# \*\*\*1NC

# 1

#### First, energy production is limited to the capture or extraction of raw fuels-

#### A- ‘Of’ mean the contents from which the preceding noun is composed

Merriam Webster, no date

[http://www.merriam-webster.com/dictionary/of]

Definition of OF

1—used as a function word to indicate a point of reckoning <north of the lake>

2a —used as a function word to indicate origin or derivation <a man of noble birth>

b —used as a function word to indicate the cause, motive, or reason <died of flu>

c : by <plays of Shakespeare>

d : on the part of <very kind of you>

e : occurring in <a fish of the western Atlantic>

3—used as a function word to indicate the component material, parts, or elements or the contents <throne of gold> <cup of water>

#### B- Energy production is extraction and capture- it excludes the second stage of transformation and the third stage of use

Bhattacharyya 11

[Subhes.C., Senior Lecturer in Energy/ Petroleum Economics at Centre for Energy, Petroleum and Mineral Law and Policy, He specialises in energy economics, energy planning and policy issues, regulatory and restructuring of energy industries and energy environment interactions, Energy Economics, “Chapter 2: Energy Data and Energy Balance”, 2011 //wyo-tjc]

An energy balance table has three main building blocks: the supply-side information, conversion details and the demand information. The supply-side information captures domestic supply of energy products through production, international trade, and stock change. Energy production provides the marketable quantities of energy domestically produced in a country. Marketable quantities exclude any part of the production that is not available for use or stock. Examples include wastes (gas flaring), re-injection as part of production process (gas re-injection), removal of impurities, etc.

The external trade information captures the transactions of energies taking place across the national boundary of a country, irrespective of whether customs clearance was taken or not. Imports are those quantities that enter the country for domestic use (this excludes transits). Exports are those quantities leaving the country for use by outsiders. As imports expand domestic supply, it is considered as a positive flow in the energy accounts whereas exports are considered as a negative flow. Fuel used by ships for international voyages is considered as a special item and included as bunker. This is treated in a similar manner as international trade and any quantity delivered to ships, irrespective of their country of registration, undertaking international voyages is eligible for this treatment.

Stocks of fuels serve as cushions to cover fluctuations in supply and demand and are maintained by the suppliers, importers/exporters and the consumers. A stock rise represents a diminution in available supplies, and a stock fall represents an increase in supplies. For this reason, a minus sign is used to denote a rise and that a plus sign is used to denote a stock fall. The net position of domestic supply considering the above elements gives the primary energy supply of any energy.

The transformation section of the energy accounting captures the conversion of primary energies into secondary energies either through physical or chemical changes. Normally the inputs used in the transformation process are given a negative sign while the outputs are given a positive sign. If a single output comes from a number of energy sources, the clarity of input–output relation may be lost when the information is placed in a single row. In such cases, further details are presented as memo items or in additional rows. Commonly used transformation processes are oil refining, electricity generation, gas separation and conversion, coke production from coal, etc. However, as with supply information, transformation or conversion is also a country specific section of the energy account and would normally vary across countries.

#### Second, violation: they don’t provide incentives on energy production, but energy transformation

#### Third, Reasons to Prefer

#### A- Definitional limits- energy transformations occur all the time, but we should limit our understanding of production to extraction or collection. Excluding transformation is key to precision and understanding

Overgaard 8

[Sarah, Senior Executive Officer in Division for Energy Statistics at Statistics Norway, “Issue paper: Definition of primary and secondary energy”, September, p. <http://unstats.un.org/unsd/envaccounting/londongroup/meeting13/LG13_12a.pdf> //wyo-tjc]

Formal definitions have a regular, consistent pattern that enables us to identify one and only

one item from a larger set of related items. A formal definition3 consists of three parts:

1) the term to be defined,

2) the general class to which the term belongs, and

3) the defining particulars (the distinguishing characteristics) that separate this term from

all other members of its class.

The terms to be defined in this paper are primary energy and secondary energy.

For primary energy the class that is currently used by the UN is “sources”. The OECD/IEA/Eurostat manual on the other hand uses natural resources when describing the origin of primary energy commodities. The problem we encounter if stating that the energy source should be a natural resource is that we rule out energy embodied in waste as primary energy. If waste should be classified as primary energy, as is the case in the OECD/IEA/Eurostat manual, limiting the class to only natural resources will make the definition to narrow.

There are two options as we see it: The first option is to hold on to the class used in the UN definition, but include the specification that we are referring to the energy in a source and not the source in itself. The proposed class is then “energy embodied in sources”. The second option is to include waste in addition to natural resources in the definition, as the term primary energy gives strong associations to natural resources. Waste is a surplus from any other process that has no further use in the process it comes from. Waste enters the energy system as “new” energy. One way to see waste is as a non-energy commodity flow that enters the energy commodity flow as “new” energy. A definition should preferably not include exceptions, so there should be valid arguments for choosing such an option.

For secondary energy the class currently used in the UN manual is also “sources”. The OECD/IEA/Eurostat manual does not define a class, but refer to commodities. One could argue that secondary energy is not really what we think of as an energy source, but rather an energy commodity. When transformed from a primary energy source or commodity, it is done so for the purpose of trade or use, it becomes a commodity.

The most important distinguishing characteristics of primary and secondary energy are the process/activity involved for humans to make use of the energy in the source. To take it from the start, all energy on earth originally comes from the sun, through natural energy chains the energy from the sun is transferred to other forms of energy, kinetic or stored. The first law of thermodynamics state that “Energy can neither be created nor destroyed”. In other words it merely changes its form from one to another. So energy transformations occur naturally all the time, but it is first when humans use labour or materials to extract, collect or transform the energy embodied in a source that it enters our energy system. A formal definition should preferably be able to:

1) recognize the human factor,

2) recognize that the important differentiating factor is the activity or process of

extraction, capture or transformation and

3) include the purpose of the activity.

#### B- Education- precisely isolating each phase of the energy cycle is key to understanding the dynamics of the entire system

Eric Williams, “Global Production Chains and Sustainability”, United Nations University/Institute of Advanced Studies, 2000

Why choose a production chain? While it is a simple matter to agree in principle that a systems understanding of production activities is desirable, the extreme large scale and complexity of the network of industrial sectors make it clear that quite finite boundaries must be set in order to make practical progress. Thus a production chain, or limited sub-network of connected sectors, is an appropriate object to deal with.

