# 2AC

## T

**Counterinterpretation: Financial incentives require the disbursement of public funds linked to energy production**

Webb, 93 – lecturer in the Faculty of Law at the University of Ottawa (Kernaghan, “Thumbs, Fingers, and Pushing on String: Legal Accountability in the Use of Federal Financial Incentives”, 31 Alta. L. Rev. 501 (1993) Hein Online)

In this paper, "financial incentives" are taken to mean disbursements 18 of public funds or contingent commitments to individuals and organizations, intended to encourage, support or induce certain behaviours in accordance with express public policy objectives. They take the form of grants, contributions, repayable contributions, loans, loan guarantees and insurance, subsidies, procurement contracts and tax expenditures

#### Their evidence has no intent to define – they just bolded the words production incentives and then highlighted something later in the card

#### No ground loss we defend the plan – no potential for abuse either

#### Our interp is the best for ground gives both sides good Das they could read spending links and they probably will read spending links on politics in the 2NC

#### Our aff is grounded in the literature base: there are tons of authors talking about the federal government using loan guarantees to incentivize building nuclear power plants.

#### Reasonability is best stops a race to the bottom, judge intervention inevitable

## Case

#### Efficiency and utilitarian ethics render communities lacking political influence invisible making inequality inevitable

Gauna ‘98

Eileen Gauna Professor of Law, Southwestern University School of Law. ARTICLE: The Environmental Justice Misfit: Public Participation and the Paradigm Paradox 17 Stan. Envtl. L.J. 3 January, 1998

Consider the difficulties with such an approach. Some writers have argued that our general preferences are closely tied to wealth maximization. [n169](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1348092171717&returnToKey=20_T15567043931&parent=docview&target=results_DocumentContent&tokenKey=rsh-23.583864.2788017498" \l "n169) The implication that follows from this assumption is that environmental justice is not included in a more general mix of aggregated preferences. [n170](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1348092171717&returnToKey=20_T15567043931&parent=docview&target=results_DocumentContent&tokenKey=rsh-23.583864.2788017498" \l "n170) If what we want is environmental protection on the cheap, then the best way to achieve it is through injustice. It is more economical to place environmental risk-generating activities in areas where land is cheaper and where the residents, lacking political influence, are less likely to successfully oppose the siting. [n171](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1348092171717&returnToKey=20_T15567043931&parent=docview&target=results_DocumentContent&tokenKey=rsh-23.583864.2788017498" \l "n171) After siting, fines for noncompliance are likely to be lower in low income communities and communities of  [\*41]  color. [n172](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1348092171717&returnToKey=20_T15567043931&parent=docview&target=results_DocumentContent&tokenKey=rsh-23.583864.2788017498" \l "n172) Moreover, if the area is subsequently contaminated, listing on the National Priorities List (NPL) takes longer and clean-up requirements are likely to be less stringent in poor, racial minority, and ethnic communities. [n173](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1348092171717&returnToKey=20_T15567043931&parent=docview&target=results_DocumentContent&tokenKey=rsh-23.583864.2788017498" \l "n173) It appears, then, that environmental inequity is economically efficient, [n174](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1348092171717&returnToKey=20_T15567043931&parent=docview&target=results_DocumentContent&tokenKey=rsh-23.583864.2788017498" \l "n174) at least over the short run. As such, inequity could be viewed as a preference inherent in utilitarianism.

Once this proposition is established, poverty-related environmental inequities might be within the realm of acceptable preferences. [n175](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1348092171717&returnToKey=20_T15567043931&parent=docview&target=results_DocumentContent&tokenKey=rsh-23.583864.2788017498" \l "n175) Race-related environmental inequities receive potential redress only as constitutional or civil rights claims, a shield of rights protecting racial and ethnic minorities from majoritarian preferences. [n176](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1348092171717&returnToKey=20_T15567043931&parent=docview&target=results_DocumentContent&tokenKey=rsh-23.583864.2788017498" \l "n176) Unfortunately, traditional civil rights claims have been unsuccessful because of the inability to prove discriminatory intent and the presence of non-racial (economic) explanations for siting decisions suspected of being racially motivated. [n177](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1348092171717&returnToKey=20_T15567043931&parent=docview&target=results_DocumentContent&tokenKey=rsh-23.583864.2788017498" \l "n177) Consequently, unless legislation is enacted that imposes consideration of environmental justice concerns, [n178](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1348092171717&returnToKey=20_T15567043931&parent=docview&target=results_DocumentContent&tokenKey=rsh-23.583864.2788017498" \l "n178) so as to confer on environmental justice the status of a collective preference, environmental justice will not be a legitimate stakeholder interest because it is inconsistent with an economically optimal distribution of benefits and burdens.

## Counterplan

**Perm: Do both.**

**1. Not textually competitive: plan endorses but doesn’t mandate new plants be built which means the government can technically offer loan guarantees for a power that they have banned.**

**2. Not functionally competitive: if no new plants get built in the status quo there is no functional competition. Their net benefits are all internal to why nuclear power is bad which a perm solves for.**

**The CP can’t solve the aff:**

**We are not a nuclear power bad aff: We criticize the decision making process used to site current nuclear power plants. If we win any reason why this process investigation is important then the aff is preferable to the CP.**

**Loan Guarantees Key: only loan guarantees overcome siting problems due to land cost and opposition- Lazarus says incentives key to solve.**

**The Banning mindset is bad: Be skeptical of the mindset that we can wish away the problems with nuclear power.**

**1. Process Focus DA: their net benefits assume a series of complex environmental justice factors that disadvantaged populations face as a result of environmental decisions involved in nuclear power. Focusing on that decision is key to addressing environmental justice concerns – they can’t solve the aff or their net benefit.**

Lazarus ‘94

Richard J. Lazarus Professor of Law, Washington University, St. Louis, Missouri SYMPOSIUM: DISTRIBUTION IN ENVIRONMENTAL JUSTICE: IS THERE A MIDDLE GROUND? 9 St. John's J.L. Comm. 481 SPRING, 1994

