# Transportation Planning K

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#### Transportation planning is not neutral – the affirmative sacrifices minority populations and perpetuates inequality

Bullard 4 – Professor of Sociology @ Clark

Robert D. Bullard, Professor of Sociology and Director of Environmental Justice Resource Center at Clark Atlanta University, Ph.D. in Sociology, "Highway Robbery," 2004, South End Press, page 3]//SH

Transportation systems do not spring up out of thin air. They are planned-and, in many cases, planned poorly when it comes to people of color. Conscious decisions determine the location of freeways, bus stops, fueling stations, and train stations. Decisions to build highways, expressways, and beltways have far-reaching effects on land use, energy policies, and the environment. Decisions by county commissioners to bar the extension of public transit to job-rich economic activity centers in suburban counties and instead spend their transportation dollars on repairing and expanding the nation's roads have serious mobility implications for central city residents. Together, all these transportation decisions shape United States metropolitan areas, growth patterns, physical mobility, and economic opportunities.3 These same transportation policies have also aided, and in some cases subsidized, racial, economic, and environmental inequities as evidenced by the segregated housing and spatial layout of our central cities and suburbs. It is not by chance that millions of Americans have been socially isolated and relegated to economically depressed and deteriorating central cities and that transportation apartheid has been created.

#### The role of the ballot is to reject the affirmative’s violation of social justice

Nieutvenhuis 10 – Professor of Management and Policy Studies

Jan, “Social Justice in Education Today, Acta Academica, 43.1

Accept the geo-historical context of the struggle as something that must be reconciled with attempts to create social justice. This implies that the state must work with communities to repair damaged solidarities by reconciling autonomy and interdependence (Giddens 1991)- This also implies the abolishment of structural forms of oppression that restrict peoples' access to resources and opportunities for developing and exercising their capacities or capabilities for living a decent human life (Young 2002). In doing so care must be taken not to create new forms of exclusion that will, in turn, create new forms of social injustice. Similarly, it must ensure fairness in terms of rewards. One cannot reward state officials with considerable bonuses when they are failing to deliver the social services intended to create a just society. Justice is done when each member of an organisation receives a reward equivalent to the contribution s/he makes (Rawls 1971, Miller 1999). This also applies to education. One cannot reward a child if no contribution was forthcoming. For example, One cannot promote a child to the next grade automatically if s/he did not participate in the educational process on an equal basis with others. A theory of social justice in education is essential. Brighouse (2002: 181) states that until recently there was no theory of justice in education and that one cannot simply read a theory off from Rawls, Young, Giddens, or any other author. This article critically reviewed a number of theories that could inform such a theory of social justice in education. It argued that social justice is an ideal — a vision that must become a way of life that permeates all aspects of being human. For this reason it cannot be legislated or achieved by means of international conventions or declarations — albeit important instruments to promote social justice; social justice must be lived. It requires that every citizen must take the responsibility to protect, advance and promote the values, principles and ideals of social justice. The road to achieving this is, however, obstructed by geo-historical and scarcity challenges confronting developing countries. These challenges and their negative impact on achieving social justice in education must be addressed in an ordered and well-structured manner without creating new forms of social injustice. As long as poverty, unemployment and high levels of violence exist, there cannot be social justice. This is the real challenge and it is a journey on which all developing countries and their people must embark. In Long walk to freedom Nelson Mandela (1994a: 751) asserts: Some say that (the liberation of the oppressed and the oppressor) has now been achieved. But I know that that is not the case. The truth is that we are not yet free: we have merely achieved the freedom to be free, the right not to be oppressed. We have not taken the final step of our journey, but the first step on a longer and even more difficult road. For to be free is not merely to cast off one's chains, but to live in a way that respects and enhances the freedom of others.

#### Voting negative is an act of criticism – it promotes reflection on transportation inequality and opens the black-box of transportation planning

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Richard, “Assessing communicative rationality as a transportation planning paradigm,” Transportation, http://www.uvm.edu/~transctr/pdf/willson\_article.pdf

Purpose of planning. The purpose of transportation planning continues to be to develop strategies for connecting people and goods with destinations. However, transportation planning is not divorced from larger issues such as the development of human potential, social justice, environmental improvement or aesthetic appreciation. Its purposes broaden from the primary task of designing and selecting programs to enhancing the deliberative capability of decision making bodies and the public, and promoting learning about transportation phenomenon. Transportation planning also provides a way for the public to reflect on broader social issues, such as the relationship of travel choices to the environment and social equity. Transportation planning is a creative activity that adds meaning to people’s lives as well as helping them link origins and destinations. It is intended to increase the capacity for reasoned deliberation and democratic decisionmaking. Whereas the larger project of instrumental rationality could be described as increasing rationality, social progress and individual freedom, the larger project of communicative rationality is to enhance the quality of community and political dialogue in support of democracy, creating a transportation planning process that fully addresses both means and ends and links transportation issues to broader social concerns. The effects of this approach are greater attention to ends (goals), better integration of means and ends, new forms of participation and learning, and enhanced democratic capacity. Because of the educational function of planning, planning documents and presentations do more than document technical analysis – they engage the public in thinking about fundamental questions, explore images, ideals and values, and open up the process to creative participation. Public participation is seen as a part of an ongoing learning process, not an episodic event prior to the adoption of a new plan. Example: The parking planning effort has multiple purposes: 1) to design and implement parking policies; 2) to promote learning about the ridership, fiscal, environmental and social equity goals of the agency; and 3) to build a deliberative capacity among decision-makers and community stakeholders for addressing other strategic transit issues. The planning process helps decision-makers, stakeholders and the public learn about how transit agency goals are realized in specific policies and informs the broader goals of the transportation agency and society. For example, one board member may see free surface parking as the impediment to economically feasible transit-oriented development while another might see it as a basic right of a commuter. The planning process helps them explain their perspectives, search for common ground and agree to tradeoffs. Similarly, discussion about the distributional consequences of alternative parking charges may lead to discussion of broader station access strategies, or even a discourse that redefines the mission of the organization. The parking issue is a way of developing the strategic plan of the organization and can be a catalyst for broader public debate about transportation pricing, transportation equity and the environment. Planning process. As shown in Figure 2, communicative transportation planning does not involve a linear progression from ends to means. Instead, it is an iterative process that transforms the decision environment and the participants themselves. Participants simultaneously consider means and ends. Communicative transportation planning emphasizes listening, conveying, interpreting, mediating and bridge-building between stakeholders – encouraging them to ease their commitment to pre-existing positions and to share interests and goals. It is open to and influences the larger context of societal values, public opinion, institutions and stakeholders. Consequently, communicative planning itself may develop or modify the planning process. Finally, communicative transportation planning encourages a continuous critique about the planning process and its effects. It draws attention to that process rather than using a cookbook-like set of procedural steps for planning.7 Accordingly, communicative rationality involves experimental approaches because developing the planning process is an explicit part of the planning activity.

### Link – Surface Transportation

#### Transportation planning sacrifices poor and people of color

Bullard 4 – Professor of Sociology @ Clark

 [Robert D. Bullard, Professor of Sociology and Director of Environmental Justice Resource Center at Clark Atlanta University, Ph.D. in Sociology, "Highway Robbery," 2004, South End Press, page 4]//SH

The disparity of fruits borne by various transportation development projects is a grim story of a stolen harvest with disproportionate burdens and costs paid for in diminished health and life opportunities by poor people and people of color. Many federally subsidized transportation construction and infrastructure projects cut wide paths through low-income and people of color neighborhoods. They physically isolate residents from their institutions and businesses, disrupt one-stable communities, displace thriving businesses, contribute to urban sprawl, subsidize infrastructure decline, create traffic gridlock, and subject residents to elevated risks from accidents, spills, and explosions from vehicles carrying hazardous chemicals and other dangerous materials. Adding insult to injury, cutbacks in mass transit subsidies have the potential to further isolate the poor in inner-city neighborhoods from areas experiencing job growth-compromising what little they already have. So while some communities receive transportation benefits, others pay the costs. Some communities get roads, while others are stuck with the externalities such as exhaust fumes from other people's cars.

#### Transportation infrastructure re-inscribes racial segregation

**Hsu 11** “Fatal Contiguities: Metonymy and Environmental Justice” Hsuan L. Hsu (Associate Professor of English with a focus of cultural geography, comparative racialization, and environmental justice at the University of California, AB from Harvard UNiversiy, Ph. D from University of California, Berkley. ) New Literary History, Volume 42, Number 1, Winter 2011, pp. 147-168 (Article) Published by The Johns Hopkins University Press DOI: 10.1353/nlh.2011.0007 http://muse.jhu.edu.proxy.lib.umich.edu/journals/new\_literary\_history/v042/42.1.hsu.html

Despite decades of complaints, protests, and lawsuits by local residents, East L.A. became “home to more freeways than any place in the country” in the decades following the 1956 Interstate and Defense Highway Act.27 In his introduction to Highway Robbery: Transportation, Racism and New Routes to Equity, environmental-justice scholar Robert Bullard summarizes **the social and environmental consequences of “transportation apartheid”: Many federally subsidized transportation construction and infrastructure projects cut wide paths through low-income and people of color neighborhoods. They physically isolate residents from their institutions and businesses, disrupt oncestable communities, displace thriving businesses, contribute to urban sprawl, subsidize infrastructure decline, create traffic gridlock, and subject residents to elevated risks from accidents, spills, and explosions from vehicles carrying hazardous chemicals and other dangerous materials**. Adding insult to injury, cutbacks in mass transit subsidies have the potential to further isolate the poor in inner-city neighborhoods from areas experiencing job growth—compromising what little they already have. So while some communities receive transportation benefits, others pay the costs.28 Their Dogs frequently registers **the psychological, social, and physical effects of the “seven freeways and one massive interchange” that emerged in East L.A.** between 1953 and 1972.**29 The freeway’s devastation of community and collective memory are evoked**, for example, when Tranquilina’s mother contrasts the present space with the spatially and racially integrated neighborhood she recalls from an earlier time: “The streets Mama remembered had once connected to other arteries of the city, rolling up and down hills, and in and out of neighborhoods where neighbors of different nationalities intersected with one another. . . . But now **the freeways amputated the streets into stumped dead ends**” (TD 33). The freeways’ effects on health are apparent on several occasions when Turtle (whose name references the slowdown or “time-space expansion” that freeways imposed on inner-city residents who lacked automobiles30) feels a physical exhaustion directly precipitated by “carbon exhaust”: “[T]he thick, chocking stench of blackened diesel smoke rose from the dump trucks, and bulldozers blew carbon exhaust into a haze. Her eyes were so tired, they squeaked as she rubbed them”; “the groan, thump, and burr noise of the constant motors [of earthmovers] would weave into the sound of her own breath whistling the blackened fumes of dust and crumble in her nasal cavities” (TD 27, 168). These airborne interweavings of noise, exhaust, and bodies pose a representational problem insofar as they are invisible, transient, difficult to document, and uncertain in their effects. Such **environmental risk factors partake in the temporality of “slow violence”** that critic Rob Nixon has **associated with chemical and radioactive pollutants, whose slow and indeterminate effects challenge narrative conventions: “such invisible, mutagenic theater is slow-paced but open-ended, eluding the tidy closure, the narrative containment, imposed by visual orthodoxies of victory and defeat**.”31 Ben’s accident, in which he and another boy are struck by a speeding cement truck, more directly illustrates the risks posed by increased automobile traffic: as Nancy Jakowitsch and Michelle Ernst note in a commentary on “Just Transportation,” “people of color are . . . disproportionately the victims of pedestrian fatalities.”32 Such passages frame the setting of Viramontes’s novel not as a fixed place, but as an ongoing process of spatial transformation. Aside from the noise and soot of home demolition and freeway construction, Their Dogs draws attention to several other instances of environmental injustice. Viramontes notes, for example, how the L.A. riverbed—once a public agricultural and aesthetic resource—has been rechannelled into “a huge straight artificial river naked of water,” both for flood control and to make room for real-estate and freeway development (TD 225).33 The enclosed river contrasts with the artificial pond of “colored, treated,” toxic water at Belvedere Park, in which Ana is baptized (TD 281–82). The novel also depicts a “smog alert” on a school playground and several instances of occupational health hazards that range from Ermila “stomach[ing] the heavy smell of Pennzoil” while working at a used car shop to her friend Lollie helping her mother at a garment factory “while wafts of lint dried her throat like cheap-brand cigarettes” (TD 151). These encounters with **environmental contaminants foreground relations of “trans-corporeality” in which human bodies and their surroundings interpenetrate and continually reshape one another**. 34 In a further satirical, surreal twist, Viramontes’s East L.A. is also placed under a quarantine to protect residents from rabid dogs that overrun the barrio: From First Street to Boyle to Whittier and back to Pacific Boulevard, the roadblocks enforced a quarantine to contain a potential outbreak of rabies. Back in early February, a pamphlet delivered by the postman read: Rising cases of rabies reported in the neighborhood (see shaded area) have forced Health officials to approve, for limited time only, the aerial observation and shooting of undomesticated mammals. Unchained and/or unlicensed mammals will not be exempt. (TD 54) As Viramontes has noted, this fictional public health quarantine loosely parallels the actual “public safety” curfews imposed during the Chicano Moratorium of 1969–71.35 **Like the** historical curfews, the **emerging freeway system, and racist policing techniques,36 the rabies quarantine restricts the movements of residents while segregating them from more affluent, healthier neighborhoods:** as the historian Rodolfo Acuña puts it, East L.A. in this period was “a community under siege.”37 Viramontes’s selection of rabies—a term that derives from the Sanskrit rabhas (“to do violence”)—as the pretext for the quarantine raises critical questions about whether the roots of street violence lie in stray dogs, gangs of unemployed and stigmatized Chicano youths, or Quarantine Authority snipers who indiscriminately shoot stray “mammals” from their helicopters. When Ermila conjectures that her grandmother has placed a vicious dog in her bedroom to prevent her from sneaking out of the house at night, it becomes apparent that the young women in the novel (with the exception of the cross-dressed turtle) are doubly quarantined—alternately shut up in their homes and blockaded out of their neighborhood.

### Link – Mass Transit

#### Federal mass transit projects prioritize the majority, giving the minority what the majority no longer needs

Bullard et al. 4

 [Robert D. Bullard, Professor of Sociology and Director of Environmental Justice Resource Center at Clark Atlanta University, Ph.D. in Sociology, "Highway Robbery," 2004, South End Press, page 5]//SH

The subsidies paid on behalf of suburban commuter transit riders, when compared with inner-city transit riders, illustrate the extreme lack of parity within transit project funding. Transit providers routinely respond differently to their urban, inner-city transit-dependent riders and their suburban "choice" riders who have cars. Attempts to lure white suburban commuters out of their cars and onto transit often compete with providing quality services for urban transit-dependent people of color, handicapped, and elderly transit riders. There also appears to be an unwritten rule that the poor and people of color transit riders deserve fewer transit amenities than white suburbanites who own cars. Whether intended or unintended, some transit providers bend over backward to accommodate their mostly white suburban commuters with plush, air conditioned, clean-fuel and handicapped-accessible buses and trains, while inner-city transit riders are saddled with dilapidated, "dirty" diesel buses. Enticing suburban commuters out of their cars will relieve congestion and improve air quality for all and should be compatible with allocating equitable transportation dollars to urban transit needs.

#### Mass transit only subsidizes upper-class riders.

Sanchez et al. 03 Sánchez, Thomas W., Stolz, Rich, and Ma, Jacinta S. (2003). Moving to Equity: Addressing ¶ Inequitable Effects of Transportation Policies on Minorities. Cambridge, MA: The Civil Rights ¶ Project at Harvard University. Thomas W. Sanchez is an associate professor of Urban Affairs and Planning and research ¶ fellow in the Metropolitan Institute at Virginia Tech in Alexandria, Virginia. Rich Stolz is Senior ¶ Policy Analyst at Center for Community Change. Jacinta S. Ma is a Legal and Policy Advocacy ¶ Associate at The Civil Rights Project at Harvard¶ http://civilrightsproject.ucla.edu/research/metro-and-regional-inequalities/transportation/moving-to-equity-addressing-inequitable-effects-of-transportation-policies-on-minorities/sanchez-moving-to-equity-transportation-policies.pdf

Research also suggests that low-income riders of transportation tend to subsidize their higher-income counterparts for a couple of reasons. First, fare structures are often designed in ¶ such a way that short trips subsidize longer trips, and low-income and central-city riders ¶ generally make short trips compared with higher-income suburban users who make long trips.¶ 81¶ One researcher noted that a user who travels one mile pays more than twice the true cost of the ¶ trip, whereas a user who travels 20 miles pays only 20 percent of the cost.¶ 82¶ Second, the amount ¶ of revenue gained from passenger fares, including passes, tends to be higher on central-city ¶ transit routes than suburban routes, and more low-income transit riders tend to make trips on ¶ central-city routes.¶ 83¶ The most egregious example of this subsidization can be seen by comparing bus and rail ¶ service.¶ 84¶ Data from the 2001 National Household Travel Survey show that in urban areas, ¶ households earning less than $20,000 comprised 47 percent of bus riders, 20 percent of subway ¶ riders, and 6 percent of commuter rail riders.¶ 85¶ Households earning $100,000 or more comprised ¶ 42 percent of commuter rail riders, 27 percent of subway riders, and only 7 percent of bus ¶ riders.¶ 86¶ Clearly, more individuals with low incomes rely on bus service and more high-income ¶ individuals rely on rail service (see Figure 5). ¶ Bus transit receives only 31 percent of the capital funds spent nationwide for transit, ¶ although it carries more than 60 percent of the trips.¶ 87¶ This disparity is exacerbated by ¶ requirements that federal funding for transit generally must be used only for capital expenditures, ¶ not operating expenses. Because rail transit is capital-intensive and bus transit is labor-intensive, ¶ a greater emphasis on capital subsidies favors rail service over bus service, and consequently ¶ generally favors higher-income over lower-income riders. Although we are not aware of any studies documenting the disparities in funding spent on ¶ bus compared with rail transit in specific cities, Los Angeles is one example of a city that ¶ engaged in this type of disparate funding. Community activists and attorneys alleged in a ¶ lawsuit¶ 88¶ in the early 1990s that the Los Angeles Metropolitan Transportation Authority ¶ (LAMTA) spent only 30 percent of its resources on bus transit, even though almost 94 percent of ¶ its riders used the buses and 80 percent of them were people of color. Seventy percent of ¶ LAMTA’s resources went to rail, even though only 6 percent of its riders used rail. Rail riders ¶ were primarily white.¶ 89¶ The gulf between governmental financial and political support for rail compared with bus ¶ service, however, is not nearly as great as that for highway systems compared with public transit ¶ systems.

### Link – Airports

#### Airports hurt minorities and lock them into unsustainable practices

Nada-Rajah 10

 [Rebecca, MSc in Environmental Sustainability from the University of Edinburgh, "The Environmental Injustice of Airport Expansion," 11/2/10, http://environmental-justice.com/684/the-environmental-injustice-of-airport-expansion/]

However, in making that argument, they overlooked the much deeper injustices caused by airport expansion. The stark fact is that only 5% of the world’s population has ever flown. The soaring CO2 emissions caused by aviation are largely the result of the rich in the rich world flying ever more frequently – according to the World Development Movement, the third runway at Heathrow would have caused as much CO2 in one year as the entire economy of Kenya. And the climate change these emissions will contribute to will hit the poorest in the poor world – those people least likely of any on earth to ever fly – most immediately and most acutely. More than that, this growth of aviation locks the poor world into deeply unsustainable patterns of trade. The plane, along with the ship, has become the workhorse of the globalised economy. When peak oil kicks in, it is likely the world will move to a more localized trading system. The rich nations will have the money to adapt. The poor ones are likely to be left high and dry. Airport expansion, too, can be the cause of environmental injustice in localities around the airport itself. Life under a flight path can become unbearable for anybody, rich or poor like. The difference is that better off people usually have more options. Poorer people, particularly in the poor world, can’t move away from the incessant noise. They can’t afford to insulate their homes. You don’t find double-glazing in the shanty towns. These are the very people who are the least likely to fly in the planes roaring above their heads. They are the victims of other people’s noise, what Les Blomberg, the Executive Director of the Noise Pollution Clearing House in the USA, called second-hand noise: “Second hand noise is increasingly used to describe noise that is experienced by people who did not produce it. Like second hand smoke, it’s put into the environment without people’s consent and then has effects on them that they don’t have any control over.” We are told by many apologists for airport expansion that low-income people don’t mind the noise if the airport creates jobs. This is to miss the point. People should not be put in the position of having to live in a noise ghetto (and often a badly polluted one has well) in order to get employment.

### Link – Ports

#### Ports hurt minorities

CLS 10

 [Change Lab Solutions, community-based solutions for America's most common and preventable diseases, "Transcript - Richmond: A Change in the Air," 2010, http://changelabsolutions.org/healthy-planning/richmond-change-air-transcript]

 WENDEL BRUNNER, DIRECTOR OF PUBLIC HEALTH, CONTRA COSTA HEALTH SERVICES: As the containers in China are shipped to Walmarts in Wichita, or wherever, they go through some of the lowest income and minority communities in our area. And the benefits of the ports are reaped by the nation as a whole, but the hazards, particularly the health hazards from the transportation, are disproportionately impacted on our low-income and minority communities. ROBERT OGILVIE: Those health problems include high rates of cancer and respiratory illnesses, like asthma.

#### Ports hurt low-income communities

Recker 8

 [Will W, Professor, Civil and Environmental Engineering, University of California, "Mitigating the Social and Environmental Impacts of Multimodal Freight Corridor Operations at Southern California Ports," 2008, http://www.escholarship.org/uc/item/5dg5w4kp.pdf;origin=repeccitec]//SH

Although the economic benefits of the [San Pedro Bay Ports] SPBP are enjoyed by the whole country, the burden of the resulting air pollution is carried by the primarily low income communities located around the I-110 and I- 710 freeways, and the Alameda corridor. Based on our growing knowledge of the health effects of toxic diesel-fueled vehicle emissions, these communities are at increased risk of respiratory problems, cancer and even death. While previous studies have indicated that these health effects may be relatively localized (within several hundred meters to sources), the width of the Alameda Corridor and the volume of freight movement suggests that the air quality and health impacts of freight operations in the corridor could be quite extensive.

#### Port dredging will pollute nearby minority lands

Kagan 01“Adversarial Legalism: The American Way of Law”. Robert A. Kagan. (Emanuel S. Heller Professor of Law (Emeritus); Professor Emeritus of Political Science, Professor in the Graduate School, A.B., Harvard University (1959)¶ LL.B., Columbia University (1962)¶ Ph.D., Yale University (1974)) Published 2001. Harvard College. Google Books.