#### Fourth, vote negative: Topicality is a voting issue because it is a prima facie burden and should be evaluated as a question of competing interpretations

# 2

#### Text: The 50 states, Washington D.C., and relevant territories should substantially increase financial incentives for education and training of America’s nuclear work force, domestic supply chain production, nuclear power plant site suitability studies, and a decommissioning trust fund

#### States solve nuclear power production

NEI, Nuclear Energy Institute, “Industry Applauds Recognition of Nuclear Policies in NCSL Energy Task Force Report”, July 26, 2010

WASHINGTON,D.C.—The National Conference of State Legislatures (NCSL), the nation’s largest policy organization for state lawmakers, has released a report identifying several recommendations to expand the use of nuclear energy as state lawmakers pursue policies that provide secure sources of energy. The policy options range from lifting moratoria on new nuclear power plants that exist in some states to tax incentives for new reactor construction to defining nuclear as a clean power source. The report describes these “effective” policies and identifies instances in which they already have been put in place across the nation. The policy prescriptions, disseminated this past weekend by NCSL’s Energy Supply Task Force at the organization’s Legislative Summit in Louisville, Ky., represent an attempt to balance “cleaner, domestic sources of electricity with the need for job growth and economic development.” “In the past, most energy decisions have focused on reliability and cost,” the report states. “Today, utilities and policymakers consider many other factors as well, including job creation, economic development, energy security, and the environment.” The NCSL task force notes that a growing number of states are passing clean energy legislation with significant provisions to expand nuclear energy. “These policies, along with the potential for federal regulation of greenhouse gas emissions, have changed the landscape when it comes to building new power plants,” the report states. “There is no ‘one size fits all’ approach on energy policy that will work for every state, but clearly nuclear has to be part of the mix,” said Rep. Al Carlson, North Dakota House majority leader and NCSL Energy Supply Task Force co-chair. “States do need to take a lead on energy, and baseload generation is an important component,” added task force co-chair Tom Holbrook, who serves as chairman of the Illinois House Utilities Committee. Nuclear energy policy options identified in the task force report include: • state laws making the permitting process more efficient without sacrificing safety, resulting in new reactor construction in a shorter time frame; • state-level financing support mechanisms; • tax incentives; • education and training for America’s nuclear work force; • incentives for domestic supply chain production; • revisions or repeal of nuclear energy moratoria; • nuclear power plant site suitability studies; • defining nuclear as “clean energy”; and • decommissioning trust fund support. “Increasingly we are seeing states assume leadership over key energy issues

that fail to secure commitment or enactment in Washington,” said Marshall Cohen, senior director for state and local government affairs at the Nuclear Energy Institute. “In its acknowledgment of the role nuclear energy can play in securing a clean, reliable and domestic supply of electricity going forward, this NCSL report affords state policymakers an attractive menu of tested and proven policy options that promise to revitalize our economy while also help achieve our aggressive emissions reductions ambitions. “NCSL leadership and its task force are to be commended for providing this comprehensive policy guide to lawmakers across the country at a crucial time.”

# 3

#### Top of the docket- committee takes it up when they return in April, floor debate by late spring

Nocera 3/21

[Kate Nocera, Politico writer, 3/21/13,Chuck Schumer: ‘Gang of 8’ close to immigration deal

<http://www.politico.com/story/2013/03/chuck-schumer-gang-of-8-immigration-reform-deal-89200.html?hp=t2_3>, uwyo//amp]

With activists and lawmakers anxious to see an immigration bill, Sen. Chuck Schumer and other members of the Gang of Eight seemed optimistic on Thursday that a deal was within reach. The New York Democrat told Hispanic media outlets Thursday he was confident a deal would be reached in the days ahead, although the group is unlikely to be unveiled before the end of the Easter recess. “About 90 percent of the issues, including the path to citizenship, are settled,” Schumer said, adding that the group was meeting “hours” a day, and he was putting “more time into this than any other single issue.” He expects the Senate Judiciary Committee to take up the bill in April before floor debate in the late spring or early summer.

#### Obama pc key and will pass now- Hard line key to defeat Republicans

Spetalnick & Crowan Feb. 4th

[Matt Spetalnick and Richard Cowan, Reuters, February 4th, 2013, Obama, aides seek momentum on immigration reform this week, <http://www.reuters.com/article/2013/02/04/us-usa-immigration-idUSBRE9130V620130204>, uwyo//amp]

The flurry of activity, including new moves in Congress, comes amid disagreement between the Democratic president and Republicans over the question of citizenship for illegal immigrants, an obstacle that could make it hard to reach a final deal on sweeping legislation. Obama is expected to use his February 12 State of the Union speech to Congress to keep the heat on Republicans, who appear more willing to accept an immigration overhaul after they were chastened by Latino voters' rejection in the November election. But differences have emerged since Obama and a bipartisan Senate working "group of eight" rolled out their proposals last week aimed at the biggest U.S. immigration revamp in decades. Obama wants to give America's 11 million illegal immigrants a clear process to achieve citizenship, including payment of fines, criminal background checks and going to the "back of the line" behind legal applicants, and has vowed to introduce his own bill if Congress fails to act in a timely fashion. But top Republicans want to defer citizenship until the county's borders are deemed more secure - a linkage that Obama and most of his fellow Democrats would find hard to accept. Obama's aides are confident the president has enough leverage to avoid giving ground - not least because they believe that if the reform effort fails in Congress, voters are more likely to blame the Republicans and they would suffer in the 2014 midterm congressional elections.

#### Nuclear power has significant opposition – public and congressional

Andrew Freedman, Editor and Senior Science writer for Climate Central, “Feds Approve First Nuclear Reactors Since 1970s”, Climatecentral.org, February 9th, 2012.

By a v ote of 4 to 1 , the Nuclear Regulatory Commission approv ed the construction of the first new nuclear reactors to be built in the United States since 1 97 8. The reactors would be built at the Vogtle power plant near Way nesboro, Ga., which is a nuclear power plant operated by the Southern Company . As The Hill's E-2 Wire blog noted, the lone dissenting v ote was cast by NRC Chairman Gregory Jaczko. The nuclear industry has faced numerous obstacles, most recently the backlash following the Fukushima nuclear disaster in Japan, in its efforts to build new nuclear plants in the U.S., and the Commission has issued recommendations on how to better protect U.S. reactors from earthquakes and floods. The country currently operates 1 04 nuclear reactors, but all were approv ed at least three decades ago. “This is a historic day ,” said Marv in Fertel, president of the Nuclear Energy Institute, the industry ’s trade group in a statement. “Today ’s licensing action sounds a clarion call to the world that the United States recognizes the importance of expanding nuclear energy as a key component of a low-carbon energy future that is central to job creation, div ersity of electricity supply and energy security .” Andrew Restuccia, writing for The Hill, noted the project still needs to overcome public opposition to nuclear power that may result in a lawsuit against the project, and congressional opposition to a hefty $8.3 billion federal conditional loan guarantee for reactor construction. "Some Democrats in Congress — noting that the loan guarantee is more than 1 5 times the size of the one granted to the failed solar firm Solyndra — have called on Obama not to finalize the loan." “Ithink we are putting our taxpay er money at unnecessary risk giv en the unresolv ed safety issues and the lessons that hav e been learned from Fukushima,” Rep. Edward Markey (D-Mass.), a senior Democrat on the House Energy and Commerce Committee and a v ocal critic of nuclear power, told The Hill Wednesday . The Obama administration has supported the dev elopment of new nuclear power plants as a way to reduce greenhouse gas emissons and cut the use of fossil fuels.