Environmental justice takes into account the fact that the environmental protection laws that are supposed to redress pollution  [\*484]  distribute benefits and they distribute harms. They distribute benefits in terms of jobs. [n9](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1348092433463&returnToKey=20_T15567066851&parent=docview&target=results_DocumentContent&tokenKey=rsh-23.419864.6629958623" \l "n9) They distribute harms in terms of lost jobs, but they also distribute benefits in terms of improved environmental quality. And they distribute harms in terms by shifting environmental risks. [n10](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1348092433463&returnToKey=20_T15567066851&parent=docview&target=results_DocumentContent&tokenKey=rsh-23.419864.6629958623" \l "n10) Environmental laws do not eliminate all risks. They reduce them and they move them. [n11](http://www.lexisnexis.com/lnacui2api/frame.do?reloadEntirePage=true&rand=1348092433463&returnToKey=20_T15567066851&parent=docview&target=results_DocumentContent&tokenKey=rsh-23.419864.6629958623" \l "n11) They change their location. They change their physical status.

What environmental justice is all about is an explicit accounting of the distributional factors. Not just focusing on allocation efficiency and allowing distribution to occur by default. But instead, to think about and focus on distribution and its distinct public policy implications. What happens to those benefits and burdens in the first instance? Environmental justice, and why it is so significant for those like myself who have been involved in environmental law over the years, is that environmental justice challenges us to rethink our settled premises and threshold assumptions. It forcibly challenges the assumption that environmental law is about allocational efficiency and is not at all concerned about distributional fairness.

**2. Coal DA: Banning nuclear ensures coal will fill in and primarily in low income areas – only forces confrontation about siting decisions and risk. You have to believe nuclear is worse than coal to vote for the CP.**

Cerafici ‘9

Tamar Jergensen Cerafici is an attorney whose practice focuses on the intersections between environmental and nuclear law. 40 Years and Counting: Relicensing the First Generation of Nuclear Power Plants: Is New Always Better? The Case for License Renewal in the Next Generation 26 Pace Envtl. L. Rev. 391 Summer 2009

The question of environmental impacts of replacement energy sources is a thorny one. A nuclear plant generally produces over 1,000 MW of [\*413] electricity and operates at about 90% capacity on about 1,000 acres of land, or two square miles. Accordingly, a NRC assessment usually reviews the energy sources needed to replace the capacity of the plant as well as the land use problems that arise when a replacement source is contemplated. As a general rule, the NRC has found that replacement of the existing nuclear facility would result in unacceptable environmental impacts. For instance, new coal-fired facilities will require large land areas, as well as railroad spurs and other infrastructure development such as transmission lines and rights-of-way. There are adverse impacts from coal mining, and from operational pollution. Construction and operation will have ecological and social impacts, and will affect water resources as well. Finally, coal waste would also pose long-term negative effects. n79 Natural gas facilities may have less impact than coal, because of the technology and fuel source, but the adverse impacts of this energy source are still greater than those from an existing nuclear power plant. Renewable energy sources are also available, but the NRC has generally found that these resources are either insufficiently developed to replace the huge capacity of the existing facility, or simply lack the replacement capacity. In such cases, the NRC usually reviews combinations of renewable energy sources. Some creative options include wind, solar, and baseload sources such as natural gas or coal-fired facilities. Where more than one reactor is on site some alternatives suggest continued operation of one unit along with wind and solar. But these combinations must also consider the impacts of the renewable source, particularly in terms of land use and availability. For example, most wind facilities operate at very low capacity; any replacement project would require a very large commitment of land and resources. Moreover, opposition to large wind farms has been strong nationwide, and NRC has doubted the likelihood of a large wind facility being constructed as a partial replacement for the lost nuclear capacity. Solar facilities are likewise intermittently useful, and are also land use intensive. [\*414]

**3. Dialogue DA- banning nuclear ends the discussion or at least remains complicit in the siting decisions of the status quo that perpetuate energy apartheid. That dialogue is key to ensuring minorities have a voice in the decision making process – a diversity of views is the best way to curb the worst horrors of nuclear weapons decisions and nuclear power – their disad impacts are more likely and worse in the status quo than post the aff. That’s our Anthony in 95 card.**

**Banning is the same as tech and science solves arguments: They criticize people who assume science and tech are the panacea for nuclear power ills while they assume that just getting rid of nuclear power will address the harms they isolate in their Net benefits. Both mindsets ignore the decisions and processes that make it possible to disadvantage particular populations and environments.**

#### The counterplan links- the public likes nuclear energy- outright banning links

Gallup Politics ‘12

“Americans Still Favor Nuclear Power a Year After Fukushima Majority also still sees nuclear power as safe”/http://www.gallup.com/poll/153452/Americans-Favor-Nuclear-Power-Year-Fukushima.aspx

PRINCETON, NJ -- One year after the tsunami and resulting failure of the Fukushima nuclear power plant in Japan, a majority of Americans continue to favor the use of nuclear energy as one of the ways to provide electricity for the U.S. The 57% who favor nuclear power this year is identical to the percentage measured in early March 2011, just before the Fukushima incident. These data are from Gallup's annual Environment survey, conducted March 8-11, 2012. Gallup in 1994 first asked Americans if they favored or opposed the use of nuclear power for electricity, and the 57% in favor at that point is identical to what is found today. The highest level of support for nuclear power was 62% in 2010. The lowest was 46% in March 2001, the only reading out of 10 in which less than half of Americans said they favored nuclear power. The majority of Americans also continue to think nuclear power plants are safe. Gallup has asked Americans this question three times over the past four years, and the positive responses each time have been within a narrow 56% to 58% ra

nge. The extensive news coverage of the major problems the Fukushima reactors experienced after power was disrupted as a result of the massive tsunami that hit the Japanese coast on March 11, 2011, does not appear to have had a long-term effect on Americans' attitudes about nuclear power. Although attitudes may have shifted in the immediate aftermath of last year's incident, attitudes now are almost identical to those measured in last year's pre-disaster survey.