Yet adversarial legalism has not really been tamed. It may be pushed out of¶ the clearing on particular issues, hut it always lurks in the hushes, ready to¶ spring into action. It can do so because the legal structures of adversarial legalism are always in place, ready for use. It will do so whenever one of the¶ contending interests rejects the proposed compromise and decides to seek¶ vindication in the courts—or determines that inflicting the delays and costs¶ of a lawsuit on the other parties will enhance its bargaining power. In 1995¶ the Secretary of the U.S. Department of Transportation lamented that¶ dredging projects remain “submerged in conflicting missions and mandates. . . and a pyramid of federal rules and regulations, plus state and local laws¶ which make it a miracle every time a port dredging project is brought to intuition (Busch, Kim, and Schoenholz at 247). In October 1997 a Vest Oak¶ land citizens’ organization brought a suit against the consensually negotiated¶ harbor dredging plan, demanding that federal funds he withheld until planners examine measures to reduce air pollution from the increase in traffic that¶ will flow from larger containerships (DelVecchio, 1997). They also threatened a suit arguing that the port expansion would violate “environmental¶ justice” regulations by disproportionately polluting the minority neighborhood adjacent to the port.2

Increased freight facilities will be placed in minority communities.

ICF Consulting 10 2010 and Beyond “A Vision of America’s Transportation Future” 21st Century Freight Mobility ICF Consulting (ICF International (NASDAQ:ICFI) partners with government and commercial clients to deliver professional services and technology solutions in the energy, environment, and infrastructure; health, social programs, and consumer/financial; and public safety and defense markets.) in association with DELCAN. AASHTO. ¶ <http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=10&ved=0CFcQFjAJ&url=http%3A%2F%2Fintermodal.transportation.org%2FDocuments%2Fostria_NCHRP.ppt&ei=T3wJUN1tgqLxBLWVje0K&usg=AFQjCNFAhRKTBQSsM4UiSvSnmGt1NmEHdg&sig2=oXbUm1MEI3uZ8RPf2Gfl7g>

Freight System Performance: Growing congestion on critical highway segments¶ Increased transport costs due to delay¶ Unreliable travel times that affect logistics and level of service¶ High “last-mile” costs due to congestion in urban areas¶ Congestion at terminals and border crossings¶ Effects of security requirements ¶ Inability to quickly increase system capacity¶ By 2020 freight volume may nearly double in some sectors (FHWA)¶ Potential long-run rail capacity problems¶ Rail infrastructure downsizing, service disturbances, and insufficient on-dock or near-dock rail capacity ¶ Freight Transport Externalities: ¶ Air quality¶ Diesel exhaust is a primary source of PM and air toxic contaminants, which are deemed as major health threats especially to children¶ Diesel exhaust is a primary source of NOx emissions, a precursor to ozone¶ Community livability and environmental justice¶ Location of many freight facilities may lead to a disproportionate impact on minority and economically disadvantaged communities ¶ Transportation safety¶ In 2002, 434,000 large trucks were involved in traffic crashes in the U.S., of which 4,542 were involved in fatal crashes¶ Homeland security¶ The vulnerability of the freight system, especially given globalization, is a major cause for concern when it comes to terrorism¶

#### Ports, rail yards, highways, and mass transit all undermine public participation

TFA, 11 – Transportation for America, division of the Surface Transportation Policy Project, citing Thomas Sanchez, B.A., Environmental Studies, University of California-Santa Barbara, M.C.R.P., City and Regional Planning, California Polytechnic State University, Ph.D., City Planning, Georgia Institute of Technology, former Chair and Associate Professor, Department of City & Metropolitan Planning, University of Utah, former Nonresident Senior Fellow, The Brookings Institution, Washington D.C., former Director, Urban Affairs and Planning-Alexandria, Virginia Tech, former Fellow, Metropolitan Institute, Virginia Tech, former Associate Professor, School of Urban Studies and Planning, Portland State University, former Instructor and Research Assistant, Graduate City Planning Program, Georgia Institute of Technology, (“Transportation + Social Equity: Opportunity Follows Mobility”, July 18, 2011, Transportation for America, http://t4america.org/policybriefs/t4\_policybrief\_equity.pdf)//JKahn//JKahn

**The impacts of transportation facilities should not be disproportionately borne by low income communities that are located nearest to** ports**, rail yards, freeways, bus maintenance facilities and other transportation facilities and infrastructure that create negative public health impacts**. Individual and community health A transportation policy agenda must also be a health agenda. This entails a strong commitment to the reduction of air pollution, better transit connections to health services and healthy food outlets, and better options for walking, bicycling and other transportation choices that promote fitness and reduce the prevalence of chronic conditions such as diabetes and obesity. Environmental sustainability Low income communities and communities of color often suffer disproportionately from pollution and unsustainable resource use. Transportation policies must promote environmental sustainability by reducing greenhouse gas emissions, conserving energy, and otherwise reducing resource use 1 . What is Transportation Equity? facts Equity + Transportation ÎThe poorest fifth of Americans spend 42% of their annual household budget on automobile ownership. That is more than twice the national average 2 . ÎThe cost burden of commuting for the working poor is 6.1 percent compared with 3.8 percent for other workers. The working poor who drive to work spend the most: 8.4 percent 3 . ÎFor working-poor homeowners, nearly 25 percent of their household income is consumed by housing and commuting expenses compared with just 15.3 percent for other households 4 . ÎNearly 25 percent of AfricanAmericans do not have access to a vehicle, compared with 7 percent of non-hispanic whites. Communities of color are far more reliant on public transportation to get to work and school 5 . Î28 percent of public transportation users have incomes of $15,000 or less and 55 percent have incomes between $15,000 and $50,000 6 . ÎLow-income workers that are able to use public transit to commute to work on average spend about 7 percent less of their income on transportation 7 . Geographic Inequity Health Environmental Justice Since the national interstate program’s inception, federal transportation dollars have primarily gone towards expansion of highway capacity, opening up vast swaths of land for auto-oriented suburban development. This put workers dependent on public transit at a disadvantage. This is identified as “spatial mismatch”, where the workers who are most likely to fill entry level positions on the fringes of a region most often live in city centers, whereas both highways and transit systems are typically designed to shuttle workers from suburbs to city center. Increased traffic is harming public health by exposing people to high levels of air pollution. People who suffer from asthma and live near heavy vehicular traffic are nearly three times more likely to visit the emergency department or be hospitalized for their condition than those with less traffic exposure. Moreover, living in areas exposed to heavy traffic is a burden borne disproportionately by people in low income, under-served communities and by communities of color. Historically, low-income and minority communities across the country have been damaged by highway, freight facilities, and other investments located in their communities but in which they had little voice. Many transportation projects and plans are still developed without meaningful involvement of affected communities, leading to projects that detract from quality of life, public health, safety, and personal mobility. Green Jobs Affordability While the federal transportation program has been seen, in part, as a jobs bill, there has been little or no strategic thinking about creating sustainable jobs that reflect modern energy efficiency and climate change realities. A 21st century transportation program would create professional jobs in software engineering; electronic and digital systems design; transit facility and equipment design; and communication systems operation and maintenance, as well as a wide range of jobs in transit facility and equipment maintenance and operations, and road maintenance. We need to ensure fair job training and hiring practices, and include provisions for low income and minority workers. Americans spend about 20 percent of their household budgets on transportation. For many working families that number is higher, raising transportation above shelter as a percentage of income. While the need for “affordable housing” has received well-deserved attention, achieving “affordable living” may be the more important objective, reflecting the combined burden of transportation and housing costs. Real options and alternatives A transportation system should provide everyone—regardless of age, income, race or disability—with viable transportation choices. Employment Transportation projects must be planned and implemented to improve connections to economic opportunity for workers, especially those living in low income communities and communities of color. Targeted workforce development strategies should create pathways for the low-income to access these living wage jobs. Equitable development Transportation investments should discourage sprawl and promote reinvestment in urban areas in a way that beneﬁts current residents as well as newcomers. It should extend quality transit options to people both in cities and suburbs, and ensure aﬀordable housing opportunities near transit. **Fairness in the impacts of growth impacts of transportation facilities should not be disproportionately borne by low income communities that are located nearest to ports, rail yards, freeways, bus maintenance facilities and other transportation facilities and infrastructure**. Individual and community health A transportation policy agenda must also be a health agenda. is entails a strong commitment to the reduction of air pollution, better transit connections to health services and healthy food outlets, and better options for walking, bicycling and other transportation choices that promote ﬁtness and reduce the prevalence of chronic conditions such as diabetes and obesity. Environmental sustainability Low income communities and communities of color often suﬀer disproportionately from pollution and unsustainable resource use. Transportation policies must promote environmental sustainability by reducing greenhouse gas emissions, conserving energy, and otherwise reducing resource use. What is Transportation Equity?

### Link – Highways/Roads

#### We ignore the minority voices through national policies

Ernst et al. 4

 [Michelle Ernst, Ph.D. from Loyola University of Chicago in Developmental Psychology, Nancy Jakowitsch, Director of Policy Development, Surface Transportation Policy Project, "Highway Robbery," 2004, South End Press, page 161]

The transportation and urban development policies of the Interstate Era (1956-1991) erected major barriers to mobility for the more than 30 percent of Americans who cannot or do not drive automobiles. These policies tended to promote a "one-size-fits-all" approach to highways and transportation planning, which has separated jobs and workplaces from housing and services and turned the car into the link between them. This development pattern has made the car a basic necessity in most cities and communities across the country. This has happened in part from land-use practices, transportation policies that focused roadway investment in growing areas, and the huge attraction of highway access for development opportunities and the expense of access by transit. The resulting exodus of the population to suburban areas and beyond shifted tax bases to the exurbs, leaving a pattern of urban disinvestment nearly uniform throughout the United States. In this environment, the voices and concerns of the affected communities and their allies have largely been ignored.

#### Those with power control the money – minorities become antagonists

Bullard et al. 4

 [Robert D. Bullard, Ph.D. in Sociology, Glenn S. Johnson, Associate Professor at the Clark Atlanta University, PhD in Sociology, Angel O. Torres, Geographic Information Systems Training Specialist with the Environmental Justice Resource Center and Adjunct Professor of Sociology at Clark Atlanta University, "Highway Robbery," 2004, South End Press, page 179]//SH

Unfortunately, when many people think of public transit they think of rickety, smelly diesel buses crowded with poor people. To them, public transit is for losers. On the other hand, thinking about suburbanites, or "choice riders" as they are called by transit planners, getting out of their cars and into public transit, calls to mind a different image: brand-new buses or rail cards equipped with reclining seats, reading lights, and, of course, air conditioning. These perceptions are not too far from reality. Transportation dollars follow power, and power is not in the hands of the poor. In fact, the radically disparate spending of tax dollars has affected land-use decisions nationwide and subsidized the uneven development between central cities and suburbs-literally laying the pavement for suburban sprawl. Highway funding is the federal government's "hidden urban policy program."1 Buttressing the asphalt and construction industry, state departments of transportation (DOTs) are basically road-building programs that respond to the highway lobby, a lobby that fills the coffers of many politicians. Few could argue that transportation dollars are dispensed on a level playing field. While political leaders would never think of cutting off their "pork barrel" home-district road-building programs, efficient, clean urban mass transportation systems have few powerful lobbies or political allies. Transportation decision-making - whether at the federal, regional, state, or local level- often mirrors the power arrangements of the dominant society and its institutions. Money and political power have shifted to the suburbs. In general, suburban American gets what it wants. Affluent suburbanites do not want inner-city bus riders "invading" their communities. Bus riders are equated with crime, drugs, and other "undesirable" elements. Although there is little to no empirical evidence to support these stereotypes, they linger anyway and influence people's beliefs, including those of some planners, about regional transit.

#### Road expansion disproportionately affect minorities.

Sanchez et al. 03 Sánchez, Thomas W., Stolz, Rich, and Ma, Jacinta S. (2003). Moving to Equity: Addressing ¶ Inequitable Effects of Transportation Policies on Minorities. Cambridge, MA: The Civil Rights ¶ Project at Harvard University. Thomas W. Sanchez is an associate professor of Urban Affairs and Planning and research ¶ fellow in the Metropolitan Institute at Virginia Tech in Alexandria, Virginia. Rich Stolz is Senior ¶ Policy Analyst at Center for Community Change. Jacinta S. Ma is a Legal and Policy Advocacy ¶ Associate at The Civil Rights Project at Harvard¶ http://civilrightsproject.ucla.edu/research/metro-and-regional-inequalities/transportation/moving-to-equity-addressing-inequitable-effects-of-transportation-policies-on-minorities/sanchez-moving-to-equity-transportation-policies.pdf

Freeway placements and expansions in urban areas typically occur where land prices are ¶ depressed—which frequently corresponds with the residential neighborhoods of low-income and minority households. Such neighborhoods generally have low levels of political power resulting ¶ from institutional discrimination over time. In some respects, freeway locations in cities are the ¶ philosophical progeny of “Negro removal” or “urban renewal” programs that were thought to ¶ cure “urban blight” by tearing down minorities’ homes.¶ 116¶ ¶ Some freeway construction projects have destroyed thousands of residential units ¶ occupied by minority and low-income households. In some cases, community objections to ¶ proposed projects have prevented widespread displacement and other inequitable effects. For ¶ example, in 1972, individuals and organizations concerned about people who would be displaced ¶ by the proposed I-105 “Century Freeway” construction in Los Angeles brought a lawsuit against ¶ state and federal government officials seeking injunctive relief. In 1982, the U.S. District Court ¶ approved a final consent decree requiring the state and federal defendants to provide 3,700 units ¶ of decent, safe, and sanitary replacement housing to residents who were displaced by the ¶ freeway.¶ 117¶ Another example is the proposed extension to the Long Beach Freeway (710) in ¶ California. In 1994, the original proposal to extend the freeway provided more measures to ¶ lessen the impact of the proposed freeway in the predominantly white communities of South ¶ Pasadena and Pasadena and fewer measures in El Sereno, an almost completely Latino ¶ neighborhood in east Los Angeles.¶ 118¶ The original plan was to place mostly below-grade ¶ freeways in Pasadena and South Pasadena, but not in El Sereno. Also, it would have built five ¶ tunnel sections in Pasadena and South Pasadena to “mitigate the perception of a divided ¶ neighborhood” and only one tunnel in El Sereno (including a tunnel near the South Pasadena ¶ High School, but not one near the Sierra Vista Elementary School in El Sereno). Community ¶ members objected to the extension as proposed and, through a lawsuit, were able to make the ¶ project more equitable.¶ In addition to destroying thriving neighborhoods, some freeway construction has posed ¶ physical hazards to the minorities and low-income individuals living near them. In Miami–Dade ¶ County, Florida, community residents remember well the detrimental impact that the ¶ construction of Interstate 95 had on vibrant African-American communities and business ¶ districts in the 1950s and 1960s. The decision to widen I-95 in the 1990s exacerbated the ¶ negative impact of the highway on local residents. Not only had the community never recovered ¶ from the original highway construction—the neighborhood’s property values had declined significantly over the past couple of decades as blight crept into the community—but the highway is within feet of residents’ houses. The only barrier protecting homes from the noise, vibration, and danger of potential accidents was a wire fence. On several occasions, local ¶ residents reported cars, tires, and other debris flying into their yards from the freeway, and many ¶ residents were afraid to be in the rear of their houses for fear of their lives.¶ 119¶ Local residents, who were predominantly minority and low to middle income, argued that the placement of the freeway and the proposed expansion was a clear case of discrimination and environmental injustice. Their accusations were further supported by the observation that other ¶ stretches of I-95 in Miami–Dade County in areas that were typically affluent and less likely to be predominantly minority had well-built and sturdy sound mitigation walls protecting property ¶ from the highway. In response to the residents’ concerns and allegations of discrimination, ¶ Florida officials quickly pulled together the financial resources to build a mitigation wall.¶ 120¶ Another current example of how transportation decisions can have a negative impact on a ¶ minority community is the controversy over a proposed major road that threatens to destroy a ¶ sacred American Indian site just outside of Albuquerque, New Mexico. Community leaders there ¶ are struggling to protect the Petroglyphs, a place for prayer and culture for the many Native ¶ American tribes (primarily Pueblo Indian tribes) in that region of the country. Despite its ¶ designation as a national park in 1998, developers and local politicians have repeatedly ¶ attempted to build roads through the park to facilitate access to new suburban growth farther out ¶ into the areas around Albuquerque. Through political and community organizing and legal ¶ advocacy, the Sacred Alliances for Grassroots Equality Council has succeeded in slowing efforts ¶ to develop portions of the Petroglyph National Park. Whether they will be able to prevent ¶ completely road construction through the Petroglyphs remains in question because powerful ¶ interests continue to advocate for road construction.¶ 121¶ Although proposed road projects would ¶ not destroy the community in which the Native Americans reside, they would be just as harmful ¶ because they would destroy a sacred site that is an integral part of their sense of community.

### Link – Eminent Domain

#### Socioeconomic status determines the value appraisers give homeowner under Eminent Domain.

Mitchell et al. 10 “Forced Sale Risk: Class, Race, and the “Double Discount”. Thomas W. Mitchell (Associate Professor at the University of Wisconsin Law School, LL.M., University of Wisconsin Law School¶ J.D., Howard University Law School¶ B.A., Amherst College), Stephen Malpezzi (Department Chair for Real Estate, Professor of Real Estate and Urban Land Economics, and Lorin and Marjorie Tiefenthaler Chair of Real Estate), and Richard K Green (Professor ¶ Director and Chair of the USC Lusk Center for Real Estate at the University of Southern California). Florida State University Law Review, VOl. 37:589. 2010. ¶ http://law.wisc.edu/m/dy2md/mitchell-malpezzi-green\_fsu\_law\_rev\_37-3\_final\_9-22-10.pdf

Very few academics or researchers have conducted empirical studies to assess whether property owners have received fair market value compensation when their property has been taken under eminent domain. Even fewer law professors have conducted such empirical studies. The most substantial of the studies conducted by law professors was conducted by Curtis Berger and Patrick Rohan, who ana- County and the condemnee some time after the first appraisal had ¶ been conducted. The County utilized low-paid county negotiators in ¶ all the proceedings, and these negotiators were given strict constraints on the amount of compensation they were authorized to offer ¶ the condemnee.¶ 226¶ The authors were told the ceiling on the amount the negotiators could offer was between 60% and 85% of the appraised value; in contrast, there was no minimum amount set on how much the negotiator had to offer a condemnee.¶ 227¶ Berger and Rohan’s study revealed that a condemnee’s likelihood ¶ of receiving fair market value as established by the County’s appraisal alone—a determination of market value those who practice in ¶ the area of eminent domain on behalf of condemnees would reject ¶ forcefully—depended heavily upon whether the cases were settled or ¶ whether a judge or jury established compensation at the conclusion of ¶ litigation. In cases that were settled, the condemnee received an ¶ amount that was below the lowest appraisal in 84.4% of the settlements; in 88.8% of the settlements, the condemnee received less than ¶ the mean appraisal in those cases in which two appraisals were conducted.¶ 228¶ In cases that were fully litigated, the condemnee received ¶ an amount that reflected the low appraisal amount or more in 84.7% ¶ of the cases.¶ 229¶ The differences in outcomes between the settled cases and the fully litigated cases are evidence of a class divide in takings cases in which those property owners with less social and financial capital are much more likely to receive below market value compensation in eminent domain proceedings than wealthier and more knowledgeable property owners who are often able to obtain compensation in excess of market value. ¶ The overwhelming percentage of property owners who received ¶ compensation below market value in eminent domain settlement cases in Nassau County during the early 1960s is consistent with more recent findings from California and Utah, which also indicate that ¶ the “practice of making lowball offers and of undercompensating condemnees is prevalent.”¶ 230¶ In California, the Institute for Legislative ¶ Practice at the McGeorge School of Law evaluated, inter alia, the difference between final settlement offers made by the government to ¶ condemnees in eminent domain litigation and the judgments condemnees obtained at trial in eminent domain litigation in California ¶ over a twelve-year period.¶ 231¶ This study was done in the late 1990s to ¶ assist the California Law Revision Commission while it considered ¶ proposed changes to the manner in which litigation expenses may be ¶ awarded in eminent domain cases. The Institute for Legislative Practice’s data set consisted of 237 eminent domain cases in California ¶ identified on Westlaw and Lexis between 1985 and 1999.¶ 232¶ Unlike ¶ the Berger and Rohan study, no comparison was made between eminent domain cases settled in a nonlitigation context and those that ¶ were litigated. The Institute for Legislative Practice found the average jury verdict was 41% higher than the condemnor’s final offer, and ¶ the average bench verdict was 33% higher than the condemnor’s ¶ final offer.¶ 233¶ In 1999, the Salt Lake Tribune conducted an investigative report ¶ of more than 200 properties acquired by the Utah Department of ¶ Transportation (UDOT) between 1994 and 1999.¶ 234¶ The reporters discovered more than 80% of the property owners who contested ¶ UDOT’s appraisal in court received substantially higher compensation than UDOT had offered them.¶ 235¶ The mean increase over UDOT’s final offer for this group of owners was 41%.¶ 236¶ In the only four cases ¶ decided by jury trial, the net gain for the property owners over ¶ UDOT’s offer ranged from 43% to 115%, and from $190,000 to ¶ $1,600,000 in terms of absolute dollars.¶ 237¶ The Tribune reporter found the disparity between the appraisals, ¶ which formed the basis of UDOT’s offer to condemnees, and the recoveries condemnees were able to obtain at trial could be explained by ¶ the quality of UDOT’s property appraisals.¶ 238¶ The article reported ¶ UDOT relied exclusively upon a very small number of outside appraisers and suggested these appraisers may have felt some pressure ¶ to lowball the appraisals in order to stay in the good graces of ¶ UDOT.¶ 239¶ Unsurprisingly, the appraisers and UDOT denied UDOT ¶ had pressured any appraiser to submit a lowball appraisal.¶ 240¶ In fact, ¶ UDOT countered that attorneys for property owners utilized a select ¶ group of appraisers who were expected to generate inflated appraisals.¶ 241¶ Just as Berger and Rohan had postulated that many property ¶ owners in Nassau County probably settled for compensation below ¶ market value due to their emotional and financial stress, several of ¶ the property owners The Tribune interviewed reported the eminent ¶ domain process had exacted a high toll on them both emotionally and ¶ financially. This caused some of these property owners to settle for a ¶ smaller amount of compensation than they believed was justified.¶ 242¶ Scholars outside of legal academia have conducted empirical research analyzing the economic relationship between the compensation paid to property owners in eminent domain proceedings and the ¶ fair market value of the properties taken. Patricia Munch analyzed ¶ data on property acquisitions from three large urban renewal ¶ projects in Chicago from 1962 to 1970, a time in which the Chicago ¶ Department of Urban Renewal invoked its eminent domain power to acquire property.¶ 243¶ Munch’s regression analysis revealed “high-valued ¶ parcels systematically receive more than market value and lowvalued parcels receive less than market value.”¶ 244

#### Minorities and the poor are disproportionality affected by Eminent Domain.

Mitchell et al. 10 “Forced Sale Risk: Class, Race, and the “Double Discount”. Thomas W. Mitchell (Associate Professor at the University of Wisconsin Law School, LL.M., University of Wisconsin Law School¶ J.D., Howard University Law School¶ B.A., Amherst College), Stephen Malpezzi (Department Chair for Real Estate, Professor of Real Estate and Urban Land Economics, and Lorin and Marjorie Tiefenthaler Chair of Real Estate), and Richard K Green (Professor ¶ Director and Chair of the USC Lusk Center for Real Estate at the University of Southern California). Florida State University Law Review, VOl. 37:589. 2010. ¶ http://law.wisc.edu/m/dy2md/mitchell-malpezzi-green\_fsu\_law\_rev\_37-3\_final\_9-22-10.pdf

Our Article has demonstrated that the scholarship and case law ¶ on forced sales of property owned by many low- to middle-class property owners under regimes such as the default rules governing tenancy in common ownership often has failed to consider the negative economic impact of such forced sales. A comparative-law perspective on forced sales in different substantive areas of the law renders visible the possible adverse economic impact of forced sales that has remained unseen and largely unaddressed when low- to middle-class property owners have their real property forcibly sold, whether under eminent domain or under partition sales. Therefore, though it may be ¶ reasonable for judges to order a forced sale in one context or another ¶ to promote certain policy objectives, such sales should not be ordered ¶ based upon an unjustifiably optimistic notion that the sales are likely ¶ to be wealth-maximizing in most instances. ¶ This Article also highlights the manner in which the economic status of a property owner may determine the extent to which his or her real property holdings are shielded from possibly wealth-depleting forced sales. For example, as the discussion of Section 1031 like-kind ¶ exchanges involving tenancies in common revealed, those who have ¶ greater financial resources and human capital often, through private ¶ ordering, structure their property ownership in such a way as to ¶ avoid potentially economically-devastating forced sales. In addition to ¶ retaining transactional attorneys and other business professionals to ¶ help them structure ownership in the first instance, wealthier property owners also vigorously seek to protect—or even enhance—their ¶ wealth in those instances in which their property becomes subject to ¶ a forced sale. In contrast, less wealthy property owners often are not well positioned to structure their property ownership to ensure its stability or to litigate the issue of valuation in a vigorous manner to protect their wealth when their property is subjected to a forced sale. ¶ Finally, our Article has at least raised the possibility that the race of a property owner may affect the price they can expect to receive in forced sales of real property of one type or another. Although many ¶ have studied the role that race may play in various real estate and ¶ housing markets, we raise the possibility for the first time that racial ¶ price discrimination may exist in the context of forced sales of real ¶ property. If minorities are either more at risk of having their property sold at a forced sale as a result of owning property under more unstable conditions than white property owners or if minorities suffer a “double discount” when their property is sold at a forced sale, then it ¶ would be necessary to address these issues as part of a comprehensive and concerted campaign to close the racial wealth gap.