#### Critical to US economic recovery

Aaron Terrazas, Migration Policy Institute, July 2011, The Economic Integration of Immigrants in the United States: Long- and Short-Term Perspectives, http://www.migrationpolicy.org/pubs/EconomicIntegration.pdf

The fate of immigrants in the United States and their integration into the labor market are impossible to separate from the state of the overall US economy and the fate of all US workers. During periods of economic expansion and relative prosperity, upward economic mobility among the native born generates opportunities for immigrants to gain a foothold in the US labor market and to gradually improve their status over time. In many respects, a growing economy during the 1990s and early 2000s provided ample opportunity for immigrants — and especially their children — to gradually improve their status over time. However, the story of immigrants’ integration into the US labor force during the years leading to the recession was also mixed: In general, the foreign born had high labor force participation, but they were also more likely to occupy low-paying jobs. The most notable advances toward economic integration occur over generations, due in large part to the openness of US educational institutions to the children of immigrants and the historic lack of employment discrimination against workers with an immigrant background. In the wake of the global economic crisis, there is substantial uncertainty regarding the future trajectory of the US economy and labor market. Most forecasts suggest that the next decade will be substantially different from the past26 and it is not clear if previous trends in immigrants’ economic integration will continue. The recession, weak recovery, and prospect of prolonged stagnation as a result of continuing high public debt, could realign the economic and social forces that have historically propelled the the less-educated labor force have been dismal for decades. In some respects, the recession accelerated these trends. While the prospect of greater demand for US manufactured goods from emerging markets might slow gradual decay of the US manufacturing industry, the outlook for the industry remains weak. Steady educational gains throughout the developing world have simultaneously increased downward wage pressure on highly skilled workers who, in the past, generated substantial secondary demand for services that immigrants often provide.

#### **Nuclear war**

Harris and Burrows ‘9

(Mathew, PhD European History at Cambridge, counselor in the National Intelligence Council (NIC) and Jennifer, member of the NIC’s Long Range Analysis Unit “Revisiting the Future: Geopolitical Effects of the Financial Crisis” <http://www.ciaonet.org/journals/twq/v32i2/f_0016178_13952.pdf>, AM)

Of course, the report encompasses more than economics and indeed believes the future is likely to be the result of a number of intersecting and interlocking forces. With so many possible permutations of outcomes, each with ample Revisiting the Future opportunity for unintended consequences, there is a growing sense of insecurity. Even so, history may be more instructive than ever. While we continue to believe that the Great Depression is not likely to be repeated, the lessons to be drawn from that period include the harmful effects on fledgling democracies and multiethnic societies (think Central Europe in 1920s and 1930s) and on the sustainability of multilateral institutions (think League of Nations in the same period). There is no reason to think that this would not be true in the twenty-first as much as in the twentieth century. For that reason, the ways in which the potential for greater conflict could grow would seem to be even more apt in a constantly volatile economic environment as they would be if change would be steadier. In surveying those risks, the report stressed the likelihood that terrorism and nonproliferation will remain priorities even as resource issues move up on the international agenda. Terrorism’s appeal will decline if economic growth continues in the Middle East and youth unemployment is reduced. For those terrorist groups that remain active in 2025, however, the diffusion of technologies and scientific knowledge will place some of the world’s most dangerous capabilities within their reach. Terrorist groups in 2025 will likely be a combination of descendants of long established groups\_inheriting organizational structures, command and control processes, and training procedures necessary to conduct sophisticated attacks\_and newly emergent collections of the angry and disenfranchised that become self-radicalized, particularly in the absence of economic outlets that would become narrower in an economic downturn. The most dangerous casualty of any economically-induced drawdown of U.S. military presence would almost certainly be the Middle East. Although Iran’s acquisition of nuclear weapons is not inevitable, worries about a nuclear-armed Iran could lead states in the region to develop new security arrangements with external powers, acquire additional weapons, and consider pursuing their own nuclear ambitions. It is not clear that the type of stable deterrent relationship that existed between the great powers for most of the Cold War would emerge naturally in the Middle East with a nuclear Iran. Episodes of low intensity conflict and terrorism taking place under a nuclear umbrella could lead to an unintended escalation and broader conflict if clear red lines between those states involved are not well established. The close proximity of potential nuclear rivals combined with underdeveloped surveillance capabilities and mobile dual-capable Iranian missile systems also will produce inherent difficulties in achieving reliable indications and warning of an impending nuclear attack. The lack of strategic depth in neighboring states like Israel, short warning and missile flight times, and uncertainty of Iranian intentions may place more focus on preemption rather than defense, potentially leading to escalating crises. 36 Types of conflict that the world continues to experience, such as over resources, could reemerge, particularly if protectionism grows and there is a resort to neo-mercantilist practices. Perceptions of renewed energy scarcity will drive countries to take actions to assure their future access to energy supplies. In the worst case, this could result in interstate conflicts if government leaders deem assured access to energy resources, for example, to be essential for maintaining domestic stability and the survival of their regime. Even actions short of war, however, will have important geopolitical implications. Maritime security concerns are providing a rationale for naval buildups and modernization efforts, such as China’s and India’s development of blue water naval capabilities. If the fiscal stimulus focus for these countries indeed turns inward, one of the most obvious funding targets may be military. Buildup of regional naval capabilities could lead to increased tensions, rivalries, and counterbalancing moves, but it also will create opportunities for multinational cooperation in protecting critical sea lanes. With water also becoming scarcer in Asia and the Middle East, cooperation to manage changing water resources is likely to be increasingly difficult both within and between states in a more dog-eat-dog world.

# 4

#### Text: The US Supreme Court should rule that uranium mining is unconstitutional.

#### Courts have authority to rule over energy production

Brenda Bowers April 2011 “Future Of American Energy Production At Stake In US Supreme Court – Big Government” http://brendabowers.wordpress.com/2011/04/19/%C2%BB-future-of-american-energy-production-at-stake-in-us-supreme-court-big-government/