**Spending spin is asinine- the counterplan would have to result in more spending in order to make up for the loss of energy- otherwise it’d lead to rolling blackouts in places like Chicago that have a nuclear grid- either way the counterplan sparks political backlash**

## PTX

#### Congress won’t pass anything

-immigration

-gun control

-energy reform

-gridlock and partisan politics

Public Opinion 1/2

Reporter, “Expect more of the same”, http://www.thepublicopinion.com/opinions/article\_619c9bf2-54f4-11e2-b754-001a4bcf887a.html

President Barack Obama heads into his second term this month with a list of things he wants to get done. Key items on his agenda include immigration reform, energy and environmental policy, infrastructure investments and gun control. None of them, however, face clear sailing and the chances of any of them getting passed before he leaves office appear slim.¶ The tone in Washington was set long ago and divisions within and between the two political parties are the only points that matter anymore. Call it gridlock or dysfunction or whatever you want but political infighting and partisan politics make even small legislative moves that involve compromise seem like almost impossible tasks. Just look at the recent wrangling over avoiding sending the country over the fiscal cliff. Everyone knew the dangers of that and what would happen if a compromise to avoid that couldn’t be reached. Compromise was finally reached at the eleventh hour but it wasn’t the complete package many had hoped for. While some key provisions were passed, others were merely delayed and the bitter fighting will continue.¶ So given that background what are the chances of action taking place on smaller, although still important, issues like immigration reform, energy and environmental policy, infrastructure investments and gun control?¶ It’s become clear that Washington lacks the strong leadership needed to get things moving when they are stuck. No longer are there leaders like Democrat Lyndon Johnson and Republican Bob Dole who not only had the ability to craft compromise deals with the opposition but were able to sell those deals to the members of their own party. House Speaker John Boehner has an enormously difficult task of getting any compromise past tea party members and the far right wing of the GOP. Senate Majority Leader Harry Reid faces similar problems trying to get the more entrenched elements of the Democratic Party to accept compromise in an effort to reach a solution to the nation’s problems.¶ What all this means is that unless there is a fundamental change in Congress’ attitude or unless some real leadership emerges, the president can expect more of the same of what he experienced during his first term in his second. That’s not encouraging news for him or the country.

#### No political capital or agenda

Reason Foundation 1/2

“Full Analysis: The Fiscal Cliff Deal Explained”, http://www.opposingviews.com/i/politics/fiscal-cliff-deal-raises-taxes-delays-sequestrationand-will-cut-spending

Obama got his bump up during his first year or so in office. Part of it was due to George W. Bush greasing the skids by bailing out the big banks and GM and Chrysler, part of it due to Obama's decisive win over John McCain. But even his re-election hasn't given him political capital to spend after a first term spent pushing through a still-unpopular health-care plan that's gonna be a total bear to implement over the next couple of years. And everyone knows he's got no second-term agenda (if he had, we would have heard about it sometime during last year's campaign, wouldn't we have?).

#### The economic rationality of the disad kills value to life. Making decisions based purely on their financial cost or benefit reduces all human life to nothing more than a dollar value and allows us to trade one human life for another, “more valuable” one.

#### Political capital not key to the agenda

-their evidence misuses the term

-ideological and partisan leanings outweigh

Dickinson 9 – Professor of Political Science

Matthew, professor of political science at Middlebury College and taught previously at Harvard University where he worked under the supervision of presidential scholar Richard Neustadt, 5-26-2009, Presidential Power: A NonPartisan Analysis of Presidential Politics, “Sotomayor, Obama and Presidential Power,” <http://blogs.middlebury.edu/presidentialpower/2009/05/26/sotamayor-obama-and-presidential-power/>

As for Sotomayor, from here the path toward almost certain confirmation goes as follows: the Senate Judiciary Committee is slated to hold hearings sometime this summer (this involves both written depositions and of course open hearings), which should lead to formal Senate approval before Congress adjourns 1for its summer recess in early August.  So Sotomayor will likely take her seat in time for the start of the new Court session on October 5.  (I talk briefly about the likely politics of the nomination process below). What is of more interest to me, however, is what her selection reveals about the basis of presidential power.  Political scientists, like baseball writers evaluating hitters, have devised numerous means of measuring a president’s influence in Congress. I will devote a separate post to discussing these, but in brief, they often center on the creation of legislative “box scores” designed to measure how many times a president’s preferred piece of legislation, or nominee to the executive branch or the courts, is approved by Congress.  That is, how many pieces of legislation that the president supports actually pass Congress? How often do members of Congress vote with the president’s preferences?  How often is a president’s policy position supported by roll call outcomes?  These measures, however, are a misleading gauge of presidential power – they are a better indicator of congressional power.  This is because how members of Congress vote on a nominee or legislative item is rarely influenced by anything a president does.  Although journalists (and political scientists) often focus on the legislative “endgame” to gauge presidential influence – will the President swing enough votes to get his preferred legislation enacted? – this mistakes an outcome with actual evidence of presidential influence.  Once we control for other factors – a member of Congress’ ideological and partisan leanings, the political leanings of her constituency, whether she’s up for reelection or not – we can usually predict how she will vote without needing to know much of anything about what the president wants.  (I am ignoring the importance of a president’s veto power for the moment.) Despite the much publicized and celebrated instances of presidential arm-twisting during the legislative endgame, then, most legislative outcomes don’t depend on presidential lobbying.  But this is not to say that presidents lack influence.  Instead, the primary means by which presidents influence what Congress does is through their ability to determine the alternatives from which Congress must choose.  That is, presidential power is largely an exercise in agenda-setting – not arm-twisting.   And we see this in the Sotomayer nomination.  Barring a major scandal, she will almost certainly be confirmed to the Supreme Court whether Obama spends the confirmation hearings calling every Senator or instead spends the next few weeks ignoring the Senate debate in order to play Halo III on his Xbox.