### Link – CCS

#### CCS disproportionately effects environmental justice communities

Williams 10 “Environmental Justice Issues and¶ Carbon Sequestration”¶ Jane Williams, (Executive Director¶ California Communities Against¶ Toxics) 8-18-2010 http://www.climatechange.ca.gov/carbon\_capture\_review\_panel/meetings/2010-08-18/presentations/03\_Williams\_Environmental\_Justice\_Issues\_and\_Carbon\_Sequestration.pdf

What role does carbon sequestration¶ play in this new energy future?¶ • Designed to “keep the wheels on the fossil fuel¶ future” which runs counter to our need to clean¶ the air.¶ • By all accounts, carbon sequestration is extremely expensive from an energy standpoint, needing an additional third of the energy from the powerplant to compress the gases.¶ • That would mean adding an additional 10‐20,000¶ megawatts to our energy portfolio or 15‐30 new¶ powerplants each producing 500 megawatts Impacts to local communities¶ • Potential contamination to groundwater from co‐pollutants sequestered.¶ • Potential for a bolus release of carbon dioxide during a well failure, similar to the current failure¶ of a deep well in the Gulf. Impacts of such a release on local communities would be catastrophic since carbon dioxide displaces air.¶ • The potential for that type of release is a burden put on top of the stack releases of other pollutants from fossil fuel use. Global Liability Issues¶ • The liability from a catastrophic release has yet¶ to be determined, as the construction of¶ international law has yet to catch up with¶ pollutants escaping international boundaries.¶ • The impacts from a catastrophic release will also¶ have the potential to create a disproportionate impact on environmental justice communities¶ since the impacts of climate change are already¶ having such an impact, i.e. Katrina, food¶ shortages in Africa, and the effects of rising prices¶ for food and energy on the poor. Conclusion¶ • Environmental justice communities understand that¶ they will benefit from a clean energy future that does not include fossil fuels. Those benefits are many and¶ include cleaner air, cleaner water, and job creation in¶ their communities if power is locally sourced in the¶ new clean energy economy. ¶ • The fossil fuel footprint has a chain of impacts on environmental justice communities which is disproportionately borne. The tenants of justice¶ compel that scale to be balanced. Carbon sequestration is not a part of that return to balance.

#### Pipelines lead to displacement

W. Courtland Robinson May 2003- Ph.D. is an Assistant Professor at the Center for Refugee and Disaster Response at the Johns Hopkins Bloomberg School of Public Health (The Brookings Institution-SAIS Project on Internal Displacement, Risks and Rights: The Causes, Consequences, and Challenges of Development-Induced Displacement)

Causes or categories of development-induced displacement include the following: water supply (dams, reservoirs, irrigation); urban infrastructure; transportation (roads, highways, canals); energy (mining, power plants, oil exploration and extraction, pipelines); agricultural expansion; parks and forest reserves; and population redistribution schemes. 44 Michael Cernea, a sociologist based at the World Bank who has researched development induced displacement and resettlement for two decades, points out that being forcebly ousted from one’s land and habitat carries with it the risk of becoming poorer than before displacement. Those displaced “are supposed to receive compensation of their lost assets, and effective assistance to re-establish themselves productively; yet this does not happen for a large portion of oustees.” 45 Cernea’s impoverishment risk and reconstruction model proposes that “the onset of impoverishment can be represented through a model of eight interlinked potential risks intrinsic to displacement.” 46 These are: 1. Landlessness. Expropriation of land removes the main foundation upon which people’s productive systems, commercial activities, and livelihoods are constructed. This is the principal form of de-capitalization and pauperization of displaced people, as they lose both natural and human-made capital. 2. Joblessness. The risk of losing wage employment is very high both in urban ad rural displacements for those employed in enterprises, services, or agriculture. Yet, creating new jobs is difficult and requires substantial investment. Unemployment or underemployment among resettlers often endures long after physical relocation has been completed. 3. Homelessness. Loss of shelter tends to be only temporary for many resettlers; but, for some, homelessness or a worsening in their housing standards remains a lingering condition. In a broader cultural sense, loss of a family’s individual home and the loss of a group’s cultural space tend to result in alienation and status deprivation. 4. Marginalization. Marginalization occurs when families lose economic power and spiral on a “downward mobility” path. Many individuals cannot use their earlier acquired skills at the new location; human capital is lost or rendered inactive or obsolete. Economic marginalization is often accompanied by social and psychological marginalization, expressed in a drop in social status, in resettlers’ loss of confidence in society and in themselves, a feeling of injustice, and deepened vulnerability. 5. Food Insecurity. Forced uprooting increases the risk that people will fall into temporary or chronic undernourishment, defined as calorie-protein intake levels below the minimum necessary for normal growth and work. 6. Increased Morbidity and Mortality. Massive population displacement threatens to cause serious decline in health levels. Displacement-induced social stress and psychological trauma are sometimes accompanied by the outbreak of relocation related illnesses, particularly parasitic and vector-borne diseases such as malaria and schistosomiasis. Unsafe water supply and improvised sewage systems increase vulnerability to epidemics and chronic diarrhea, dysentery, and so on. The weakest segments of the demographic spectrum—infants, children, and the elderly—are affected most strongly. 7. Loss of Access to Common Property. For poor people, loss of access to the common property assets that belonged to relocated communities (pastures, forest lands, water bodies, burial grounds, quarries, and so on) result in significant deterioration in income and livelihood levels. 8. Social Disintegration. The fundamental feature of forced displacement is that it causes a profound unraveling of existing patterns of social organization. This unraveling occurs at many levels. When people are forcibly moved, production systems are dismantled. Long-established residential communities and settlements are disorganized, while kinship groups and family systems are often scattered. Life-sustaining informal social networks that provide mutual help are rendered non-functional. Trade linkages between producers and their customer base are interrupted, and local labor markets are disrupted. Formal and informal associations, and self-organized services, are wiped out by the sudden scattering of their membership. Traditional management systems tend to lose their leaders. The coerced abandonment of symbolic markers (such as ancestral shrines and graves) or of spatial contexts (such as mountains and rivers considered holy, or sacred trails) cuts off some of the physical and psychological linkages with the past and saps at the roots of the peoples’ cultural identity. The cumulative effect is that the social fabric is torn apart. 47 Others have suggested the addition of other risks such as the loss of access to public services, loss of access to schooling for school-age children, and the loss of civil rights or abuse of human rights. 48 Borrowing from Robert Muggah and Theodore Downing, this paper adds two additional risks intrinsic to displacement: 9. Loss of Access to Community Services. This could include anything from health clinics to educational facilities, but especially costly both in the short and longterm are lost or delayed opportunities for the education of children. 10. Violation of Human Rights. Displacement from one’s habitual residence and the loss of property without fair compensation can, in itself, constitute a violation of human rights. In addition to violating economic and social rights, listed above, arbitrary displacement can also lead to violations of civil and political rights, including: arbitrary arrest, degrading treatment or punishment, temporary or permanent disenfranchisement and the loss of one’s political voice. Finally, displacement carries not only the risk of human rights violations at the hands of state authorities and security forces but also the risk of communal violence when new settlers move in amongst existing populations.

### Link – Canals

#### Canals lead to displacement – causes social inequality

W. Courtland Robinson May 2003- Ph.D. is an Assistant Professor at the Center for Refugee and Disaster Response at the Johns Hopkins Bloomberg School of Public Health (The Brookings Institution-SAIS Project on Internal Displacement, Risks and Rights: The Causes, Consequences, and Challenges of Development-Induced Displacement)

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### Link – Experts

#### Community members plan better

**Bullard and Johnson 97** Bullard, Robert D, and Glenn S Johnson. Just Transportation: Dismantling Race And Class Barriers to Mobility. , 1997. Bullard (Ph. D, planners of the First National People of Color Environmental Leadership Summit. Professor Bullard served on President Clinton's Transition Team in the Natural Resources and Environment Cluster, Ware Professor of Sociology and Director of the Environmental Justice Resource Center at Atlanta University, Prof of Sociology at University of California, and professor in the center of for African American Studies at UCLA), Johnson (assistant professor of sociology and research associate at the Environmental Justice Center at Clark Atlanta Center)

This chapter has discussed access—physical access to jobs, goods, and services, schools, doctors, and babysitters—and financial access to transportation services. However, the most important forms of access, the one that creates the types of access listed above, is political access. Environmental justice and social equality begin where the traditional top-down approach to policy-making ends. Grassroots community members are in the best position to know what is best for their communities. The only way a county’s definition of a community can become a reality is for grassroots activists and transportation officials be a part of a collaborative process in which everyone’s needs are adequately represented. We hope that the ideas explored in this chapter help give birth to a long-term dialogue and collaboration that fulfills the potential for change that such a process holds.

#### Expertise doesn’t address social context

Alvarez 2 – Professor of Info Tech

Rosio, “Discourse Analysis of Requirements and Knowledge Elicitation Interviews,” Proceedings of the 35th Hawaii International Conference on System Sciences, Scholar

Several currents in the information systems literature argue for and analyze information systems development as a social practice [c.f. 31, 46, 47]. These researchers attend to the ‘organizational’ issues such as power, conflict and control that critically impinge upon information systems development. Information systems researchers theorize requirements analysis as a process which is socially mediated [22, 20] where requirements are socially constructed through clients’ stories [2]. Others suggest that requirements analysis is a process fraught with conflict, inconsistency and competing viewpoints where one ‘voice’ is not identifiable [42, 13]. Other research suggests that ‘expertise’ is subjective, subtle and tacit [58]. Therefore, requirements analysis and knowledge elicitation would best be served by developing approaches that examine the social situation where information and knowledge are produced. Unfortunately, most requirements and knowledge elicitation depends on technology-driven models and methods. These approaches focus on technical issues and give little if any attention to social context. Instead, requirements analysis techniques produce a “tidy” representation of the organization that is mobile, stable, and combinable [37], thereby allowing analysts to decontextualize requirements, represent the organization in a durable form and make requirements capable of manipulation at a distance far away from the interruptions and clamor of clients [60]. The approach in this paper contributes to understanding requirements and knowledge elicitation as polyphonic, i.e. as containing multiple voices. This polyphonic linguistic interaction is socially situated, where words bring with them the context where they have lived. In particular, this paper examines the fundamental substance of requirements analysis interviews – talk. This paper examines both the formal structure of language by using methods borrowed from sociolinguistics, such as conversational and frame analysis. The analysis here also locates the individual within their social matrix by subjecting the data to criticism that examines how power, control and identity are produced and negotiated during interviews. In this manner, requirements analysis takes on the form of a discursively mediated and constructed social practice.

#### Expertise knowledge is *not* better – it just adds to the distance between expert and calculable object with a *guise* of neutrality

Knox et al 7 – artist

Hannah, “Transformative capacity, information technology, and the making of business ‘experts’,” The Sociological Review, 55.1

Drawing on Simmel and Foucault, Mitchell argues that expert ways of knowing are meant to enact a (supposedly) ‘locationless logic’, a logic given material form through diverse forms of calculation that bring into being forms of governance dependent upon specific ways of seeing and knowing their objects (eg in Mitchell's text ‘the peasant’, ‘the economy’, etc.; see also Miller and Rose, 1990). For Mitchell ‘expert knowledge’ is not necessarily better or more accurate than what went on before. Rather, it is a reformatted knowledge, information that has been translated, moved, shrunk, simplified, redrawn. What is new is the site and the forms of calculation and decision that can take place at this new site . . . The movement from the field to the survey office was not to be experienced as a chain of social practices, but the distance between reality and its representation, between the material and the abstract, between the world and the map (Mitchell, 2002: 116). According to Mitchell then, one of the main accomplishments (or perhaps the main accomplishment) of the modern pursuit of social abstraction, calculability, and enumeration, is precisely the division of the world ‘into image and object, representation and reality’ (Mitchell, 2002: 93); in other words the production of the effect of distance between expert and object calculated. Occidental modernity is often viewed as coterminous with the establishment of practices of calculation as key aspects of disciplined knowing. It has long been common practice within social science to locate the temporal and spatial realms of ‘the modern’ by charting the institution and diffusion of ‘calculative reason’ (eg Hobsbawm, 1968). At the same time, calculation has remained a problematic object for social science since the ‘content’ of calculative practices was (and is) often seen as lying beyond the boundaries of sociological analysis – which is meant to focus instead on their cultural ‘contexts’ and social ‘effects’. In recent decades, however, this division of labour has been increasingly challenged as more and more studies interrogate those social, cultural and political practices that are routinely involved in specific performances of ‘calculability’ (eg Bloor, 1982; Latour, 1987; Miller and O'Leary, 1987; Ezrahi, 1990; Porter, 1995; Power, 1997; Callon and Muniesa, 2005). The ‘effects’ of calculability, while still important, are accounted for more and more in terms of the social practices of particular calculative agents/agencies rather than merely in terms of the abstract workings of a ‘location-less logic’. If calculation – as Mitchell (2002), Callon and Law (2005) argue – is a process in which entities are, so to speak, released from local entanglements and detached from specific contexts so that they can be ‘reworked, displayed, related, manipulated, transformed and summed up in a single space’ (ibid) then how exactly is this ‘movement’ accomplished in practice? Much of this work, we might say, is preoccupied with the analytical retrieval of the social practices that, as it were, ‘fill in’ the distance between the surveyor's office and the peasant's field. Calculations, these studies tell us, move through networks of social and material agents and agencies. In Borges' tale, the map starts to decay when the empire's will to knowledge slackens and people lose their desire for cartographic exactitude. In Mitchell's (2002) account, the process of decay starts much earlier, even before the mapping itself has been completed. Among other things, unclear boundaries and the pressure of an increasing population make the object being mapped fuzzy, unstable and subject to change and contestation. The maps cannot keep pace with the changes. They become overcrowded with inscriptions and ‘confusing to read’– as their authors despairingly admit (ibid: 105). Even the maps themselves begin to shrink in the Egyptian heat distorting the scale and generating confusion. The relation between image and object, representation and reality, so painstakingly constructed by the experts' calculations, is afflicted by its own forms of instability and crisis. This is a useful corrective to the enduring image of ‘expertise’ as characterised by self-assured knowing, certainty in the power of calculations and an acceptance of the efficacy of calculations.

#### Several empirical examples of how supposed “expert” knowledge recreates divisions and hierarchies that subjugate large portions of the population

Harvey 7 – Professor of Anthropology

Penelope, “Expertise, technology and public culture,” The Sociological Review, 55.1

Maggie Bolton's paper uses historical and anthropological approaches to document struggles around counting and accountability in highland Bolivia. Drawing from two distinct contexts, one from the colonial period and one contemporary, she shows how ways of knowing are intrinsically related to the particular purposes for which the knowledge is intended, even when dealing with a process as apparently culturally neutral as ‘counting’. The paper shows how attempts at abstraction involve the erasure of specific relationships and practices which those adversely affected by counting procedures often seek to reinstate. The examples take us beyond the arguments put forward by Scott (1998) concerning the ways in which modern states render subjects legible, knowable and by extension controllable through (expert) techniques of objectification. The Bolivian examples show how the competitive and asymmetrical processes of documentation in relation to llama herds actively produced new social and cultural realities – giving rise to specific legal and fiscal categories of persons, with specific rights (or loss of rights) to land. As discussed by Mitchell (2002) in relation to the making of modern Egypt, new publics are brought into being through these particular forms of expert knowing. In the Bolivian contexts presented here, expertise emerges as a form of social violence, creating realities that advantage some and severely disadvantage others. The expertise of colonial lawyers for example lay in their knowledge of how to manipulate the categories through which the law could designate clear-cut social groups in such a way that indigenous peoples were prevented from giving counter-evidence, and contesting the ‘naturalised’ status which they were subsequently assigned. In more recent times animal censuses are used by indigenous people to draw money from the state and NGO agencies in support of entrepreneurial activity, yet such enumeration is also seen as dangerous, provoking memories of historical links between census and taxation. More profoundly the practice of enumerating individual herd animals does violence to alternative techniques of ‘knowing’ one's animals as a reproductive group, a herd whose viability is seen to depend on a relational (rather than disaggregational) orientation to the animals. The counting practices of NGO ‘experts’ thus entails a relocation of knowledge, away from the llama herders and towards the preferences of those who manage money, markets and ‘development’ programmes. Despite the interest among indigenous peoples in relation to modern ways of managing herds, and ‘improving’ their stock, these contrasting dynamics of separation and integrity limit the efficacy of external ‘experts’ in highland Bolivia, limits reflected in the claims by indigenous Bolivians for recognition of ‘ancestral’ status as the basis for a re-negotiated contemporary citizenship. In Sykes' terms this re-negotation directs alternative forms of ritual expertise towards a public which does not equate with that invoked by the development paradigm.

### Link – Private Sector

#### Private sector fill-in undercuts social justice

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Richard, “Assessing communicative rationality as a transportation planning paradigm,” Transportation, http://www.uvm.edu/~transctr/pdf/willson\_article.pdf

The result of the split between the traditional transportation planning paradigm and politics is an increasingly dysfunctional planning process. Borrowing from Dryzek’s (1993) characterization of the instrumental rationality model as “clean, calculating, and homogenizing” (p. 214) we can see that such a model is not a good fit with the setting of most transportation planning. In highly congested regions, private sector-led transportation planning often steps in to fill the void left by dysfunctional public transportation planning, either by taking on planning functions or by providing substitutes for travel. In either case, public objectives related to social equity, community development or environmental policy receive less emphasis.

### Link – Consumption

#### The idea that we can't reduce consumption is the majority's ploy to continue the status quo – it continues to marginalize the minority

McLaren 3

 [Duncan, MSc Rural Resources and Environmental Policy, head of Policy and Research at Friends of the Earth Trust Ltd, widely written on environmental policy issues, "Just Sustainabilities," 2003, page 21]//SH

The benefits of current rates of resource use go mainly to a rich minority, and the costs – where they impinge on human beings, in terms of poor health and loss of homes and livelihoods – are borne disproportionately by poorer people. In many countries women especially suffer from such impacts (see Wickramasinghe, Chapter 11). This is environmental injustice. This injustice is multiplied when we develop so-called solutions to our environmental problems whose costs are also borne by the poor. Environmental justice demands that the poor do not bear the costs of overconsumption by the rich (or of cleaning up after them)! Indeed environmental justice demands more generally that these costs are not offloaded onto other groups. But prescriptions for substantial cuts in resource use – essential at the aggregate level for environmental sustainability – no to only seem unrealistic for the majority of the world's population, they appear to threaten just such an unfair distribution of costs.

### Link – Trade

#### Continued globalization exacerbates inequalities

McLaren 3

 [Duncan, MSc Rural Resources and Environmental Policy, head of Policy and Research at Friends of the Earth Trust Ltd, widely written on environmental policy issues, "Just Sustainabilities," 2003, page 33]//SH

Globalization in the real world has extended economic inequalities at both ends of the scale. Global financial and currency markets have permitted the emergence of a wealthy, rootless global speculator class and corrupt elites. Globalization has extended inequalities based on 'winner takes all' markets, where the rewards to the 'best' far exceed those to the rest (Frank and Cook, 1995). The threat of capital mobility has demolished the economic security of many working-class people. Budget discipline and structural adjustment programmes have slashed the resources available in the poorest countries for even rudimentary welfare programmes. Even in many richer countries there are concerns over the growth or emergence of a poor, uneducated and unhealthy underclass in which life-chances are severely curtailed. Globalization is exacerbating inequalities between countries and regions too. The failed experiments in rapid structural adjustment in the former Soviet Union highlight such problems and offer a clear indictment of the institutions promoting the process. The gains from trade liberalization under the Uruguay round of GATTT went mainly to the US, EU and Japan. Africa was a net loser (Goldin et al, 1993). Such differences are threatening the creation of a global underclass of countries unable to establish national sustainable development strategies because they lack access to the necessary resources.