We all know how important energy is in our lives, just as commercial energy is critical to free market capitalism and the pursuit of prosperity in America. Now, thanks to environmental activists and several states, that may all be at risk in the US Supreme Court. In 2004, unhappy that the duly elected Bush administration wasn’t restricting carbon emissions in the alleged cause of global warming, environmental activism prompted several states to file a “public nuisance” lawsuit, which would empower the courts in this regard. They lost in the lower court but that was reversed in 2007. This case is novel, and far more aggressive and disruptive than the global warming case the Court previously permitted. In a 2007 decision, Massachusetts v. EPA, a closely divided Court agreed with 12 states and several cities that the Environmental Protection Agency has authority to regulate carbon dioxide as a pollutant under the Clean Air Act. Though that case dealt with a narrow claim to enforce a federal statute, the Court’s decision emboldened what had already become a cottage industry of lawsuits designed to slow global warming by asking federal courts to enact what interest groups have been unable to secure through the democratic process: carbon caps and other limits on the way energy is produced in this country. Under the guise of “public nuisance,” the plaintiffs in these suits seek to impose enormous damages and binding emissions caps on energy companies. The plaintiffs have acknowledged that their goal is a veritable sea change in the way energy is produced, sold, and used in this country. Incredibly, they assert that these companies can make major changes to lower emissions – such as the adoption of wind and solar alternatives – “without significantly increasing the cost of electricity.” But never before has the “public nuisance” doctrine been used to set national economic and energy policy. While litigation may be therapeutic for those frustrated by political inaction, this case is at odds with this country’s legal tradition. Meanwhile, a recently elected Republican House is taking steps to go in the other direction through budget cuts to the EPA. Environmental activism in the US is, in effect, looking to up-end the democratic process – an all too common theme across the Left – by empowering the courts to make policy in perhaps the single most critical policy area for American prosperity.

#### The net benefit will be on case.

# Adv 2

#### Preventing extinction is the highest ethical priority – we should take action to prevent the Other from dying FIRST, only THEN can we consider questions of value to life

Paul Wapner, 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.

#### Governments have ethical obligations to promote the welfare of everyone – even if they win their ethics framework preventing our disad impact is still an ethical imperative

Tim Stelzig, Attorney Advisor in the Competition Policy Division of the FCC's Wireline Competition Bureau, former associate with Arnold & Porter in Washington, D.C., JD from the University of Pennsylvania Law School, March 1998, University of Pennsylvania Law Review, 146 U. Pa. L. Rev. 901, p. 959

Libertarians have argued that such a state violates deontological norms, that governmental intervention going beyond what is minimally necessary to preserve social order is not justified. Deontology does not require such a timid state and, moreover, finds desirable a state which promotes the general welfare to the fullest extent possible, even if in so doing it acts in ways deontologically objectionable for anyone other than one filling the government's unique role in society. More specifically, I argued that the government must consequentially justify its policy choices. The elegance of this particular rationale for the contours of permissible governmental action is that it remains a deontological justification at base. One of the worries of full-blown consequentialism is that it requires too much, that any putative right may be set aside if doing so would produce greater good. The justification offered here does not suffer that flaw. The distributive exemption does not permit that any one be sacrificed for the betterment of others; rather, it only permits a redistribution of inevitable harms, a diversion of an existing threatened harm to many such that it results in harm to fewer individuals. The result of this application of the distributive exemption is a government that fundamentally seeks to promote to the fullest extent possible the welfare of all; a government that respects the rights of its citizens; and a government that realizes that its own intervention can have consequences counterproductive to the state's fundamental goal of general welfare that should be avoided for that reason. Such a state is a worthy totem, and accords with our most cherished principles molded through centuries of grappling with difficult legal and moral issues. Deontological premises have justified a plausible and attractive version of the liberal state in which consequential justification predominates, but rights are not neglected. This conclusion should be both surprising and reassuring to the deontologist - surprising because deontology and consequentialism are typically understood to be in opposition, and reassuring because most people's intuitions that the state is permitted to reason consequentially are firmly entrenched. To the degree that deontology could not account for these intuitions, deontology would be that much less credible.

#### Genocide can never be prevented because it can’t be proven to be avoided. Their studies divert attention from actual genocides

Journal of Genocide Research, 2005

Volume 7, Issue 3 September From the Editor: can genocide be prevented? No! Yes? Perhaps http://www.informaworld.com/smpp/section?content=a723853705&fulltext=713240928 pages 307 - 308

**One fundamental problem with genocide prevention is that it cannot be tested and results definitively proved. It can only be hypothetically asserted that a step taken against a serious breach of human rights today may, perhaps, thwart a genocide five years down the road. Terminating violence well before it erupts is** an **entirely different** ball game. Since there is no window to the future, **all interventions claiming to have halted a process heading towards genocide are mere speculations and will remain so unless one accepts that we live in deterministic**/predictable **world**. As long as the future remains a tabula rasa until it becomes the present, prevention amounts to little more than a serious guessing game. Who is prepared to say he/she saw genocide in the about to disintegrate Yugoslavia? **What were the concrete and indisputable symptoms of an impending crisis?** As far as the profession of genocide studies is concerned, primary emphasis should be on research of actual or near genocides and not on that which inherently - with few exceptions - is unknowable, no matter how sophisticated the methodology of prediction. In a lecture on genocide prediction held at Yale four years ago, this writer concluded **there can be no common denominator for all genocides allowing for a common methodology of prediction. There are**, in other words, **no hard and fast early warning signals except for vague generalities that may and, more likely, may not lead to an escalation in the direction of genocide**. A primary purpose of Genocide Studies is, of course, the hope that policy makers will be assisted by the insights of researchers. But theirs is to be activists, the opposite mindset of disinterested scholarship. The two - research and public policy - must be carefully kept distinct. **Their blurring leads to scholar-activists, a slippery slope to polemics and the loss of credibility**. It is a position held by Genocide Research, a stance that clearly and unambiguously distinguishes it from other journals dealing with genocide but tempted to opening the door to partisan prescriptions.

# Adv 1

#### THE SPREAD OF NUCLEAR WEAPONS SLOWS THE PACE OF RAPID BALANCE SHIFTS AT THE REGIONAL LEVEL. THIS SOLVES THE OUTBREAK AND ESCALATION OF CATASTROPHIC WAR\*\*

Alagappa in ‘8

[Muthiah, Distinguished Senior Fellow at East-West Center, “Nuclear Weapons and National Security”, in The Long Shadow: Nuclear Weapons and Security in 21st Century Asia, ed. M. Alagappa, 479-480//wyo-tjc]

Nuclear weapons cast a long shadow that informs in fundamental ways the strategic policies and behavior of major powers (all but one of which possess nuclear weapons), their allies, and those states facing existential threats. They induce caution and set boundaries to the strategic interaction of nuclear weapon states and condition the role and use of force in their interactions. The danger of escalation limits military options in a crisis between nuclear weapon states and shapes the purpose and manner in which military force is used. Although relevant only in a small number of situations, these include the most serious regional conflicts that could escalate to large—scale war. Nuclear weapons help prevent the outbreak of hostilities, keep hostilities limited when they do break out, and prevent their escalation to major wars. Nuclear weapons enable weaker powers to deter stronger adversaries and help ameliorate the effects of imbalance in conventional military capability. By providing insurance to cope with unanticipated contingencies, they reduce immediate anxieties over military imbalances and vulnerabilities. Nuclear weapons enable major powers to take a long view of the strategic environment, set a moderate pace for their force development, and focus on other national priorities, including mutually beneficial interaction with other nuclear weapon states. Although nuclear weapons by themselves do not confer major power status, they are an important ingredient of power for countries that conduct themselves in a responsible manner and are experiencing rapid growth in other dimensions of power.