#### Economic enframing reduces the world to self-interest and monetary value, enabling structural violence, environmental destruction, and collapse of value to life

Nhanenge 7

[Jytte Masters @ U South Africa, paper submitted in part fulfilment of the requirements for the degree of master of arts in the subject Development Studies, “ECOFEMINSM: TOWARDS INTEGRATING THE CONCERNS OF WOMEN, POOR PEOPLE AND NATURE INTO DEVELOPMENT]

Generation of wealth was an important part of the Scientific Revolution and its modem society. The scientific discipline of economics therefore became a significant means for wealth creation. However, since it is founded on similar dualised premises as science, also economics became a system of domination and exploitation of women, Others and nature. The following discussion is intended to show that. The way in which economics, with its priority on masculine forces, becomes dominant relates to web-like, inter-connected and complex processes, which are not always clearly perceived. The below discussions try to show how the dualised priority of the individual over society, reason over emotion, self-interest over community-interest, competition over cooperation, and more pairs, generate domination that leads to the four crises of violence and war, poverty, human oppression and environmental degradation. The aim in sum is to show how the current perspective of economics is destroying society (women and Others) and nature. The following discussion is consequently a critique of economics. It is meant to highlight some elements that make economics a dominant ideology, rather than a system of knowledge. It adopts a feministic view and it is therefore seen from the side of women, poor people and nature. The critique is extensive, but not exhaustive. It is extensive because economics is the single most important tool used by mainstream institutions for development in the South. Thus if we want to understand why development does not alleviate poverty, then we first need to comprehend why its main instrument, economics, cannot alleviate poverty. A critical analysis of economics and its influence in development is therefore important as an introduction to next chapter, which discusses ecofeminism and development. However, the critique is not exhaustive because it focuses only on the dualised elements in economics. It is highly likely that there are many more critical issues in economics, which should be analyzed in addition to the below mentioned. However, it would exceed this scope. Each of the following 10 sections discusses a specific issue in economics that relates to its dualised nature. Thus, each can as such be read on its own. However, all sections are systemically interconnected. Therefore each re-enforces the others and integrated, they are meant to show the web of masculine forces that make economics dominant towards women, Others and nature. The first three sections intend to show that economics sees itself as a neutral, objective, quantitative and universal science, which does not need to be integrated in social and natural reality. The outcome of this is, however, that economics cannot value social and environmental needs. Hence, a few individuals become very rich from capitalising on free social and natural resources, while the health of the public and the environment is degraded. It also is shown that the exaggerated focus on monetary wealth does not increase human happiness. It rather leads to a deteriorating quality of life. Thus, the false belief in eternal economic growth may eventually destroy life on planet Earth. The next section shows that economics is based on dualism, with a focus solely on yang forces. This has serious consequences for all yin issues: For example, the priority on individualism over community may in its extreme form lead to self-destruction. Similarly, the priority on rationality while excluding human emotions may end in greed, domination, poverty, violence and war. The next section is important as a means to understanding “rational” economics. Its aim is to clarify the psychological meaning of money. In reality, reason and emotion are interrelated parts of the human mind; they cannot be separated. Thus, economic “rationality” and its focus on eternal wealth generation are based on personal emotions like fears and inadequacies, rather than reason. The false belief in dualism means that human beings are lying to themselves, which results in disturbed minds, stupid actions with disastrous consequences. The focus on masculine forces is consequently psychologically unhealthy; it leads to domination of society and nature, and will eventually destroy the world.

#### Issues don’t spillover in negotiations – only a few leaders involved

Dennis 1/1

Steven T., Roll Call Staff, "Negotiating 101, 112th Congress-Style," 1/1/13 www.rollcall.com/news/negotiating\_101\_112th\_congress\_style-220442-1.html

The Back Room¶ Boehner complained shortly after the elections that there were too many back-room deals — but that seems to be the only way the 112th operates. Typically just a couple of leaders were directly involved at any one time, while other Members of Congress remained on the outside looking in, some even asking reporters what they’ve heard because they remained in the dark. Leaders keep vowing next time will be different, but it never is.

#### Debt ceiling isn’t a DA-

A.) Actually shut down in the 90’s- shutdown didn’t collapse the economy or cause extinction- Clinton just called the GoP’s bluff- default won’t happen until July so there is no risk of that scenario

Newmyer ‘11

Tory Newmyer, CNN Money, April 25, 2011, http://finance.fortune.cnn.com/2011/04/25/what-would-clinton-do/

Rubin's gambit had a political impact, as well: it melted one lever Republicans were aiming to use to pry tax and program cuts out of the Clinton White House. "It created a fair bit of umbrage amongst those who thought they could force President Clinton into accepting their budget," says Rubin, now chairman of the Council on Foreign Relations. With the threat of default deflated for the time being, Republicans took the fight over their budget proposal to a parallel debate over government funding, prompting the first of two shutdowns that quickly came to dominate headlines out of Washington.

B.) Brinksmanship didn’t spill over in ’08 or ’12- no reason now is different, and even if they make one up, everyone always says “this time will be different,” but it never is

Newmyer ‘11

Tory Newmyer, CNN Money, April 25, 2011, http://finance.fortune.cnn.com/2011/04/25/what-would-clinton-do/

Then, in the New Year, the storm clouds started to break. Wall Street stepped up pressure on Republicans to back down, as Moody's and Standard and Poor's both issued warnings that the government's credit rating was at risk. More importantly, President Clinton had won the public argument over the government shutdown, and a weakened GOP suddenly lost its appetite for confrontation. In March, Republicans folded, agreeing to a long-term extension of the government's borrowing authority along with some face-saving items for the conservative wing of the party.

C.) Fed intervention can solve in the short run- their impact evidence assumes a sustained default- the debates about raising it already shook investor confidence, which takes out any perception-based credit rating impact

And, any spending between now and May should trigger the link plus the government can hold off till July

Newmyer ‘11

Tory Newmyer, CNN Money, April 25, 2011, http://finance.fortune.cnn.com/2011/04/25/what-would-clinton-do/

Sound familiar? That was the last time the United States seriously flirted with a debt ceiling collapse. The scenario, of course, is replaying now, as policymakers brace for the nextinstallment of a partisan showdown over the size and scope of government. The feds are on track to reach their $14.29 trillion borrowing limit in mid-May, and the Obama administration says juggling accounts can only buy time until July 8. After that date, the government will default on its debt -- a nightmare event that would gut investor confidence in U.S. bonds, send our borrowing costs soaring, and in all likelihood, precipitate another global financial meltdown.