### Link – Economy

#### The aff's attempts to continue economic growth ignore the social harms – it continues to disenfranchise portions of the population

Faber and McCarthy 3

 [Daniel R Faber, director of the Philanthropy and Environmental Justice Research Project at Northeastern Unversity, Associate Professor in the Department of Sociology and Anthropology, Deborah McCarthy, Assistant Professor in the Dpartment of Sociology and Anthropology at the College of Charleston, "Just Sustainability," 2003, page 39]//SH

Not all citizens, however, equally bear the 'externalized' social and ecological costs of these assaults by American business. In order to bolster profits and competitiveness, companies typically adopt strategies for the exploitation of nature that are not only economically 'efficient' but politically 'expedient' (that offer the path of least social resistance). The less political power a community of people commands, the fewer resources a community possesses to defend itself; the lower the level of community awareness and mobilization against potential ecological threats, the more likely they are to experience arduous environmental and human health problems at the hands of capital and the state. In the US (as elsewhere in the world), it is the most politically oppressed segments of the population, or the subaltern- dispossessed peoples of colour, industrial labourers, farm workers, and undocumented immigrants – whom are being selectively victimized to the greatest extent by corporate practices (Johnston, 1994, p11; see also Agbola and Alabi, Chapter 13). The disenfranchised of America are serving as the dumping ground for American business, a fact that is often blatantly advertised. A 1984 report by Cerrell Associates for the California Waste Management Board, for instance, openly recommended that polluting industries and the state locate hazardous waste facilities in 'lower socio-economic neighbourhoods' because these communities had a much lower likelihood of offering political opposition (Roque, 1993, p25-28). In this respect, the prosperity of the American business community is predicated on specific forms of unsustainable production that disproportionately impact oppressed peoples of colour and the working poor.

### Link – Omission

#### Ignoring victims of structural violence *is the link*

Nixon 11 Nixon, Rob. (Rachel Carson Professor of English at the University of Wisconsin–Madison. Among his many books is Dreambirds: The Natural History of a Fantasy. He is a frequent contributor to the New York Times, PhD, Columbia University, 1989¶ M. Phil., Columbia University, 1984¶ MA, University of Iowa, 1982¶ BA, Rhodes University, South Africa 1977) Slow Violence and the Environmentalism of the Poor. Cambridge, MA: Harvard UP, 2011. Print. Google Books.

To address violence discounted by dominant structures of apprehension is necessarily to engage the culturally variable issue of who counts as a witness. Contests over what counts as violence are intimately entangled with conflicts over who bears the social authority of witness, which entails much¶ more than simply seeing or not seeing. The entangled politics of spectacle and witnessing have implications that stretch well beyond environmental slow violence. In domestic abuse, for instance, violence may be life threatening but slow, bloodless, and brutal in ways that are not always immediately¶ fatal: a broken flOse constitutes a different order of evidence from food or access to medical treatment or human company withheld over an extended¶ period. A locked door can be a weapon. Doors for women are often long- term, nonlethal weapons that leave no telltale bloody trail; doors don’t hear¶ witness to a single, decisive blow. In many cultures, moreover, rape isn’t defined as rape if it is inflicted by a husband. And in some societies, a rape¶ isn’t rape unless three adult men are present to witness it. As the journalistic chestnut has it, “if it. bleeds, it leads.” And as a corollary. if it’s bloodless, slow-motion violence, the story is more likely to be buried, particularly if it’s relayed by people whose witnessing authority is culturally discounted.

### Transportation Key

#### The transportation sector’s key – and inequality’s reverse causal – lack of action will exacerbate problems

TFA, 11 – Transportation for America, division of the Surface Transportation Policy Project, citing Thomas Sanchez, B.A., Environmental Studies, University of California-Santa Barbara, M.C.R.P., City and Regional Planning, California Polytechnic State University, Ph.D., City Planning, Georgia Institute of Technology, former Chair and Associate Professor, Department of City & Metropolitan Planning, University of Utah, former Nonresident Senior Fellow, The Brookings Institution, Washington D.C., former Director, Urban Affairs and Planning-Alexandria, Virginia Tech, former Fellow, Metropolitan Institute, Virginia Tech, former Associate Professor, School of Urban Studies and Planning, Portland State University, former Instructor and Research Assistant, Graduate City Planning Program, Georgia Institute of Technology, (“Transportation + Social Equity: Opportunity Follows Mobility”, July 18, 2011, Transportation for America, http://t4america.org/policybriefs/t4\_policybrief\_equity.pdf)//JKahn

**The current system is failing low income communities** The record of federal spending leans disproportionately toward directing funds to projects that do not serve the communities that most need affordable mobility options. It is a legacy of transportation expenditures that leave many behind in cities, older suburbs, and small towns. **Low income households are often left with few reliable or affordable transportation options. Transportation is at the center of opportunity**. It provides access to all the resources necessary for a healthy, prosperous life. Transportation should provide access to jobs and opportunity across gender, class, race, and ability. Access to jobs is essential to accessing economic opportunity. Being forced to rely on long, complex transit rips or spending money on auto travel is not a fair trade-off. **The nation’s transportation investments can be a powerful force for social and economic equity**. **Misapplied, these resources could exacerbate existing economic and social inequities in our communities**. Given how intrinsically our communities and regions are linked, achieving the most equitable transportation policy possible is a priority that benefits all Americans.

#### Transportation is a key site to prioritize social equality

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Richard, “Assessing communicative rationality as a transportation planning paradigm,” Transportation, http://www.uvm.edu/~transctr/pdf/willson\_article.pdf

Purpose of planning. The purpose of transportation planning continues to be to develop strategies for connecting people and goods with destinations. However, transportation planning is not divorced from larger issues such as the development of human potential, social justice, environmental improvement or aesthetic appreciation. Its purposes broaden from the primary task of designing and selecting programs to enhancing the deliberative capability of decision making bodies and the public, and promoting learning about transportation phenomenon. Transportation planning also provides a way for the public to reflect on broader social issues, such as the relationship of travel choices to the environment and social equity. Transportation planning is a creative activity that adds meaning to people’s lives as well as helping them link origins and destinations. It is intended to increase the capacity for reasoned deliberation and democratic decisionmaking. Whereas the larger project of instrumental rationality could be described as increasing rationality, social progress and individual freedom, the larger project of communicative rationality is to enhance the quality of community and political dialogue in support of democracy, creating a transportation planning process that fully addresses both means and ends and links transportation issues to broader social concerns. The effects of this approach are greater attention to ends (goals), better integration of means and ends, new forms of participation and learning, and enhanced democratic capacity.

#### Transportation is a *key site* for social justice

**Hsu 11** “Fatal Contiguities: Metonymy and Environmental Justice” Hsuan L. Hsu (Associate Professor of English with a focus of cultural geography, comparative racialization, and environmental justice at the University of California, AB from Harvard UNiversiy, Ph. D from University of California, Berkley. ) New Literary History, Volume 42, Number 1, Winter 2011, pp. 147-168 (Article) Published by The Johns Hopkins University Press DOI: 10.1353/nlh.2011.0007 http://muse.jhu.edu.proxy.lib.umich.edu/journals/new\_literary\_history/v042/42.1.hsu.html

Environmental criticism has recently shifted its attention from classic works of “nature writing” to texts that more directly engage with social inequalities. Whereas “first-wave” ecocriticism tended to privilege rural scenarios featuring apparently unaltered “nature,” environmental-justice activism has drawn attention to urban settings where descriptions of nature cannot be isolated from uneven and contested patterns of housing, zoning, and transportation.1 In U.S. cities, the production and reconfiguration of built space has been instrumental to perpetuating racial inequalities. Even as political discourse and mass media have become saturated with “postracial” rhetoric, spatial segregation continues to reproduce differentiated life possibilities among racialized groups. As politicians and real-estate speculators rezone and rebuild low-income neighborhoods, communities have been cut off from public services, displaced, and denigrated as urban “blight.” Public spaces and services such as buses, streetcars, sidewalks, and parks have been neglected and in some cases demolished as resources have been transferred to the construction of freeways accessible primarily to suburban residents who live far from the cities they traverse.

#### Transportation is an important starting point

Holmes 95- Associate Director of the Urban Habitat program. He is also the Director of UHP's Social and Ecological Justice Transportation Improvement Project. (Henry, fall 1995, Urban Habitat Transportation Reveals the Heart of U.S. Culture) <http://urbanhabitat.org/files/6-1%20all.pdf>

Our transportation system can tell us a lot about U.S. society. It can tell us about racism, economic injustice and environmental degradation. The patterns of our complex historical development as a nation- economic, social, cultural, political, environmental- are imbedded in a transportation system many people take for granted. It is a system that destabilizes urban core communities and does not serve the needs for many people of color, women, working, poor, young, elderly and disabled people in urban, rural and Native American tribal communities alike. Rural America is where 43 percent of disabled, 39 percent of elderly, 32 percent of unemployed and 39 percent of people below poverty line. However, less than 10 percent of federal spending of for public transportation goes to rural communities, which have high numbers of people who are transit- dependent. In rural Native American communities, roads are often poorly maintained or do not provide efficient access to needed services and destinations. Public transit is poor or non-existent, leaving virtually no alternative but to rely on motor vehicles. In many cases, the costs of owning and maintaining a motor vehicle produces severe financial hardship and competes with other basic human needs for good nutrition, a safe home and good quality health care. Highways cut through inner cities creating environmental hazards and fracturing communities physically, socially and economically. Measurably higher levels of immediate and long-term toxic effects from air, water and noise pollution and debris degrade local land values and further destabilize urban areas. These same areas are challenged by low employment, poor services, crumbling infrastructure and loss of tax revenues to the suburbs. Some communities become isolated. Their infrastructure decays and land becomes under-utilized as development goes elsewhere, duplicating infrastructure to support new urban sprawl and consuming even more land, energy and other natural resources. The crumbling public transportation system is underfunded and neglected, directly contributing to the social, economic, and environmental deterioration of our cities, where nearly 75 percent of all Americans live. Of these 30 to 50 percent are transit-dependent-those too poor, young, old, disabled or unwilling to drive. Internationally, the Souths rapidly implementing auto dominated infrastructure patterned after the U.S. transportation system. Consequently, as global urbanization increases, many of the same hands of social, economic and environmental stresses are exacerbated, leaving those most vulnerable without safe, efficient, accessible and affordable transportation alternatives. Poor communities around the world end up receiving the fewest benefits from the transportation system while incurring the highest costs in terms of poor access, limited mobility, social neglect, economic injustice and environmental degradation. As the United Nations Conference on Human Settlements (Habitat 11) approaches in June 1996, in Istanbul, Turkey, the linkage of transportation to basic survival and livability for communities around the world is crucial. A socially just and ecologically sustainable transportation system has the potential to increase job and income opportunities, promote efficient and healthy land use patterns, create environmentally safe communities, decrease fossil fuel consumption and improve the overall social, economic and environmental quality of life. But, to improve public transit and other transportation alternatives, including bicycling and walking, and to protect public health and environmental resources means we must broaden and democratize the debate and policy-making process.

### Framework

#### Our link argument proves that contemporary policy-making fails – the criticism is vital to ensure that oppressed peoples have a say in transportation planning

Bullard et al. 4

 [Robert D. Bullard, Ph.D. in Sociology, Glenn S. Johnson, Associate Professor at the Clark Atlanta University, PhD in Sociology, Angel O. Torres, Geographic Information Systems Training Specialist with the Environmental Justice Resource Center and Adjunct Professor of Sociology at Clark Atlanta University, "Highway Robbery," 2004, South End Press, page 193-194]//SH

Transportation planning is too important to be left solely in the hands of urban planners, many of whom drive cars, seldom use public transit, and have few real world experiences with poor people and people of color. Having transit riders on the local or regional transit provider's board and metropolitan planning organizations is a good first step in broadening stakeholder input into decision-making. However, serving on boards or sitting at the table is not sufficient. There must be some real power-sharing with poor people and people of color and other underrepresented groups before real change and real solutions are possible. There must be a national strategy to develop and disseminate transportation equity and smart growth messages to everybody involved in the equitable transportation movement to make sure our voices are heard loud and clear.

#### Sequencing DA – the criticism is vital to successful policy planning

Bullard et al. 4

 [Robert D. Bullard, Professor of Sociology and Director of Environmental Justice Resource Center at Clark Atlanta University, Ph.D. in Sociology, "Highway Robbery," 2004, South End Press, page 28]//SH

Some groups have taken legal action to accomplish their goals, while others have chosen different routes. Litigation is just one tool in an assorted arsenal of weapons available to citizens, groups, and communities working on social justice and transportation issues. But legal action is no substitute for having a well-organized, disciplined, and informed populace. Transportation racism is easy to practice but difficult to eliminate, and there is no cookie-cutter formula for dismantling discrimination and unjust policies and practices. Passionate, committed, and broad-based grassroots organizing based on the principles of environmental justice and civil rights for all is the foundation of the transportation equity movement.

#### The discursive presentation of the 1ac is not neutral or benign – the intentional omission of any concern for social justice implicates subsequent policy planning

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Richard, “Assessing communicative rationality as a transportation planning paradigm,” Transportation, http://www.uvm.edu/~transctr/pdf/willson\_article.pdf

For planning, however, gridlock is not gridlock until we have defined it as a problem and decided to do something to address it. Transportation plans depend on what gridlock means, and establishing meaning is an inherently social and linguistically based process. The way that transportation planners use language – understanding certain ideas and values and excluding others, hearing some things and not hearing others, and defining roles for themselves, their organizations, decision makers and the public – shapes knowledge, public participation, problem definition, process design and negotiation, and the outcome of planning. The perspective offered in this paper is that language profoundly shapes our view of the world. The paper critically examines the formal scientific rationality that dominates the field and uses insights from planning practice, social theory and philosophy to explore the promise of communicative rationality as a new paradigm for transportation planning – one in which language and communicative processes form the basis for rational planning. Innovative forms of transportation planning based on theories of communicative rationality hold the promise of solving some of our most difficult transportation planning problems. The global aim of communicative rationality is to create a rational basis for constructing ends and means in a democratic society, by enriching public and political discourse. Communicative rationality focuses on interactive processes rather than the deliberative process of a single actor, emphasizing the design of planning processes, participation and learning, and a reconciliation of different ways of understanding planning opportunities. It reorients planning from a form of scientific, instrumental rationality to a form of reason based on consensual discussion.1

#### Discursive focus is vital to any successful transportation planning – the aff leads to policy failure, and only criticizing language can succeed

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Richard, “Assessing communicative rationality as a transportation planning paradigm,” Transportation, http://www.uvm.edu/~transctr/pdf/willson\_article.pdf

The “problem” of transportation planning increasingly requires a communicative rationality approach. The terrain of transportation planning has shifted from engineering problems (in which behavior following mechanistic and immutable laws) to travel behavior questions beyond the scope of current conditions. The terrain has shifted from building new highways to managing travel behavior and services. This shift in emphasis makes language and discourse more important because they underpin the roots of the behavioral phenomena that are of interest. When transportation planning considers issues such as ridesharing, car-sharing, telecommuting, or vehicle choice, the linguistically formed meanings people assign to their actions are powerful policy levers. A shift from instrumental rationality to communicative rationality is the key to addressing these new issues. Conventional transportation planning is not sufficiently creative to address current problems. Instrumental rationality tends to be a reductive process that narrows possibilities rather than expanding them. When there are unreconciled problem frames in the background there is little learning, redefinition of problem frames, or opportunity to discover new approaches. Although technological innovations and research eventually find their way into trans-portation planning, there is sameness in the way of understanding the problem and the type of solutions that are considered. When, for example, is the last time a regional transportation plan developed a truly new idea? There is real urgency to finding new solutions to transportation problems, yet transportation plans rarely produce them. Many regional transportation plans include projects and behavioral assumptions that are unlikely to be realized. They may produce the necessary conformity findings, but many are deficient in terms of helping their regions develop innovative policies and make tough choices. When this occurs, transportation planning starts to move out of the hands of public agencies, as private innovations produce “work-arounds” such as telecommunication replacement of travel, and employers and residents vote with their feet by leaving regions that cannot manage their growth and transportation systems. Communicative distortions impede effective transportation planning. Communicative distortions create serious problems for the transportation planning process. The ideal of instrumental rationality breaks down when the participants in planning refuse to follow its structure. Decision-makers resist processes that separate means from ends, the public resists restricted problem frames, and planners often play limited technical roles. Modelers lack credibility if their conceptual framework does not include the dynamics of public perception and decision-making. Communicative rationality may help transportation planners understand and resolve the dichotomous way that they often think about the rational and political dimensions of their work.

### Epistemology DA

#### Don’t trust the affirmative’s reliance on supposed transportation expertise

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Richard, “Assessing communicative rationality as a transportation planning paradigm,” Transportation, http://www.uvm.edu/~transctr/pdf/willson\_article.pdf

The theory of knowledge, or epistemology, that is implied by instrumental rationality is scientific objectivism. Drawing from the natural sciences, engineering and certain of the social sciences, this view assumes that objective facts can be known and that the analyst is able to observe a system without participating in it or effecting it. Furthermore, it is assumed that facts can be separated from subjective information and abstracted from complex social settings. Data analysis and modeling results provide the primary information upon which alternatives are evaluated, information such as level of service, air quality conditions or cost effectiveness. Objectivist epistemology and instrumental rationality method go hand-in-hand – if one element cannot be supported it is difficult to justify the other. Some aspects of the practice of transportation planning are well suited to the traditional focus described above. Many transportation conditions are quantifiable and certain aspects of travel behavior are quite predictable (e.g., traveler route selection). Most plans involve complex technical aspects that are suited to a scientific approach. If there is a social consensus about ends and the range of alternatives is within an aspect of travel behavior that is predictable, then the traditional model has much to recommend it. Indeed, the efficiency with which people and goods are moved in developed countries is a testament to the efficiency of these methods. Criticisms of the conventional model It is not new to observe that the practice of transportation planning does not follow the classic instrumental rationality model. It important to review those criticisms, however, because they illustrate the possibilities for communicative rationality. Conventional transportation planning practice reflects a tension between the espoused theory just described and a theory-in-use of strategic rationality. By strategic rationality, I mean a form of rationality that is oriented toward achieving political action. One of the realities of practice is that transportation planners are frequently not able to achieve a consensus concerning the ends of planning. The multiple stakeholders to transportation planning often have different goals and objectives; in recent decades the range of goals for transportation have widened significantly. Instead of acting as advisors to a rational actor decision-maker who is functioning in a closed system, transportation planners find competing interest groups in an organizationally defined and differentially empowered setting. Instead of well-defined problems, they find multiple, perhaps ideologically defined problems. Instead of perfect information and analytic certainty, they find contested, ideological information and models that are stretched to represent complex behavioral realities. The transportation planner’s challenge is to reconcile the espoused theory with these conditions to find practical wisdom and a process that will lead to decision-making and plan adoption. The conventional model is not helpful in this regard. Furthermore, transportation scholarship has abandoned the issue except for offering postmortem on failed processes. The claims for objectivity in data and models that underpin instrumental rationality have been challenged from numerous standpoints. Quantification draws attention to some things and hides other things, such as equity issues or qualitative considerations. For example, studies of travel patterns by gender reveal differences formerly hidden in aggregate data. Wachs (1985) points out that models are also manipulated to produce predetermined outcomes. More broadly, Throgmorton (1993) argues that analytic techniques do not present an objective truth, but instead act as figures of speech and argument. In other words, a survey instrument or model does not exist disconnected from speech in a place and time. Surveys and models have an audience, they respond to what came before, they construct the roles of planners and others and they are built on language concepts. Finally, Harvey (1985) suggests that transportation models must respond to the fact that “values are invoked and mediated through the process, rather than resolved at an early stage” (pp. 458). When models ignore this reality, as they often do, their results become less relevant to decision making. Yet model results and analytic data are often presented as “findings” rather than a form of discourse.3 Many observers of transportation planning recognize that political and institutional aspects in transportation are ignored by the conventional approach (Wachs 1985). Reviewing planning theories that bear on transportation planning, Meyer and Miller (1984) advocate decision-centered transportation planning and identify a broad range of influences on the planning process, including rational comprehensive planning, incrementalist planning, advocacy planning, policy planning, and strategic planning. They argue for an approach that will help decision-makers reach good decisions rather than focus exclusively on the “right” answer. The literature contains many accounts of how little rational planning has to do with actual decision-making (for example, see Altschuler 1979, Wachs 1995, Richmond 1998). Stakeholders, institutions and decision-makers usually know the alternatives they prefer and may seek to structure analysis to rationalize their preferences. Figure 1 shows these groups as direct influences on the evaluation of alternatives even though that is classically the domain of the planner/analyst. In short, political processes rarely “hold still” for the rigid and time-consuming methods of conventional rational planning.

### Impact Framing

#### Social justice first

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Ashok, “Technical Rationality, Equity and Transport Planning: Future Agenda for Research and Practice,” December, http://itpi.org.in/pdfs/oct6\_09.pdf

In this paper, the author argues that transport planning has become highly sciencitized discipline. Sciencitization of transport planning practice, among others, have led to two main consequences for society and economy. One, sciencitization of transport planning has led it to achieving the ends of technical rationality that is transport planning practitioners firmly believe that technical robustness of their proposals and projects remain their primary task, and moral goals such as transport equity are mere social irritants. Second, excessive emphasis on technical rationality has created a condition whereby problem formulation and reformulation has become detached from societal needs, particularly those of the majority urban poor. The paper ends by suggesting that moral principles such as equity and by implication social justice must remain at the heart of transport planning practice and education, if this important specialization has to make any significant contribution to the most important exercise of nation building. Transport planning is an integral part of town and country planning. It is the only land use, which has the capacity to provide links between other land uses physically. Whatever may be the level of technological advances aimed at reducing the need to travel (globalization of work and work processes, working from home within a city, studying in a virtual university, internet based entertainment), place remains important. As long as locale remains vital for human civilization to function and flourish, transport planning will continue to occupy high place on the table of town and country planning. In this specific sense, transport planning is the only land use which could thus afford meaning to other land uses because without physical links through road networks, it is not possible to reasonably enjoy activity systems located in the form of other land uses. Whether we meet people for specific purpose or get together on a social occasion, the significance of transport planning could not be overlooked because in order to make every trip affordable, comfortable, enjoyable and sustainable (less time and energy consuming), someone must do a good job at transport planning. Most of the efforts in transport planning are made to achieve efficiency by use of scientific or instrumental rationality. Instrumental reasoning implies complete reliance on scientific methods of analysis and examination and proposed action premised on such reasoning. Thinking, conceiving, planning and implementing planning projects through instrumental reason is acceptable provided it does not become an end in itself. Transport planners are known for their technical prowess as most of the practitioners of transport planning generally have engineering background. In this paper, I make the argument that transport planning is highly sciencitized discipline. Sciencitization of transport planning practice, among others, have led to two main consequences for society and economy. One, sciencitization of transport planning has led it to achieving the ends of technical rationality that is transport planning practitioners firmly believe that technical robustness of their proposals and projects remain their primary task, and moral goals such as transport equity are mere social irritants. As I will try to demonstrate below in briefly, engineering content dominates the essence of both transport planning practice as well as education. Second, excessive emphasis on technical rationality has created a condition whereby problem formulation and reformulation has become detached from societal needs, particularly those of the majority urban poor. I intend to close my discussion in this paper by suggesting that moral principles such as equity and by implication social justice must become the nerve center of transport planning practice and education, if this important specialization has to make any significant contribution to the most important exercise of nation building. Improving one or two intersections or roundabouts could never achieve these moral ends.