#### DETERRENCE/PROLIF DECREASES CONVENTIONAL ARMS RACING THAT CAUSES DESTRUCTIVE WARS.

Waltz in ‘3

[Kenneth N., Genius & Adjunct Professor, Columbia University, Professor Emeritus, UC-Berkeley, The Spread of Nuclear Weapons: A Debate Renewed, with Scott D. Sagan, p.153.

In the conclusion I make three points. They reinforce what I have said earlier and add a little to it. First, we can play King Canute if we wish to, but like him, we will be unable to hold the (nuclear) tides at bay. Nuclear weapons have spread slowly; conventional weapons have proliferated, and their destructiveness has grown alarmingly. Nuclear weapons are relatively cheap, and they work against the outbreak of major wars. For some countries, the alternative to nuclear weapons is to run ever-more expensive conventional arms races, with increased risk of fighting highly destructive wars.

#### Conventional war is a unique opportunity for disease spread

Singer 2

Peter W., Senior Fellow at the Brookings Institution: Director of the 21st Century Defense Initiative, PhD in Government Harvard University, Department of Defense-Balkans Task Force, “AIDS and International Security”, Spring 2002, Survival Vol. 44, No. 1, Spring 2002, Pg. 145-148, [www.brookings.edu/dybdocroot/views/articles/fellows/2002\_singer.pdf](http://www.brookings.edu/dybdocroot/views/articles/fellows/2002_singer.pdf).

Besides more soldiers dying from war’s accessories, these forces typically leave a swath of disease in their path. The original spread of infection in East Africa can actually be traced back to the axes of advance used by individual units in the Tanzanian army.52 At the same time, the presence of war hinders efforts at countering the disease’s spread, further heightening the impact of both. In Sierra Leone and the DRC, for example, all efforts at AIDS prevention were put on hold by the breakdown of order during the wars.53 The added harm of war is that valuable windows of opportunity, in nipping diseases before they reach critical stages, are lost.

#### Extinction – don’t endorse the gendered language

Fox 97

C. William. Lieutenant COLONEL. 6/24/97. <http://se1.isn.ch/serviceengine/FileContent?serviceID=ISN&fileid=4341F68C-1AF1-FEB7-10D7-5EE127216D05&lng=en>.

HIV is a pandemic killer without a cure, and viruses such as Ebola-Zaire are merely a plane ride away from the population centers of the developed world. Viruses like ebola, which are endemic to Africa, have the potential to inflict morbidity and mortality on a scale not seen in the world since the Black Plague epidemics of medieval Europe (which killed a full quarter of Europe's population in the 13th and 14th centuries.)18 These diseases are not merely African problems, they present a real threat to mankind. They should be taken every bit as seriously as the concern for deliberate use of weapons of mass destruction.

# \*\*\*2NC

# Solvency

#### Utilities won’t adopt MOX Fuel- Comparably expensive with Plutonium

Dalrymple 12

[Dalrymple, Will. "MOX supply and demand." Nuclear Engineering International Jan. 2012: 5. Academic OneFile. Web. 6 Nov. 2012., \\wyo-bb]

The trouble is, I do not get the impression that utilities want MOX. The GDF-Iberdrola consortium NuGen said as much in its response to the government's consultation about MOX, arguing that the GDA assessment of the EPR and AP1000 reactor types should not be bogged down by reconsideration of MOX. Yet designing a reactor to burn MOX from the outset is a crucial step, if running a new PWR on MOX is to be economical. This begs the question: if the utility that is planning to build a reactor adjacent to the country's plutonium stockpile doesn't want to burn plutonium, then who will? From the utility's (and perhaps the vendor's) point of view, MOX is a hassle--and a risk--that it does not need. First, there is the additional cost and time and that would come with R&D, licensing and modifying reactors to burn MOX. Second, there is the cost of the fuel to consider: MOX fuel is around 20% more expensive to make than uranium fuel, so it would need to be discounted of subsidized by the government by at least this much to be an option.

#### Long Timeframe- No interest, Long Licensing, Lengthy testing Period, Increasing Safety risks

Fuchs et al 12

[Katherine Fuchs, Alliance for Nuclear Accountability, Stephen Young and Edwin Lyman, Union of Concerned Scientists, “Nuclear Weapons Budget: Fact Sheet”, January 20, 2012, <http://www.ananuclear.org/Portals/0/documents/fact%20sheets/NNSA%20nuke%20budget%202012.pdf>, \\wyo-bb]

• The MOX program, beset by delays and unquantified risks, aims to create a product that no one wants. Because it uses plutonium, MOX fuel is more expensive and hazardous to fabricate, transport, store, and use than the standard all-uranium fuel currently used by U.S. nuclear reactors. Since Duke Energy withdrew from the program in 2008, NNSA has been unable to recruit another U.S. utility to accept MOX fuel. The Senate Energy & Water Appropriations report notes “wavering interest and lack of firm commitments from U.S. utilities to irradiate MOX fuel in their reactors” and states that the “Committee remains concerned with the overall management of the U.S. plutonium disposition program.” Even if any reactor operators agree to accept MOX fuel in the future, licensing requirements as well as a lengthy testing period to certify MOX performance will create further delays and scheduling problems. Finally, the use of MOX fuel can increase health and safety risks as it can negatively affect safe reactor operation. An accident involving MOX fuel would be more severe than one involving uranium fuel.

#### No Solvency- MOX factory won’t be here till 2016 If you’re lucky. Over run by costs, MOX fuel is too expensive, lapsing of contract means no customers for MOX Fuel

Lyman 11

[Ed Lyman, senior scientist, “It’s Time to Pull the Plug on the MOX “Factory to Nowhere”, February 16th, 2011, <http://allthingsnuclear.org/its-time-to-pull-the-plug-on-the-mox-factory-to/>, \\wyo-bb]

The MOX factory has been besieged by poor planning and mismanagement from the beginning, causing the estimated cost to balloon from $1 billion to nearly $5 billion today and the estimated startup date to slip by at least a decade, to 2016. But even if the plant starts producing MOX fuel on schedule, which is not a good bet, it is far from assured that it will have any place to send it. Thus the plant is truly a “factory to nowhere.” The main problem is that MOX fuel is far more expensive and hazardous to fabricate, transport, store, and use in reactors than the standard all-uranium fuel that is currently used by U.S. nuclear reactors. As § Marked 19:18 § a result, private industry will not touch the stuff without being paid a pretty penny to take it off NNSA’s hands. But it is clear that NNSA will have to pony up even more money than it had originally offered to attract interest in the fuel. Duke Energy initially had signed a contract to use the output of the plant, but allowed the contract to lapse in 2008, leaving the facility without any customers. More than two years later, NNSA still does not have a firm commitment from any utility to take MOX fuel. The Tennessee Valley Authority (TVA) is studying the issue, but it is already saddled with other NNSA commitments (including tritium production and use of surplus, contaminated uranium fuel) that could interfere with the use of MOX. The fuel will also have to undergo extensive and time-consuming qualification testing before it can be used in TVA’s reactors. A MOX fuel irradiation test in one of Duke Energy’s reactors had to be prematurely terminated in 2008 because of unanticipated problems and will most likely have to be repeated.