#### Winners win and spill over to other agenda items

Mitchell ‘10 - Asst Professor of International Law @ Columbia

Lincon, Assistant professor in practice at international Law, Columbia university [http://politics.ifoday.com/?tag=Mitchell] Lincoln Mitchell: Health Care, Financial Reform and Democratic Momentum/ April 28

A lot has happened since then. Today, while the Republicans are still hoping for big gains in November, the momentum has decidedly shifted. The election of Scott Brown has turned out not to be the knock out punch for the Obama administration which many conservatives had thought, or at least hoped, it would be. However, the election of Scott Brown was a defining moment for the Obama administration and the party of which he is the leader because it forced the president and his party to choose between backing away and conceding that their agenda for change, as modest as it actually is, was too much for the American people, or redoubling their efforts and commitment to change. Obama’s decision to choose the latter option may have surprised many, and flown in the face of some of the advice he received, but it was the right decision. This decision immediately became relevant on the issue of health care as the administration, with encouragement from leadership in congress, decided to try to pass the bill in spite of no longer controlling, even nominally, 60 senate seats. While the bill itself should not be described as a great piece of legislation, the fight was an important one; and Obama’s victory transformed his presidency. It showed America that the President was willing to fight for something and that in addition to being a brilliant man and great speaker, he could play political hardball when necessary. Thus, while the passage of the health care bill has not transformed the Obama administration into the truly progressive presidency for which many had hoped, it has breathed some life back into his presidency and party. Equally significantly Obama has tripped up the Republican Party. Had the health care bill failed, the Tea Partiers and other right wing activists could have had a substantial victory to their credit. This would have strengthened the narrative, and perhaps even the reality, that the Tea Party movement was something genuinely new with the potential to have a transformative effect on the Republican Party and American politics more generally. The failure of the Tea Party movement to stop the Obama health care reform has put an end to much of this conversation. Instead, the Tea Party movement is beginning to be understood as just another radical partisan movement with little transformative power other than of being an albatross around the neck of the Republican Party. The debate around the financial reform bill has also demonstrated that the Republican Party has been caught a little off guard by renewed Democratic vigor and that Republicans may become captives of their own irrational rhetoric. Republicans initially responded to the proposed bill by calling it another bailout. Given the nature of the bill, this rhetoric got little traction so the Republicans quickly abandoned it. The Republican Party, of course, cannot support a bill that goes so clearly against their principle of making rich people richer, but realize that taking a strong position against it will not play in the post health care political reality, so they face a real quandary. In the likely event that this bill passes, President Obama will be able to point to another major piece of domestic legislation almost immediately following the health care bill. The charges of socialism against Obama will not die down after this bill is passed; they may in fact get stronger. These cries, however, will become increasingly irrelevant. Some significant minority of the American people will continue to call Obama socialist almost no matter what, but this is beginning to look less like a problem for Obama and more like one for the Republican’s, as they find themselves controlled by a radical and angry, right wing base. The Democratic Party’s fortunes have taken a turn for the better in the last few months because, for what seems like the first time since Obama took office, the party has been aggressive, refused to back down in the face of Republican attacks and abandoned efforts to pass legislation with bipartisan support. However, the Republicans can regain the momentum back from the Democrats if the Obama administration is not vigilant about setting the agenda, pushing hard for more legislation and not being intimidated by the Republicans.

Zero risk of a DA unless they can identify the group that is being persuaded to vote for the debt ceiling that would not post the plan, and their motivation- its functionally suicidal to reject the increase long term, so acquiescence is inevitable

#### Escalation empirically denied – asian financial crisis may have caused iraq, and 80’s slump may have caused kuwait but the united states used limited force in these conflicts.

#### No causality – economic decline doesn’t cause war

Ferguson 6 – prof of history @ Harvard

Niall Ferguson 2006, Professor of History @ Harvard, The Next War of the World, Foreign Affairs 85.5, Proquest

There are many unsatisfactory explanations for why the twentieth century was so destructive. One is the assertion that the availability of more powerful weapons caused bloodier conflicts. But there is no correlation between the sophistication of military technology and the lethality of conflict. Some of the worst violence of the century -- the genocides in Cambodia in the 1970s and central Africa in the 1990s, for instance -- was perpetrated with the crudest of weapons: rifles, axes, machetes, and knives. Nor can economic crises explain the bloodshed. What may be the most familiar causal chain in modern historiography links the Great Depression to the rise of fascism and the outbreak of World War II. But that simple story leaves too much out. Nazi Germany started the war in Europe only after its economy had recovered. Not all the countries affected by the Great Depression were taken over by fascist regimes, nor did all such regimes start wars of aggression. In fact, no general relationship between economics and conflict is discernible for the century as a whole. Some wars came after periods of growth, others were the causes rather than the consequences of economic catastrophe, and some severe economic crises were not followed by wars.