#### Slow violence outweighs; focus on flashpoint violence perpetuates slow violence.

Nixon 11 Nixon, Rob. (Rachel Carson Professor of English at the University of Wisconsin–Madison. Among his many books is Dreambirds: The Natural History of a Fantasy. He is a frequent contributor to the New York Times, PhD, Columbia University, 1989¶ M. Phil., Columbia University, 1984¶ MA, University of Iowa, 1982¶ BA, Rhodes University, South Africa 1977) Slow Violence and the Environmentalism of the Poor. Cambridge, MA: Harvard UP, 2011. Print. Google Books.

When Lawrence Summers, then president of the World¶ Bank, advocates that the bank develop a scheme to export rich nation garbage. toxic waste, and heavily polluting industries to Africa. he did so in¶ the calm voice of global managerial reasoning.’ Such a scheme, Summers¶ elaborated, would help correct an inefficient global imbalance in toxicity.¶ Underlying his plan is an overlooked but crucial subsidiary benefit that he outlined: offloading rich-nation toxins onto the world’s poorest continent¶ would help ease the growing pressure from rich-nation environmentalists¶ who were campaigning against garbage dumps .That industrial effluent that they condemned as health threats and found aesthetically offensive. Summers thus rationalized his poison-redistribution ethic as offering a double gain: it would benefit the United States and Europe economically, while¶ helping appease the rising discontent of rich-nation environmentalists.¶ Summers’ arguments assumed a direct link between aesthetically unsightly¶ waste and Africa as an out-of-sight continent, a place remote from green¶ activists’ terrain of concern. In Summers’ win-win scenario for the global¶ North, the African recipients of his plan were triply discounted: discounted¶ as political agents, discounted as long-term casualties of what I call in this¶ hook “slow violence, and discounted as cultures possessing environmental practices and concerns of their own. I begin with Summers’ extraordinary¶ proposal because it captures the strategic and representational challenges posed by slow violence as it impacts the environments and in environmentalism —of the poor.¶ Three primary concerns animate this book, chief among them mv conviction that we urgently need to rethink—politically, imaginatively, and¶ theoretically what I call ‘slow violence” By slow violence I mean a violence that occurs gradually and out of sight, a violence of delayed destruction that is dispersed across Lime and space. 1flatiritional violence that is¶ typically not viewed as violence at all, Violence is customarily conceived as an event or action that is immediately in time. explosive and spectacular in¶ space. and as erupting into instant sensational visibility. We need, I believe, to engage a different kind of violence, a violence that is neither spectacular nor instantaneous, hut rather incremental and aceretive, its calamitous repercussions playing out across a range of temporal scales. In so doing,¶ we also need to engage the representational. narrative, and strategic challenges posed by the relative invisibility of slow violence. Climate change,¶ the thawing cryosphere, toxic drift, biomagnification, deforestation, the¶ radioactive a Aftermaths of wars, acidifying oceans, and a host of others slowly unfolding environmental catastrophes present formidable representational obstacles that can hinder our efforts to mobilize and ai-t decisively.¶ The long dyings the staggered and staggeringly discounted casualties, both human and ecological that result from war’s toxic aftermaths or climate change arc underrepreseted in strategic planning as well us in¶ human memory.¶ Had Summers advocated invading Africa with weapons of mass destruction, his proposal would have fallen under conventional definitions of violence and been perceived as a military or even an imperial invasion.¶ Advocating invading countries with mass forms of 510w-motion toxic buy, however, requires rethinking our accepted assumptions of violence Lo¶ include slow violence. Such a rethinking requires that we complicate conventional assumptions about violence as a highly visible act that is newsworthy¶ because it is event focused, time bound, and body bound. We need to account¶ for how the temporal dispersion of slow violence affects the way we perceive and respond to a variety of social afflictions from domestic abuse to¶ posttraumatic stress and, in particular, environmental calamities. A major challenge is representational: how to devise arresting stories, images. and symbols adequate to the pervasive but elusive violence of delayed effects. Crucially, slow violence is often not just attritional but also exponential. operating as a major threat multiplier; it can fuel long-term, proliferating conflicts in situations where the conditions for sustaining life become increasingly but gradually degraded.¶ PoLitically and emotionally, different kinds of disaster possess unequal¶ heft. Falling bodies, burning towers, exploding heads, avalanches, volcanoes, and tsunamis bave a visceral, eye-catching and page-turning power that tales of slow violence, unfolding over Years. decades, even centuries, cannot match. Stories of toxic buildup. massing greenhouse gases. and¶ accelerated species loss due to ravaged habitats arc all cataclysmic, but they¶ are scientifically convoluted cataclvsms in which casualties are postponed.¶ often for generation. ¡n an age when the media venerate the spectacular.¶ when public policy is shaped primarily around perceived immediate need, a¶ central question is strategic and rcprcscntational: how can we convene into image and narrative the disasters that arc slow moving and long in the making, disasters that are anonymous and that star nobody, disasters that are¶ attritional and of indifferent interest to the sensation—driven technologies of¶ OUF image-world? flow can we turn the long emergencies of slow violence into stories dramatic enough Lo rouse public sentiment and warrant political intervention, these emergencies whose repercussions have given rise to¶ some of the most critical challenges of our time?

#### Ignoring slow violence justifies exclusion of atrocities as meaningless causalities.

Nixon 11Nixon, Rob. (Rachel Carson Professor of English at the University of Wisconsin–Madison. Among his many books is Dreambirds: The Natural History of a Fantasy. He is a frequent contributor to the New York Times, PhD, Columbia University, 1989¶ M. Phil., Columbia University, 1984¶ MA, University of Iowa, 1982¶ BA, Rhodes University, South Africa 1977) Slow Violence and the Environmentalism of the Poor. Cambridge, MA: Harvard UP, 2011. Print. Google Books.

The representational bias against slow violence has, furthermore, a critically dangerous impact on what counts as a casualty in the first place.¶ Casualties of slow violence—human and environmental—are the casualties most likely not to be seen, not to be counted. Casualties of slow violence¶ become Light-weight, disposable casualties, with dire consequences for the ways wars are remembered, which in turn has dire consequences for the projected casualties from future wars. We can observe this bias at work in¶ the way wars, whose lethal repercussions spread across space and time, are tidily bookended in the historical record. Thus. For instance, a 2003 New York¶ Times editorial Of Vietnam declared that “during our dozen years there, the¶ U.S. killed and helped kill at least x. million people.” but that simple phrase¶ “during our dozen years there” shrinks the toll, foreshortening th ongoing slow-motion slaughter: hundreds of thousands survived the official war¶ years, only to slowly lose their lives later to Agent Orange. In a 2002 study,¶ the environmental scientist Arnold Si-becter recorded dioxin levels in the¶ bloodstreams of Eien Boa residents at t35 times the levels of Illinois inhabitants, who lived far north of the spraying. The afflicted include thousands¶ of children born decades after the war’s end. More than thirty years alter¶ the last spray run, Agent Orange continues to wreak havoc as, through bio-¶ magnification, dioxins build up in the fatty tissues of pivotal foods such as¶ duck and fish and pass from the natural world into the cooking pot and from¶ there to ensuing human generations. An Institute of Medicine committee¶ has by now linked seventeen medical conditions to Agent Orange; indeed,¶ as recently as 2009 It uncovered fresh evidence that exposure to the chemical increases the likelihood of developing Parkinson’s disease and¶ heart disease.” Under such circumstances, wherein long-term risks continues to emerge, to bookend a war’s casual ties with the phrase “during our dozen years there is misleading: that small, seemingly innocent phrase is a powerful reminder of how our rhetorical conventions for bracketing violence routinely ongoing, belated casualties.

#### Prefer systemic impacts over magnitude—prior question.

Kilbert et al. 12 “The Ethics of Sustainability” Charles J. Kibert (Charles J. Kibert is a Professor and Director of the Powell Center for Construction and Environment at the University of Florida. He is co-founder and President of the Cross Creek Initiative, a non-profit industry/university joint venture seeking to implement sustainability principles into construction. He has been vice-chair of the Curriculum and Accreditation Committee of the U.S. Green Building Council (USGBC) and helped create the first ever student chapter of the USGBC for which he serves as faculty advisor.), Leslie Thiele (teaches political theory and serves as Director of Sustainability Studies at the University of Florida. His interdisciplinary research focuses on sustainability issues and the intersection of political philosophy and the natural sciences. His central concerns are the responsibilities of citizenship and the opportunities for leadership in a world of rapid technological, social, and ecological change. ), Anna Peterson, (Department of Religion at the University of Florida. She received her PhD from the University of Chicago Divinity School. Her main research and teaching areas are environmental and social ethics, religion and politics, and religion in Latin America.), and Martha Monroe (Professor of Enviromental Education and Extension, at the School of Forest Resources and Conservation of the University of Florida)

Our moral obligations to future generations are difficult to separate, logically speaking, from our moral obligations to those who inhabit other nations or other classes, genders, or races within the¶ same nation. As the Brundtland Report stipulated, the “concern for social equity between generations ... must logically be extended to equity within generations.”12 Our distant descendants¶ beyond a few generations, we observed in Chapter 5, will share very few of our genes, little more¶ than non-kin currently living on the other side of the globe. If we have a moral obligation to pass on a healthy, life-supporting environment to future generations - the vast majority of whom will be¶ wholly unrelated to us or will have genetic links diminishing at a geometric rate - one might reason¶ that the same sort of obligation pertains to current generations.¶ The logic of extending care from intergenerational neighbors to intragenerational neighbors is¶ practical as well as moral. In order to protect the environmental health and welfare of our children and grandchildren, it is increasingly necessary to protect the environmental health and welfare of the peoples inhabiting distant neighborhoods and distant lands. The welfare of future generations is, in many realms of environmental affairs, dependent upon the welfare of our global neighbors.¶ Attempts to shield future Americans from climate change, for instance, must account for the¶ greenhouse gas emissions of China and India. Preserving the ozone layer in the stratosphere so¶ future generations do not suffer increased incidences of eye cataracts and skin cancer cannot be¶ achieved without the cooperation of people from every continent. Ensuring that growing¶ populations do not deplete natural resources and diminish the planet’s biodiversity will require the¶ provision of education and sustainable livelihoods to the citizens of developing countries, where¶ 99% of future population growth will occur.¶ Indeed, at a practical level, it is not only the welfare of future generations that depends upon the actions of global neighbors. It is also our own welfare that is directly affected. Globalization has¶ many benefits, including the increased sharing of knowledge, technology, and cultural values.¶ Ecologically speaking, the world is shrinking as well. Environmental responsibilities, like the air¶ we breathe, do not stop at national borders. Many of today’s most pressing environmental¶ problems, such as climate change, ozone depletion, many forms of pollution and resource¶ depletion, as well as diminishing biodiversity, are global threats requiring global solutions.

### Impact – Root Cause / Unsustainability

#### Social injustice is the root cause of their environmental impacts

Evans et al 3

 [Bob Evans, Professor and Director of the Sustainable Cities Research Institute at the University of Northumbria, PhD in environmental planning and degrees in politics and sociology, Julian Agyeman, Assistant Professor of Environmental Policy and Planning at Tufts University, Robert D. Bullard, Professor of Sociology and Director of Environmental Justice Resource Center at Clark Atlanta University, Ph.D. in Sociology, "Just Sustainability," 2003, page 1]//SH

In recent years it has become increasingly apparent that the issue of environmental quality is inextricably linked to that of human equality. Wherever in the world environmental despoliation and degradation is happening, it is almost always linked to questions of social justice, equity, rights and people's quality of life in its widest sense. There are three related dimensions to this. First, it has been shown by Torras and Boyce (1998) that globally, countries with a more equal income distribution, greater civil liberties and political rights and higher literacy levels tend to have higher environmental quality (measured in lower concentrations of air and water pollutants, access to clean water and sanitation) than those with less equal income distributions, fewer rights and civil liberties and lower levels of literacy. Similarly, in a survey of the 50 US states, Boyce et al (1999) found that states with greater inequalities in power distribution (measured by voter participation, tax fairness, Medicaid access and educational attainment levels) had less stringent environmental policies, greater levels of environmental stress and higher rates of infant mortality and premature deaths. At an even more local level, a study by Morello-Frosch (1997) of counties in California showed that highly segregated counties, in terms of income, class and race, had higher levels of hazardous air pollutants. From global to local, human inequality is bad for environmental quality. The second related dimension is that environmental problems bear down disproportionately upon the poor. While the rich can ensure that their children breathe cleaner air, that they are warm and well housed and that they do not suffer from polluted water supplies, those at the bottom of the socioeconomic ladder are less able to avoid the consequences of motor vehicle exhausts, polluting industry and power generation or the poor distribution of essential facilities. This unequal distribution of environmental 'bads' is, of course, compounded by the fact that globally and nationally the poor are not the major polluters. Most environmental pollution and degradation is caused by the actions of those in the rich high-consumption nations especially by the more affluent of those societies. Even recent optimism about the Kyoto Protocol post-Marrakech hides a stark reality: affluent countries in the North are avoiding or delaying any real reduction in their greenhouse gas emissions through the so-called 'flexible mechanisms': emissions trading, the Clean Development Mechanism and the Joint Implementation (The Corner House, 2001). The emergence of the environmental justice movement in the US over the alst two decades was in large part a response to these distributional inequalities, as are the growing international calls for environmental justice (Adeola, 2000). The third dimension is that of sustainable development. The 'new policy agenda' of sustainability emerged after the publication of the World Commission on Environment and Developments report in 1987, but more fully after the 1992 United Nations Conference on environment and Development (UNCED) in Rio de Janeiro and its successor, the 2002 World Summit on Sustainable Development n Johannesburg. Sustainability is clearly a contested concept, but our interpretation of it places greater emphasis upon precaution: on the need to ensure a better quality of life for all, now, and into the future, in a just and equitable manner, while living within the limits of supporting ecosystems. In addition, we fully endorse Middleton and O'Keefe's (2001, p16) point that 'unless analyses of development being not with the symptoms, environmental or economic instability, but with the cause, social injustice, then no development can be sustainable'. Sustainability, we argue, cannot be simply an 'environmental' concern, important though 'environmental' sustainability is. A truly sustainable society is one where wider questions of social needs and welfare, and economic opportunity, are integrally connected to environmental concerns. This emphasis upon greater equality as a desirable and just social goal, is intimately linked to a recognition that, unless society strives for a greater level of social and economic equity, both within and between nations, the long term objective of a more sustainable world is unlikely to be secured. The basis for this view is that sustainability implies a more careful use of scarce resources and, in all probability, a change to the high-consumption lifestyles experienced by the affluent and aspired to by others. It will not be easy to achieve these changes in behavior, not least because this demands acting against short term self-interest in favor of unborn generations and 'unseen others' who may live on the other side of the globe. The altruism demanded here will be difficult to secure and will probability be impossible if there is not some measure of perceived equality in terms of sharing common future and fates.

#### Inequality is the root cause of all of their impacts – it drives unsustainability

McLaren 3

 [Duncan, MSc Rural Resources and Environmental Policy, head of Policy and Research at Friends of the Earth Trust Ltd, widely written on environmental policy issues, "Just Sustainabilities," 2003, page 19-20]//SH

Equity considerations are embedded in all conceptualizations of sustainable development but are rarely unpacked. All interpretations of sustainable development including that of the widely cited Brundtland Commission (World Commission on Environmental and Development, 1987) agree that it involves some form of redistribution from current to future generations. This is because our current rates of consumption are depriving future generations of consumption opportunities, or generating impacts which they will bear (see Box 1.1). Over-use of environmental resources is at the heart of the challenge of sustainable development. Humankind is consuming (and wasting) resources at a rate faster than the ecological systems of the planet can tolerate. Substantial cuts in resource use and emissions are required to deliver inter-generational equity. From this, as will be elaborated below, flow dramatic implications for intra-generational equity. Where there are limited resources, distributional questions cannot be avoided. But these are less commonly considered in debates on sustainability. But the question is more complex even than this suggests. Current economic inequality and the marginalization of the poor by the wealthy also drive resource exploitation. For example, the immediate needs of the poor for fuelwood tend to outweigh their future need for forest to protect the watershed and prevent erosion. Similarly, poor countries' need to earn foreign exchange to repay financial debts leads to regimes for management of forests and minerals which encourage over-exploitation by multinational investors – generating impacts which are normally much larger than those arising from the activities of poor people meeting their immediate needs. Thus inequality is a driving force behind unsustainability.

### Impact – Turns Environment

#### Social equality is a prerequisite to ecological sustainability.

Kilbert et al. 12 “The Ethics of Sustainability” Charles J. Kibert (Charles J. Kibert is a Professor and Director of the Powell Center for Construction and Environment at the University of Florida. He is co-founder and President of the Cross Creek Initiative, a non-profit industry/university joint venture seeking to implement sustainability principles into construction. He has been vice-chair of the Curriculum and Accreditation Committee of the U.S. Green Building Council (USGBC) and helped create the first ever student chapter of the USGBC for which he serves as faculty advisor.), Leslie Thiele (teaches political theory and serves as Director of Sustainability Studies at the University of Florida. His interdisciplinary research focuses on sustainability issues and the intersection of political philosophy and the natural sciences. His central concerns are the responsibilities of citizenship and the opportunities for leadership in a world of rapid technological, social, and ecological change. ), Anna Peterson, (Department of Religion at the University of Florida. She received her PhD from the University of Chicago Divinity School. Her main research and teaching areas are environmental and social ethics, religion and politics, and religion in Latin America.), and Martha Monroe (Professor of Enviromental Education and Extension, at the School of Forest Resources and Conservation of the University of Florida)

Arguing the case for the disadvantaged of the world, physicist and environmental activist Vandana¶ Shiva observes that “Giving people rights and access to resources so that they can regain their¶ security and generate sustainable livelihoods is the only solution to environmental destruction and¶ the population growth that accompanies it.”30 It is with this same conviction that the Brundtland¶ Commission determined, decades earlier, that “inequality is the planet’s main ‘environmental’ problem.”31 Here, Shiva and the Brundtland Commission insist that social justice is not at odds with protecting the global commons. Indeed, social justice is the only thing that can save it. Empirical research gives weight to these claims. Countries with more equal income distribution and more egalitarian political rights generally do a better job protecting their environments. A¶ similar relationship occurs domestically, when one compares inequality and environmental health¶ in the 50 U.S. states. The conclusion reached by many scholars is that “social justice and environmental sustainability are inextricably linked, and that the achievement of the latter without greater commitment to the former will be exceptionally difficult.”32 In an ecologically and¶ technologically shrinking world, an expanding sense of social solidarity provides a crucial¶ foundation for sustainability. This is, by no means, a universal conviction even among those who¶ label themselves environmentalists. But it is intrinsic to the sustainability framework.33 To embrace sustainability is to accept that economic security – the ability to earn one’s livelihood – is¶ a universal pursuit, a universal right. People will always seek economic security as a means of¶ survival, and given the chance, most will pursue economic prosperity. Given this reality, people¶ will continue to destroy the environment if that is the only way for them to survive economically.¶ The sustainability framework insists that the only way to save the environment is to help people¶ develop environmentally benign livelihoods.¶ The well-known anthropologist and conservationist Richard Leakey put the point succinctly when¶ he said: "To care about the environment requires at least one square meal a day."34 Consider the issue of biodiversity in this context. The poor and disadvantaged of western nations, surveys¶ demonstrate, are much more concerned with economic development that will provide them with steady jobs than with the effort to protect wildlife. As Dorceta Taylor, an environmental justice¶ expert at the University of Michigan, remarks, "It is unrealistic to expect someone subsisting at the¶ margins of the urban or rural economy, or who is unemployed, to support wildlife and wilderness¶ preservation if she or he has no access to or cannot utilize these resources."35 It is not difficult to¶ understand why meeting basic needs for sufficient food, decent housing, a secure job, and a toxicfree environment rank above wilderness preservation for people struggling to make ends meet.¶ Until basic needs are sufficiently satisfied, the protection of biodiversity will not be widely embraced by disadvantaged populations. Indeed, the protection of wilderness, which makes habitat¶ off-limits to economic development, may be viewed as jeopardizing job creation. In this context,¶ nature preservation may be seen as a luxury of the rich, and a threat to the poor.¶ The same is true at an international level. Today, one of the chief threats to primates is the¶ destruction of native habitat as subsistence farmers slash and burn rainforests to grow crops for¶ export, such as tobacco (Malawi), palm oil (Indonesia), or soya (Brazil). Equally devastating in¶ some countries is the hunting of “bushmeat” by impoverished people. Preserving chimpanzees and¶ gorillas and orangutans is a wonderful idea. But to those families that might starve in the absence¶ of a meal of bushmeat, or are forced to cultivate crops in former forests, saving wildlife seems a¶ privilege they can ill afford. In Africa, Indonesia, India and elsewhere, early efforts by western¶ environmentalists to preserve wildlife and wilderness areas by cordoning off habitat without¶ thought to the economic needs of local residents met with limited success and great resentment.¶ Typically, it was viewed as catering to the needs of western tourists.36 In contrast, community-based¶ preservation efforts that tie wilderness preservation to the development of sustainable local¶ economies have been more promising The connection between environmental protection and the need for economic development is not¶ limited to the preservation of biological diversity. Zero-emission and low-emission automobiles¶ are now widely available, but their cost may be prohibitive for those who live below the poverty¶ line. Well-constructed, well-insulated housing that conserves energy is also often beyond the¶ economic reach of the poorest sectors of society. While the poor consume far fewer resources¶ than the wealthy per capita, poverty often means that one cannot afford to be energy efficient. In¶ such cases, economic development and sustainability go hand in hand.¶ In the developing world, a similar relationship exists between poverty and the inefficient use of other natural resources. Although kerosene lamps use fifty times more energy per watt produced¶ than electric light bulbs, many urban slum dwellers and the rural poor still use kerosene lamps,¶ contributing more to greenhouse gas emissions and also suffering from the smoke and unhealthy¶ emissions. Solar cookers use reflected rays from the sun to cook food and, where necessary,¶ pasteurize water. Yet relatively few people have such cookers. Indeed, about 80 percent of the¶ world’s peoples still collect and burn vast amounts of wood and charcoal for cooking. Oftentimes,¶ bushes and trees are cut down for firewood faster than they can be replenished, leading to the¶ erosion of mountainsides and savannas, and desertification. In these cases, increased conservation¶ of natural resources and improved human welfare would be made possible through the provision of¶ appropriate technology and sustainable economic development.¶ The development and deployment of appropriate technology and the creation of sustainable local¶ economies will not happen sufficiently or quickly enough if the disadvantaged of the world are left¶ to their own resources. In large part, that is because the disadvantaged are already integrated into and are further pushed into unsustainable livelihoods as a result of - a global economy. The¶ opportunity is available to the wealthier countries of the world, those that consume most of the¶ planet’s natural capital and produce most of its toxic pollution, to help foster sustainable¶ economies across the globe.¶