# Courts

#### Perm Links to the Net Benefit (explain)

#### This is a timeframe permutation. Which is severance out of the immediate nature of the plan. This would jack all neg ground since our neg ground assumes a brink based on acting now. Voter for fairness.

#### Independent Court action key to signaling an effective judiciary. Perm can’t end judicial deference.

Jonathan Charney, Professor, Law, Vanderbilt University, October 89

On the other hand, extreme situations when the national well-being is at risk are rare. Moreover, judicial deference may not be appropriate when fundamental liberty interests of individuals are implicated. In general, the [\*809] preservation of judicial independence as regards such liberties ought to be the rule. The Constitution established an independent judiciary that is charged with neutral application of the law. Courts have the duty to uphold this plan and to protect individuals aggrieved by violations of the law. Deference subjects the courts to the influence of the political branches. Judgments based upon deference, rather than an independent analysis of the law and facts, may prove to be in error and illegitimate. Consequently, such judgments may undermine respect for the courts, whose maintenance is necessary for an effective judiciary.

#### And the Courts can enforce CP, no need for . Court rulings solve – everyone will comply

Stephen L. Carter (Professor of Law, Yale University) Summer 1986 53 U. Chi. L. Rev. 819

The force with which the American people (and just as important, those who govern them) are socialized into obedience to the rule of law as articulated by the Supreme Court **is tremendous**. Children are taught obedience to law from early in their school years; as adolescents, they learn in civics that the Supreme Court authoritatively interprets the Constitution; as adults, they are warned that disobedience to the courts is subversive. This general respect for law, even if the law is considered unjust, **is probably the most powerful bulwark the American legal and political culture** offers against revolution. This socialization and the concomitant responsibilities it surely carries are the most powerful weapons the Court can bring to bear in any struggle with the Congress. Although the public may be angry, the Justices, if they possess sufficient fortitude, will nearly always win -- at least for the near term. But the fact that the Congress is likely to lose its battle to convince the Court (if it is a fact) cannot be the argument against undertaking it. The point is that by enacting a statute that the Supreme Court will likely find patently unconstitutional, the Congress may nevertheless play a role in constitutional dialogue. This is surely what Abraham Lincoln had in mind when, in debate with Stephen Douglas, he declined to assign to the Dred Scott decision n117 the force some claimed for it: We do not propose that when Dred Scott has been decided to be a slave by the court, we, as a mob, will decide him to be free. . . . [W]e nevertheless do oppose that decision as a political rule . . . which shall be binding on the members of Congress or the President to favor no measure that does not actually [\*856] concur with the principles of that decision. . . . We propose so resisting it as to have it reversed if we can, and a new judicial rule established upon this subject. n118 His argument was not for mob justice or revolution. His method, after all, would not succeed unless the Justices changed their minds. Thus the torturous judicial and academic searches for authority to explain and rules to limit the scope of the congressional authority enunciated in Katzenbach v. Morgan may be somewhat misguided. After all, a sufficiently determined Supreme Court might have countered section 4(e) with an opinion boiling down to this: "Look, we told you before that literacy tests do not violate the fourteenth or fifteenth amendments, so quit trying to find a way around our decision." Instead it said in effect: "Well, okay, if you're really sure that literacy tests are so bad, we're content to go along." Oregon v. Mitchell, n119 in which the Justices sustained the nationwide suspension of literacy tests, might be explained the same way. To take a contrary case, in Mississippi University for Women v. Hogan, n120 wherein they rejected a claim that the Congress possessed and had exercised authority under section 5 of the fourteenth amendment to permit the states to operate single-sex nursing schools, the Justices were plainly unpersuaded that sexually segregated schools run by the state were a good thing. Following the same reasoning, in the unlikely event that the Congress were to enact a Human Life Bill, judicial independence would not necessarily be threatened: The Justices could certainly strike the legislation as patently unconstitutional. On the other hand, the Justices might vote to sustain it. Were they to do so, the best explanation would be not that they had yielded their constitutional prerogative, but rather that they had been convinced by the reasoning (or the depth) of the congressional opposition. If all of this is so, then the place of the Morgan power in the dialogue between the Court and its constituents should be plain. I earlier outlined the ideal of symbiotic progress, in which the Congress and the Supreme Court take turns leading the way toward a better future. An exercise of the Morgan power may fit into that progression in a special way, as the Congress's most effective tool for expressing its strong disapproval of a judicial decision accepting [\*857]or rejecting a claim of fundamental right without risking the Court's legitimacy, hence the Constitution's, hence ultimately its own. To be sure, the Congress might try to do the same thing by enacting apparently unconstitutional legislation under the authority granted by any number of constitutional provisions, but proceeding under section 5 reduces the likelihood that the moral authority of the Court will be diminished should the Justices alter their decisions. As clever lawyers, the Justices can always accommodate the congressional action without unduly expanding congressional authority. Justice Brennan tried to do exactly this through his footnote 10 in Morgan. Furthermore, reliance on the special power granted to the Congress under the fourteenth amendment is consistent with the distinction I have drawn here and elsewhere between types of constitutional provisions. When the decision that the Congress calls into question is one regarding governmental structure, flowing therefore from the document's structural provisions, the Court may properly decline to enter the dialogue. By hypothesis, the Justices construe the Constitution's structural clauses under a set of rules chosen to channel their discretion narrowly. But under the open-textured clauses, where there is less to guide the Court in its decisions, it is particularly important that the Congress be able to engage the Court in dialogue without being accused of defiance. The Court may reaffirm its decisions, and in most cases -- including, I suspect, Roe v. Wade -- it presumably will, but it must do so with the knowledge that there exists a congressional consensus adequate to bring about affirmative and contrary legislation. Denying to the Congress the authority to enact the legislation is in a sense to deny to the Justices the knowledge that this contrary consensus exists. Permitting the legislation, even when it might subsequently be overturned, forces the Court to make an informed choice. And in the continuing dialogue, informed choices are the ones that matter most. This understanding of the Morgan power seems entirely consistent with the separation of powers. There is no violation of the rule of United States v. Klein, n121 because the Congress is not requiring the courts to decide cases in a particular way. After all, the Supreme Court still has the power to say "No," thus preventing enforcement of the congressional plan. No matter how many plans are presented, the Court may strike all of them down until the [\*858] Congress gets tired of trying, as Texas apparently did in the "white primary" cases. n122 Or the Justices may instead be the first to tire and may reverse themselves, as they apparently did during the New Deal. n123 But as long as the decision rests with the Justices alone, a judicial change of mind cannot be barred by separation of powers, even when the change is brought on by congressional or public pressure. The doctrine of separation of powers insulates the courts from force, not from persuasion.

