of nuclear power under the Atomic Energy Act of 1954. Prior to this act, nuclear energy activities were protected by the federal government with security and secrecy programs. **The federal government retains authority over results which relate to atomic weapons, production of special nuclear material, and use of special nuclear material in the production of energy**. 28 Information developed in those areas, even if developed privately without federal government aid, is regarded as “born classified.”

# Framework

## 1NC

#### First, “Resolved” implies a policy or legislative decision

Jeff Parcher, former debate coach at Georgetown, Feb 2001 http://www.ndtceda.com/archives/200102/0790.html

Pardon me if I turn to a source besides Bill. American Heritage Dictionary: Resolve: 1. To make a firm decision about. 2. To decide or express by formal vote. 3. To separate something into constiutent parts See Syns at \*analyze\* (emphasis in orginal) 4. Find a solution to. See Syns at \*Solve\* (emphasis in original) 5. To dispel: resolve a doubt. - n 1. Firmness of purpose; resolution. 2. A determination or decision. (2) The very nature of the word "resolution" makes it a question. American Heritage: A course of action determined or decided on. A formal statement of a decision, as by a legislature. (3) The resolution is obviously a question. Any other conclusion is utterly inconceivable. Why? Context. The debate community empowers a topic committee to write a topic for ALTERNATE side debating. The committee is not a random group of people coming together to "reserve" themselves about some issue. There is context - they are empowered by a community to do something. In their deliberations, the topic community attempts to craft a resolution which can be ANSWERED in either direction. They focus on issues like ground and fairness because they know the resolution will serve as the basis for debate which will be resolved by determining the policy desirablility of that resolution. That's not only what they do, but it's what we REQUIRE them to do. We don't just send the topic committee somewhere to adopt their own group resolution. It's not the end point of a resolution adopted by a body - it's the preliminary wording of a resolution sent to others to be answered or decided upon. (4) Further context: the word resolved is used to emphasis the fact that it's policy debate. Resolved comes from the adoption of resolutions by legislative bodies. A resolution is either adopted or it is not. It's a question before a legislative body. Should this statement be adopted or not. (5) The very terms 'affirmative' and 'negative' support my view. One affirms a resolution. Affirmative and negative are the equivalents of 'yes' or 'no' - which, of course, are answers to a question.

#### Finally, “should” means “shall” or “must” – the affirmative is required to defend implementation

Judge Henry Nieto, Colorado Court of Appeals, 8-20-2009 People v. Munoz, 240 P.3d 311 (Colo. Ct. App. 2009)

"Should" is "used . . . to express duty, obligation, propriety, or expediency." Webster's Third New International Dictionary 2104 (2002). Courts [\*\*15] interpreting the word in various contexts have drawn conflicting conclusions, although the weight of authority appears to favor interpreting "should" in an imperative, obligatory sense. HN7A number of courts, confronted with the question of whether using the word "should" in jury instructions conforms with the Fifth and Sixth Amendment protections governing the reasonable doubt standard, have upheld instructions using the word. In the courts of other states in which a defendant has argued that the word "should" in the reasonable doubt instruction does not sufficiently inform the jury that it is bound to find the defendant not guilty if insufficient proof is submitted at trial, the courts have squarely rejected the argument. They reasoned that the word "conveys a sense of duty and obligation and could not be misunderstood by a jury." See State v. McCloud, 257 Kan. 1, 891 P.2d 324, 335 (Kan. 1995); see also Tyson v. State, 217 Ga. App. 428, 457 S.E.2d 690, 691-92 (Ga. Ct. App. 1995) (finding argument that "should" is directional but not instructional to be without merit); Commonwealth v. Hammond, 350 Pa. Super. 477, 504 A.2d 940, 941-42 (Pa. Super. Ct. 1986). Notably, courts interpreting the word "should" in other types of jury instructions [\*\*16] have also found that the word conveys to the jury a sense of duty or obligation and not discretion. In Little v. State, 261 Ark. 859, 554 S.W.2d 312, 324 (Ark. 1977), the Arkansas Supreme Court interpreted the word "should" in an instruction on circumstantial evidence as synonymous with the word "must" and rejected the defendant's argument that the jury may have been misled by the court's use of the word in the instruction. Similarly, the Missouri Supreme Court rejected a defendant's argument that the court erred by not using the word "should" in an instruction on witness credibility which used the word "must" because the two words have the same meaning. State v. Rack, 318 S.W.2d 211, 215 (Mo. 1958). [\*318] In applying a child support statute, the Arizona Court of Appeals concluded that a legislature's or commission's use of the word "should" is meant to convey duty or obligation. McNutt v. McNutt, 203 Ariz. 28, 49 P.3d 300, 306 (Ariz. Ct. App. 2002) (finding a statute stating that child support expenditures "should" be allocated for the purpose of parents' federal tax exemption to be mandatory).