#### Turns environment

Kilbert et al. 12 “The Ethics of Sustainability” Charles J. Kibert (Charles J. Kibert is a Professor and Director of the Powell Center for Construction and Environment at the University of Florida. He is co-founder and President of the Cross Creek Initiative, a non-profit industry/university joint venture seeking to implement sustainability principles into construction. He has been vice-chair of the Curriculum and Accreditation Committee of the U.S. Green Building Council (USGBC) and helped create the first ever student chapter of the USGBC for which he serves as faculty advisor.), Leslie Thiele (teaches political theory and serves as Director of Sustainability Studies at the University of Florida. His interdisciplinary research focuses on sustainability issues and the intersection of political philosophy and the natural sciences. His central concerns are the responsibilities of citizenship and the opportunities for leadership in a world of rapid technological, social, and ecological change. ), Anna Peterson, (Department of Religion at the University of Florida. She received her PhD from the University of Chicago Divinity School. Her main research and teaching areas are environmental and social ethics, religion and politics, and religion in Latin America.), and Martha Monroe (Professor of Enviromental Education and Extension, at the School of Forest Resources and Conservation of the University of Florida)

Gifford Pinchot argued that conservation was an inherently democratic movement. The same¶ might be said about sustainability – for two reasons. First, as recent empirical studies have¶ demonstrated, democratic forms of deliberation and interaction tend to promote a future focus, an¶ expanding sense of community, and holistic thinking, all of which dovetail nicely with¶ sustainability values.62 Second, the social justice facet of sustainability requires not only the¶ equitable distribution of social benefits and risks, but the equitable sharing of power. As the¶ World Commission on Environment and Development observed, "the pursuit of sustainable¶ development requires ... a political system that secures effective citizen participation in decision¶ making."63 Of course, democracy is no panacea. To the extent democracy is tied to a hyperindividualistic¶ consumer culture or to nationalistic commitments, it may thwart long-term, global¶ sustainability. However, if we define democracy as the equitable distribution of political power¶ such that citizens (or stakeholders of businesses, universities, or civic groups) become widely and¶ meaningfully involved in the processes of deliberating and securing the common good, then¶ democracy is indeed an inherent feature of sustainability. Sustainable governance, grounded in¶ democratic principles and practices such as civil rights, the rule of law, open elections, and¶ transparency, sustains environmental caretaking and social justice. 64

### Impact – Policy Failure

#### Plan fails – only the alterative can produce changes in the system

Faber and McCarthy 3

 [Daniel R Faber, director of the Philanthropy and Environmental Justice Research Project at Northeastern Unversity, Associate Professor in the Department of Sociology and Anthropology, Deborah McCarthy, Assistant Professor in the Dpartment of Sociology and Anthropology at the College of Charleston, "Just Sustainability," 2003]//SH

It is now clear that the traditional environmental movement has become so fragmented, parochial and dominated by single-issue approaches that its capacity to champion fundamental social and institutional changes needed to address America's ecological crisis is greatly diminished. As stated by Pablo Eisenberg (1997, p331-341), 'although we know that our socio-economic, ecological and political problems are interrelated, a growing portion of our nonprofit world nevertheless continues to operate in a way that fails to reflect this complexity and connectedness'. In this respect, if the traditional environmental movement continues to conceive of the ecological crises as a collection of unrelated problems, and if the reigning paradigms are defined in the neo-liberalist terms of a minimally regulated capitalist economy, then it is possible that some combination of regulations, incentives and technical innovations can keep pollution at tolerable levels for many people of higher socio-economic status. Poorer working-class communities and people of colour who lack the political economic resources to defend themselves will continue to suffer the worst abuses. If, however, the interdependency of issues is emphasized, so that environmental devastation, ecological racism, poverty, crime, and social despair are all seen as aspects of a multi-dimensional web of a larger structure crisis, then a transformative ecology movement can being to be invented (Rodman, 1980).

#### The aff is only a band-aid solution – they fail to address the cause of the problems

Faber and McCarthy 3

 [Daniel R Faber, director of the Philanthropy and Environmental Justice Research Project at Northeastern Unversity, Associate Professor in the Department of Sociology and Anthropology, Deborah McCarthy, Assistant Professor in the Dpartment of Sociology and Anthropology at the College of Charleston, "Just Sustainability," 2003]//SH

From this perspective, organizing efforts against procedures that result in an unequal distribution of environmental problems (distribution inequity) cannot ultimately succeed unless environmental justice activists continue to address the procedures by which the environmental problems are produced in the first place (procedural inequity) (Lake, 1996, p169). Any effort to rectify distributional inequities without attacking the fundamental processes that produced the problems in the first place focuses on the symptoms rather than causes and is therefore only a partial, temporary, and necessarily incomplete and insufficient solution. What is needed is an environmental justice politics for procedural equity that emphasizes democratic participation in the capital investment decisions through which environmental burdens are produced then distributed. As Michael Heiman (1996, p120) has observed, 'If we settle for liberal procedural and distributional equity, relying upon negotiation, mitigation and fair-share allocation to address some sort of disproportional impact, we merely perpetuate the current production system that by its very structure is discriminatory and non-sustainable'. Productive environmental justice can only be achieved in a sustainable economic system – a post-capitalist society in which material production and distribution is democratically planned and equitably administered according to the needs both present and future members of society.

### Role of Ballot Solvency

#### Criticism of the narrative of the 1ac is a necessary disruption of transportation planning

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Richard, “Assessing communicative rationality as a transportation planning paradigm,” Transportation, http://www.uvm.edu/~transctr/pdf/willson\_article.pdf

The problems with instrumental rationality are not unique to transportation planning – they stem from changes in the larger social context for planning. The changes, in turn, touch on the most basic questions in philosophy and social theory. Instrumental rationality and objectivism are part of traditional notions of modernism and progress, yet these foundational elements have been transformed. Starting in the 1950s, critiques of scientific social science emerged in sociology and planning (see Guhathakurta (1999) for an overview). Yet in practice and research, transportation planning has followed a schizophrenic path – acknowledging problems in instrumental rationality but continuing to employ it in research, practice and teaching. In the recent years, social theorists use the term postmodernism to describe changes that undermine traditional modernist notions, including instrumental rationality and objectivism. Stated simply, postmodernism recognizes that there is not longer a single organizing narrative around which a plan can optimize (e.g., a consensus notion of what constitutes progress). Without such an organizing narrative, a plan cannot optimize means with respect to ends, and many assumptions of rational transportation planning come apart.4 Milroy’s (1991) four observations about the implications of postmodernism for planning are used here to discuss the context for transportation planning. First, a postmodern perspective questions conventional beliefs and seeks to understand the power relations beneath them. The changing notions about the appropriateness of mobility as a transportation planning goal are an example of this. Mobility (taken here to mean vehicle throughput) was once assumed to be the general aim of transportation planning, but now there are competing ideas about such goals (e.g., mobility versus accessibility, and recently, restricting travel opportunity). Transportation planning rarely optimizes around a single goal; it usually balances multiple, often contradictory goals. In addition, more is understood about who benefits and who loses from differing goals definitions, so terms and ideas that were formerly uncontroversial become contested. Second, a postmodernism perspective challenges the notion of universals as bases of truth. Mobility enhancement used to be associated with a general notion of progress. Just as old postcards show factories billowing smoke as a sign of economic prosperity, the freedom to live and work where one chooses was a cornerstone of American land use and transportation policy. Although that freedom is still sought, the question of progress is now contested, not consensual. In the realm of project evaluation criteria, the cost/benefit calculus of economic evaluation is not offered as the sole decision criterion as it might have been in the past. Third, a postmodernism perspective asserts that a clear delineation between subjective and objective is not possible. There is, for example, recognition that objective analysis leaves out forms of knowing important to understanding travel behavior and making policy choices, such as qualitative factors, aethestics and morals. For example, Talvitie (1997) challenges the economic theory that underlies transportation models by introducing psychoanalytic understandings of travel behavior, aspects outside the realm of traditional notions of objectivity. He calls for examination of the “dark” side of transportation behavior instead of focusing solely on utility maximization. And finally, a postmodernism perspective is said to value plurality and difference. Recent research shows how transportation systems function differently for women, people of color, children, the elderly, the disabled, the poor and other groups. As we begin to recognize the perspectives and claims of a more diverse society, a type of planning that is “clean, calculating and homogenizing” seems a poor fit with the likely planning and decision-making environment

### Public Inclusion Key

#### Discussions of minority participation in infrastructure planning is key to maintain an ethical democratic process

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Increased public support Public support is critical to the success of an individual transportation project. **Lack of public support often causes the failure of a project that may be ideal from the technical or engineering perspective. Lack of public support for these projects may also result in general resentment toward the transportation agencies that are proposing the project. Support is built on mutual trust and understanding, and public involvement can provide the opportunity for the public and the agency to achieve that. Public participation in the programming step may enhance the public’s feelings that there is adequate transparency** in the process and that their opinions are being heard. 2.2. Greater democratic opportunity Arnstein points out that the distribution of power is the key to real democracy (Arnstein, 1969). **Public involvement in transportation programming will to some extent assist in distributing power. Although ultimately the agency holds the power to make final decisions, they should listen to the public’s advice because without the public’s approval, the final decision cannot be made without the possibility of public outrage**. This public outrage often leads to increased pressure on elected officials, which in turn puts pressure on the agency to rethink their decisions, ultimately causing the original decision to be modified or delayed. **The public realizes its democratic rights when agencies allow public involvement in the programming process. Allowing access to the programming process, often a forbidden area for the public, can generate the feeling that the agency and government in general are trying to be more considerate of the public’s voice and allow for more democratic processes**. 2.3. Reduced project costs Agencies frequently mention an increase in the cost of a project as a downside of more public involvement in trans- portation planning. The thought is that the increased time and resources necessary to involve the public as well as the potential for additional demands on the project, such as added aesthetic components and amenities, will lead to higher costs in administering and constructing the project. In the programming task, the traditional decision pro- cess consists of technical specialists analyzing and scoring the project followed by the formal decision makers select- ing projects based on scores, political considerations, or both. If the public is introduced into this circle, agencies must utilize additional funds, people, and time to organize public involvement activities such as public meetings. **How- ever, if the public is excluded from the programming deci- sion, the project list faces the possibility of public disapproval. High enough levels of disapproval can cause costly project delays**. Agencies are increasingly attempting to mitigate public disproval by adding additional compo- nents to the project to appease the public, leading to increased construction costs and/or possible additional costs to redesign portions of the project. Public involve- ment in programming could help avoid these problems and ultimately lead to a lower project cost (Minnesota Department of Transportation, 1999). 3. Characteristics of effective pubic involvement What does effective public involvement in programming look like? **There is no easy answer because there is very lit- tle experience in implementing public involvement in this task**. Fortunately, public involvement has been imple- mented and studied in other areas of transportation plan- ning. Although this type of public involvement is different from that during the programming step, some lessons can be learned. In addition, the use of public involve- ment in other fields, such as land use planning, can help identify good practice. The following characteristics are summarized from public involvement practice in other areas of transportation and land use planning. 3.1. Inclusive participation Inclusive participation may be one of the most impor- tant factors of effective public involvement (Hopes, Kra- mer, & Williams, 2006; LogoLink, 2005). **If the participants include only activists or interest groups, the public voice will be biased or dominated by certain opin- ions that may not be representative. This contradicts the original intent of public involvement to hear everyone’s voice**. Also, the composition of the agency’s participation should be inclusive. The expertise of engineers and planners alone is not enough. Experience has showed that including a public involvement expert in the agency team sometimes determines the success of the whole public involvement activity. Inclusive participation is not guaranteed by using an inclusive mailing list or phone number list. If an inappro- priate public involvement technique is used, many people on the list may not respond to the public involvement activ- ities and those who do respond may have a ‘‘self-selection bias” in that they may share many of the same perspectives that are not necessarily representative of the general population. Every aspect of effective public involvement activities works toward inclusive participation. For example, the time and frequency of public meetings can affect the atten- dance of low-income participants. They usually work longer and often non-traditional hours, and it can be very difficult for them to take time off from work. Also, the design of media used to communicate with the public, such as posters, advertisements, and website interfaces, can affect the variety of participation. Because some commu- nity members may have lower education levels and may have difficulty understanding the abstract messages in words, simple language with many figures or picture illus- trations is recommended. Communities with many foreign language speakers require multi-language media. In sum- mary, effective public involvement in programming is open to all possible participants, especially those people who were ‘‘unrepresented” in the past. 3.2. Serious and timely treatment of public input One key to the success of public involvement efforts is serious and timely treatment of the public’s input, such as online comments, incoming calls, and e-mails, because it is one of the most important ways agencies show that that they are responsive (Grossardt et al., 2003; O’Connor, Schwartz, Schaad, & Boyd, 2000). If the public thinks they are being treated seriously, they will be more likely to maintain their interest in the public involvement activities. A lack of serious and timely follow-up to comments is likely to create feelings among the public that they are not being heard by the agency, which leads to a loss of interest in attending future public involvement activities. In addition, agencies should document the comments from the public for use in later analyses as well as recording pub- lic attitudes. 3.3. Devolution of decision-making power In the traditional process, experts and political powers were the only people in Transportation Improvement Pro- gramming with decision-making power. **Introducing public involvement into programming can redistribute the deci- sion-making power, which is key to determining whether public involvement is meaningful** (Arnstein, 1969). The experts and political powers may not maintain the same level of absolute power when more aspects of their decision process are open to examination by the public. Although experts and political powers still ultimately sign off on the final decision, **public involvement requires that they listen to public input, explain the programming process**, and discuss with the public why particular projects will be funded and others are not. This does not mean they will lose their voice in decision-making because they still have the deepest insight into the programming process and are still in charge of making the final decision. The added transparency in the process may feel like a loss of power because additional justification of decisions is often necessary. The change of the position of the experts and political powers also requires that they play more roles in the pro- gramming process and that they prepare for public involve- ment activities. Not only are they decision makers, but also they are also listeners and explainers. 3.4. **Transparent process Introducing public involvement to project programming adds transparency to a process that can traditionally be viewed as a ‘black box’**. However, public involvement does not automatically guarantee there is no black box in the process. Traditional Transportation Improvement Pro- gramming performed by transportation agencies can be categorized into two main methods. One is based on polit- ical considerations and the other is based on technical anal- yses such as scoring systems or economic analysis. Some agencies employ methods that are a combination of the two. No matter which method is applied, without a detailed explanation of the process, the public often does not understand how the decisions were made. **The public will only feel that the process is truly transparent after the decisions are deconstructed enough that the public can understand the process**. Public understanding in this context does not necessarily mean that the public needs to know every detail of the pro- cess, but that the public does not feel there are hidden tricks behind any of the steps. There are many ways to achieve this goal of public understanding. In the model dis- cussed later in this paper, a hierarchy of help documents develops this understanding. The top layer works like a glossary using simple words and short sentences to explain terms and procedures in programming. The middle layer shows more detailed explanations and the bottom layer includes the technical documents and the steps of program- ming algorithms. In this way, the curious public can drill down from the top to the bottom until they understand the programming process enough to feel comfortable. 3.5. Two-way communication Two-way communication is at the heart of this new model for public involvement in the programming process. Many previous efforts have used one-way communication, such as posters introducing the project, advertisements on television or radio, or project websites and interactive pro- ject browsing tools. These activities can also be categorized as informing the public. However, just providing informa- tion is not true public involvement, and it is at the very low end of the ‘‘ladder of citizen participation” (Arnstein, 1969). In the programming process, informing the public is complicated by the many technical terms and calculation methods. Only through communication with professionals can the public understand them. **Moreover, one purpose of public involvement is to learn the public’s thoughts and let their voices be heard, which is not possible if the communi- cation is purely one-way**. In addition, the public involvement model in program- ming supports both real-time and asynchronous communi- cation. An example of real-time two-way communication is face-to-face talk or online chat sessions where public input will be responded to immediately. An example of virtual communication is issuing comments by e-mail or leaving a message on an online bulletin board. The lag between posting comments and receiving a response can be several hours to several days. Most existing web-based public involvement tools utilize the latter, but very few support the former. Often virtual communication cannot replace real-time in terms of maintaining the public’s interest in the process. **In addition to discussions between the public and the agency staff, effective public involvement processes support discussion among the participants**. Sometimes, through the discussion with other participants, minor differences could be overcome or better articulated.

### Grassroots Key

#### Grass-root movements are comparatively more effective – allows democratic participation and can create real change

Faber and McCarthy 3

 [Daniel R Faber, director of the Philanthropy and Environmental Justice Research Project at Northeastern Unversity, Associate Professor in the Department of Sociology and Anthropology, Deborah McCarthy, Assistant Professor in the Dpartment of Sociology and Anthropology at the College of Charleston, "Just Sustainability," 2003]//SH

Finally, the movement is facilitating community empowerment by emphasizing grass-roots organizing and base-building over traditional forms of environmental advocacy. Under the traditional advocacy model, professional activists create organizations that speak and act on behalf of a community. In contrast, the grass-roots organizing approach by the environmental justice movement emphasizes the mobilization of community residents to push through the systemic barriers that bar citizens from directly participating in the identification of problems and solutions so that they make speak and act for themselves (Alston, 1990). Base-building implies creating accountable, democratic organizational structures and institutional procedures which facilitate inclusion by ordinary citizens, and especially dispossessed people of colour and low-income families, in the public and private decision making practices affecting their communities. If the environmental justice movement continues to build upon the already impressive successes it has established in these areas, and find ways to collaborate with the broad array of grass-roots citizens groups repetitive of the white middle class, we may finally witness the creation of a truly broad-based ecology movement, inclusive of all races, the working poor and women, that is finally capable of implementing a national and international strategy to end the abuses of nature wrought by corporate America. In short, the environmental justice movement is critical to the larger effort to build a more inclusive, democratic and effective ecology movement in the US – on which can challenge and transform structures of power and profit which lie at the root of the ecological crisis.

### Grassroots Key – Meaningful Participation

#### Grassroots movements and discussion are key to undercutting political mandates

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**Large-scale planning matters are highly complex and involve many stakeholders. In view of the enormous public expenditure on transportation infrastructure and other projects demanding the attention of planners, more attention to the theory and prac- tice of public involvement is necessary** (Innes and Booher, 2004). **From this research, the goal is to move the public more into the center of the public infrastructure planning and design process**. We aim to do so with SPI by delivering an analytic, structured approach that situates geovisualization within a more reflexive, dialogic framework. This framework respects both stakeholder desires (eg speed of visual evaluation; anonymity, transparency, and equity in the process) and professional requirements (eg codification of design inputs in planning terminology; quantitative model output measuring all potential scenarios with respect to stakeholder suitability) without placing the needs of one constituency in direct opposition to another. We do not characterize SPI as direct democracy, but we note that SPI offers all participants the same influence on selection of alternatives within a larger planning domain shaped by the democratic system. **Closing the Arnstein gap will not be achieved by processes designed to `sell' specific designs, to achieve `buy-in', or by any other method that does not reflect the preferred Arnstein ladder position of citizens. Instead, these goals can be achieved by involving participants meaningfully; that is, in ways concordant with the democratic principles around which their political and planning systems are structured and which can be evaluated formally using stakeholder data**.¶ On a cautionary note, we recognize that different cultural contexts necessitate different planning models (DeJong and Geerlings, 2005). The democratic ideologies that underpin SPI may be more suitable or less suitable for other planning systems (Connor, 1998). Internationally, the institutional mandates for, and constraints on, public involvement in planning vary widely and as a result the aims of, and the effective forms of, communicative planning can differ between cultural contexts (eg Abu-Orf, 2005; Fiskaa, 2005; Mannberg, 2005). This study is directed towards integrated transportation and land-use planning in the US, although given its positive reception at workshops in Latin American and European locations, we believe that components of this analysis could prove useful in other contexts.¶ **We conclude by noting that citizens in the US demand an increasing quantity and quality of public participation in planning.** As Brody et al (2003) argue, increased mandates for citizen participation can increase the attention paid by authorities to public involvement. However, simply mandating more of it is not sufficient to close the Arnstein gap. If the public involvement remains at a low level on Arnstein's ladder, planning decision quality is not likely to improve, regardless of how much public involvement is undertaken. **Therefore, theoretical attention should be given to the quality of public involvement. The planning profession will increasingly be held accountable to the desires of citizens, through both grassroots pressure and the repre- sentative electoral systems and associated political mandates.** To respond effectively to these systemic calls for increased accountability from their planning systems, the real challenge for the planning profession will be the effective integration of large-scale stakeholder input that satisfies the ideological commitments of these democratic systems and that respects the legislative framework. These measures could possibly include, at some future time, the introduction of quality metrics for public involvement and other more-direct accountability provisions. Meantime, as environmental concerns become greater, and consequently the spatial, social, and temporal complexity of the planning domain increases, higher performance methods of involving the public, institutional stakeholders, and other relevant experts in these decisions are urgently needed. This case study demonstrates how the SPI framework using the CAVE method can respond effectively to these concerns while serving as an effective decision support system for planning professionals.

### AT: Link of Omission

#### That’s the point – the 1ac chose to ignore minorities – this replicates exclusions and oppressions of the status quo

Yee 3

 [Cameron, Policy Director at People United for a Better Oakland, postgrad researcher at the Institute of Trasnportation Studies at the University of California, "Making Urban Transport Sustainable," 2003]//SH

Environmental justice must be incorporated into the transportation policymaking framework. When the environmental justice movement began in 1991, the needs of people of colour and low income people were not a national priority in environmental and transportation issues. Addressing the needs of people of colour and the poor will be vial in addressing transportation sustainability. Community groups from low income communities and communities of colour have been vital to changing the transportation debate in the Bay Area. They must continue to be included in the policy development and decisionmaking process and public agencies must analyze environmental justice issues in their policymaking process.