#### And, judicial policies are implemented immediately

Canon and Johnson, University of Kentucky and Texas A&M University, ’99 (Courts and Congress)

For some disadvantageous judicial policies, acceptance behavior Is simply an irrelevant concept and defiance is not an option. For example, in *Missouri v. Jenkins I* (1989) the Supreme Court upheld a desegregation decree that led to a substantial increase in Kansas City area school taxes. If your tax rate is increased, you must pay whether you like it or not. So you must adjust your budget by spending less money on other things. Judicial policies in zero-sum-game disputes will leave losing segments of the consumer population little choice but to live with the policy. For instance, in the classic cases of *Lochner v. New York* (1905) and *Adkins v. Children’s Hospital* (1923), where the Supreme Court struck down maximum-hour and minimum-wage legislation, a considerable economic disadvantage was imposed on large groups of workers. Although the rare worker may have quit as a result of one of theses decisions, in the aggregate the workers had no choice but to suffer the consequences of the employers’ imposition of long hours and low wages. The same holds true for the Court’s negaton of laws regulation child labor (*Hammer v. Dagenhart,* 1918; *Bailey v. Drexel Furniture Co.,* 1922). When the Court reversed these policies in *West Coast Hotel Co. v. Parrish* (1937) and *U.S. v. Darby Lumber Co.* (1941), it imposed an automatic disadvantage on companies that were profiting from long hours, low wages, and child labor.

# prolif

#### PROLIF SOLVES INEVITABLE MISCALCULATIONS AND ESCALATION AND NEW NUCLEAR STATES WILL FIT INTO A DETERRENCE WORLD ORDER AND PREVENT THE OUTBREAK OF MAJOR WARS

Waltz in ‘3

[Kenneth N., Genius & Adjunct Professor, Columbia University, Professor Emeritus, UC-Berkeley, The Spread of Nuclear Weapons: A Debate Renewed, with Scott D. Sagan, p.43-45.

What will a world populated by a few more nuclear states look like? I have drawn a picture of such a world that accords with experience throughout the nuclear age. Those who dread a world with more nuclear states do little more than assert that more is worse and claim without substantiation that new nuclear states will be less responsible and less capable of self control than the old ones have been. They feel fears that many felt when they imagined how a nuclear China would behave. Such fears have proved unfounded as nuclear weapons have slowly spread. I have found many reasons for believing that with more nuclear states the world will have a promising future. I have reached this unusual conclusion for three main reasons. First, international politics is a self-help system, and in such systems the principal parties determine their own fate, the fate of other parties, and the fate of the system. This will continue to be so. Second, nuclear weaponry makes miscalculation difficult because it is hard not to be aware of how much damage a small number of warheads can do. Early in this century Norman Angell argued that war would not occur because it could not pay. But conventional wars have brought political gains to some countries at the expense of others. Among nuclear countries, possible losses in war overwhelm possible gains. In the nuclear age Angell's dictum becomes persuasive. When the active use of force threatens to bring great losses, war becomes less likely. This proposition is widely accepted but insufficiently emphasized. Nuclear weapons reduced the chances of war between the United States and the Soviet Union and between the Soviet Union and China. One must expect them to have similar effects elsewhere. Where nuclear weapons threaten to make the cost of wars immense, who will dare to start them? Third, new nuclear states will feel the constraints that present nuclear states have experienced. New nuclear states will be more concerned for their safety and more mindful of dangers than some of the old ones have been. Until recently, only the great and some of the major powers have had nuclear weapons. While nuclear weapons have spread slowly, con- [\*45//wyo-tjc] ventional weapons have proliferated. Under these circumstances, wars have been fought not at the center but at the periphery of international politics. The likelihood of war decreases as deterrent and defensive capabilities increase. Nuclear weapons make wars hard to start. These statements hold for small as for big nuclear powers. Because they do, the gradual spread of nuclear weapons is more to be welcomed than feared.

#### NUCLEAR WEAPONS FORCE CONFLICT RESOLUTION TO THE DIPLOMATIC, ECONOMIC AND POLITICAL REALMS BY MAKING WAR TOO COSTLY, SOLVING THE OUTBREAK OF MAJOR HEGEMONIC WARS AS BALANCES SHIFT

Alagappa in ‘8

[Muthiah, Distinguished Senior Fellow at East-West Center, “Nuclear Weapons and National Security”, in The Long Shadow: Nuclear Weapons and Security in 21st Century Asia, ed. M. Alagappa, P. 484//wyo-tjc]

The fear of escalation to nuclear war conditions the role of force in major power relations and circumscribes strategic interaction among them. By restraining measures and actions that could lead to conflict escalation, nuclear weapons limit the competitive strategic interaction of major powers to internal and external balancing for deterrence purposes; constrain their resort to coercive diplomacy and compellence; and shift the burden of international competition and adjustment in status and influence to the economic, political, and diplomatic arenas. They also render remote the possibility of a hegemonic war should a power transition occur in the region. More immediately, nuclear weapons enable Russia and China to deter the much stronger United States and mitigate the negative consequences of the imbalance in conventional military capability. Nuclear weapons reinforce India’s confidence in dealing with China. By reducing military vulnerabilities and providing insurance against unexpected contingencies, nuclear weapons enable major powers to take a long view and engage in competition as well as cooperation with potential adversaries. Differences and disputes among them are frozen or settled through negotiations. Though they are not the only or even primary factor driving strategic visions and policies, nuclear weapons are an important consideration, especially in the role of force in major power strategic interaction. They prevent the outbreak of large—scale war. Military clashes when they occur tend to be limited.

#### LOW ACCIDENT RISK—NATIONS HAVE STRONG INCENTIVE TO KEEP WEAPONS SECURE.

Waltz in ‘3

[Kenneth N., Genius & Adjunct Professor, Columbia University, Professor Emeritus, UC-Berkeley, The Spread of Nuclear Weapons: A Debate Renewed, with Scott D. Sagan, p. 131.

The more nuclear weapons there are, and the larger the number of countries that have them, the likelier it is that some will go off. That is C. P. Snow's reasoning, and it is the common wisdom. The United States has been lax in devising safety measures and has often found them difficult to apply. Until 1997, the American navy, unlike the Soviet navy, refused to use PALS (permissive action links), a system designed to prevent unauthorized firings. A former Minuteman missile launcher (Bruce Blair) and an M.I. T. physicist (Henry Kendall), wonder why even now we keep our ICBMs (intercontinental ballistic missiles) on hair-trigger alert. The main hazards, they plausibly argue, are unauthorized firings and firings that result from a false warning. Keeping large numbers of strategic missiles ready to go in thirty minutes increases the danger. Hair-trigger forces are no longer needed, if they ever were, yet we continue to have them. When countries venture into the nuclear game, smallness of numbers works strongly against their accidentally firing nuclear weapons. Small countries fret about the damage they may suffer through retaliation if one or several of their warheads go astray. They guard them with almost paranoiac zeal. Because countries, especially poor ones, can build sizable forces only over long periods of time, they have time to learn how to care for them.

warheads they may understandably believe they need for security.