#### limited topic of discussion that provides for equitable ground is key to productive inculcation of decision-making and advocacy skills

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

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

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

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

#### Effective deliberation is the lynchpin of solving all existential global problems

Christian O. Lundberg 10 Professor of Communications @ University of North Carolina, Chapel Hill, “Tradition of Debate in North Carolina” in Navigating Opportunity: Policy Debate in the 21st Century By Allan D. Louden, p311

The second major problem with the critique that identifies a naivety in articulating debate and democracy is that it presumes that the primary pedagogical outcome of debate is speech capacities. But the democratic capacities built by debate are not limited to speech—as indicated earlier, **debate builds capacity for critical thinking**, analysis of public claims, **informed decision making**, and **better public judgment**. If the picture of modem political life that underwrites this critique of debate is a pessimistic view of increasingly labyrinthine and bureaucratic administrative politics, rapid scientific and technological change outpacing the capacities of the citizenry to comprehend them, and ever-expanding insular special-interest- and money-driven politics, it is a **puzzling solution, at best, to argue that these conditions warrant giving up on debate**. If democracy is open to rearticulation, it is open to rearticulation precisely because **as the challenges of modern political life proliferate, the citizenry's capacities can change**, which is one of the primary reasons that theorists of democracy such as Ocwey in The Public awl Its Problems place such a high premium on education (Dewey 1988,63, 154). Debate provides an indispensible form of education in the modem articulation of democracy because it **builds precisely the skills that allow the citizenry to research and be informed** about policy decisions that impact them, to son rhroueh and evaluate the evidence for and relative merits of arguments for and against a policy in an increasingly infonnation-rich environment, and to prioritize their time and political energies toward policies that matter the most to them.

The merits of debate as a tool for building democratic capacity-building take on a special significance in the context of information literacy. John Larkin (2005, HO) argues that one of the primary failings of modern colleges and universities is that they have not changed curriculum to match with the challenges of a new information environment. This is a problem for the course of academic study in our current context, but perhaps more important, argues Larkin, for the future of a citizenry that will need to make evaluative choices against an increasingly complex and multimediatcd information environment (ibid-). Larkin's study tested the benefits of debate participation on information-literacy skills and concluded that in-class debate participants reported significantly higher self-efficacy ratings of their ability to navigate academic search databases and to effectively search and use other Web resources:

To analyze the self-report ratings of the instructional and control group students, we first conducted a multivariate analysis of variance on all of the ratings, looking jointly at the effect of instmction/no instruction and debate topic . . . that it did not matter which topic students had been assigned . . . students in the Instnictional [debate) group were significantly more confident in their ability to access information and less likely to feel that they needed help to do so----These findings clearly indicate greater self-efficacy for online searching among students who participated in (debate).... These results constitute strong support for the effectiveness of the project on students' self-efficacy for online searching in the academic databases. There was an unintended effect, however: After doing ... the project, instructional group students also felt more confident than the other students in their ability to get good information from Yahoo and Google. It may be that the library research experience increased self-efficacy for any searching, not just in academic databases. (Larkin 2005, 144)

Larkin's study substantiates Thomas Worthcn and Gaylcn Pack's (1992, 3) claim that debate in the college classroom plays a critical role in fostering the kind of **problem-solving skills** demanded by the increasingly rich media and information environment of modernity. Though their essay was written in 1992 on the cusp of the eventual explosion of the Internet as a medium, Worthcn and Pack's framing of the issue was prescient: the primary question facing today's student has changed from how to best research a topic to the crucial question of learning how to best evaluate which arguments to cite and rely upon from an easily accessible and veritable cornucopia of materials.

There are, without a doubt, a number of important criticisms of employing debate as a model for democratic deliberation. But cumulatively, the evidence presented here warrants strong support for expanding debate practice in the classroom as a technology **for enhancing democratic deliberative capacities**. The unique combination of critical thinking skills, research and information processing skills, oral communication skills, and capacities for listening and thoughtful, open engagement with hotly contested issues argues for debate as a **crucial component of a rich and vital democratic life**. In-class debate practice both aids students in achieving the best goals of college and university education, and serves as an unmatched practice for creating thoughtful, engaged, open-minded and self-critical students who are open to the possibilities of **meaningful political engagement** and **new articulations of democratic life.**

Expanding this practice is crucial, if only because the more we produce citizens that can actively and effectively engage the political process, the more likely we are to **produce revisions of democratic life** that are **necessary if democracy is not only to survive, but to thrive**. Democracy faces a myriad of challenges, including: domestic and international **issues of class, gender, and racial justice**; wholesale **environmental destruction** and the potential for **rapid climate change**; emerging **threats to international stability** in the form of terrorism, intervention and new possibilities for great power conflict; and increasing **challenges of rapid globalization** including an increasingly volatile global economic structure. More than any specific policy or proposal, an **informed and active citizenry that deliberates with greater skill** and sensitivity provides one of the best hopes for responsive and effective democratic governance, and by extension, one of the last best hopes for dealing with the **existential challenges** to democracy [in an] increasingly complex world.