#### Cannot ignore voices – not including the disadvantaged in discussions hurts them

Yee 3

 [Cameron, Policy Director at People United for a Better Oakland, postgrad researcher at the Institute of Trasnportation Studies at the University of California, "Making Urban Transport Sustainable," 2003]//SH

Prioritizing the transportation needs of those most vulnerable will improve the transportation system for all users. For too long, the transportation needs of those most vulnerable, the poor, disabled, young and elderly have been left out of the decisionmaking process. For example, in 1996 when change to the welfare system occurred, transportation and social service agencies discovered that poor transit options created a major barrier to those going from receiving public assistance to employment. Not only did many recipients not own a car but also public transit was not available to new job locations, or else it did not run at night or during weekends. However, in the last five years social service providers have begun to work with transportation agencies to make sure he transportation needs of this segment of the population are met. These issues have helped shift the focus of transportation funding to greater needs that just those of the peak suburban commuter. Public agencies and decisionmakers must ensure that transportation options are available to these segments of the population.

#### The fact the aff does not include minority voices proves they only help those who already have power

Yee 3

 [Cameron, Policy Director at People United for a Better Oakland, postgrad researcher at the Institute of Trasnportation Studies at the University of California, "Making Urban Transport Sustainable," 2003]//SH

Transportation policy in the United States has travelled a road of top-down decisionmaking in which federal policy was set without participation from local communities. Government's failure to create a process that addresses community needs through local and regional funding has resulted in a car-dominated transportation system that is not sustainable. A sustainable transportation system should provide people with affordable transportation options to get to work, play, school, shopping, and health care among other transportation needs. At the same time, the system should not have detrimental environmental impacts. However, transportation policies set by government at the state and federal level have focused on the suburban commuter travelling to work during the peak hours at the expense of other users of the system, and the environment. The needs of low income communities, youth, and the elderly have often been left out of the policymaking process. This policy framework for transportation has skewed priorites to met the needs of the middle-class suburban commuter at the expense of urban communities, especially low income communities and communities of color (Yee 1999).

### AT: Normal Means is Inclusive

#### Normal means isn’t inclusive

Ernst et al. 4

 [Michelle Ernst, Ph.D. from Loyola University of Chicago in Developmental Psychology, Nancy Jakowitsch, Director of Policy Development, Surface Transportation Policy Project, "Highway Robbery," 2004, South End Press, page 162]//SH

One of the key challenges to implementing transportation policy "for the people" is the practice of public institutions which do not necessarily share or prioritize environmental and social justice goals. The Federal Highway Administration (FHWA), for instance, recently de-emphasized environmental justice as a policy goal. The US Department of Transportation (US DOT) does not hold civil rights as a "shared responsibility."2 This has significant ramifications, since the department has oversight over other federal-aid recipients in the transportation sector. A number of municipal and state agencies have already begun to rethink transportation planning approaches-requiring community-defined performance measures, making investments in multiple modes of transportation, and planning land-use connectivity. But significant obstacles still block the way to a more just and sustainable nationwide transportation system. Addressing those obstacles will require a dialog between active community stakeholders, innovated transportation agencies and related agencies, and visionary decision-makers. This chapter outlines the nation's leading transportation law, evidence of transportation discrimination, and policy recommendations that can facilitate changes to a more equitable and sustainable transportation system.

### AT: Utopian

#### Even if it's not practical, critical theory is necessary to be able to justify policies

Anggoro 12

 [Yudo, Ph.D in Public Policy, professor at University of North Carolina at Charlotte, "What is Theory and Why Does It Matter to Planners?," 6/12/12 http://yudoanggoro.com/2012/06/12/what-is-theory-and-why-does-it-matter-to-planners/]//SH

However, given the important role of planning processes for public purpose, it is still important for us to study planning process as a mean to bring benefit for the public. Studying theory gives us foundation and justification of what we are doing. In studying planning process, problems sometimes occurred in developing ethical normative theories. It is when planning theories were actually based on tradition, on what people believe as “the rightness”. This, later, will bring another conflicting situation for planners to develop their theories. This is exactly the same ambivalent role faced by planners in dealing with political power. The ambivalent role of planners will lead to the theory-practice gap of planning. One of the reasons is due to the fact that planning theories are often using highly technical language of system theory, and using mathematical modeling which is difficult to implement. These models are perhaps relevant to those who have PhD in planning, but they are irrelevant for local planners who implement those theories into daily practices. These theories are not practical. However, understanding theory thoroughly is still important for planners to have solid foundation and justification of what they are doing in daily practices. At the other side, it is also necessary for planning theorists to develop theories that can be implemented into practices without losing their essence.

### AT: Status Quo Standards Solve – CE’s

#### The most recent bill proves that transportation policies are *avoiding* full public participation through categorical exclusion

**ARTBA 12**- American road and transportation builders association, ( no specific month and day, “ Senate Two-Year Reauthorization Bill: MAP-21 Overview and Analysis”, <http://www.artba.org/mediafiles/artba-summary-of-map-21.pdf>).

The legislation also expands the use of categorical exclusions (CEs) as part of the environmental review and approval process required for transportation projects under the National Environmental Policy Act (NEPA). CEs are the least burdensome form of environmental review required under NEPA and are reserved for projects with minimal environmental impacts. Projects with greater impacts are required to undergo more time consuming environmental assessments (EAs) or environmental impact statements (EISs). The diﬀerence between a CE and an EIS can be multiple years in additional time spent on project review. MAP-21 would attempt to expand the use of CEs by adding new classes of transportation improvements which would automatically qualify for CE status. Speciﬁcally, MAP-21 would allow multi-modal projects and projects within an existing right-of-way to qualify for CE status. Further, the secretary is directed to promulgate regulations which will also grant CE status to highway modernization projects (resurfacing, restoration, rehabilitation, reconstruction and adding shoulders or auxiliary lanes), highway safety projects and bridge rehabilitation projects.

#### Categorical exclusions have *no* public input

Green Group 8

Coalition of 30 Environmental groups, Transition to Green: Environmental Trasnition Recommendation for the Obama Administration, Group Includes: American Rivers - Center For International Environmental Law- Clean Water Action- Defenders Of Wildlife - Earthjustice - Environment America - Environmental Defense Fund - Friends Of The Earth- Greenpeace - Izaak Walton League - League Of Conservation Voters -National Audubon Society - National Parks Conservation Association -National Tribal Environmental Council - National Wildlife Federation- Native American Rights Fund - Natural Resources Defense Council - Oceana -Ocean Conservancy - Pew Environment Group -Physicians For Social Responsibility - Population Connection -Population Action International -Rails-To-Trails Conservancy - Sierra Club - The Wilderness Society -The Trust For Public Land - Union Of Concerned Scientists -World Wildlife Fund, http://otrans.3cdn.net/ba9c868ec4fe74f1b8\_2pm62vhlb.pdf

Since 1970, the National Environmental Policy Act (“NEPA”) has required federal agencies to assess the environmental effects of their proposed actions and provide the public a **meaningful opportunity** to participate in agency decision making. The proper application of NEPA ensures that agencies make well-informed decisions that are supported by a robust consideration of the environmental effects of both the proposed action and alternatives to that action, the cumulative effects of the proposed action and its alternatives, and concerns raised by the public. The past eight years have witnessed an assault on NEPA that has eroded the application of the law to the point where major federal actions with significant environmental effects are taken without any environmental analysis. First, some agencies have improperly shifted the application of NEPA to later stages of decision making. CEQ regulations state that agencies should integrate the NEPA process at the earliest time possible; the regulations also expressly state that the adoption of “formal plans” is major federal action subject to NEPA. However, agencies have not heeded this mandate, with one agency (the Forest Service) going as far as seeking to exempt planning documents entirely from NEPA analysis. By misconstruing NEPA to mean that an agency does not have to conduct a NEPA analysis until narrow, site-specific actions are taken, agencies have effectively exempted themselves from NEPA’s provisions at the decision stage. Moreover, some agencies fail to apply NEPA until after they have entered binding contracts that create a financial incentive for the agency to go forward with an action regardless of its environmental impacts. Second, agencies have improperly expanded the use of categorical exclusions (CEs) to exempt categories of activities that may have significant environmental effects from environmental review. A categorical exclusion is “a category of actions which do not individually or cumulatively have a significant effect on the human environment”, and therefore do not require preparation of environmental impact statement or environmental assessment. CEs are approved through an agency’s NEPA implementing procedures or, in one case, through legislation. If extraordinary circumstances exist that may cause the proposed action to have a significant effect on the environment, that action cannot be categorically excluded from NEPA analysis. When used appropriately, CEs can save agencies time and resources, and avoid duplicative analysis for actions that will not have a significant effect on the environment. However, when there are substantive questions about whether an action’s impacts are significant, the public deserves the opportunity to be part of the process for evaluating potential impacts. Over the past eight years, agencies and Congress have expanded the approval and application of CEs. No longer are CEs applied to only discrete actions that do not have a significant environmental effect; instead, **CEs have been expanded** to include broad categories of actions that should receive a detailed look by the agencies and the public because these actions may have significant direct or cumulative impacts on the environment. Also, some agencies have failed to provide for extraordinary circumstances that would limit the application of CEs to environmentally insignificant actions. Thus, potentially significant actions are approved with minimal to no environmental review or public input. Reinforcing CEQ’s Leadership Role in the CE Process On September 19, 2006, CEQ published draft guidance designed to aid agencies in the establishment, revision, and use of CEs. This guidance has not been finalized. The next Administration should issue final guidance that will reinforce CEQ’s leadership role in the CE process and reflect the changes suggested in comments submitted jointly by over 100 local and national environmental organizations.1 Specifically, the final guidance should, inter alia, (1) require agencies to consult with CEQ early in the drafting of the proposed CE and at minimum before the proposed CE is published in the Federal Register, (2) require agencies to provide CEQ with a comprehensive administrative record supporting the new or revised CE, (3) require that agencies make information supporting CEs available to the public, and (4) instruct agencies to avoid establishing CEs for activities likely to generate public opposition regarding effects on the human environment. Responsible Official: CEQ Chair Review of CEs that raise significant concerns The next Administration should carefully review the CEs that raise significant concerns, and retract those that include actions that may individually or cumulatively have a significant effect on the environment, thus requiring environmental review.

### AT: Status Quo Standards Solve

#### Despite a rhetorical commitment, no standards are in place to ensure public participation

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As **the early 21st century unfolds, democratic societies are experiencing a range of factors that are altering the relationship between the planning profession and those whom they serve, the citizens** (Campbell and Marshall, 2000, page 321). **A strong desire is evident at both grassroots and professional levels for higher quality public involvement in planning** (Burby, 2003). **Such impulses are increasingly codified gov- ernmentally through legislation, such as SAFETEA-LU** (FHWA, 2005) for transporta- tion planning, and a proliferation of state-level principles governing public involvement in such planning issues (eg TnDOT, 2007). Planners are handling a wider reaching and more ubiquitous media including traditional printed channels and various Internet services, which allows them to disseminate information that fulfils their mission more effectively, and allows citizens more insight into planning processes and decisions. Indeed, public involvement has become what Ellis (2004, page 1549) calls ``a dominant normative principle'' in planning theory.¶ Planners, owing to their institutional and legal role, are called upon to mediate actual and anticipated conflicts between various public agencies, commercial factions, private interest groups, and citizens. This task is extremely challenging because of the scale and intensity of these conflicts. **It is clear from planning literature, and from the tenor of debate over land-use issues in the popular press, that neither the extent nor the quality of public involvement in planning are satisfactory** (Albrechts, 2002; Davies, 2001). These concerns are not new (eg Cowan and Macdonald, 1980) but in spite of all efforts directed at improving it since then: ``**Meaningful public participation in urban planning remains an elusive goal despite decades of rhetorical commitment by decision-makers''** (Mees and Dodson, 2007, page 35).¶ The authors have quantified a quality deficit in public participation in planning for US transportation and land-use cases using the Arnstein ladder of citizen participation (Arnstein, 1969). We call this deficit the Arnstein gap (Bailey and Grossardt, 2010). **We argue that this deficit is a serious problem for planners and allied professionals and that it should be reduced**.¶ To identify factors that contribute to the Arnstein gap, we review the theoretical basis of communication between planners, designers, other professionals, and citizens. We examine two coupled methodological problem domains in planning, scale, and consensus, and we consider how technologies of representation, such as geovisualiza- tion, relate to these domains. We argue that, although considerable efforts are being expended researching how participatory visualization and geospatial protocols can support more citizen inclusion and generate more sustainable, legitimate outcomes, the normative, and sometimes tacit, drive for consensus outcomes achieved with the aid of these geovisual and geospatial technologies is problematic and infeasible.¶ To address this problem, we apply the dialogic framework termed structured public involvement, or SPI,(1) and we situate geovisual, geospatial, and audience-response technologies within this framework (Bailey and Grossardt, 2010). The aim of SPI is to facilitate the efficient use of these technologies within a participatory democratic framework that does not seek consensus, yet yields high stakeholder satisfaction and clear guidance for professionals with efficient use of stakeholder time (Bailey and Grossardt, 2010). We present a case study involving integrated transportation and land use planning for the city of Jeffersonville, IN to demonstrate how the SPI framework can be adapted using the casewise visual evaluation, or CAVE, methodology for participatory visual evaluation of potential development scenarios. As Mees and Dodson (2007, page 36) note ``**While planning generally has received much attention from communicative theorists, there has been only limited attention given to transport planning**.'' Moreover, integrating public involvement effectively into transportation and land-use planning is a particularly challenging endeavor (Booth and Richardson, 2001). We evaluate the extent to which this application satisfies the broader goals of stake- holder satisfaction, resource efficiency, and effective value transmission from public to professionals. Drawing on these results, we conclude with a discussion of the improve- ment in legitimacy and civic capacity that carefully designed participatory geovisual protocols, such as SPI using CAVE, can bring to planning, and in doing so, reduce the Arnstein gap. 3 Reasons for the existence of the Arnstein gap¶ The factors that contribute to the Arnstein gap are ideological and methodological. **Ideological resistance to a higher quality of citizen participation is a theoretical possibility in that some professionals may believe that methods which open planning processes to more public input will inevitably result in `citizen control'. Thus, they may resist any attempt to do so. This behavior may be driven by a belief that the public do not have the right to participate at this level, leading to comments such as ``the public are not informed'' or ``they don't know enough about [ ... ] to participate.'' These beliefs are the focus of critiques of elitism in the planning profession lodged by Goodman** (1971) and Feagin (1998), among others. However, our data suggest this is not generally the case: professionals profess to desire the same level of public involvement that the public does. With this in mind, then, the objective is to close the Arnstein gap by moving the public and the professionals closer to their shared goal. If these premises are agreed, the central problem becomes methodologicalöthe lack of professionals' knowledge about suitable tools and processes (Klein et al, 1993).¶

#### Equality standards won’t be followed

Flyvberg and Bruzelius 03 Flyvbjerg, Bent (Professor of Major Programme Management at Oxford University's Saïd Business School and is Founding Director of the University's BT Centre for Major Programme Management.), and Nils Bruzelius (Nils Bruzelius has been a journalist for 40 years. He is currently deputy national editor for science at The Washington Post, where he has been since December, 2002. There he has edited coverage of the Columbia space shuttle disaster, the SARS and avian flu public health scares, AIDS, stem cell research, global climate change, and threats to the world’s oceans.) . Megaprojects And Risk: an Anatomy of Ambition. Cambridge: Cambridge University Press, 2003. Google Books.

\*\*note: earlier in the article, the author defines “megaprojects” as large-scale infrastructure projects

In consequence, the cost—benefit analyses, financial analyses and environmental and social impact statements that are routinely carried out as¶ part of megaproject preparation are called into question, criticised and denounced more often and more dramatically than analyses in any other professional field we know Megaproject development today is not a field of what has been called ‘honest numbers’.’4 It is a field where you will see one group of professionals calling the work of another not only ‘biased’ and ‘seriously flawed’ but a ‘grave embarrassment’ to the profession.’5¶ And that is when things have not yet turned unfriendly. In more antagonistic situations the words used in the mud-slinging accompanying¶ many megaprojects are ‘deception’, ‘manipulation’ and even ‘lies’ and¶ ‘prostitution’.’6 Whether we like it or not, megaproject development is currently a field where little can be trusted, not even — some would say¶ especially not — numbers produced by analysts.¶ Finally, project promoters often avoid and violate established practices of good governance, transparency and participation in political and administrative decision making, either out of ignorance or because they see such practices as counterproductive to getting projects started. Civil¶ society does not have the same say in this arena of public life as it does in¶ others; citizens are typically kept at a substantial distance from megaproject decision making. In some countries this state of affairs may be slowly¶ changing, but so far megaprojects often come draped in a politics of mistrust. People fear that the political inequality in access to decision-making processes will lead to an unequal distribution of risks, burdens and benefits from projects.17 The general public is often sceptical or negative towards projects; citizens and interest groups orchestrate hostile¶ protests; and occasionally secret underground groups even encourage or¶ carry out downright sabotage on projects, though this is not much talked¶ about in public for fear of inciting others to similar guerrilla activities.’8¶ Scandinavians, who like other people around the world have experienced¶ the construction of one megaproject after another during the past decade,¶ have coined a term to describe the lack in megaproject decision making¶ of accustomed transparency and involvement of civil society: ‘democracy¶ deficit’. The fact that a special term has come into popular usage to de¶ scribe what is going on in megaproject decision making is indicative of¶ the extent to which large groups in the population see the current state¶ of affairs as unsatisfactory.

#### Currently regulations are irrelevant and not followed

Morse 08“Environmental Justice Through the Eye of Hurricane Katrina”. Reilly Morse (Mississippi Center for Justice, Senior Attorney) Joint Center for Political and Economic Studies. Health Policy Institute, Washington D.C. . © 2008

A less onerous standard exists under Title VI of the Civil¶ Rights Act, which prohibits actions having disparate impact¶ upon minorities, regardless of intent)5 The EPA’s discriminatory impact regulations use this test.1 Ports in Pennsylvania¶ and New Jersey to compel permitting agencies to consider the disparate impacts of their decisions were successful initially. in¶ the Pennsylvania case, the proof showed that in a Black-majority town, 2.5 million tons of waste were authorized under¶ the permit, compared to a l,400-ton capacity at the other two¶ white-majority locations)9 In the New Jersey case, the proof¶ showed that the Black-majority neighborhood targeted for¶ an industrial plant already had numerous industrial sites and¶ Superfund sites, plus a sewage plant.2° However, other courts held that Executive Order 12898 did¶ not create any right of judicial review.21 Only five days after¶ the New Jersey ruling, the United States Supreme Court¶ did Alexander y. Sandoval and held that no private¶ right of action exists to enforce disparate impact regulations¶ promulgated under 602 of Title VI.22 Following Sandoval, the U.S. Third Circuit Court of Appeals held that a private¶ party may nor alternatives enforce the EPA’s disparate impact¶ regulations under the federal civil rights statute, 42 USC¶ 1983.23 Together, these decisions have l0d the door to¶ private litigants bringing environmental justice claims based¶ upon disparate impact.¶ Another avenue for action is an administrative proceeding¶ before the EPA’s Office of Civil Rights. That office has faced¶ strong criticism because, as 0f2002, only one out of 121¶ claims filed had been decided on its merits after an investigation—and that one case found no discrimination the EPAs¶ lack of priority in enforcing environmental justice is reflected¶ in two Inspector General reports. in 2004, the Inspector¶ General concluded that the EPA had failed to take basic steps¶ as identifying low-income and communities¶ “ . .¶ and denning the term disproportionately impacted. in July¶ 2005, even as the General Accounting Office faulted the EPA¶ f or failing to take environmental justice into account when¶ drafting clean air rules, the EPA proposed to drop race as a¶ factor for identifying and prioritizing populations that may¶ be disadvantaged by the agency’s actions, igniting a firestorm of criticism.26 In 2006, the Inspector General found that 60¶ percent of the EPA’s program and regional office directors had¶ not performed reviews as required by the Executive Order!¶ in fact, 87 percent of the directors reported that EPA management had not requested them to review the agency’s programs,¶ policies, and activities.28 In summary, judicial hostility toward¶ private enforcement, coupled with current executive hostility toward agency enforcement, make it extremely difficult to enforce environmental justice standards.