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# Framework

#### T isn’t a subjugatory measure, but as a starting point—key to educational debate

Gunderson 2K

Adolf G. Gundersen, Associate Professor, Political Science, Texas A&M University, POLITICAL THEORY AND PARTISAN POLITICS, 2K p. 104-105.

Indirect political engagement is perhaps the single most important element of the strategy I am recommending here. It is also the most emblematic, as it results from a fusion of confrontation and separa­tion. But what kind of political engagement might conceivably qualify as being both confrontational and separated from actual political deci­sion-making? There is only one type, so far as I can see, and that is deliberation. Political deliberation is by definition a form of engage­ment with the collectivity of which one is a member. This is all the more true when two or more citizens deliberate together. Yet delibera­tion is also a form of political action that precedes the actual taking and implementation of decisions. It is thus simultaneously connected and disconnected, confrontational and separate. It is, in other words, a form of indirect political engagement. This conclusion, namely, that we ought to call upon deliberation to counter partisanship and thus clear the way for deliberation, looks rather circular at first glance. And, semantically at least, it certainly is. Yet this ought not to concern us very much. Politics, after all, is not a matter of avoiding semantic inconveniences, but of doing the right thing and getting desirable results. In political theory, therefore, the real concern is always whether a circular argument translates into a self-defeating prescription. And here that is plainly not the case, for what I am suggesting is that deliberation can diminish partisanship, which will in turn contribute to conditions amenable to continued or extended deliberation. That "deliberation promotes deliberation" is surely a circular claim, but it is just as surely an accurate description of the real world of lived politics, as observers as far back as Thucydides have documented. It may well be that deliberation rests on certain preconditions. I am not arguing that there is no such thing as a deliberative "first cause." Indeed, it seems obvious to me both that deliberators require something to deliberate about and that deliberation presumes certain institutional structures and shared values. Clearly something must get the deliberative ball rolling and, to keep it rolling, the cultural terrain must be free of deep chasms and sinkholes. Nevertheless, however extensive and demanding deliberation's preconditions might be, we ought not to lose sight of the fact that, once begun, deliberation tends to be self-sustaining. Just as partisanship begets partisanship, deliberation begets deliberation. If that is so, the question of limiting par­tisanship and stimulating deliberation are to an important extent the same question.

#### THIS ARGUMENT PROVIDES A-PRIORI REASONS TO VOTE NEGATIVE. YOU MUST USE YOUR BALLOT TO RATIFY CONSTRAINTS ON DISCOURSE TO PRESERVE A POLITICALLY-ENABLING DISCUSSION

Shively 2K

Ruth Lessl Shively, Associate Professor, Political Science, Texas A&M University, POLITICAL THEORY AND PARTISAN POLITICS, 2K, p. 179.

To put this point another way, it turns out that to be open to all things is, in effect, to be open to nothing. While the ambiguists have commendable reasons for wanting to avoid closure—to avoid specify­ing what is not allowed or celebrated in their political vision—they need to say "no" to some things in order to be open to things in general. They need to say "no" to certain forms of contest, if only to protect contest in general. For if one is to be open to the principles of democracy, for example, one must be dogmatically closed to the prin­ciples of fascism. If one would embrace tolerance, one must rigidly reject intolerance. If one would support openness in political speech and action, one must ban the acts of political intimidation, violence or recrimination that squelch that openness. If one would expand delib­eration and disruption, one must set up strict legal protections around such activities. And if one would ensure that citizens have reason to engage in political contest—that it has practical meaning and import for them—one must establish and maintain the rules and regulations and laws that protect democracy. In short, openness requires certain clear limits, rules, closure. And to make matters more complex, these structures of openness cannot simply be put into place and forgotten. They need to be taught to new generations of citizens, to be retaught and reenforced among the old, and as the political world changes, to be shored up, rethought, adapted, and applied to new problems and new situations. It will not do, then, to simply assume that these structures are permanently viable and secure without significant work or justification on our part; nor will it do to talk about resisting or subverting them. Indeed, they are such valuable and yet vulnerable goods that they require the most unflag­ging and firm support that we can give them.

# Overview

#### First, Energy production should be understood in relation to the specific energy types

EIA, No date.

Energy production: See production terms associated with specific energy types.

#### Second, all of the topic fuels are listed as primary energy sources—proves you should filter ‘energy production’ through the lens of the fuels listed.

Bhattacharyya 11

[Subhes.C., Senior Lecturer in Energy/ Petroleum Economics at Centre for Energy, Petroleum and Mineral Law and Policy, He specialises in energy economics, energy planning and policy issues, regulatory and restructuring of energy industries and energy environment interactions, Energy Economics, “Chapter 2: Energy Data and Energy Balance”, 2011 //wyo-tjc]

The term primary energy is used to designate an energy source that is extracted from a stock of natural resources or captured from a flow of resources and that has not undergone any transformation or conversion other than separation and cleaning (IEA 2004). Examples include coal, crude oil, natural gas, solar power, nuclear power, etc. Secondary energy on the other hand refers to any energy that is obtained from a primary energy source employing a transformation or conversion process. Thus oil products or electricity are secondary energies as these require refining or electric generators to produce them. Both electricity and heat can be obtained as primary and secondary energies.

# Limits

#### Secondary production is an catch-all category – explodes the literature base

Kim Woodard (Research Assistant at the Resource Systems Institute of the East-West Center, Chairman and CEO of Javelin Investments) 1980 “The International Energy Relations of China” p. 457

Secondary energy production can most easily be defined as the conversion of one energy fuel to another. As such, it is a catch-all category that can be used to provide a cluster of statistical energy production series that do not easily fall into either primary production or energy consumption categories. The number and variety of secondary energy production statistics could be multiplied indefinitely by an ever sharper differentiation of substages in the flow of energy commodities through society. I have chosen co include just a few forms of secondary energy production in this analysis—coke production, thermal electric power generation, total electric power generation, total refined petroleum production, the differentiated production of petroleum fuels, plant use of energy in energy production, and the use of hydrocarbons in the production of petrochemical and fertilizer feedstocks. These were statistics that were available for the Chinese case or could be generated by inference from primary energy data and a few oversimplified assumptions. All the secondary energy production statistics presented in this section were generated by the computer and then rounded to a reasonable level of approximation. All the statistics presented for various forms of secondary energy production are general estimates, and none have been tested directly against whatever data exist in the Chinese press. Validation of the statistics would require separate in-depth analysis of each secondary energy production industry—a task far beyond the means of this book. These statistics, therefore, should be taken as a point of reference, not the final word.