## Natural Gas

#### **Affirmation of the plan is key- depoliticization of the economy represents an abdication of our creative potential –-we must remain focused even in the face of short term crisis**

Ingerid S. Straume in 11 |  PhD in the philosophy of education, Papers by Ingerid S. Chapter in "Depoliticization; The Political Imaginary of Global Capitalism", edited by Straume and Humphrey, NSU Press 2011, <http://uio.academia.edu/IngeridSStraume/Papers/401266/The_Political_Imaginary_of_Global_Capitalism>

Somewhere in the collective imaginary, there isprobably a fairly acute sense of the true state of the construction: No person raised and educated in a modern democracy can be totally ignorant of the planet's limited resources, nor of the interdependence between resource levels, policies of growth, industrial production, and the inflated level of consumption in capitalist societies.The problem is not so much to imagine the disasters ahead, but rather to believe in the possibility of change, as I have argued in the opening sections of this essay. To further the analysis, I now turn to my case in point, education. The following is based on the premise that political creation draws on the capacity to visualize that society could have been different, since society, with its norms, values, and institutions, is a social creation. To account for this premise, Cornelius Castoriadis distinguishes between what he calls the 'instituting' and the 'instituted' society. The instituting society is society's capacity for self-creation; it is society's capacity to create itself as a certain social 'form.'The instituted society is the create, i.e., the product of the instituting society, consisting of laws, norms, and institutions in which significations are embodied.  Society is self-creation. That which' creates society and history is the instituting society, as opposed to the instituted society. The instituting society is the social imaginary in the radical sense. The self-institution of society is the creation of a human world: of 'things/ 'reality,' language, norms, values, ways of life and death, objects for which we live and objects for which we dies- and of course, first and foremost, the creation of the human individual in which the institution of society is massively embedded.57 In order to change the existing institutions (the instituted) and create new social imaginary significations, it is necessary to realize that things could be otherwise. If this insight is not properly instituted, however, society will see itself as a product of forces outside its own control. The instituting society remains unacknowledged, and the instituted society is not conceived as created by society itself. For instance, capitalism could be conceived as a law-like force to which the social world is subject - one that can only be followed and cannot questioned in any profound sense.  In the sociological tradition from Max Weber, this 'deep questioning\* — i.e., political-philosophical questioning—is seen as a defining characteristic of the project of modernity itself. In modernity, the existing (traditional) social values are no longer seen as valid per definition, something which has deep implications for conscious social reproduction, and therefore, education. At least since Marx, Nietzsche, and Freud, the critique of culture and civilization is constitutive of the project of modernity, and a premise of theories and practices of education. A striking example is the critical education,' taught in Nordic schools in the 1970s and 80s as a deliberate counter influence to mass culture.38 In the following, I will argue that this self-critique has now started to turn back on itself, where critique threatens to turn into cultural self-contempt. This becomes quite clear if we analyze the typical relationship between parents and children in contemporary global capitalism in light of the previously developed sections of this paper. Together with the rise of' critical consciousness' in Western societies, at least since '1968,' many parents have found themselves in a social and natural setting that they sometimes find undesirable, even disturbing and harmful. For example, the natural surroundings and countryside, which until today have been very important in the socialization of Norwegian children,39 are no longer representations of pure or clean nature. Things in the countryside, in woods, and water, are now potentially harmful in an 'unnatural\* way. This transformation happened in just a few years. The shocking implication is, of course, thathuman beings are the agents of this destruction — humanity is undermining its own existence. From this fact comes the notion of humanity as inherently harmful. And while we cognitively and technically appear to have the capacity, we still seem unable to stop the destruction of the natural environment. The situation is inherently 'pathological.' Now, ifand when these ideas enter the field of education via literature, educational programs, etc. the pathology is affirmed and consolidated.  In the Nordic countries, for example, children's literature has tended for some time to thematize adulthood, and especially the shortcomings of adults in political and environmental matters. Books and TV-programs illustrate how 'silly' grown-ups are: always in a hurry and through their grown-up-actions ruining the environment. The authors often try to form an alliance with the children against 'the grown-ups.'60 But since the world of grown-ups is the only resource for the child in the process of becoming an adult self, the subject-position offered to the child in this literature is very problematic. Systematically denigrating adults and adult behavior is detrimental to the child's opportunities for identification, as there are no other ideals available. The child is forced to identify with ambivalence or nothing at all. My main point is that the conflict between adults and children portrayed by this literature points to a deeper conflict, between the culture and the individual — or rather, within the culture itself — where the central imaginary significations that organize Western societies, no longer offer sufficient meaning for its members. And since capitalism's significations  — such as rational mastery, consumerism, and instrumentalism - still provide the compass points for our practical orientation as a collective, the situation is deeply 'schizophrenic' It represents a form of alienation, a split within society's self-image, where the relationship between the instituting and the instituted society is distorted. As Slavoj Zizek has pointed out, we detest it, and we don't believe in it, but we still perform and live it.61 The split runs deep, arising within modern society itself, and there is no (rational) escape. This was tragically demonstrated by the Norwegian socialist minister of finance, who probably felt obliged to pose for the photographer holding shopping bags.  Still, the adult world is the only available template onto which the child's aspiration to grow up can be projected. If this world is discredited, the child is left without the cultural resources necessary to build a self. This is the problem that Hannah Arendt addressed in her controversial essay The Crisis in Education, claiming that: "Anyone who refuses to have joint responsibility for the world should not have children and must not be allowed to take part in educating them."62 In Arendt's view, adults have a duty to hand over an 'intact world\* to the next generation — even when they (the adults) wish to change this world, and wish it were otherwise. Practices of education that ignore, or are unable to follow this principle, are in a state of crisis.  Now, while the crisis I have described here is a socio-cultural one, its manifestations — as always —affect people individually and in relation to one another. For instance, children in capitalist societies express in their wishes and actions the demands of a consumer culture - a culture of which many parents are critical. In other words, the consumption-oriented, seemingly selfish attitudes of the young are, to a large extent, attitudes derived from and reflective of the consumer culture at large — played out as conflicts in the home. Hence, the parent or educator is forced to wrestle with problems far beyond the sphere of the personal and educational, such as consumerism, instrumentalism, reification, and cynicism. The  scene is set for individuals to resist their own culture; a fight they can never' win.' Ambivalence and collective self-contempt takes the stage. Depoliticization, as we have seen, rests on the inability of existing institutions to provide sufficiently robust meaning to act as resources for addressing the political problems of the society in question. Put differently: when a society is not able to justify its own significations, it is alienated from itself and its own creative capacity. Under these circumstances, social reproduction becomes very problematic. The instituting society has given birth to a monster — here, the institution of capitalism — and is paralyzed by it. The deepest effect of depoliticization, therefore, is society's abdication of its own creative capacity, which, as I have argued, also implies cultural and personal suffering.