#### Current regulations are rhetorical – not followed

Sanchez et al. 03 Sánchez, Thomas W., Stolz, Rich, and Ma, Jacinta S. (2003). Moving to Equity: Addressing ¶ Inequitable Effects of Transportation Policies on Minorities. Cambridge, MA: The Civil Rights ¶ Project at Harvard University. Thomas W. Sanchez is an associate professor of Urban Affairs and Planning and research ¶ fellow in the Metropolitan Institute at Virginia Tech in Alexandria, Virginia. Rich Stolz is Senior ¶ Policy Analyst at Center for Community Change. Jacinta S. Ma is a Legal and Policy Advocacy ¶ Associate at The Civil Rights Project at Harvard¶ http://civilrightsproject.ucla.edu/research/metro-and-regional-inequalities/transportation/moving-to-equity-addressing-inequitable-effects-of-transportation-policies-on-minorities/sanchez-moving-to-equity-transportation-policies.pdf

 The regulations that implemented TEA-21’s public involvement provision require that ¶ state departments of transportation and MPOs “seek out and consider the needs of those ¶ traditionally underserved by existing transportation systems including but not limited to lowincome and minority households.”¶ 214¶ Yet, greater efforts need to be made to increase ¶ participation levels of historically underrepresented populations.There are no procedures for ¶ reviewing whether state departments of transportation and MPOs are adequately implementing ¶ this requirement and, although the Federal Highway Administrator may withhold payment of ¶ funds to enforce this regulation, we are unaware of any situations in which this has happened.¶ 215¶ Increasing participation of minority and low-income communities in the state department ¶ of transportation planning process is particularly important because of the large scale of their ¶ projects and the amount of transportation funding they control. It is also more difficult for the ¶ same reasons. An FHWA report evaluating statewide long-range transportation plans examined ¶ the public involvement efforts described in 48 statewide plans. The report indicated that states ¶ varied widely in the points at which public participation was sought. Some states only sought ¶ input prior to the planning process and others sought input at multiple stages. Also, the methods ¶ employed by states to gain public input varied dramatically, with public meetings the most ¶ relied-upon means (44%) for obtaining public input. According to the report, New Mexico ¶ officials felt that public meetings only attract those already familiar with the transportation ¶ planning process, and thus that state relied on focus groups of randomly selected citizens to help ¶ inform its planning process. The report did not indicate any specific efforts states made to ensure ¶ that they were obtaining input from minority or low-income households.¶ 216¶ One challenge facing MPOs is that many of their boards are overrepresented by suburban ¶ interests by virtue of a “one-area, one-vote” system. When district boundaries for MPO board ¶ representatives and planning units are drawn that result in approximately equal-sized geographic ¶ areas, urban core areas that have denser populations end up being underrepresented compared ¶ with suburban zones that have lower population densities.¶ 217¶ This system influences the level of ¶ public involvement and participation of persons based on residential location—and negatively so ¶ in the case of low-income, neighborhoods of color in urban core areas. Recent research suggests ¶ that MPO board and voting structures have a significant effect on the outcomes of transportation ¶ investment decisions—especially those related to public transit.¶ 218¶ Although specific information about the racial and ethnic composition of MPO boards ¶ has not been collected formally and comprehensively, it is likely that minorities are not ¶ appropriately represented on MPO boards. For example, the MPO for Montgomery, Alabama ¶ has no minorities on its board even though African Americans make up 40 percent of the local ¶ population. During the FHWA and FTA investigation of a challenge to the MPO certification, it ¶ was discovered that the MPO had a Citizen’s Advisory Committee in name only that had never ¶ been convened.¶ 219¶ In the Philadelphia area, there are 18 voting members and 22 alternates on the ¶ MPO board; only five are minorities, and of the 15 nonvoting members and their alternates, only ¶ three are minorities. Atlanta’s MPO has five minority members among 39 total board members. ¶ Detroit, with a population that is approximately 71 percent African American, has an MPO board whose main policies are set by a 46-member executive committee that is approximately 11 ¶ percent African American. Comprehensive collection of data on the composition of MPO boards ¶ would be useful in assessing levels of representation by race and ethnicity. ¶ Specific challenges remain in regard to greater public participation and involvement in ¶ transportation decision making by state departments of transportation and MPOs. Community based groups that assist transportation agencies should be encouraged to improve outreach ¶ processes and strategies to identify culturally diverse groups and facilitate their involvement. In ¶ addition, these efforts are greatly needed to support the information dissemination about ¶ transportation and related land use impacts. Organizations such as the Transportation Equity ¶ Network of the Center for Community Change¶ 220¶ and the Funders’ Network for Smart Growth ¶ and Livable Communities—a national organization supporting philanthropic organizations ¶ working to advance social equity, create better economies, build livable communities, and ¶ protect and preserve natural resources—advocate for broadening the base of community ¶ organizing around issues of smart growth and social and environmental justice.¶ 221¶ Mechanisms ¶ are needed that allow formal recognition of these coalitions as community representatives on ¶ MPO advisory committees and decision-making boards. In addition, MPOs, local governments, ¶ researchers, and community-based organizations need funds for more data collection and ¶ analysis about transportation access to basic needs such as health care, jobs, affordable housing, ¶ and public education.¶ 222¶ Although state departments of transportation currently control the vast majority of ¶ transportation decisions, MPOs play an important role in shaping transportation policies that ¶ affect significant populations of minorities and low-income individuals. Both of these agencies ¶ can play an increasingly important role in achieving social equity by addressing transportation ¶ equity issues through the broad view of social exclusion. Transportation service provision, the ¶ consequences of interaction between land use and transportation decisions, and issues of spatial ¶ equity are best addressed on a regional basis and at appropriate stages in the planning process. ¶ Although regional challenges can be addressed incrementally with localized solutions, the ¶ overall set of factors affecting travel supply and demand occurs at the regional level—where land ¶ use patterns and transportation efficiency intersect. Regional perspectives can facilitate a more ¶ comprehensive approach to questions of social equity

#### Greater efforts are necessary

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**Effects on human health and the environment have implicit connections to social and economic well-being as well as questions of equity**. DOT recognized these connections and promotes three core principles of environmental justice that states and MPOs should use in their land use and transportation analyses: 1) **To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations; 2) To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process; and 3) To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations**.208 Several MPOs, in complying with these mandates, have conducted technical analyses to assess how well regional transportation systems serve different social and economic groups. Many of these analyses have been used to demonstrate the need for federal funding for programs such as the Jobs Access and Reverse Commute programs.209 One report found that nearly half of the MPOs they surveyed had conducted different types of reverse commuting and employment access projects, which are targeted to low-income individuals and minorities. 210 These principles of environmental justice were integrated into the TEA-21 administrative regulations and became requirements of the state department of transportation and MPO planning processes.211 ISTEA and TEA-21 required state departments of transportation and MPOs to increase the role of citizen participation in the transportation planning process. **The laws required “early and continuous” public involvement, which has become an increasingly important element of environmental and social justice challenges**.212 During extensive outreach by FHWA and the Federal Transit Administration (FTA) in preparation for the rulemaking process to implement TEA-21’s planning and environmental provisions, the public raised concerns regarding equity, environmental justice, and Title VI requirements. Suggestions regarding public involvement included 1) increasing stakeholder and public participation, 2) developing strategies to identify and better engage culturally diverse groups in transportation planning and decision making, and 3) withholding planning certification unless the public involvement process includes underserved communities.213 **The regulations that implemented TEA-21’s public involvement provision require that state departments of transportation and MPOs “seek out and consider the needs of those traditionally underserved by existing transportation systems including but not limited to low- income and minority households**.”214 **Yet, greater efforts need to be made** to increase participation levels of historically underrepresented populations. **There are no procedures for reviewing whether state departments of transportation and MPOs are adequately implementing this requirement** and, although the Federal Highway Administrator may withhold payment of funds to enforce this regulation, we are unaware of any situations in which this has happened.215 Increasing participation of minority and low-income communities in the state department of transportation planning process is particularly important because of the large scale of their projects and the amount of transportation funding they control. It is also more difficult for the same reasons. An FHWA report evaluating statewide long-range transportation plans examined the public involvement efforts described in 48 statewide plans. The report indicated that states varied widely in the points at which public participation was sought. **Some states only sought input prior to the planning process and others sought input at multiple stages**.

### AT: Status Quo Solves – More Key

#### New data that includes social groups is necessary

**Nweke et al. 11** – Onyemaechi C. Nweke, DrPH, MPH Office of Environmental Justice, US EPA; Devon Payne-Sturges, DrPH, National Center for Environmental Research, US EPA; Lisa F. Garcia, JD, Senior Advisor to the EPA Administrator on Environmental Justice. Associate Assistant Administrator, Office of Environmental Justice, US EPA; Charles Lee, Deputy Associate Administrator for Environmental Justice; Hal Zenick, Associate Director for Health, National Health and Environmental Effects Research Laboratory (NHEERL) in EPA’s Office of Research and Development (“Symposium on Integrating the Science of Environmental Justice into Decision-Making at the Environmental Protection Agency: An Overview” American Journal of Public Health, Supplement 1101, American Public Health Association, 2011, ProQuest)//MR

The mandate of EO 12898 and the actions of the agency are grounded in a body of evidence that demonstrates a disproportionate distribution of environmental harms and risks to **racial/ethnic minority, indigenous, and low income populations** in the United States. Ample evidence shows that these populations **reside in communities where sources of environmental hazards are more likely to be located and to be more concentrated**.3-9 **These populations** are more likely to **experience higher exposures to environmental pollution because of where they live, work, and play**10-19 **and** to **bear higher burdens of** such adverse health outcomes as e**levated blood lead, asthma, preterm births, and morbidity and mortality from cardiovascular diseases.**18-28 Additional information on the subject of disproportionate environmental and health impacts experienced by these population groups is available in the general scientific and public health literature.29-52 ENVIRONMENTAL JUSTICE IN REGULATORY DEVELOPMENT **Environmental regulations** (e.g., standards setting) by design **aim to reduce or prevent the release of environmental hazards into ambient environmental media. Regulations are grounded in sound science** and the rule of law **and supported by scientific and analytical evidence that a preferred regulatory option will help EPA achieve** its mission of quantifiable **reductions in the risk of adverse health outcomes**, as well as meet other goals articulated in relevant governing and secondary statutes, authorities, and executive orders, such as the Clean Air Act and EO 12898 (e.g., selection of regulatory options for which the benefits justify costs). During the process of regulatory development, **a policymaker is theoretically driven toward a particular policy by data that address the nature and scope of the problem, types of policy options that address the problem, and the societal benefits and possible costs associated with each option**. Expanding this process of inquiry **to provide actionable data on social group inequalities in environmental health is crucial to integrating environmental justice into regulatory development.**

#### A new analytic framework is necessary to promote social justice in transportation planning

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**Environmental justice is** currently **considered** in the process of developing regulations. **However, a formal framework for its integration into** analysis to support **this process remains to be developed**. Nonetheless, **such integration necessitates** certain modifications to the analytic process, such **that data yielded by the process are informative about social group inequalities in environmental health before and after a proposed policy action**. For example, **a restructured analytical process could introduce** additional **inquiries such as how and why the problem for which regulatory action is necessary may be disproportionately experienced by different social groups, which factors** and mechanisms **foster these inequalities, and to what extent a** particular **policy option reduces existing social group inequalities in environmental health outcomes or prevents new ones**.53,54

#### A public forum for environmental discussion is critical

**Nweke et al. 11** – Onyemaechi C. Nweke, DrPH, MPH Office of Environmental Justice, US EPA; Devon Payne-Sturges, DrPH, National Center for Environmental Research, US EPA; Lisa F. Garcia, JD, Senior Advisor to the EPA Administrator on Environmental Justice. Associate Assistant Administrator, Office of Environmental Justice, US EPA; Charles Lee, Deputy Associate Administrator for Environmental Justice; Hal Zenick, Associate Director for Health, National Health and Environmental Effects Research Laboratory (NHEERL) in EPA’s Office of Research and Development (“Symposium on Integrating the Science of Environmental Justice into Decision-Making at the Environmental Protection Agency: An Overview” American Journal of Public Health, Supplement 1101, American Public Health Association, 2011, ProQuest)//MR

EPA partnered with several governmental and nongovernmental organizations to organize the symposium, held in Washington, DC. The broad **themes were** (1) **understand the state of scientific knowledge on factors that** likely **contribute to** disproportionate **environmental health impacts in racial/ethnic minority and lowincome populations;** (2) **explore** current and conceptual **frameworks, analytical tools, and methods for informing policy- and decision-making to protect environmental health; and** (3) **develop an action agenda**, including a research and data agenda **to advance the integration of environmental justice into decision-making.** Scientific sessions **focused on** a variety of topics, such as \* the state of scientific knowledge on the 7 factors (Figure 1) identified by EPA as important contributors to disproportionate impacts (the commissioned papers); \* data sources and methodology needs for incorporating each factor into decision-making; \* frameworks for cost-benefit analysis, risk assessment, and legal authorities for integrating environmental justice into decision-making and other analytical frameworks generally used for policymaking, such as health impact assessments; \* community-based tools for assessing disproportionate impacts and methods for investigating the joint contributions of physical and social environments to health disparities. Plenary sessions provided **a forum for decision-makers, researchers, and community advocates and representatives to discuss** crosscutting and foundational **issues such as community perspectives on environmental justice issues, research and data needs, and next steps for advancing the integration of environmental justice into decision-making.**

#### No mechanism for participation now

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The Civil Rights Project at Harvard & Center for Community Change Moving to Equity Language and Information **Barriers Inequitable transportation policy decisions are often made because minority and low-income individuals and communities are unable to learn about transit options or have little voice in transportation planning because of language barriers or lack of information. Like other obstacles to transportation accessibility, language barriers diminish social and economic opportunities by limiting a person’s ability to travel** (such as by preventing a person from obtaining a drivers’ license), which is exacerbated by their inability to communicate to policymakers and planners about transportation needs. Minimal Outreach to Minority Communities in the Transportation Planning Process How transportation policies are decided and who is able to influence those decisions have played an important role in creating and sustaining the inequities of current transportation policies. State departments of transportation and Metropolitan Planning Organizations are responsible for planning transportation in a way that achieves the greatest system efficiency, mobility, and access while addressing environmental and social concerns. **Although these agencies are required to seek out and consider the needs of low-income and minority households, there are no effective mechanisms to ensure their compliance with this requirement**. Ineffective Legal Protections and Lack of Accountability Civil rights laws such as Title VI of the Civil Rights Act of 1964 and environmental laws provide some legal protections for minority communities faced with discriminatory transportation policies. Enforcement of these protections, however, has been limited and should be increased. Currently there are no generally accepted measures or standards by which to gauge whether transportation planning and outcomes of transportation policies are equitable, and it is extremely difficult to enforce any requirements for equitable transportation policies. Primary Policy Recommendations In the past decade, federal transportation policies have taken some important steps toward becoming more equitable for minority and low-income individuals and communities. **Much more needs to be done, however, and the expiration of TEA-21 provides an opportunity for action**.

### AT: Perm Do Both

#### Merely acknowledging that the 1ac was problematic is insufficient

Willson 1- Professor of Department of Urban and Regional Planning @ California State Polytechnic University

Richard, “Assessing communicative rationality as a transportation planning paradigm,” Transportation, http://www.uvm.edu/~transctr/pdf/willson\_article.pdf

Unresolved tension between instrumental rationality and politics produces poor plans, cynical planners, frustrated politicians, and a mistrustful public. At the same time, however, the Intermodal Surface Transportation Efficiency Act (ISTEA) and the Transportation Equity Act for the 21st Century (TEA-21) ask for regions to prepare more substantive and participatory transportation plans. Transportation plans are supposed to mean something; more local discretion is offered on how funds are spent and there are more requirements for public participation, consistency with other policy initiatives and financial feasibility. The problems with instrumental rationality are not unique to transportation planning – they stem from changes in the larger social context for planning. The changes, in turn, touch on the most basic questions in philosophy and social theory. Instrumental rationality and objectivism are part of traditional notions of modernism and progress, yet these foundational elements have been transformed. Starting in the 1950s, critiques of scientific social science emerged in sociology and planning (see Guhathakurta (1999) for an overview). Yet in practice and research, transportation planning has followed a schizophrenic path – acknowledging problems in instrumental rationality but continuing to employ it in research, practice and teaching.

#### Afterthought DA --

Bullard et al. 4

 [Robert D. Bullard, Ph.D. in Sociology, Glenn S. Johnson, Associate Professor at the Clark Atlanta University, PhD in Sociology, Angel O. Torres, Geographic Information Systems Training Specialist with the Environmental Justice Resource Center and Adjunct Professor of Sociology at Clark Atlanta University, "Highway Robbery," 2004, South End Press, page 185]//SH

Race and equity issues routinely get left out of national transportation and smart growth dialogue or are tagged on as an afterthought. Smart growth discussions take place as if America was a colorblind or race-neutral nation. Not talking about racism in regional planning will not make the problem go away. Many of the smart growth proponents – who have the power and purse strings – need to shed their biases and stereotypes of low-income people and people of color if the nation is to have a fair and equitable smart growth movement.

#### The aff prevents public involvement – the use of expertise discourages participation (could be a democracy DA)

Faber and McCarthy 3

 [Daniel R Faber, director of the Philanthropy and Environmental Justice Research Project at Northeastern Unversity, Associate Professor in the Department of Sociology and Anthropology, Deborah McCarthy, Assistant Professor in the Dpartment of Sociology and Anthropology at the College of Charleston, "Just Sustainability," 2003]//SH

Unfortunately, too many mainstream environmental organizations adapt corporate-like organizational models that further inhibit broad-based citizen involvement in environmental problem-solving. For these groups, citizen engagement means simply sending in membership dues, signing a petition and writing the occasional letter to a government official. As stated by William Shutkin (2000, pp1-20) there is a "tendency for many non-profit environmental organizations to treat members as clients and consumers of services, or volunteers who help the needy, rather than as participants in the evolution of ideas and projects that forge our common life'. In the efforts to conduct studies, draft legislation and organize constituencies to support passage of environment-friendly initiatives, the mainstream movement has gravitated towards a greater reliance on law and science conducted by professional experts. The aim of this move towards increased professionalization is to regain legitimacy and expert status in increasingly hostile neo-liberal policy circles. The effect, power, is to reduce internal democratic practices within some environmental organizations and state regulatory agencies. The focus on technical-rational questions, solutions and compromises, rather than issues of political power and democratic decision-making, is causing a decline in public interest and participation in national environmental politics (Faber and O'Connor, 1993).

#### Perm fails – we must act in solidarity

Faber and McCarthy 3

 [Daniel R Faber, director of the Philanthropy and Environmental Justice Research Project at Northeastern Unversity, Associate Professor in the Department of Sociology and Anthropology, Deborah McCarthy, Assistant Professor in the Dpartment of Sociology and Anthropology at the College of Charleston, "Just Sustainability," 2003]//SH

The challenge confronting the environmental justice movement is to help forge a truly broad-based political movement for ecological democracy. While the traditional environmental movement has played a critical and progressive role in stemming many of the worst threats posed to the health of the planet and its inhabitants, the movement is now proving increasingly unable to institute more sustainable and socially just models of development in the face of neo-liberalism, globalization, and the economic restructuring of the US and international capitalism. And as unsustainable practices and environmental injustices intensify across the globe, the need for a mass-based international movement committed to the principles of ecological democracy will become more pressing. Just as in the 1930's, when the labour movement was forced to change from craft to industrial unionism, so today does it appear to many that labour needs to transform itself from industrial unionism into an international conglomerate union, inclusive of women and all racial/ethnic peoples, just to keep pace with the restructuring of international capital. And just as in the 1960s, when the environmental movement changed from a narrowly based conservation/preservation movement to include the middle class (and some sectors of the white working class), so today does it seem to many that it needs to change from single-issue local and national struggles to a broad-based multi-racial international environmental justice movement. We must work in solidarity to promote strong unions, environmental justice movements and worker health and safety standards through the rest of the world in order to protect local initiatives and gains. This historic task now confronts the environmental justice movement.

### AT: Util

#### Util for whom – Current models of cost-benefit analysis ignore social consequences that cause inequality

Martens 6

 [Karel, researcher and lecturer at the Institute for Management Research, "Basing Transport Planning on Principles of Social Justice," 2006, Berkeley Planning Journal, 19(1), http://escholarship.org/uc/item/0tg6v7tn]//SH

The analysis in this paper suggests that both transport modeling and cost-benefit analysis are driven by distributive principles that serve highly mobile groups, most notably car users, at the expense of weaker groups in society. Transport modeling is implicitly based on the distributive principle of demand. By basing forecasts of future travel demand on current travel patterns, transport models are reproducing current imbalances in transport provision between population groups. The result is that transport models tend to generate suggestions for transport improvements that benefit highly mobile population groups at the expense of the mobility-poor. Given the importance of mobility and accessibility in contemporary society for all population groups, this paper suggests basing transport modeling on the distributive principle of need rather than demand. This shift would turn transport modeling into a tool to secure a minimal level of transport service for all population groups. The criticism of cost-benefit analysis is comparable. Like transport modeling, cost-benefit analysis has a built-in distributive mechanism that structurally favors transport improvements for the mobility-rich. The direct link between total trip numbers, travel time savings, and total benefits in cost-benefit analysis automatically favors transport investments that serve highly mobile groups in cost-benefit calculations over transport improvements that primarily serve less mobile groups. This paper suggests replacing travel time savings with the concept of accessibility gains. This shift would result in an inverse relation between the value of travel time savings and income levels and/or in a disconnection between the number of trips and the total benefits generated by a transport investment.

#### Cost-benefit analysis fails

Martens 10- Nijmegen School of Management, Radboud University Nijmegen (Karel, September 2010, Substance precedes methodology: on cost-benefit analysis and equity) <http://radboud.academia.edu/KMartens/Papers/550763/Substance_precedes_methodology_on_cost-benefit_analysis_and_equity>

Cost-benefit analysis (CBA) is widely used in transportation planning as a method for ex ante evaluation of the benefits and costs of proposed transport projects (see e.g. the special issue of Transport Policy 2000). It generates data on the economic efficiency of a transport project, which can be defined as the maximization of the net contribution of the project to the national income (Hill 1973; Campbell and Brown 2003). By its nature, cost-benefit analysis aggregates the costs and benefits generated by a transport project into net benefits (or net losses). It does not provide insight into the way in which these benefits and costs are distributed over different population groups. Yet, decision-makers and the general public alike are not only interested in the economic efficiency of a project, but also in its equity : in the extent to which a project is characterized by a fair distribution of benefits and costs over various population groups (see e.g. Schofield1987).

### AT: War Turns Structural Violence

#### The affirmative’s discussion of war as an event obscures everyday violence – proves our link

Chris J. Cuomo, assistant professor of philosophy and women’s studies at the university of Cincinnati, Hypatia Special Issues: Women and Violence Volume 11 Number 4, 1996, pg. online

Philosophical attention to war has typically appeared in the form of justifications for entering into war, and over appropriate activities within war. The spatial metaphors used to refer to war as a separate, bounded sphere indicate assumptions that war is a realm of human activity vastly removed from normal life, or a sort of happening that is appropriately conceived apart from everyday events in peaceful times. Not surprisingly, most discussions of the political and ethical dimensions of war discuss war solely as an event - an occurrence, or collection of occurrences, having clear beginnings and endings that are typically marked by formal, institutional declarations. As happenings, wars and military activities can be seen as motivated by identifiable, if complex, intentions, and directly enacted by individual and collective decision-makers and agents of states. But many of the questions about war that are of interest to feminists - including how large-scale, state-sponsored violence affects women and members of other oppressed groups; how military violence shapes gendered, raced, and nationalistic political realities and moral imaginations; what such violence consists of and why it persists; how it is related to other oppressive and violent institutions and hegemonies - cannot be adequately pursued by focusing on events. These issues are not merely a matter of good or bad intentions and identifiable decisions.

#### Focus on large-scale war trades off with the ability to solve structural violence

Chris J. Cuomo, assistant professor of philosophy and women’s studies at the university of Cincinnati, Hypatia Special Issues: Women and Violence Volume 11 Number 4, 1996, pg. online

Theory that does not investigate or even notice the omnipresence of militarism cannot represent or address the depth and specificity of the everyday effects of militarism on women, on people living in occupied territories, on members of military institutions, and on the environment. These effects are relevant to feminists in a number of ways because military practices and institutions help construct gendered and national identity, and because they justify the destruction of natural nonhuman entities and communities during peacetime. Lack of attention to these aspects of the business of making or preventing military violence in an extremely technologized world results in theory that cannot accommodate the connections among the constant presence of militarism, declared wars, and other closely related social phenomena, such as nationalistic glorifications of motherhood, media violence, and current ideological gravitations to military solutions for social problems.