#### Nuclear more stable and better for the economy.

Spencer 12 (Jack Spencer is Research Fellow in Nuclear Energy in the Thomas A. Roe Institute for Economic Policy Studies at The Heritage Foundation.)

(3/16/2012. “More to the Story on Nuclear Power and Cheap Natural Gas” http://blog.heritage.org/2012/03/16/more-to-the-story-on-nuclear-power-and-cheap-natural-gas/)

Back to nuclear.¶ As natural gas use was growing through the mid-2000s, the nuclear industry was refining its product. It continued to bring plants on line that had been permitted prior to the TMI accident and worked to hone its safety procedures and operational efficiency. The numbers show the progress. In 1979, American had 72 plants on line. Today there are 104.¶ Back then, America’s reactors operated at an average capacity factor of less than 60 percent. That means that the average plant spent 40 percent of that year not producing electricity. Today, reactors routinely exceed 90 percent capacity factors. This has resulted in low-cost, reliable electricity. And because the cost of fuel makes up a small percentage of actual costs, nuclear power prices do not vary over the lifetime of the plant. Best of all, these benefits are buoyed by increasing safety.¶ This progress positioned nuclear power to mount a comeback by the late 2000s. Indeed, 18 utilities submitted applications to the Nuclear Regulatory Commission to build nearly 30 new reactors.¶ Now, once again, with cost estimates rising for nuclear power, natural gas prices dropping, and renewed public anxiety fueled by a major accident, some like the Economist and The Wall Street Journal are questioning whether nuclear power has a future.¶ Part of the answer can be found in the Journal’s article. It points to three concerns regarding over-reliance on natural gas:¶ Diversity of fuel source. As one of the executives interviewed clearly states, even if one fuel source is cheap, there is great value in fuel diversity. An over-reliance on a single fuel will likely result in higher costs.¶ Long-term prices are unpredictable. Few expected the precipitous drop in natural gas prices that has occurred since 2008. Likewise, no one is predicting any near-term price spikes. However, if history is any guide, we should expect a rise over time. The lower prices go, the less incentive there will be to find additional reserves. The Wall Street Journal reports that this is already happening. And demand will surely increase as more natural gas is used for home heating and electricity production, and industrial applications and export opportunities emerge.¶ Fuel supply. There is also growing concern that existing pipeline capacity will not be adequate to support growing demand.¶ The rest of the answer lies with the nuclear industry and the federal government and how they interact. As the industry underwent significant safety and operational reform after TMI, the time is now for another significant reform effort geared toward relating to the federal government. These reforms should include:¶ Regulatory reform. America’s nuclear regulator, the Nuclear Regulatory Commission, does an outstanding job at regulating public health and safety for existing plants in a slow/no-growth market that is built around a single technology. It is not built to regulate a technologically diverse, growing nuclear industry.¶ Waste management. While the private sector efficiently manages front-end (fuel-related) activities and plant operations, the government remains in control of America’s dysfunctional regime for waste management. Under the current system, there is little connection between used-fuel management programs, economics, and the needs of the nuclear industry. Any successful plan must grow out of the private sector, be driven by sound economics, and provide access to the funds that have been set aside for nuclear waste management activities.¶ Though there are no guarantees, nuclear power—despite much adversity—has proved to be much more than a survivor. The right policy reforms today will open up markets to more abundant, more affordable, and even safer nuclear energy.

#### Nuclear power solves manufacturing jobs

King et. al. 11 (Marcus D. King Associate Director of Research Associate Research Professor of International Affairs. R. LaVar Huntzinger, Center for Naval Analyses. Institute of Naval Studies. Nguyen – Research Staff at CAN)

(March 2011 “Feasibility of Nuclear Power on U.S. Military Installations” http://www.cna.org/sites/default/files/research/Nuclear%20Power%20on%20Military%20Installations%20D0023932%20A5.pdf)

Finally, a significant appeal of SMRs is their ability to be manufactured substantially within a factory environment using state-of-the-art fabrication and manufacturing. While other industries already use advanced modular construction techniques, including for the balance- of-plant systems in nuclear plants, they have not been applied to the modularization of the nuclear steam supply system. Development and demonstration efforts will be needed in order to adapt the most advanced technologies and processes to domestic nuclear plant fabrication and manufacture. This should yield significant improvements in product performance, quality, and economics. Such an effort can help support the revitalization of U.S. manufacturing, spurring domestic job creation and international leadership in key nuclear supply areas.

#### Gas is inherently volatile – increasing supply only exacerbates the problem

Lovins and Creyts 12

Amory B. Lovins, co-founder, Rocky Mountain Institute and Chief Scientist and Jon Creyts, Program Director, 9/6/12, “Hot Air About Cheap Natural Gas,” http://blog.rmi.org/blog\_hot\_air\_about\_cheap\_natural\_gas

A leading promoter of shale-gas fracking, asked about this at a recent financial conference, replied, “Trust me!” Gas, he claimed, would remain very cheap for a very long time. So how much gas would he contract to sell for a constant $2–3 per thousand cubic feet for 20–30 years, backed by solid assets unlinked to hydrocarbon prices? Probably none. Actually, you can buy gas today for delivery at least a decade hence. Sure enough, it costs 2–3 times more, or about $6. So why doesn’t a fracking promoter lock in huge profits by shorting gas futures? Because shale gas (unless sweetened by valuable liquid byproducts) has lately sold at below its cash production cost. The reasons include frenetic drilling (driven by use-it-or-lose-it leases and the need to book big reserves to raise cash), pricey oil spurring plays in oily shales, and filled storage due to a mild winter. Those low 2012 natural gas prices will probably prove as transient as the even lower real prices of 1995–2000. The gas industry’s inherent short-term price volatility is due to weather, storage, trade, and other factors. The April 2012 low gas price rose 31% by the end of May and doubled for delivery two years hence. Uncertainties increase further out because economies are complex and unpredic-table. The fracking revolution didn’t repeal basic economics: to get $6¬–8 gas, just assume $3–4 gas, use it accordingly, and watch supply and demand reequilibrate at higher prices. In fact, traders’ confounded attempts to forecast supply and demand dynamics for natural gas have helped accentuate this volatility. The track record of official price forecasts is abysmal (see Figure), and private forecasts weren’t much better. Three times in the past 15 years, huge investments—such as $100-odd billion worth of mistimed combined-cycle gas turbine generators bought in the late ’90s—were painfully stranded or misdirected when gas price forecasts shifted abruptly. Predicting gas supply and demand is unlikely to get much easier. Abundant domestic gas could paradoxically exacerbate price volatility. One reason is trade. Unlike oil, bulk gas has been delivered almost entirely by regional pipelines, de-linking prices between the major markets in Asia, Europe, and the U.S. But huge new export facilities will abruptly send liquefied gas toward the best price, rippling supply adjustments across the global network. U.S. gas, for example, may veer to Japan, where gas fetches $16 because it’s still (for now) contractually linked to oil prices. Exporters would get a windfall; other Americans would pay higher gas prices. Since major shale gas reserves are not just in North America but also such places as China, Argentina, Mexico, Australia, and South Africa, easier global capital markets or faster national gas development could speed gas globalization, with all its benefits and travails.

#### New consumption patterns make food crises inevitable- that isn’t changing in the future.

Der Spiegel ‘12

DER SPIEGEL, German International News, “Drought Only One Factor Behind High Food Prices,” 08/21/2012, http://www.spiegel.de/international/business/drought-not-the-only-factor-driving-up-agricultural-prices-a-851068.html

NEW CONSUMPTION PATTERNS EXACERBATE SCARCITY.¶ In emerging economies, a new middle class has developed whose members have completely different eating habits than their parents' and grandparents' generations. Meat is no longer the luxury it once was.¶ China, in particular, is leading the charge. In the two decades since 1990, Chinese annual per capita income has risen from the equivalent of $341 to $5,400. In the same period, annual meat consumption has more than doubled, from 26 to 56 kilograms.¶ Domestic agricultural production is far from sufficient to cover such a rise in demand, especially for animal feed, so China has turned to the world markets for soybeans and corn. Because about three kilos of feed are needed to produce one kilo of pork, the new eating habits are magnifying the supply problem.¶ Doubling Production¶ More than anything, the four factors affected agricultural commodity prices indicate not only that the situation is tense, but that it is also likely to stay that way. The global population grows by some 78 million people a year, and while the demand for food is constantly increasing, the supply is limited. The amount of land currently under cultivation worldwide -- about 1.5 billion hectares -- can hardly be expanded.¶ Still, Bonn agricultural economist Berg is convinced that it is possible to feed every inhabitant of the earth, and will be even in the year 2050. "To be able to feed the nine billion people that will likely be living on the planet at that point, we'll have to double our current agricultural production, which is theoretically possible," says Berg. To do so, agriculture would have to increase productivity reserves worldwide, by using the best grain varieties, more efficient irrigation and powerful machinery. There is enormous potential, as evidenced by the fact that Russian farmers produce 1.9 tons of wheat per hectare, compared with German yields of 7.8 tons, or almost four times as much.¶ Genetic engineering is also one of the tools that promise better crop yields in a limited amount of space, by producing more drought-tolerant plants, for example. But society still has substantial reservations about the technology.¶ Moreover, not all experts are as optimistic that the agricultural crisis can be solved with more technology, biology and chemistry. On the contrary, many warn against treating the maximization of crop yields as the solution. They include the group of scientists that wrote the World Development Report four years ago.¶ They conclude that the superiority of industrial agriculture is a myth, and that, in reality, it is responsible in large part for climate change, species extinction, the poisoning of the environment, water shortages and disease, which ultimately makes it responsible for hunger and poverty. The report argues that monocultures, pesticide use, artificial irrigation and synthetic fertilizer contaminate water and ruin the soil. As a result, say the authors, it is better to strengthen small farmers, who concentrate on local markets and use less water than large-scale farming operations. They also believe that these small farmers are easily capable of satisfying demand in developing countries.¶ Perhaps, though, altogether different measures are necessary in the fight against hunger. Another front line runs through our kitchens: A third of all food, after all, ends up in the garbage.¶

#### **Can’t solve food crises- biofuel subsidies**

Der Spiegel ‘12

DER SPIEGEL, German International News, “Drought Only One Factor Behind High Food Prices,” 08/21/2012, http://www.spiegel.de/international/business/drought-not-the-only-factor-driving-up-agricultural-prices-a-851068.html

MORE BIOFUEL MEANS LESS FOOD.¶ Since 2005, US refineries have been required to add fuel derived from renewable sources to conventional gasoline. The United States is using this approach to reduce its dependency on fossil fuels. The problem is that the country is now using more corn to produce ethanol than to make animal feed.¶ About 40 percent of the corn crop is converted into biofuel, and less and less farmland is available to grow other crops. Investment firm Lupus Alpha is critical of Washington's environmental strategy because by subsidizing ethanol, the government has created a "demand monster." The UN Food and Agricultural Organization (FAO) argues that the ethanol requirement should be suspended immediately so as to defuse the "food versus fuel" conflict.¶ German Development Minister Dirk Niebel used a similar argument last week, when he suggested imposing a sales ban on E10. Chancellor Angela Merkel's government only introduced E10, a fuel containing 10 percent ethanol, in early 2011, against the recommendations of experts.¶ Today German farmers use 2.2 million of the 16.7 million hectares they farm to grow plants for the production of biofuel. German fields are bright yellow in the spring, from rapeseed plants, while corn dominates the landscape in the fall. The amount of land devoted to such crops could grow to 4 million hectares by 2020.¶ Several politicians from Merkel's conservatives are supportive of Niebel's call for a ban on E10 sales. "It's unacceptable that people all over the world are suffering from hunger, while we incinerate biomass to make inefficient energy," says senior conservative parliamentarian Michael Fuchs.¶